

Brabourne Parish Council
Minutes of the Parish Council Meeting
Held on Monday 22nd November 2021 at 7.30pm at the Village Hall

To be actioned by

	The Chairman welcomed everyone to the meeting.	
1.	To note those present	
	Cllr Harbottle (Chairman), Cllr Atkins, Cllr Mrs Smith, Cllr Spokes and Mrs Block (Clerk). Cllr Howard and 22 members of the public were present.	
2.	To receive any Apologies for absence	
	Apologies were received from Cllrs Mrs Tanner and Mrs Young.	
3.	To receive declarations of interest (Disclosable Pecuniary Interests and Other Significant Interests). The nature as well as the existence of any such interest must be declared.	
	There were no declarations of interest to be made.	
4.	To approve the Minutes of the meeting held on 27th September 2021	
	Resolved: That the Minutes of the Meeting of the Parish Council held on 27th September 2021 be approved and confirmed as a true record. The minutes were duly signed.	
5.	To discuss any Matters Arising	
	<p>To receive an update on the proposed token(s) of remembrance for Cllr Hickmott The Parish Council resolved that, subject to approval by the Village Hall Committee, that relevant matters pertaining to the Village Hall be taken forward by email. Additional options continue to be looked into.</p> <p>To receive an update regarding the Highways Improvement Plan Now that there is a complete Committee, there will be a meeting to take the Highways Improvement Plan forward.</p> <p>To receive an update regarding the Allotment Tenancy Agreement A revised version has been received and circulated. A query was raised regarding point 8(e). It was resolved to adopt the proposed policy once issues surrounding 8(e) had been decided.</p>	<p>DA MS WH</p> <p>ALL</p>
6.	To receive the Borough Councillor's report	
	<p>Cllr Howard reported that obtaining front funds from the Government's budget has been successful for the Borough Council this year. Monies had been secured for both the film studio at Newtown and the extension of the College. The swimming pool at the Stour Centre is open again, money has been invested in this and is providing positive results. There has been a lack of swimming pools in the area due to the closure of the Stour Centre for renovation and also the roof damage at the Tenterden Leisure Centre.</p> <p>Cllr Howard explained that he has been working on carbon neutrality. He is heading up the Queen's Green Canopy Project in Ashford which will see 139,000 trees planted over the next two years. It is aimed to plant 30,000 trees on Borough Council land this year and next year Ashford Borough Council will be looking for landowners to come forward. In order to ensure biodiversity, a number of different species of trees are being planted. Cllr Howard advised that clearly this will not provide immediate results for carbon neutrality, so officers are looking to provide carbon neutrality in all new developments, including providing car charging points. Officers have also been looking at the policy</p>	

	<p>documents when viewing planning matters and there has recently been a very positive project for carbon neutrality in Chilham.</p> <p>Cllr Howard advised that, more locally, he has spent most of his time viewing planning matters, often advising applicants, neighbours and those concerned whilst remaining open minded as he sits on the Planning Committee.</p> <p>There is still some Ward Member Grant funding available, this expenditure needs to be a capital expense and to be of benefit to the community.</p>	
7.	Planning Report	
	<p>a. To receive the report of the Planning Committee</p> <p>A copy of the Planning Committee Report was circulated to Councillors, and a copy is available in Appendix 1 of these minutes.</p> <p>Cllr Atkins asked about the Missingingham Farm application. It was noted that the latest revision of the application was for two dwellings which matched the number of dwellings present under the extant permission.</p> <p>b. To receive any outstanding applications and to agree a response</p> <p>i. 21/01862/AS: Land at the Street and North of Court Lodge, Brabourne</p> <p>The meeting was suspended to allow comments from members of the public.</p> <p><i>The Chairman invited the applicant to address those present. The applicant explained the proposed business setup, advising that the primary product is to be a distilled whiskey that will take three years to reach maturation. During this time, it is also intended to use fruit products to produce other drinks such as grape brandy and flavoured gins. The process is designed to be carbon neutral and in the long term it would be looking to be a carbon negative process, having undertaken some biodiversity improvements on the site.</i></p> <p><i>A member of the public asked why it was necessary for the business to be sited in the AONB? The applicant explained that other distilleries are based in AONBs across the country.</i></p> <p><i>A member of the public expressed concerns regarding the impact on the community. The applicant explained that they had listened to the objections from the previous application, that they saw no need for HGVs to visit the site and will do their best to avoid school times for all traffic movements. The applicant also advised that they will take steps to avoid noise, smells, and light pollution. The applicant explained that all of the processes will be undertaken inside the barn, that the distilling process is quiet, that the smell produced from waste will be absorbed by a waste digesting plant. The applicant advised that the business will be looking to provide training and apprenticeships and employ a small number of people.</i></p> <p><i>A member of the public asked what the maximum size of vehicles used would be? The applicant advised that the maximum size of vehicle would be an 11.5m long waste lorry.</i></p> <p><i>A member of the public queried what would happen if the business were to expand? The applicant emphasised that the business is a micro distillery that would be limited in size and that the current website is for the current advisory business.</i></p> <p><i>A member of the public expressed concern that the application could be setting a precedent for all agricultural buildings enabling them to be built and then followed by a change of use.</i></p> <p><i>A member of the public expressed concern that this was an AONB and that the land had always been farmed but is now a vineyard with buildings.</i></p>	

	<p><i>A member of the public expressed concern about lighting. The applicant explained that security lighting will not be required, that infrared CCTV is sufficient and that just one motion detected light would be on the building. Cllr Howard suggested that the applicant look at the Ashford Borough Council dark skies policy.</i></p> <p><i>It was noted that the Kent Downs AONB Unit response was not yet available to view online.</i></p> <p><i>The Chairman noted that page 7 of the Planning Statement referred to the building as being “disused” and asked whether this was correct? The landowner, who was amongst those members of the public present, indicated that the building was not disused.</i></p> <p><i>Cllr Mrs Smith asked where the water would be coming from? The applicant explained that this would come from water harvesting.</i></p> <p><i>The Chairman thanked members of the public for their views.</i></p> <p>The meeting was reconvened.</p> <p>The Chairman advised that the building was erected under permitted development rights (Schedule 2 Part 6 GDPO 2015) following an application for prior notification in 2019, as part of which the Borough Council was satisfied that the building was reasonably necessary for the purposes of agriculture. The Chairman further advised that paragraph A2(5) of the same Part and Schedule may be applicable, and that the planning statement refers to the building as being “disused” (at page 7), although acknowledged that the landowner had indicated in the public session that the building was not disused.</p> <p>The Chairman felt that if the Borough Council considered that there was a legal requirement for the building to be removed under paragraph A2(5), then the building would likely have no legal basis for its existence at the time of the application. Equally, if the Borough Council considered that the building was still reasonably necessary for the purposes of agriculture, and its use were to be changed as proposed, then, as pointed out by the Borough Council’s Rural Planning Consultant, it would be reasonable to assume in those circumstances that a replacement agricultural building would follow in due course. In either case, the Chairman was of the view that this application should be assessed as a new employment premises in the countryside under Local Plan Policy EMP5.</p> <p>Assessing the application against the criteria of Policy EMP5, on criterion (a), the Chairman felt that whilst reference was made in the papers to, for example, “working with local farmers” (page 1 of the Applicant’s Statement) and that “the proposed distillery can demonstrate a relationship with the agricultural vineyard adjacent” (paragraph 5.1.6 of the Transport Statement), no details were given in the papers to explain what this comprises or otherwise how it would constitute an essential functional need for the proposed business to be sited at this location. The Chairman therefore considered that this criterion was not met. On criterion (b), the Chairman considered that the proposals would be unlikely to conserve and enhance the natural beauty of the AONB. On the remaining criteria, the Chairman acknowledged that there were significant concerns with regards to residential amenity and traffic issues, although such matters would be for Environmental Health and the local Highway Authority to provide any detailed advice on. The Chairman therefore considered that an objection to the application should be made.</p> <p>Cllr Spokes felt that the legal status of the building would need to be resolved before any decision could be made on the application. The Chairman explained that, in his</p>
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	<p>view, the issue of the legal status of the building made no difference as to which Local Plan Policy the application should be assessed against. It was noted that the Parish Council was aware that around 30 objections had been made in respect of this application.</p> <p>Cllr Atkins liked the business proposal, although expressed concern about potential alternatives, but agreed with the view that the application did not meet the criteria of Policy EMP5. Cllr Mrs Smith likewise agreed. Cllr Spokes felt that if the application is considered not to meet the relevant planning requirements, then it cannot be taken further.</p> <p>Resolved: That the Parish Council objects to the application.</p> <p>ii. 21/01925/AS: Five Bells, The Street, Brabourne</p> <p>Councillors discussed potential residential amenity issues and all were agreed that the proposals must not adversely affect the residential amenity of neighbouring properties. It was also queried whether the site could reasonably accommodate further expansion beyond the current proposals.</p> <p>Resolved: That the Parish Council makes a general comment on the application.</p>															
8.	To receive an update on the newsletter															
	<p>Mrs Pereboom attended the meeting and explained that there had been two items distributed through the newsletter system with an opening rate of 71.2% for a road closure and 65.5% for the newsletter itself. From the newsletter, there had been 137 clickthroughs and increased sessions online. Brabourne street lighting had created 116 clickthroughs from the newsletter.</p> <p>The Clerk is to email Cllrs Bell and Howard asking for articles for the newsletter.</p>	TB														
9.	To note the current vacancy and consider actions with regard to advertising this															
	The vacancy will be advertised in the Parish News and the Newsletter.															
10.	To receive an update on the proposed streetlighting adoption/removal															
	This was deferred until Ashford Borough Council write to Parish Councils asking which streetlights are to be adopted/removed.															
11.	Financial Matters															
	<p>a. To agree payments in accordance with the Budget</p> <table><tr><td>BWP Creative Ltd (website)</td><td>£230.40</td></tr><tr><td>David Ansley (Litter picker)</td><td>£285.12</td></tr><tr><td>St Mary’s Brabourne</td><td>£250.00</td></tr><tr><td>HMRC</td><td>£3.20</td></tr><tr><td>Tracey Block (October salary)</td><td>£506.21</td></tr><tr><td>Tracey Block (November salary)</td><td>£506.21</td></tr><tr><td>Fordred’s Charity</td><td>£200.00</td></tr></table> <p>b. To note the Parish Council’s financial position</p> <p>There is currently £59,463.42 in the bank.</p> <p>c. To approve the proposed budget for 2022/23</p> <p>The proposed budget was approved.</p>	BWP Creative Ltd (website)	£230.40	David Ansley (Litter picker)	£285.12	St Mary’s Brabourne	£250.00	HMRC	£3.20	Tracey Block (October salary)	£506.21	Tracey Block (November salary)	£506.21	Fordred’s Charity	£200.00	
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	<p>d. To approve the Precept for 2022/23 The Precept request was approved for £40,000 for 2022/23.</p> <p>e. To agree donation to the Friends of St Mary's, Brabourne The donation for St Mary's Brabourne for £250 towards the upkeep of the churchyard was approved.</p> <p>f. To agree donation to Brabourne and Smeeth Scouts and Guides A donation of £300 was approved to Brabourne and Smeeth Scouts and Guides.</p> <p>g. To agree the Allotment Plot Rental Amounts 2022/23 It was agreed that the Allotment Plot Rentals would remain at £30 per annum.</p>	
12.	To discuss and agree the Parish Council's involvement with the Queens Jubilee Celebrations 2022 and the Queen's Green Canopy Project.	
	It was agreed that this should be deferred to the next meeting.	
13.	Open Session	
	There were no further comments from members of the public.	
14.	Any Other Business	
	Cllr Mrs Smith explained that the books in the old telephone box have become a problem, the ones that don't fit are to be removed and distributed elsewhere. A note should be placed in the telephone box to say that if the books don't fit, please don't leave them.	TB
15.	Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council	
	Monday 24 th January 2022 at 7.30pm in Brabourne Village Hall. Monday 28 th March 2022. Monday 23 rd May 2022.	
16.	Resolution to exclude the public	
	Resolved: That under Section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, because of the confidential nature of the business to be dealt with, the Public and Press leave the meeting during discussion of item 17 (Fordred's Charity).	
17.	Fordred's Charity	
	The distribution of the Charity funds was agreed.	

The meeting closed at 10.20pm.

Appendix 1: Planning Committee Report for Parish Council meeting on 22 November 2021

New Applications (received after the last meeting)

21/01925/AS: Five Bells, The Street, Brabourne, TN25 5LP

Retrospective planning application for landscaped work, seating and pergola.

To be discussed.

21/01862/AS: Land at the Street and North of Court Lodge, Brabourne

Conversion and change of use to distillery (Sui Generis).

To be discussed.

21/01817/AS: 57 Prospect Way, Brabourne, TN25 6RL

Rear single storey extension & front extension to cloakroom.

Parish Council: General comment

21/01812/AS: Fairhaven, Lees Road, Brabourne, TN25 6QA

Alterations to fenestration and front bay/porch; first floor side extension, construction of detached garage and new vehicular access.

Parish Council: General comment | Decision: Permit

21/01752/AS: Brabourne Cottage, Canterbury Road, Brabourne, TN25 5LW

Installation of solar photovoltaic panels on an existing garage/garden store building.

Parish Council: General comment

21/01736/AS: East View, Lees Road, Brabourne, TN25 6QA

Demolition of existing double garage and erection of one bedroom annexe.

Awaiting further information.

21/01574/AS: 21 Mountbatten Way, Brabourne, TN25 6PZ

Garage conversion.

Parish Council: General comment

21/01380/AS: Brewers Meadow, Weekes Lane, Brabourne, TN25 5LZ

Installation of two solar panel arrays.

Parish Council: General comment

Decided Applications (except those received after the last meeting)

21/01542/AS: 25 Prospect Way, Brabourne, TN25 6RL

Garage conversion to include alteration of roof room and addition of single storey side extension.

Parish Council: General comment | Decision: Permit

21/01475/AS: Penally, Monks Horton, Ashford, TN25 6AT

Erection of front and side porches together with the installation of ground level solar panels.

Parish Council: General comment | Decision: Permit

21/01423/AS: Court Lodge, The Street, Brabourne, TN25 5LR

Part change of use from domestic storage to ancillary space for vineyard.

Parish Council: General comment | Decision: Permit

21/01187/AS: Lamplands, Pilgrims Way, Brabourne, TN25 5LU

First floor extension; alterations to the fenestration and associated works.

Parish Council: Object | Decision: Permit (amended drawings)

21/01113/AS: Raffles, Canterbury Road, Brabourne, TN25 5LL

Erection of stable type building for the storage of gardening equipment.

Parish Council: General comment | Decision: Permit

20/00767/AS: Conley Barn, Bulltown Lane, Brabourne, TN25 5NB

Conversion of barn to residential dwelling (retrospective).

Parish Council: General comment | Decision: Permit

Awaited Applications (except those received after the last meeting)

21/01464/AS: Elm Farm, Weekes Lane, Brabourne, TN25 5LZ

Removal of conservatory and two external outbuildings. Proposed single storey rear extension and two storey side extension; pergola to link to proposed garage and car port.

Parish Council: General comment

21/01440/AS: Meadowside Farm, Scots Lane, Brabourne, TN25 6LP

Demolition of existing agricultural barn and erection of a log cabin to be used as a temporary residential accommodation.

Parish Council: Object

21/01413/AS: Crow Corner, Manor Pound Lane, Brabourne, TN25 5NA

Change of use of the existing barn to ancillary annexe.

Parish Council: General comment

20/00955/AS: Missingham Farm, Pilgrims Way, Brabourne, TN25 5LU

Erection of two new build detached houses together with reconfiguration of adjoining equestrian enterprise (alternative scheme to that approved under 19/00819/AS).

Parish Council: Object | Reconsultation: Object | Reconsultation 2: General Comment