

**MINUTES OF THE PARISH COUNCIL MEETING
HELD AT HORSMONDEN VILLAGE HALL
ON MONDAY, 3 FEBRUARY 2025 AT 7:30PM**

Present:

Cllrs Richards (Chair), Davis, Russell, Sheppard, Larkin, Jenkinson, Baxter-Smith and Baylis

In attendance:

Lucy Noakes (Clerk)

Anna Blyth (Deputy Clerk)

Mr Andrew Winser (Chair of HDAG)

Cllr Sarah Hamilton (part of the meeting)

1 member of the public

Cllr Baxter-Smith arrived at the meeting at 7.50pm.

1. Apologies for Absence and declarations of interest

Cllrs Mobbs and Darrah gave their apologies prior to the meeting.

2. Minutes of Parish Council Meetings

The Minutes of the Parish Council Meeting held on 13 January 2025 had been circulated beforehand by the Clerk. They were agreed for accuracy and proposed for acceptance by Cllr Jenkinson, seconded Cllr Sheppard and voted for unanimously by those present at that meeting and signed by the Chair.

The Chair proposed that item 6c be brought forward for discussion.

6c. Revise Parish Council Committee membership

The Clerk had circulated the list of committee members to Cllrs prior to the meeting and confirmed that, following Cllr March's retirement, these needed to be reviewed.

After discussion, it was proposed by Cllr Jenkinson and seconded by Cllr Davis that the following committee /group structure be adopted by the Council. Unanimous:

Business/Retail Liaison– Cllrs Richards

Finance/Risk Assessment Committee – Cllrs Russell, Davis, Richards, Sheppard and Baxter-Smith

Personnel Committee – Cllrs Davis, Jenkinson, Russell

Footpaths (Lost & Forgotten Footpaths) Liaison Group - Cllrs Sheppard, Larkin and Baylis

Horsefair & Police Liaison Group – Cllrs Richards and Larkin

Kent Association of Local Councils (KALC) Representatives Liaison Group – Cllr Richards (with Cllr Baxter-Smith as reserve)

Planning Committee – all Councillors

Horsmonden Village Events Committee Liaison (HoVEC) – Cllr Richards

Highways & Lighting Group – Cllrs Davis, Russell and Sheppard

Parish Council Open Spaces Working Group – Cllrs Larkin, Russell and Baxter-Smith

Village Hall Trustees – Cllrs Jenkinson and Russell

Sports Ground Liaison – Cllrs Davis, Richards and Baxter-Smith

Institute Building Liaison Group – Cllrs Davis, Richards, Sheppard and Russell

Emergency Planning Group – Cllrs Davis, Jenkinson, Larkin, Russell and Bayliss

Climate Change Working Group – all Councillors

New Village Hall Working Group – Cllrs Davis, Jenkinson, Russell and Larkin

School Liaison – Cllr Baxter-Smith (reserve Cllr Davis)

Horsmonden Development Advisory Group – Cllrs Davis, Russell, Richards, Baxter-Smith and Baylis

1. Public Session (no decisions)

A member of the public had requested to speak during the public session to update Councillors regarding the ongoing renovation works at the Institute Building. Following the internal strip-out of the building, some unforeseen issues had arisen which require fairly urgent attention. A comprehensive report had been prepared and circulated to Cllrs prior to the meeting which detailed the unexpected costs incurred. The speaker emphasised the benefits the newly renovated social space would bring to the community and asked the PC, as Landlords of the building, to consider whether they could offer any financial contribution towards the unexpected costs.

The Chair proposed that item 4f be brought forward for discussion.

4f. Quotations for repairs at Institute Building

The Clerk provided a detailed review to Cllrs of the report prepared by the trustees of the Institute Building, emphasising the sections where she felt the PC holds responsibility as the owners of the building. The Clerk also shared relevant sections of the lease and it was agreed that whilst some areas were clear, certain provisions contained ambiguous wording.

After detailed discussion between Cllrs, the following was agreed:

Unforeseen Works	Cost	Responsibility
Blockwork/brickwork repair, small bar area	£1,100	Landlord responsible
Lowering of ceiling and boxing in, small bar area	£1,470	Tenant responsibility as part of the refurbishment
Damp/Leak	Unknown	Landlord responsible
Replacing bowed and uneven ceiling	£1,200	Tenant responsibility as part of the refurbishment
Re-routing of pipework and new radiators	£13,130	Responsibility unclear – shared cost between Landlord and Tenants
Total (not including leak rectification)		£16,900

The Clerk confirmed that, based on the above, the total cost to the PC would be £7,665 plus any additional costs incurred to rectify the damp/leak problem.

As Chair of the Finance Committee, Cllr Russell reminded members that the 2025-2026 precept had recently been adjusted to incorporate an additional £9,000 for the replenishment of general reserves, along with a specific allocation of £1,000 for the Institute Building. This adjustment provided sufficient funds to cover the cost of £7,665, which could be issued to the Social Club committee as a grant from the PC.

The Deputy Clerk had circulated several quotations to Cllrs for further leak investigation at the Institute. It was agreed that the PC should proceed with the lowest quote from Drain Detectives, who had been recommended by the builders and had immediate availability, at a rate of £145 per hour. While it was anticipated that the investigation would not exceed one hour, it was agreed that this should be undertaken promptly to avoid delays to the ongoing works.

Cllr Davis proposed that the PC offer an amount of £7,665 towards the unexpected costs of the renovation at the Institute Building plus go ahead and book the leak investigation with Drain Detectives at £145 per hour; seconded Cllr Sheppard. Unanimous.

The Chair proposed that Item 5. Planning be brought forward for discussion.

5. Planning

a. Planning applications

Planning Application:	24/00078/HYBRID
Proposal:	<u>Hybrid application: Full application for the erection of 120 No. dwellings (Use Class C3), including affordable housing, landscaping, public open space, allotments, ecological enhancements, SUDs and access. Outline application (with all matters reserved) for 0.25 hectares of land for a new Medical Centre (Use Class E(e)) with associated access, parking and landscaping.</u>
Location:	Bassetts Farm Goudhurst Road Horsmonden Tonbridge Kent TN12 8AS
Recommendation	Refusal
Proposal	Cllr Baxter-Smith; seconded Cllr Larkin. Unanimous.
Comments	<p>SEE APPENDIX 2</p> <p>The Clerk confirmed that the comments prepared by the PC would be passed to Planning Consultant, Alison Eardley for her to review and confirm whether she is still be happy to speak on behalf of the PC at the upcoming TWBC Planning Committee meeting (date TBC).</p> <p>The Clerk also confirmed that she had contacted neighbouring parishes (Goudhurst and Brenchley & Matfield) asking for their support with regards to this application.</p>

Planning Application:	24/03059/LBC
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Proposal:	<u>Listed Building Consent - (Works Completed)</u> <u>Replacement coping stones</u>
Location:	North Lodge Grovehurst Lane Horsmonden Tonbridge Kent TN12 8BG
Recommendation	Approval
Proposal	Cllr Jenkinson; seconded Cllr Larkin. Unanimous.
Comments	Propose acceptance of new coping stones subject to the advice of the Conservation Officer.

4. Parish Council Finance

a. **Agree payments listing up to and including 2 February 2025 as attached (Appendix 1- See end of document)**

The Clerk showed a copy of the list of payments up to and including 2 February 2025 as a total of £5,136.27. Cllr Russell proposed approval of the schedule of payments; seconded Cllr Davis. Unanimous.

Cllrs Richards and Larkin agreed to release and authorise payments from the bank this month.

b. **Bank Reconciliation as at 31 January 2025**

The bank balance at 31 January 2025 was displayed with a total at £58,547.77.

This was confirmed as correct against the respective bank statement and signed by the Chair.

Cllr Sarah Hamilton (KCC) arrived at the meeting at 8.37pm and gave a brief update to Cllrs regarding matters she had been dealing with recently. She confirmed that updates regarding the Devolution process for Kent are still awaited and mentioned that the next meeting for the Joint Transport Board (JTB) is scheduled for April. Cllr Hamilton confirmed that she will be pushing for HIPs to be added to the next agenda to address the issue of speeding HGVs in rural areas.

c. **Renewal of Arron Services annual contract for computer maintenance**

The Clerk had circulated a quotation from Arron Service for the PCs annual contract for computer maintenance to Cllrs prior to the meeting for their consideration.

The quote was detailed as follows:

Standard service charge contract - £450 plus VAT

Extra charge for 8 x laptops - £200 plus VAT

Cllr Jenkinson proposed that the PC renew their annual contract for computer maintenance with Arron Services as invited (£650 plus VAT); seconded Cllr Davis. Unanimous.

d. **Consider new contract for payroll services with effect from 1 April 2025**

The Clerk explained that the PCs current supplier for payroll services, M Power have recently announced that they are not be able to offer this service from 1st April 2025. Therefore, the Clerk had obtained some alternative quotations for payroll services for Cllrs to consider (these has been circulated prior to the meeting):

Mulberry services:

£480 plus VAT per annum plus one-off payment of £50 for set-up

ADP services:

£2,432.40 + VAT per annum plus a one-off payment of £1,000 for set-up

Bells Accountancy:

£540 + VAT per annum

DM Payroll services:

Unable to provide a quote as they do not have the capacity to take on new clients at the moment

The Clerk confirmed that last year, the PC paid £275 plus VAT for payroll services however, as M Power are a very local company it was agreed that the PC would inevitably face an increase in costs with a new provider.

Cllr Davis proposed that the PC accept the quotation provided by Mulberry Services (£480 plus VAT); seconded Cllr Russell. Unanimous.

e. **Consider revised Toilet cleaning contract with P&F Cleaning Services with effect from 1 April 2025**

The Clerk confirmed that P&F Cleaning would be increasing their prices with effect from 1st April 2025 from £500 per month to £530 per month. The breakdown was detailed as follows:

Toilet Cleaning – £480

Shelter Cleaning - £50

It was unanimously agreed that the current cleaning team provide an excellent service despite regularly dealing with unpleasant situations and therefore Cllr Jenkinson proposed acceptance of the increased costs as detailed; seconded Cllr Baxter-Smith. Unanimous.

f. **Quotations for repairs at Institute Building**

See above.

g. **Renew SLCC membership for Clerk and Deputy Clerk**

The Clerk confirmed the renewal costs for SLCC membership as follows:

Clerk - £295

Deputy Clerk - £190

It was agreed that the SLCC membership continues to be beneficial to the PC and therefore Cllr Russell proposed acceptance of the costs as detailed; seconded Cllr Sheppard. Unanimous.

h. **Agree to purchase Tommy statue(s), large poppies and flag to commemorate 80th Anniversary of VE Day**

The Clerk confirmed that a flag for VE Day had already been purchased at a total cost of £32.95 however, further to previous discussions, the Clerk asked Cllrs whether they would like to purchase a Tommy statue (or two) to be placed at the war memorial, along with 10 additional large poppies for the lamp posts around the green. The Clerk showed photos of possible locations around the war memorial for the statue(s), providing a visual context for Cllrs to consider.

Councillors were asked to decide whether to proceed with the purchase of the statue and poppies as part of the VE Day commemorative activities.

The costs were detailed as follows:

Tommy Statue - £175 each (or £325 for two)
X10 large lamp post poppies - £5 each (total £50)

After discussion between Cllrs, Cllr Jenkinson proposed acceptance of the VE Day flag already purchased (£32.95) and further proposed that the PC purchase one Tommy Statue facing left with the words "We Remember" on the base for the War Memorial (£175) and 10 additional large poppies (£50); seconded Cllr Sheppard. Unanimous.

6. Parish Council Decisions/Administration

a. Parish Highways/footpath/street lighting/landscaping and tree works

The Clerk reported that street light no.8 in Gibbet Lane is still not working and therefore PSR Lighting will need to come out and fix ASAP at their standard call out charge of £225. As all other street lights appear to be working at present, Cllr Sheppard proposed that the PC instruct PSR lighting to come out and fix street light no.8 (£225); seconded Cllr Russell. Unanimous.

The Clerk reminded Cllrs that The Living Forest will be carrying out a tree survey on the Village Green and at Fromandez Drive on the 4th February, as previously agreed. The full report will be circulated to Cllrs once received.

b. HIPS –Consider any new HIPs

The Deputy Clerk advised that, as requested at the last meeting, improved signage at the Maidstone Road junction with Goudhurst Road (crossroads) has now been added to the PCs HIPs and is being reviewed by the KCC Planning & Advice team.

The Deputy Clerk reminded Cllrs that the PCs annual HIP meeting will take place with KCC on the 4th March so any new HIP requests will be discussed in detail at this meeting.

c. Revise Parish Council Committee membership

See above.

d. Consider and agree new tender document for remaining grounds work maintenance contract

Following the proposal at the last meeting (13/01/2025) to retain Capel Groundcare for ongoing maintenance of the village green, the Clerk had circulated a new tender document for the remaining grounds maintenance contract for Cllrs to review.

The Clerk asked Cllrs to consider the areas they wish to continue to maintain in the parish as there are currently areas in the village that are maintained by the PC but not owned by them. The two key areas discussed were:

- 1) Land at Fromandez Drive, which is partly owned by the PC and partly owned by KCC
- 2) The triangle of land at the Spelmonden Rd junction with Lamberhurst Rd, which is not in the PCs ownership at all but has been maintained historically by them.

The Clerk confirmed that the areas that are owned by KCC are subject to the devolved maintenance rules, which have recently become a lot stricter and asked Cllrs to consider this before agreeing the content of the new tender document.

After discussion between Cllrs, it was suggested that the PC approach KCC and ask whether it would be possible for these very small parcels of land to be gifted the PC, bearing in mind that they have maintained these areas for 20+ years. Cllr Hamilton agreed with this suggestion and offered to support to the PC with their request.

Cllr Baxter-Smith proposed that the PC go ahead with the new tender document on this basis, including all areas currently maintained (excl. village green); seconded Cllr Larkin. Unanimous.

e. New play area at Locket Green. Consider formation of a working party and the possibility to reuse some of the existing equipment, which could result in a closed tender process

The Clerk invited volunteers to form a working party dedicated to planning the new play area at Locket Green. Cllrs Larkin, Jenkinson and Baxter-Smith expressed an interest and put their names forward, along with the Deputy Clerk, who also wished to participate.

To ensure a collaborative approach that reflects the needs of the wider community, it was agreed that the PC would reach out to the local Kindergarten and the Primary School inviting both to nominate a representative to join the working group. This will ensure that families and young children, who will be the primary users of the play area, have a voice in the planning process.

Cllr Sheppard proposed acceptance of the above; seconded Cllr Russell. Unanimous.

The Clerk informed Cllrs that the existing supplier, Playdale, have already produced two design proposals. These designs incorporate the reuse of certain existing equipment, including the swing frames, which are still in excellent condition and costly to replace, as well as the relatively new tractor unit. Cllrs will need to take this into account during the planning process, as retaining these elements may limit the PCs ability to seek a proposal from alternative suppliers.

f. Agree and sign Deed of surrender for Horsmonden Village Hall lease. Agree to provide necessary information to allow completion of the Title registration

The Clerk had circulated the final version of the Deed of Surrender to Councillors prior to the meeting, including the names and addresses of the village hall trustees. The Clerk confirmed that once signed, the solicitor will be able to register the updated details with the Land Registry however, the trustees must provide photo identification and proof of address. As trustees of the village hall, Cllrs Jenkinson and Russell confirmed that they were happy to do this.

The Clerk had brought duplicate copies of the Deed of Surrender to the meeting, which were signed and witnessed during the proceedings.

Cllr Larkin proposed acceptance of the fees at £290 per hour (with approx. one hour estimated for this job) plus the usual Land Registry fees to complete the process; seconded Cllr Sheppard. Unanimous.

g. Consider Parish Council stall and details for “What Goes on Here” event (26th April 2025)

Cllr Davis confirmed that he would not be able to attend the event on the 26th April however, he would be able to loan his gazebo again this year (3mx3m).

Cllrs Larkin, Jenkinson, Russell and Richards all confirmed that they would be available to attend and manage the stall during the event. The Clerks also confirmed their availability.

The Clerk asked Cllrs to consider their stall and determine their focus. It was suggested that the PC could use the opportunity to showcase plans for the new play area or discuss the future location of a new village hall. This would not only raise awareness but also serve as a platform for gathering initial feedback from the community.

After discussion between Cllrs, it was agreed that this will be considered further and brought back to the next meeting to finalise specific details.

h. Update on potential community land within the parish

Cllr Larkin provided an update to Cllrs regarding a 13.8 acre parcel of land in the parish, which is currently under consideration for potential community use. She encouraged Cllrs to offer their ideas and input to help shape the future of the land with an aim to explore the best ways to utilise the space for the benefit of the community.

After discussion between Cllrs, it was noted that conversations regarding this land are at a very early stage, and the PC should also consider other areas of community land in the village when putting forward any ideas. Cllr Larkin will continue to update the PC regarding this.

7. Consultations

a. KCC Kent & Medway Local Nature Recovery Strategy public consultation ends 12 March 2025

Cllr Jenkinson agreed to respond to this consultation on behalf of the PC.

There being no further business the meeting closed at 10.05pm

APPENDIX 1

Date: 03/02/2025

Horsmonden Parish Council Current Year

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Time: 12:02

Current A/c- Unity Trust Bank

List of Payments made between 13/01/2025 and 02/02/2025

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
13/01/2025	British Gas Lite	DD	89.88		Energy Public toilets Dec
13/01/2025	British Gas Lite	DD	19.97		Energy VG boxes Dec
17/01/2025	EE - BT	DD	65.14		Jan mobile phones
20/01/2025	Castle Water	DD	44.35		Dec water public toilets
22/01/2025	Tunbridge Wells Borough Council	BACS	21.07		Uncontested election costs
22/01/2025	Viking	BACS	114.11		Stationery
22/01/2025	HMRC	BACS	963.28		Tax & NI January salary
23/01/2025	Peoples partnership	DD	218.92		Staff pension January
24/01/2025	P&F Cleaning services LTD	DDR	500.00		Toilet & Shelter cleaning Jan
24/01/2025	Mrs L Noakes	BACS	1,557.11		Jan Salary
24/01/2025	Anna Blyth	BACS	1,120.73		Staff Salary Jan
27/01/2025	Ready Call Horsmonden	BACS	50.00		Donation for printing
31/01/2025	SSE	DD	251.29		Street lights December
31/01/2025	Lloyds Bank PLC	DD	6.49		Credit card invoice Jan
31/01/2025	Mr J Couchman	BACS	103.88		January clock and play area
31/01/2025	Unity Trust Bank	DD	10.05		Bank Charges Dec
Total Payments			5,136.27		

APPENDIX 2

3rd February 2025
via email only

Jennifer Begeman,
Principle Planning Officer,
Tunbridge Wells Borough Council,
Town Hall,
Civic Way,
Royal Tunbridge Wells,
Kent
TN11 1RS

Dear Jennifer

RE: Planning Application No. 24/00078/HYBRID: Hybrid application: Full application for the erection of 120 No. dwellings (Use Class C3), including affordable housing, landscaping, public open space, allotments, ecological enhancements, SUDs and access. Outline application (with all matters reserved) for 0.25 hectares of land for a new Medical Centre (Use Class E(e)) with associated access, parking and landscaping | Bassetts Farm Goudhurst Road Horsmonden Tonbridge Kent TN12 8AS

I am writing regarding the further amendments made by Persimmon Homes Southeast ("PHSE" or "The Applicant") to the above planning application (The Application) published on the planning portal on 3rd January 2025 (The 3rd Amendment).

We ask you to consider previous comments relating to The Application submitted by Horsmonden Parish Council (HPC) on 5th November 2024, 16th July 2024, and 21st February 2024 together with those made by residents since The Application was published on 10th January 2024, and the following additional comments in relation to the most recent 3rd Amendment.

1. Submission Local Plan and Horsmonden Neighbourhood Plan policies must be applied with full weight.

The Covering Email dated 20.12.2024 from PHSE's agent, published with the 3rd Amendment, states:

"Whilst writing I thought it only expedient that I also raise the issue of the revised NPPF as published on the 12th December....."

"The above clearly demonstrates that the tilted balance set out in para 11 (d) is engaged and that the council should grant permission unless....."

"This also means whilst the Horsmonden NP is less than 5 years old, as it does not contain policies and allocations to meet its identified housing requirement it cannot rely on para 14 of the NPPF."

"Given the above and mindful both of the sites proposed allocation in the Submission Local Plan and lack of comment from the Inspector on it in his Initial Findings (unlike many of the other proposed allocations), as well as the fact the Council in document PS_107 Action Note for Action Point 30 regarding the Local Plan and Five Year Housing Land Supply Position (TWLP/153), as consulted on in September 2024, show this site as forming part of the 5 year housing land supply (delivering from 2026/27), we would submit that the presumption is firmly in favour of granting approval and therefore trust that you now have sufficient information to proceed to report this application to committee. Please confirm."

The Parish Council contests the agent's assertion that "the presumption is firmly in favour of granting approval" of The Application and submits that The Application is not a sustainable proposal, nor can assumptions made in the housing land supply calculations be used in any way to pre-determine this or any other application.

NPPF (December 2024) paragraph 8 requires The Application to be economically, socially and environmentally sustainable. Previous Parish Council Comments (as referenced above) have demonstrated numerous shortcomings in The Application, in particular its failure to meet the economic and social sustainability objectives of NPPF para 8 a) and b) with its unsafe and inadequate supporting infrastructure, and inappropriate design which fails to meet the requirements of NPPF para. 135 "to add to the overall quality of the area" and several other NPPF provisions.

As regards the Submission Local Plan (SLP), NPPF paragraph 11d) does not stop all the evidence and policies relevant to The Application from being considered and it would be irrational not to give policies relevant to Horsmonden as set out in the SLP significant weight because:

- a) The SLP is now very well advanced having been recommended by the Inspector (letter 11-December 2024) for its final Main Modifications consultation and subsequent adoption.
- b) SLP policies which affect Horsmonden have been extensively referenced by all parties in relation to The Application.
- c) The Inspector has not raised any significant issues with these policies, except to state at the SLP hearings that the allocation orange development area within the LBD includes a site for the Medical Centre (reference HPC Comment of 5th November 2024 page 4 last para. and page 5).

d) NPPF paragraph 49 strongly supports the use of a well advanced emerging Local Plan.

As regards the Horsmonden Neighbourhood Plan (HNP), the Covering Email (as above) refers to NPPF paragraph 14 which states (emphasis added):

“14. In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)”*

In stating that a neighbourhood plan will significantly outweigh an application which conflicts with it if that neighbourhood plan is less than 5 years old and addresses its identified housing need, **NPPF paragraph 14 does not stop any of the HNP policies from being part of the consideration of The Application.**

The HNP was adopted in July 2023 after full independent Examination, and the Examiner’s final report (Nov 2022) confirmed (emphasis added):

“46. The plan has been prepared alongside the emerging local plan and that latter document has been the main driver for decisions about how much development should take place within the parish and indeed the Borough Council has taken the lead in identifying the three allocation sites. I understand the Parish Council has sought to test through its consultants whether these are the best sites and has concluded that no better sites are available.

47. There is clear evidence that the neighbourhood plan has sought to put its own stamp on the proposals, particularly the allocations that are emerging in the new local plan. That is quite appropriate, so long as it does not undermine the strategic policies in the local plan. I am generally satisfied that the neighbourhood plan supports the strategic policies emerging in the draft local plan.”

Chapter 6 of the HNP addresses the housing need of the parish as identified in Rural Kent’s Housing Need Survey March 2020 which identified 18 affordable homes and 12 market homes for elderly households living in Horsmonden. This requirement for 30 homes in the parish of Horsmonden is noted as being consistent with TWBC’s 2018 Housing Needs Study (HNP para 157).

The HNP para 158 recognises that the strategic policies relevant to Horsmonden included in the SLP allocate far greater housing numbers (in excess of 240 dwellings) for development in Horsmonden in the plan period to 2038. A professional assessment found no viable alternative sites to those allocated in the SLP and the HNP concluded, in collaboration with TWBC as confirmed by the independent Examiner (as above), that: *“[HNP] Policies will seek to balance the potential benefits from growth of this [allocated] scale, whilst ensuring that new and existing residents can continue to live safe and healthy lives and contribute to the vitality of the parish”.*

The Parish Council has consistently acknowledged that the SLP includes allocation policies for Horsmonden (which the SLP Inspector has not sought to change). The HNP adopted the SLP changes to the LBD to reflect these allocations. We conclude, as did the HNP Examiner, that the HNP does contain policies and allocations which go far beyond its identified housing needs, and thus full weight must be given to its policies in determining The Application including its definition of the Limit to Built Development, its housing design guidelines and other policies, such that NPPF paragraph 14 does apply and The Application which conflicts with the HNP must be refused.

2. All Previous HPC Comments still stand.

The Parish Council is disappointed to note that The Applicant has not taken the opportunity when filing the 3rd Amendment changes to take any of HPC's comments into account. We therefore summarise below our key objections which were detailed in our previous Comment dated 5th November 2024 and those that preceded it:

We believe that policies are put in place to help a sustainable balance to be found between protecting and enhancing the location and the community affected, providing new housing as part of borough housing requirements, and the developer's drive to maximise profits. **We do not believe that this sustainable balance has been found by this Application for the following reasons** (see also HPC Comment 5th November 2024 pages 7&8):

- The Neighbourhood Plan Limit to Built Development (LBD) is being ignored.
- 56% more land than allocated is being used for residential use and a Medical Centre on the West Site.
- A reduction of the development of the East Site does not justify expansion of the West Site.
- The Applicant is claiming that less land overall is being used for development than allocated. This is not correct; more land is being used than allocated.
- The allocation site housing estimate is out of date and The Application site is smaller.
- 74 to 104 dwellings is a consistent allocation range for the Application site. The Application for 120 dwellings is excessive.
- Extending the West Site development beyond the LBD will increase landscape and visual harm to the National Landscape contrary to NPPF para 189.
- Housing densities on the West Site do not reflect the existing village nor a transition into the countryside. (reference NPPF para 135 and HPC Comment of 5th Nov '24 page 4 para 3)
- The Application places the Medical Centre on land allocated for Community Use. The allocation policy requires it to be positioned within the LBD as confirmed by the SLP Inspector (reference HPC Comment of 5th November 2024 page 4 last para. and page 5).
- The design and layout of the Site does not conform to national, local and neighbourhood plan policy and guidelines. It does not enhance the village environment and architecture (see reference to NPPF Section 12 below).
- The site access junction barely meets safety standards. Village road safety risks are being materially increased.
- The proposed secondary emergency site access follows a restricted byway popular with walkers. Allowing 16 tonne emergency vehicles to use this restricted byway will increase public safety risks unacceptably (see below).
- Sewer capacity intended to serve The Application site has not been shown to be adequate.

Section 12 of the NPPF addresses achieving well-designed places:

NPPF para. 138 describes the required Local Authority use of tools and processes for assessing and improving the design of development. Such assessments should include *“workshops to engage the local community, design advice and review arrangements...”* and *“In assessing applications, local authorities should have regard to the outcome from these processes, including any recommendations made by design review panels”*. **No evidence has been provided in the Conservation and Urban Design Officer comments on The Application that any of the processes required by the NPPF have been followed, and to rely on the opinion of a single person, irrespective of their qualification, to sign-off The Application design aspects would be irrational.** The Parish Council has sought the advice of an experienced architect to consider the design aspects of The Application, and many shortcomings have been highlighted. NPPF para

139 requires that: ***“Development that is not well designed should be refused, especially where it fails to reflect local design policies...”*** This requirement for good design that enhances a development’s location is further echoed in NPPF paras 187 and 203.

NPPF para. 131 states: ***“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process”***. NPPF paras. 30, 40 and 137 also address the requirement to properly engage the local community including ***“about the design and style of emerging schemes”***. This quality of engagement has simply not happened despite any claims that the Applicant may be making. NPPF para 137 goes on to say: ***“Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”***

We urge you to conclude that, as it stands, The Application is unsound and excessive, pushing multiple policy limits beyond reasonableness such that it is neither economically nor socially sustainable especially regarding its inappropriate design and layout which fails to comply with multiple NPPF requirements, including a complete failure to follow due process, and a failure to effectively engage with the local community, such that when considered as a whole and in the context of the NPPF, the SLP and the HNP, means that The Application must be refused.

3. Objection to the New Emergency Access Route Proposal.

Following KCC Highways, KCC PRoW, Horsmonden Parish Council, and Horsmonden residents’ representations, The Applicant is now proposing a different route for the mandatory secondary site emergency access. This route goes north from the site along a narrow Restricted Byway WT340A for 258 metres, then through a busy working farm yard and down the farm entrance driveway to join Haymans Hill, a single track country lane with blind corners, before connecting to the main road system.

Restricted Byway WT340A is a popular walking route for Horsmonden parishioners and allowing its use by additional motorised vehicles will inevitably increase the safety risk to the public.

Increased safety risk was a key concern raised by KCC PRoW in its comments to TWBC about the previous emergency access proposal going west from the site for a similar distance along PRoW WT338. The Application includes changing parts of PRoW WT338 and WT341 from a public footpath to a Bridleway to enable its use by cyclists as well as pedestrians.

Additionally, Transport Technical Note 6 para 1.2.2 states: ***“The emergency access route is used regularly by agricultural vehicles and HGVs which are in excess of 16 tonnes and therefore the route can accommodate a Kent pumping appliance. The route will be maintained by the landowner for continued use by agricultural vehicles that weigh in excess of 16 tonnes”***.

This statement is **misleading** as over the last 15 years HGVs have only been observed by residents using Upper Haymans Farm driveway up to and including the farmyard and HGVs have not been observed using the northern part of Restricted Byway WT340A in question north of the mast. Nor have 16 tonne, 2 axle agricultural vehicles equivalent to a fire appliance been observed during the last 15 years using this northern section of the Restricted Byway. (For example, a typical large farm tractor weighs 7 tonnes)

Neither Bridleways, nor Restricted Byways are intended for use by public motorised vehicles and therefore **the Parish Council object to the 3rd Amendment new emergency access proposal on safety grounds and a misleading representation.**

4. Previously Proposed Emergency Access on site link road needs to be removed.

Figure 1.
Extract from Application Plan JBA 21/039-03

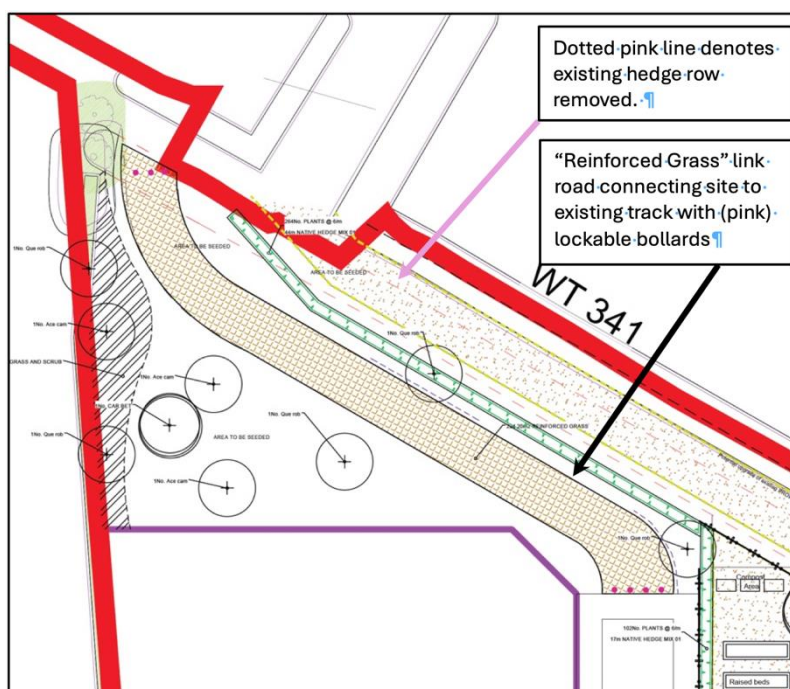
Figure 1 above is taken from the Detailed Landscape Proposals published as part of the 3rd Amendment. This shows that the “Reinforced Grass” road connecting the Medical Centre and Allotment access road to the track which leads to Back Lane (which WT338 also follows), has been left in The Application and several lockable bollards have been added by the 3rd Amendment.

By proposing to move the secondary emergency access as described above, this Reinforced Grass link road with lockable bollards is no longer necessary. **The Parish Council objects to this roadway being left in place on grounds that vehicles must not be permitted to use this pedestrian and cycle route.**

The Reinforced Grass and lockable bollards must be replaced with a 2 metre wide footpath and cycle track of the same design as all other paths on the Community Open Space, and this path must be blocked by suitable permanent barriers which only allow the passage of pedestrians, buggies, mobility scooters and bicycles.

In addition, this plot of land to the north of the proposed Medical Centre site needs to retain its allocated use as part of the Community Open Space.

It is also noted that over 400m of existing hedgerow along the northern boundary of the site is to be removed. The Parish Council is concerned that destroying this natural habitat may not have been included in biodiversity considerations.



5. Any scheme ultimately granted will need to include the following conditions:

- To preserve the location's dark skies by preventing external house lighting (as per NPPF para 198d).
- To maintain the Medical Centre land as open space until it is required and to return any such land outside the HNP LBD to Community Open Space if it is not used within 7 years.
- Only an on-site footpath/cycle track to link the site to Back Lane. No roadway with lockable barriers to be included.
- Land to the north of the Medical Centre must be included as part of the

Community Open Space from the beginning.

- The provision of safe visibility splays for the entrance to Old Station Garage.
- The provision of a mobility scooter passing place mid-way along the Goudhurst Road footway.
- Delivery of the Goudhurst Road footway prior to the start of construction.
- Minimising all public safety risks of any secondary emergency site access to an acceptable level.
- No connection shall be made into the foul sewer system prior to its repair and capacity confirmation.
- Adoption of the road drainage system on Goudhurst Road by the relevant water company prior to the start of construction.
- S106 contributions to help integrate the large population increase into the village.

We would also like to notify you of our intention to speak at the Planning Committee.

Yours sincerely

Matthew Richards (Chair) on behalf of Horsmonden Parish Council