

**Detailed Agenda for the Meeting of Penshurst Parish Council Meeting to be held on 6 November 2023 at 7 pm in Penshurst Village Hall**

1. **PRESENT:**                      2. **APOLOGIES:**                      **In attendance:**
3. **Minutes of Parish Council Meeting** held on 2 October 2023 to be approved.
4. **Declarations of interests in agenda items:**

**OPEN SESSION:**

5. **KCCllr Mrs Margot McArthur:**

6. **SDCllr R Streatfeild:**

7. **Matters Arising:**

(i) **Fordcombe Churchyard Trees:** ED advised issue being raised at next church meeting for discussion.

(ii) **Local Affordable Housing:** Further information awaited from English Rural Housing and Becket Trust after site visits.

(iii) **Dangerous Parking – ‘T’ Junction at Village Hall – Leicester Square - Penshurst Place entrance.** Highways contacted regarding provision of yellow lining under reference **747414**. Area not considered suitable for yellow lines.

(iv) **Salt/Grit Supply:** Bulk supply requested plus 4 x bags for grit bin to be placed at Penshurst shop, delivery advised by 30 October 2023.

(v) **Environment Agency:** ED contacted by resident to advise problems with water supply/drainage initially identified still being investigated by Southern Water. Considered worthwhile involving Environment Agency and/or Chief Executive of Southern Water.

(vi) **Gatwick Airport:** PC registered to submit comments with regard to Gatwick Airport Northern Runway under Registration Identification No. 20042884

8. **PLANNING:                      Planning Applications:**

**23/03066/HOUSE - 23/03067/LBCALT: Eden Cottage, Fordcombe Road, Penshurst:** Internal and external refurbishment to include thermal upgrades, fenestration alterations, new lime render, drainage alterations, new mechanical and electrical installations and boundary wall repairs together with unoriginal timber conservatory to be demolished.

**23/02956/FUL/LBC: Redwood, Penshurst Road, Penshurst:** Erection of a four bed dwellinghouse

**23/02780/LDCEX: Gardener’s Annexe at Little Chart: PC Response:** The Parish Council do not have any knowledge of when the current use of the building commenced. We understand that the issue for the District Council is whether, on the balance of probability, the use has been carried on for the period stated in the application.

We note that the applicant states in point 2 of the Statutory Declaration “For as long as I can remember, there has been a separate dwelling house at Little Chart Farm, which has been lived in by the farm managers at the estate, and their families.”

This statement does not reflect the following planning history of the property:  
08/02706 Retrospective replacement outbuilding. We note from p4 of the Officer’s report that the *original* building was described as being used for general purpose storage and that the replacement building was currently being used for sheep and hay storage. Although this application was refused, it was subsequently

granted at Appeal with a condition being added that "the building hereby permitted shall only be used for domestic or agricultural storage and for no other purpose"

22/03058 At this time, the use of the building was described as being "partly a garage and partly a building being used as accommodation for staff". We also note from p4 of the Officer's report that, at some point since the previous application, a first floor had been introduced.

Point 2 of the applicant's Statutory Declaration is clearly not consistent with the planning history, so we would question whether, on the balance of probability, the assertion made in point 3 should be taken at face value.

From the Parish Council point of view, the only definitive evidence as to the period of occupation would appear to be the period for which the building has been assessed for council tax ie since 2022.

**23/02304/HOUSE: Little Chafford, Spring Hill, Fordcombe:** Conversion of existing agricultural buildings to residential use.

**23/02772/HOUSE: St Peters House, Chafford Lane, Fordcombe:** Study to the side of the existing garage with rooflights.

**23/02780/LDCEX: Gardeners Annexe, Little Chart, Smarts Hill, Penshurst:** Confirmation that use of building at C3 dwellinghouse for more than 4 years is lawful. **PC Response:** The Parish Council do not have any knowledge of when the current use of the building commenced. We understand that the issue for the District Council is whether, on the balance of probability, the use has been carried on for the period stated in the application.

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**23/02727/HOUSE: Barnfold Cottage, Saints Hill, Penshurst: The provision of a detached greenhouse.** It was noted that planning permission was required for this application due to the siting of the greenhouse which meant it would fall within permitted development.

**23/02557/HOUSE: Larkfield House, Saints Hill, Penshurst:** Alterations to fenestration, raising the roof to facilitate a first floor with new parking area and single-story extension to ancillary outbuilding. Rooflights. Timber cladding. Change to driveway surface.

**23/02503/FUL: Land South of Cobnut Cottage, Poundsbridge, Penshurst:** Two stables, tack room and store

**23/02645/AGRNOT: Westover Farm, The Lane, Fordcombe:** Proposed agricultural track.

The Council has received the above notification and is currently considering whether additional details of siting, design and external appearance are required for more detailed consideration. **Prior Approval Not Required.**

**23/01853/FUL: Kingdom Grove Road, Penshurst:** Change of use of clubhouse from D2 to E and events use at ground and lower ground floor, with first floor and roof level for indoor and outdoor sport and events use (sui generis). Erection of a sound control lobby on the southeastern elevation.

**PC Response:**

Penshurst Parish Council has been assured by the applicant on a number of occasions that the cycling/sport-based nature of the site would be ensured (as this was the original reason why planning consent was granted in the first place) but despite such assurances, this has not proved to be the case. The addition of a conservatory on part of one wall will do little or nothing to address the issues raised in our objection to the previous application (21/03418).

We reiterate that the Officer's report for 21/00344/LDCEX states at point 43 "The sui generis use of the building, has brought about cumulative impacts upon nearby residents in terms of additional noise, traffic generation and highway safety issues from overspill parking onto Grove Road" and at point 44 "Overall, it is considered that the intensified use of the clubhouse building has an detrimental impact upon the living conditions of the existing occupants, creating an environment which would be fundamentally different from that which existed prior to May 2015, through increased levels of noise and disturbance."

We still consider that granting a sui generis use will increase the existing detrimental impact to nearby residents in terms of noise, traffic, and overspill parking. We are also concerned at the effects of noise, light pollution and traffic on the wildlife within this area of the AONB. We do not believe these issues could be overcome by the use of Planning Conditions.

We must emphasise to the District Council that, despite what the current Planning, Design and Access Statement may seek to assert, the current use has been deemed as NOT lawful under 21/00344/LDCEX. As far as we are concerned, this remains the position until such time as the Planning Inspectorate may decide otherwise.

Whilst we understand that the District Council may be reluctant to take planning enforcement action while there are outstanding appeals or planning applications, there is a very real possibility that the use of the site will simply become lawful by existing for 10 years without enforcement action (the current use has been ongoing for almost 8 years 4 months since May 2015). After all, what is to stop the applicant submitting further applications simply to "run down the clock", in the knowledge that no enforcement action will be taken whilst applications or appeals are undecided?

For these reasons, the Parish Council object to the application and request that the appropriate enforcement action be commenced as soon as possible.

Information forwarded to SDC Enforcement Team to confirm current situation.

**Solar Panel Installation:** Notification that solar panels had been installed at farm site in Fordcombe, the person reporting the issue had contacted SDC Planning.

#### **Appeals:**

**SE/22/00037/ENF: Fitchetts Farm, Broad Lane, Fordcombe:** Appeal against issue of Enforcement Notice for: Without planning permission change of use of the land and associated building from agriculture to storage (B8) and for use as a scaffolding yard. Appeal made to Secretary of State against the issue of Enforcement Notice by SDC. **Appeal Dismissed**

**SE/21/03418/FUL: Kingdom, Grove Road, Penshurst:** Change of use of clubhouse from assembly and leisure to use of E class; ground floor and lower ground floor and roof terrace as indoor and outdoor sport (Sui Generis). **Appeal Type** Non-determination (8 Weeks).

**SDC Ref: 21/00028/ENF: Penshurst Off Road Cycling, Grove Road, Penshurst:**

**Nature:** Appeal against Enforcement Notice issued for: Without the benefit of planning permission the carrying out of operational works involving the importation of and deposit of soil, hardcore, and waste materials to raise the levels of the land, including the formation of a boundary bunding, track and hardstanding together with associated re-grading and contouring of the land, the siting of two shipping containers, the formation of a bridge, the creation of a pond and the erection of boundary fencing

**Appeal Ref:** APP/G2245/C/21/3274119

**Appeal Start Date:** The Planning Inspectorate has decided that the appeal will be dealt with by means of a Public Inquiry.

**SE/22/02133/HOUSE: Barnfold Cottage, Saints Hill, Penshurst:** Single storey extension to side.

**APP/G2245/X/21/3284918: SE/20/00344/LDCEX – Kingdom, Grove Road, Penshurst**

Confirmation that the Clubhouse at Kingdom, Grove Road and it can be used for purposes within the use class D2 assembly and leisure building is lawful. Appeal revised to public enquiry.

**22/00118/RFLBC: Hill Corner Cottage, The Lane, Fordcombe:** To remove the internal staircase.

**SDC Appeal Ref: 22/00118/RFLBC: Barnfold Cottage, Saints Hill, Penshurst:** Single storey extension to side

**SDC Appeal Ref: 22/00122/RFPLN:** This Appeal is proceeding under the Householder Appeals Service therefore there is no opportunity for you to submit comments. Previous submissions have been forwarded.

**SDC Appeal Ref: 23/00073/RFPLN: Palmers Cottage, The Lane, Fordcombe:** Proposed single storey rear extension with rooflight. **Requested Procedure** Fast Track Appeal

**Tree Works:**

**23/02484/WTPO: 5 Latymers Penshurst:** Two Oak trees - Reduce by 3 to 4 metres (approximately 30%). *Split Decision*

**23/03051/WTPO: Oak House, High Street, Penshurst:** Works to Horse Chestnut tree.

**9. HIGHWAYS**

**734351: Rogues Hill:** Gulley scheduled for cleaning under programmed time.

**740132: Temporary Swaylands Entrance:** Gradient sign damaged. Inspected, work completed.

**746512: Chafford Lane:** Overgrown hedges restricting width for pedestrians using route, under investigation.

**10. Accounts:** The following accounts will be presented for payment together with any others received after preparation of the agenda but prior to the meeting:

Mazars	External PC Audit 2022/2023	£252.00
Mr N Furnell	Training Course Reimbursement	£90.33
Oast & Oak Services August-October	Churchyard Maintenance	£1321.60

- (i) **Banking Arrangements:** In view of current financial reports relating to Metro Bank, alternative bank for reserves being sourced.
- (ii) **Dedicated Emails:** Cost via existing Website supplier £18 per annum per account, suggested addresses circulated by ED for confirmation, no objections received – Website team provided with email addresses for setting up system.

**11. General:**

(i) **Verge Cutting:** Update on agreement for PC to undertake verge mowing at current estimate of £3,600 Plus VAT shared between the local neighbouring PCs. Kent Highway's requirements were for verges only to be actioned (June and October/November) with no visibility splay clearance, issue to be monitored for H&S problems. 'No Mow May' option to be continued, visibility splays would not be cut, verges only to be actioned.

**The contractor confirmed contract details:** Indicative price based on today's fuel prices £3,600 + VAT shared across all parishes per cut. KCC not devolving visibility splays, PCs to ask Cllr McArthur to advise KCC to support PC carrying out this option. Contractor standard of work far superior to KCC contractor. Final price to be advised prior to work being undertaken to allow for fuel cost changes, two full cuts in March/April and October/November allowed for. I have emailed Margot to ask for her support for the PC to continue doing the work and hopefully getting a refund from KCC for what they would have paid.

(ii). **Asset Register:** ED to discuss with internal auditor updating of asset register in view of work carried out during the year to the oak posts and the play area repairs and installation of multiplay unit.

(iii). **CCTV:** ED meeting with CCTV technician and member of Fordcombe Village Hall committee to discuss concerns regarding provision of system.

**13. Any Other Business:**