



BOXLEY PARISH COUNCIL

www.boxleyparishcouncil.org.uk

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To All Members of the Council, press and the public.

8th April 2013

There will be a meeting of the **Environment Committee** on **Monday 15th April 2013** at **Beechen Hall, Wildfell Close, Walderslade** commencing at 7.30 pm when it is proposed to transact the following business;

1. **Apologies and absences** (7.30)
To receive and accept apologies for absence.
2. **Declaration of Interest or Lobbying.** (7.31)
Members are required to declare any interests, requests for dispensation, lobbying or changes to the Register of Interests.
3. **Minutes of the Meeting of 15th April 2013.** (7:32)
To consider the minutes (previously circulated) of the meetings and if in order to sign as a true record.
4. **Matters Arising From Minutes.** (7.35)
 - 4.1 Minute 2506/4.7 Maidstone Studios, see meeting report (page 3).
 - 4.2 Minute 2520/9.2 Quad bikes, see report (pages 3-4).
 - 4.3 Minute 2520/12 Community Infrastructure Levy, a request for this issue to be raised with MBC has been submitted to the KAPC Area Committee has been submitted.

To adjourn to allow members of the public to address the meeting. (7.45)

5. **Planning Applications and Appeals for Consideration.** (7.55)
See list (page 4).
6. **Planning Applications and Appeals Decisions** (8.15)
 - 6.1 MBC Planning Committee Chairman response to Cllr Ivor Davies letter, see report (page 4-5).
 - 6.2 Planning responses made by the Environment Committee, see report (page 5).
 - 6.3 Bredhurst Nursery application to vary condition 11 [*to allow use by teams other than football teams based in the parishes of Bredhurst or Boxley*] of MA/04/1503. APPLICATION WITHDRAWN BY PLANNING INSPECTORATE.
 - 6.4 Proposed construction of 2 classroom extension and internal alteration etc. at St John's CofE Primary School, Grove Green. GRANTED.
7. **Neighbourhood Development Plans.** (8.30)
 - 7.1 To receive an update on the current situation, see report (page 6).
 - 7.2 Erosion of green spaces, ancient woodland, water issues etc. see report (page 6). Item requested by Cllr Dengate.
8. **Volunteer Groups.** (8.40)
To receive reports on the various groups, see report (page 6)
9. **Highways and Byways.** (8.45)
To consider any issues raised by Councillors or the residents.

10. **Policy and procedures review.** (8.50)
10.1 Sale of public Land Policy see report (page 6)
10.2 BPC Planning information leaflet, this review has been deferred to the next meeting.

11. **Matters for information.** (8.55)
11.1 KCC street lighting see update report (page 7-8)
11.2 Planning Conference 23/03/13, report from Cllr Dengate (pages 8-9)

12. **Next Meeting.** (9.05)
Next full environment meeting 20th May 2013 at Beechen Hall commencing at 7.30 p.m. Items for the agenda must be with the parish office no later than 7th May 2013.

In view of the confidential nature (personal details and data) on the Enforcement item about to be transacted, it is advisable that the public and press will be excluded from the meeting for the duration of or part of the item.

13. **Enforcement and Section 106 updates from MBC.** (9.06)
To consider, if any received, confidential updates.

Clerk to Boxley Parish Council.

In accordance with policy the meeting should close no later than 9.30 pm but the Chairman has devolved powers to extend it by 30 minutes.

Items to be returned to agenda: Minute 2492/4.2 (10/12/12) PRoW Round Wood valley, return to agenda December 2013.

REPORTS ATTACHED TO ENVIRONEMNT COMMITTEE AGENDA 15 APRIL 2013.

Item 4. Matters arising from minutes. *Purpose of report: information and if required identification of further action.*

Item 4.1 Maidstone Studios.

Maidstone Studios Meeting with Geoff Miles, Chairman, Maidstone TV Studios, 27 April 2013. Report by Ivor Davies.

Cllrs Wendy Hinder, Vic Davies and myself, accompanied by the Assistant Clerk, called on Geoff Miles to discuss traffic problems occurring when large numbers of people are invited to attend major production events and how matters stand on the residential development of part of the site.

Mr Miles stressed that the studios had no legal responsibility for the congestion that occurred but, as good community partners, would like to see it eased. He believed that the road improvements currently under way would assist (we did not all agree with this). When we reiterated that much of the problem was caused by inviting many more people than there were seats, he stated that he had no control over the number of invitees. This was in the hands of whichever production company was using the studio. In any case, over-ticketing was normal industry practice. When pressed on how what this excess meant numerically, he prevaricated, but said that he was considering approaching MBC for use of the park and ride and then operating a mini-bus service to ferry audience members.

As regards complaints about parking problems in neighbouring residential streets, particularly of driveways being blocked, he personally had found little evidence of this. But if cases were brought to his notice he said he would call the offending driver out of the audience. He added that he was considering approaching MBC for use of the park and ride and then operating a mini-bus service to ferry audience members to alleviate the problem.

He went on to say that he suspected that this was just a matter of one or two people complaining because they could not park directly outside their houses, which we denied. The local community was greatly inconvenienced by these events and it was our duty to do what we could to ease their problem. We suggested that publicising the performance dates locally well in advance might be helpful as residents could then plan ahead. One simple expedient would be to erect a large sign near the studio gates, clearly visible from the roundabout, saying something along the lines of "Next major show on". It was also suggested that MBC could be approached to have this information displayed on their electronic traffic-warning boards. Mr Miles said that he would consider this.

Turning to the residential development, Mr Miles said that as some ground-work had been done, the planning permission was still valid. However the down-turn in the economy had stalled progress but construction might proceed in the autumn. He was very conscious that the loss of parking places could only worsen what problems there were but the mini-bus idea might be the solution. When questioned, he regretted having to ask the Scouts to vacate their very small storage space (he indicated that it was roughly 15' x 10' with 6' headroom) under one of the outbuildings but this was being demolished. However neither this nor the new fences were directly to do with the residential development.

Item 4.2 Quad bikes.

Update report. The parish council will be responsible for designing the solution to the entrance that the quad bikes are using. MBC will install the 'gates' and it is hoped that the structure can be gifted over to them for maintenance purposes. The Clerk has contacted the resident immediately adjacent to the area and has had a brief discussion with him. Contact will also be made with other residents living in properties adjacent to any work. A number of designs will be placed before the committee and two residents for comment.

Initial thoughts and other issues;

A kissing gate will possibly create a problem with noise.

Well placed boulders to create a chicane type effect might be suitable however whatever structure is put in should not be able to be used as a seat or perch.

Electrical services may run underneath the area that the barrier/gate is being considered for.

Item 5 Planning Applications. *Purpose of report:* To consider planning applications. Members' are reminded to consider possible section 106 requests or to suggest any conditions.

MA/13/0369 – Part garage conversion, pitched roofed front porch, and shower room extension with flat roof at 1 Meadowdown, Weaving, ME14 5TN. 18/4/2013

MA/13/0405 First floor front extension at 15 Greensands, Walderslade. 23/04/13.

MA/13/0409 First floor extension over garage at 1 The Medlars, Grove Green ME14 5RZ. 18/4/2013

MA/13/0421 Erection of single storey rear extension at 22 Horsehoe Close, Weaving ME14 5TT. 23/04/13.

MA/13/0430 Alterations and extensions at Riverside Cottage, Sandling ME14 3AS. 22/4/2013

MA/13/0436 Amendment to MA/11/2111 [*Comment – previously agreed by MBC*] (demolition of existing buildings and redevelopment to provide a new builders merchant, trade counter units along with vehicular storage, access, service road and parking) being the repositioning of building and parking area and alterations including rearrangement of windows, canopy and entrance ramp at Cleansing Services Group, Forstal Road ME20 7AG. 02/05/13.

MA/13/0452 Erection of single storey rear extension at 14 Forestdale Road, Chatham, Kent, ME5 9NB. 25/4/2013

TA/0028/13 Tree Preservation Order application: TPO No 1 of 1969: application for consent to fell one willow, 3 sweet chestnut and one ash tree, coppice one group of sweet chestnuts and prune back one sweet chestnut by approximately 2-2.5m at 6 Sandstone Rise, Walderslade. 25/4/2013

Item 6 Planning Applications and Appeals Decisions. *Purpose of report:* information and if required identification of further action.

Item 6.1 MBC Planning Committee Chairman response to Cllr Ivor Davies letter

From Clerk to Cllr Ivor Davies.

Cllr Lusty rang me as he was having trouble getting through to you to discuss your letter.

He asked me to pass the following comments on to you.

The £1,700 he quoted – it is safe to say it is average. He is aware that Cllr Hinder was trying to get some information on this and the 2009 figure was £1,200 so allowing for inflation this was probably about right as an average.

His comments at the Planning Committee was directed at a number of parishes not just Boxley. A couple of parishes at that meeting, and it also happens' quite often, object but do not have real reason to do so. Some don't bother to turn up.

He agreed with Cllr Harwood's comment that planning legislation and policy need to be followed.

Parish Councils just objecting to a planning application because residents want them to do so. This gives people false hope.

There is a general lack of understanding at Borough and Parish Council level as to what material planning concerns are and in view of this he is looking to set up a series of planning workshops. He hopes for a series of smaller workshops so that numbers attending each one can be kept down to allow fuller discussion etc.

MBC is one of the few LPAs that allow parishes to comment to members at the planning meeting.

He had recently been at a meeting with another parish and also had a query from a Borough Councillor and it had highlighted that communication was a problem and he was looking into this. He explained that he had been contacted and asked to investigate the lack of action but when he investigated it action had been taken by the planning department but they hadn't kept the parish council and Borough Councillor informed.

Whilst he was talking to me he asked a couple of questions and out of this came the following.

- He was shocked to hear that parishes did not have the direct dial number of planning officers and he would look into this.*
- He wasn't happy (but he wasn't sure what he could do about it due to current financial restraints) about the planning desk helpline setup.*
- He asked that I send him an e-mail (copied to Cllr Paine Cabinet Member) about how Boxley PC welcomed discussions with planning officers and how we had set up our standing orders to allow changes to decisions out of meeting etc. It was also agreed that I would remind the planning department of this too.*
- I took the liberty of informing him that the lack of a procedure to allow a neutral review of any LPA decision to try to learn from any mistakes, if any had been made, was I personally thought a weakness and loss of opportunity. Again he asked for an e-mail.*
- Informatives and conditions should be asked for by parish councils – I didn't rise directly to this comment – I just agreed that this was about communication and hopefully the seminars would help.*

He finished by saying he would be happy to arrange a meeting with the parish, planning department and himself if it was thought that this would be beneficial.

He apologised for not being able to speak directly to you but obviously he and you are both very busy people and when he could ring you were not in.

Item 6.2 Planning responses made by the Environment Committee.

Clerk comment: In view of the above report members may wish to consider how they currently decide on planning applications and what changes they may wish to make to current methods or procedures.

The following may help members to do this:

- Informatives. The parish office no longer sends the Traffic Management Informative to MBC for inclusion on any MBC letter as despite its inclusion being agreed it never appeared in the letter to the applicant. The parish office sends it directly to the applicant with a friendly note attached that this might help them.*
- Conditions. A condition restricting delivery times to the units at Penhurst Close was requested but not included by the planning officer. Cllr Lusty suggested that the parish council could directly lobby members of the MBC Planning Committee with a clear request for a condition to be included?*
 - False hope. It is a valid comment by Cllr Lusty as false hope is often raised by a parish council's objection. In some circumstances rather than object does the Environment Committee want to attempt to negotiate? A Borough Councillor can call in an application if residents' object it doesn't have to be a parish council.*
 - Training. As members are aware this has been the same format for a number of years. Does Boxley Parish Council want to request that as part of the officer and Borough Councillor training that a parish council presents its view of where MBC can go badly wrong?*

Item 7 Neighbourhood Development Plans. *Purpose of report: Discussion and if required identification of further action.*

Item 7.1 Neighbourhood Development Plans.

From Cllr Dengate's training report.

The Strategic future of Neighbourhood Planning - Speaker: Tom Walker, Deputy Director Decentralisation and Neighbourhood Planning (DCLG)

- Don't embark on and NDP if you just want it to block development.
- NDP's need to go to an external examiner before going forward or being fit for a referendum.
- Funding available for NDP examination from central government via the local authority.
- Langley PC having issues with Maidstone Borough Council (MBC). Harrietsham PC has already raised issues with MBC with the Department for Communities and Local Development (DCLG). DCLG acknowledged the issues and advised that they were aware of the problems.

Clerk's update report and suggestion. Arrangements are being made for a meeting of the Working Group however it may be pertinent to gain the committee's views on the following before the meeting.

The parish council should act prudently when dealing with public money and so should always consider 'expenditure commensurate against gain'. The financial cost (some grant funding is available for the actual referendum) and the amount of councillor and office time that will be needed to do the work will be considerable. Prior to the Working Group undertaking more work it is suggested that it identifies whether it actually has the support of the Environment Committee and whether there is any caveat placed on this support.

Do members' agree to some additional housing or industry being proposed in the parish and if so where?

Item 7.2 Erosion of green spaces, ancient woodland, water issues etc. Item requested by Cllr Dengate.

Clerk update: members' have already identified that certain areas in the parish that might need classification by MBC as a Local Green Space. An application to have Beechen Bank classified as such led to the parish office being informed by the LDF group that it couldn't be done yet. Another attempt will take place to try to sort out why such classification cannot take place now.

Item 8 Volunteer Groups. *Purpose of report: information.*

Walderslade Woods Group. Members' are informed that an issue has arisen about KCC giving permission for the group to work in Walderslade Woods. KCC has recently been sued for not maintaining the trim trail which resulted in a young person being injured. This has resulted in KCC asking for a copy of the agreement for the group to be in the woods. The Clerk is attempting to get KCC to use some common sense and will be writing a briefing note for the KCC property services.

Item 10 Review of policies and procedures. *Purpose of report: to review if still fit for purpose.*

Item 10.1 Sale of public Land Policy. At the March 2013 meeting members asked the KCC agreement to be included on the agenda. There was written agreement with KCC that they would not sell land without consulting the parish council but no legal agreement. Clarification on what members wish to see is requested.

10.2 BPC Planning information leaflet

Item 11.1 KCC street lighting update report from KALC (e-mail 21/03/13)

Dear Member Council

As you may recall, last year Kent County Council consulted on its proposals for street lighting, in particular switching off some street lights and on part-night lighting. We received a wide variety of views with some supporting part-night lighting and others against and our response then reflected the diverse views.

Kent County Council's latest proposals on street lighting are now being considered at the current cycle of Joint Transportation Board meetings. The proposals for the project have been revised since the previous report. Information on the main proposals are set out on the KCC website at

http://www.kent.gov.uk/roads_and_transport/highway_maintenance/street_lights/next_steps.aspx.

As you will see, the main proposals are:

Phase 1 - Trial Switch off of surplus lights

KCC has identified 3,100 as not being necessary. These are generally located on roads leading to or out of local settlements. KCC propose to switch these lights off for a trial period of 12 months. KCC advise that site specific risk assessments and a safety audit for each road have been carried out to make sure that they only switch off lights that are not needed. Crime levels and road safety will be monitored throughout the trial period and lighting columns on sites being adversely affected will be switched back on. Lighting columns on unaffected sites will be reviewed at the end of the trial period to determine whether action needs to be taken. Lights within settlements will be retained. The Joint Transportation Boards in each area are being asked for any local information that they may be aware of that should be considered by KCC officers. If you want to find out more about the JTB discussions and the lights that have been identified by KCC please contact your KALC Area Committee JTB representative, as the proposed locations are uploaded on to the KCC website after the JTB meeting.

KCC are aiming for the trial switch off of surplus lights to begin early in the Summer.

Phase 2 - Part Night Lighting

The proposal is for part night lighting from 12 midnight until 5.30am. During British Summer Time they would be off between 1am and 6:30am. This would apply to two categories of roads; minor roads (which include residential, industrial estates and rural roads) and high speed roads. According to KCC, there are around 70,000 street lights in these roads which could be changed to part-night lighting. KCC's aim is to target the wasted energy whilst ensuring they maintain safety and help reduce crime and have said that community safety will be paramount, and before any street lights are changed to part-night lighting risk assessments will be carried out to make sure that it will not have an adverse impact on the locality.

As you will see from the KCC website, they have set out a list of exclusion criteria. These are:

- Main routes and locations with a significant night-time traffic record between 12 midnight and 5:30am (1am and 6:30am during British Summer Time).
- Town centres.
- Areas identified by the Police as having an existing record of crime or having the potential for increased crime levels if the street lighting is changed.
- Areas with sheltered housing and other residences accommodating vulnerable people.
- Areas with operational emergency services site including hospitals and nursing homes.

- Formal pedestrian crossings, subways and enclosed footpaths and alleyways where one end links to a road that is lit all night.
- Where road safety measures are in place in the highway, such as roundabouts, central carriageway islands, chicanes, speed humps, etc.
- Roads that have local authority CCTV or Police surveillance equipment.
- Sites with existing or with potential road safety concerns.

KCC has produced a Frequently Asked Questions paper on their proposals which is available from their website at

http://www.kent.gov.uk/roads_and_transport/highway_maintenance/street_lights/frequently_asked_questions.aspx . KCC are keen to hear views on the proposed hours of switch off and the exclusion criteria and have set up an online form for feedback, which is available from the following weblink:

http://www.kent.gov.uk/roads_and_transport/highway_maintenance/street_lights/have_your_say.aspx . Could you also please let us know your latest views on the part-night lighting proposed hours and exclusion criteria so that we can raise these with KCC officials when we next meet them.

Item 11.2 Report from Cllr Dengate. *Clerk note: a fuller version of this is enclosed in Committee members' folders and the slides and presentation referred to in that report can be obtained from the parish office. It is hoped to bring any relevant section to the actual committee as it deals with that particular issue.*

I attended the "Planning Conference" with an open mind and not really knowing what to expect, my decision to attend was based primarily on the topics that were to be covered in the agenda:

- Infrastructure and Projects: Local Council Engaging - Speaker: Mike Taylor, Director, Planning, Development & Regeneration (GVA)
- Community (micro) planning for Local Councils - Speaker: Kathy Bugden, from ACRK
- The Strategic future of Neighbourhood Planning - Speaker: Tom Walker, Deputy Director Decentralisation and Neighbourhood Planning (DCLG)
- The County Perspective: growths, CIL's, the SE Plan and key sectors - Speaker Tim Martin, The planning and Policy Manager KCC
- Protecting Kent in 2013: Challenges & Opportunities - Speaker: Richard Knox-Johnson, the Chairman of Protect Kent (CPRE)
- Planning Localism: acquiring Assets of Community Value - Speaker: Sarah Bonser of KCC Legal
- A Neighbourhood Plan for Hythe - Speaker: Judith McCormick, Clerk of Hythe Town Council
- Planning Vs Democracy! - Speaker: Dr Wendy Le-Las. Independent Consultant and NALC adviser

The day as you can imagine was packed, with each speaker extremely passionate on their respective topic, as were the questions posed by the audience. I did feel the first three and fifth speaker of the conference were a well-engineered sales pitch as to why we the audience should do something, buy something or become a member of. Once you boiled this down it was then possible to pick up on key themes. The things I personally took away were:

- What do we want housing or Agriculture?
- ANOB our heritage for current and future generations
- Use of brown field sites for development
- Need to define sustainable development
- Get involved and get the local community involved

In addition to the above I have also taken away a better understanding of the importance of planning and getting it right (NDP's and the NPPF)

Points of concern/note:

- Farthingloe, Dover - 600 Homes looking to be built in ANOB (Planning application is in), this isn't the only instance other occurrences in the West country.
- Langley PC having issues with Maidstone Borough Council (MBC). Harrietsham PC have already raised issues with MBC with the Department for Communities and Local Development (DCLG). DCLG acknowledged the issues and advised that they were aware of the problems