

# BOXLEY PARISH COUNCIL

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

There will be a meeting of the **Environment Committee** on **Monday 10 March 2014** 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, dispensations, lobbying or changes to the Register of Interests.
3. **Minutes of the Meetings of 10 February 2014.** (7.33)  
To consider the minutes of the meetings (previous circulated) and if in order to sign as a true record.
4. **Matters Arising From Minutes.** (7.35)  
To accept the reports.
  - 4.1 Minute 2620/4.2 Grovewood Drive North crossing improvements: County Councillor Paul Carter has received some feedback from KCCH&T and will be looking to provide some funding out of his next year's budget. The resident has been informed. The F&GP Committee will be considering the issue and Cllr Carter's request for some funding from Boxley Parish Council.
  - 4.2 Minute 2620/4.3 Sandling Village Hall parking on the verge. Site visit, Clerk and VH Chairman) arranged for 4 March 2014, an update will be provided on the supplementary agenda.
  - 4.3 Minute 2621/10.1 Wildfell Close embankment. KCCH&T will visit the area to see if there are any health and safety issues that might affect the public highway.
  - 4.4 Minute 2621/11.1 Verge work at Grovewood Drive South. The order for the work has been placed but due to the weather it is unclear when the work will start. KCC will take over grass maintenance after the work.
  - 4.5 Minute 2622/11.2 Verge bollards Boxley Road near junction of Travertine Road. The PCSO has been involved and has identified the vehicles owner. County Cllr Carter will be approached for a grant for erecting bollards and reinstating the verge, the office is attempting to obtain costs of the work.
  - 4.6 Minute 2622/11.4 Inconsiderate driving Pinewood Drive. The PCSO has visited the area and will continue to monitor but without local intelligence identifying which property/properties are involved his ability to do anything is limited.
  - 4.7 Minute 2622/15 Humming in Walderslade. The resident has been advised to keep a log and report the issue to MBC. The office will monitor the situation.

**To adjourn to allow members of the public to address the meeting.** (7.40)

5. **Planning Applications and Appeals for Consideration.** (7.48)  
See attached list (pages 3). For decision.

6. **Planning Decisions, Appeals and Appeals Decisions.** (7.54)  
To receive details of information received (pages 3-4).
7. **Neighbourhood Development Plans.** (7.56)  
To receive an update, see report (page 4). For information/decision.
8. **Maidstone Borough Local Plan.** (8.05)
  - 8.1 Draft Local Plan consultation, see report (page 4). For decision.
  - 8.2 Green and Blue Spaces Provision in Maidstone Borough, see report (page 4-5).  
For decision.
9. **Volunteer Groups.** (8.25)  
To receive any reports from volunteer groups associated with the parish council (pages 5-6). For information.
10. **Highways and Byways.** (8.30)  
To receive any reports or updates.
11. **Policy and procedures review.** (8.35)  
Street maintenance policy and pro forma see report (pages 6-7).
12. **Matters for information.** (8.40)  
To receive any information.
13. **Next Meeting.** (8.42)  
Next full environment meeting 14<sup>th</sup> April 2014 at Beechen Hall commencing at 7.30 p.m. Items for the agenda must be with the parish office no later than 7<sup>th</sup> April 2014.

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.

14. **Enforcement and Section 106 updates from MBC.** (8.43)  
To consider, if any received, confidential updates. To receive a report on an issue related to Boxley Road.

Pauline Bowdery  
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 2609/4.4 Microchipping for Dogs, a date has been set for Saturday 10 May, 2014 between 11am – 4pm at WDJO the Dogs Trust. March 2014

Minute 2558/5.3 Community Infrastructure Levy: Dec 2014 Minute 2600/10.4 PROW Round Wood Valley, review the request to KCC PROW for it to be made a PROW.

**REPORTS ATTACHED TO ENVIRONMENT COMMITTEE AGENDA 10 March 2014.**  
**Members are reminded that the Chairman will assume that these papers have been read prior to the meeting.**

**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. Members are reminded that the paper versions are available from 7.00 pm

MA/13/0709 – Alterations to existing building in connection with use as a residential annexe at Broad View, Blind Lane, Boxley, Gillingham, Kent, ME7 3NH 11/3/2014

Maidstone Studios. Public exhibition on the proposal to build 77 dwellings. To hear and consider feedback from members who attended.

Report from Cllr Wendy Hinder. "I raised the parking issue and concern about the of loss of parking spaces when events were being held at the studios and have been led to believe that something will be done about this. Details will probably be included with the planning application when it comes."

Cllr Hollands raised concerns about: access to the studios; parking facilities (lack of); lack of school places; impact on access and egress to Grove Green due to additional traffic. He suggested that BPC investigates whether it is possible to open up the Averenches road through to Ware Street.

**Item 6. Planning Decisions, Appeals and Appeal Decisions.** *Purpose of report:* To consider information and if necessary take a decision.

**Item 6.1.** Appeal to Planning Inspectorate from The Three Ashes, Boxley Road, Walderslade. The owner has appealed against MBC's refusal, the parish council's response will automatically be forwarded to the inspectorate but there is an opportunity for members to add to it if they wish.

Parish Council response.

*Wish to see this application refused and reported to the planning committee for the reasons set out below.*

*Three Ashes is situated at the southern end of Boxley Road, and is one of the 'green fingers' that connects the valley bottom to the wooded slopes and heights of Beechen Bank. Beechen Bank is designated as an ALLI and as such it is considered that this development and its impact would not only erode the open nature of the area but will also result in consolidation of the built environment, causing harm to the character and appearance of the area. It will also contravene ENV 35 of the borough wide local plan.*

*6.5 The applicant's planning statement quotes Annex 2 of the NPPF referring to 'land which is or was occupied by a permanent structure.....'. The applicant states that this allows development on the site due to an existing permanent structure. While a structure does exist on the site, this was until fairly recently a derelict hut (mostly corrugated iron). The land was previously owned by MBC since the 1960's and there is no history in this time of any residential occupancy. It was sold by MBC at auction in August 2005 with the designation of "woodlands". The parish council therefore disputes that this site has ever been or could ever be referred to as a 'brownfield' site.*

*It is considered that this development would be contrary to the NPPF Section 11.109 'protecting and enhancing valued landscapes, geological conservation interests and soils'. The parish council strongly believes that the presumption in favour of development should not take priority over the protection of an area's character. Development would result in the irreplaceable loss of one of the few remaining 'green fingers', giving way to creeping urbanisation.*

*The value of the existing 'green fingers' at Boxley Road is enforced by Planning Inspectorate decisions. Since 2008 there have been 4 appeals on this and nearby 'green finger' sites, each of which has been dismissed:*

*Land adjacent Carne Brae May 2011 Appeal Dismissed  
Land adjacent Berkeley April 2009 Appeal Dismissed  
Land at Beechen Bank Nov 2008 Appeal Dismissed  
The Three Ashes Plot June 2010 Appeal Dismissed*

*In the case of the last mentioned, the inspector's conclusion (APP/02235/A/10/2119479 (MA/09/1222)) states*

*"The site is part of a designated area where the open nature and wooded backdrop is important to the character and appearance. The development of this site would erode that open nature and consolidate sporadic development along the road to the detriment of the area and contrary to the aims of the Local Plan policy identified". In the parish council's view, as nothing has materially changed, this remains the position and this application should therefore be refused.*

Item 6.2 MC/14/0324 – Request for Screening Opinion for the erection of up to 500 market and affordable dwellings, provision of access and estate roads and incidental open space at Gibraltar Farm, Chatham, Kent.

*Clerk's note. A mistake on the closing date for comments meant that the parish council did not make a reply. It is unlikely that any response to Medway Council would have resulted in a different decision.*

**Item 7. Neighbourhood Development Plans.** *Purpose of report: Information and decisions.*

Two companies have been contacted concerning the production of a Neighbourhood Development Plan and they will be submitting a rough cost and will be available to attend a meeting. Both companies have been supplied with a copy of the Parish Audit so that a) they have an understanding of the layout of the parish and b) because this is a major work that may be able to be used as a basis of the background work for the NDP thus saving the parish council some money.

A response from the companies is awaited.

**Item 8. Maidstone Borough Local Plan.** *Purpose of report: Information and decisions.*

**Item 8.1** Draft Local Plan consultation. The consultation will commence on 21 March 2014 and is due to finish on 7 May 2014. Previously the Environment Committee undertook the review work through a working group and members are asked to indicate whether they wish this to continue. The Clerk has previously been requested to produce a briefing note and then guide members through it at working group meetings. Guidance is sought on whether this is the preferred method of working or whether members wish to attend meetings, having had access to the draft document via the internet or office, with the Clerk undertaking a presentation of all the relevant sections of the local plan. The Chairman Cllr Wendy Hinder would prefer the presentation to a working group. Members are asked to bring their diaries to the meeting so one or two dates can be arranged.

Members who are interested in the local plan but who are unable to attend meetings can send their views to the Clerk who will ensure that they are taken to the relevant meeting/s.

**Item 8.2** Green and Blue Spaces Provision in Maidstone Borough. MBC has submitted a map detailing the natural/semi natural, amenity, allotments, sports, play areas in the parish. MBC has requested that it be checked and returned with any corrections or

questions. An extension to the deadline has been granted and the map, which has several omissions, will be available for members to view it prior to the start of the meeting or by appointment at the office. Unfortunately it is not available on line and it is too big to scan. Members will be expected to have consulted the plan prior to discussions in the meeting.

**Item 9 Volunteer Groups. Purpose of report: Information.**

Report submitted by Cllr Vic Davies (e-mail 24.02.14). The parish office has also been supplied with a financial report and a 2013 overview report and these are available from the office on request.

**Vinters Valley Nature Reserve  
Wardens Report (Feb 2014) for the Trustees  
Reserve Maintenance**

Reserve management tasks are broadly in line with the management plan timetable, although extra work has been necessary, following the adverse weather conditions since Christmas. This has included :

- Tree clearance along many of the paths and other areas of the reserve. This was mainly small trees / large branches, although there has been more extensive tree damage, in the Bargrove Slope area.
- HL and SS conducted a comprehensive tree survey in mid-December and on 11 Feb SS met with a professional arboriculturalist (Jim Quaife) regarding a survey and report on ten trees within the reserve, which HL & SS have some concerns about. Report expected by 28 Feb, likely to suggest action on four – five trees. SS will report back to management committee for their comments and suggested course of action. Tree surgery costs, if recommended, may be in excess of £2500.
- Unblocking several parts of the stream, which were causing extensive flooding along the valley floor. Ongoing problem for the main culvert along the valley floor.
- Additional improvements to footpaths in and around the lime tree avenue area.
- Replacement of a neighbours fence (55 Bargrove), when an ash tree in the reserve fell on top of three fence panels on Xmas Eve.

About 3 weeks have been 'lost' weeks dealing with these problems, but SS has now recommenced the planned reserve management tasks.

**Tuesday Gang**

About five weeks have been lost due to continual wet weather, which also affected the planned volunteer Sunday work on 5<sup>th</sup> January. T gang currently assisting with coppicing and bird box survey work in Fullingpits Wood.

**Wildlife Issues**

- The mild start to the year has resulted in early plant growth, territorial singing by birds, increased small insect activity & noticeable fungi abundance on dead wood habitat.
- The very large ivy glad tree on the border of the Whatmans meadow and the Kitchen Garden has fallen in the Christmas storms. SS suspects that this was a great place for hibernating butterflies & other insects, which have now lost this winter home.
- The first bat survey only resulted in one Natterers bat being seen in the barrel bridge. John Puckett (KBG) suspects that the bats are using trees for hibernation during the milder weather conditions. There was however many more peacock butterflies seen, possibly as a result of the tree collapse mentioned beforehand. Also many active cave spiders noted.
- Bird activity at the lodge feeding station is low, possibly as the birds require less supplementary food in the mild weather.

**Grazing request**

The owner of the horses, currently housed at Grove Lodge, Amie Lea, has asked to be able to use Whatmans Meadow to graze her two horses.

After due discussions the following terms were agreed by the committee :

- Horses to graze in the same area as last year, but Amie may be asked to move them to another area within the reserve should the ground conditions deteriorate badly.
- Grazing to cease on 8th March 2014.
- The horses need to be visited by Amie , or a colleague, every day.
- Amie to provide water and secure the area with a serviceable electric fence.
- Should the weather conditions deteriorate to the extent that the horses welfare is affected Amie needs to take them back onto your existing grazing area and provide them with shelter.
- Additionally, should it be required, we would be willing for Amie to use a part of the reserve to dispose of the horse manure and straw, when mucking out the stables.

**New Pond in MacGrorys Meadow**

Since 2008 we have built seven ponds within the nature reserve. These ponds are to promote wildlife diversity within the reserve, particularly aquatic insects and amphibians. The goal was to build eight ponds, spread around the nature reserve. Cost to build the last pond is expected to be around £5500, SS is waiting for a quote from I Pilcher Ltd, who built all the other main ponds.

SS has spoken to the Boxley parish clerk, who has indicated that if the Trust were to formally request BPC to use their grant for the construction of the pond then she will put our request to BP councillors for their views. BPC grants outstanding total £7269 (£2391 not yet claimed from 2013 & £4878 for 2014).

#### **AGM – Sunday 13<sup>th</sup> April**

It was agreed that the management committee would recommend that the theme for the afternoon talk at the AGM should be related to ‘Making a home for wildlife in your garden’. Howard, Peter & Steve have agreed to prepare and present a talk on this theme, if the idea is accepted by the Trustees.

SS to build insect logs, which people can place in their gardens, to sell at the AGM.

Peter & Ben Kirby would like to show part of their Vinters Valley DVD to try and boost sales, plus Ben has put together a slide show using old photographs of the nature reserve (1980’s) provided by Lida MacGrory.

### **Item 11 Policy and procedures review** *Purpose of item: decision.*

*Clerk note: Do members consider that the deadlines, for response, given below are realistic. It is suggested that they may wish to be lengthen so as not to increase office work.*

#### **Current Policy. Street Maintenance ‘Policy’ for budget expenditure.**

When suggesting additional work individual members are asked to identify the following:

- What additional work they want;
- Why they consider it is needed (whether it is for practical or aesthetic reasons);
- If known whether the land/vegetation is highway or private. If private can they identify the property owner/house number etc.?
- Have they reported the problem to KHS at any time (reference number to be given if possible)?

The Environment Committee will consider requests for the budget to be allocated and has identified the following criteria/requirements that need to be considered before a decision is made.

Is the issue on Highway property (verges/footways) and have reasonable attempts been made to get KHS to do the work? *Reasonable is considered as a report/request made for the work and its progress is checked 7 days later. If work not scheduled or no answer than parish office to contact the Highway Inspector/Contact Centre for advice/response/schedule for any planned work allowing another 7 days for response/work. Issue then taken to Environment Committee for consideration. If there is a safety issue then response times allowed will be cut to 3 working days.*

Encroaching vegetation from private property. KHS can send a letter requiring the work be done and this can be arranged via the Highway Inspector.

Footways, especially if on a school, cycle or access to public facilities route are considered a priority by the Environment Committee. Salt bins can be supplied for footway maintenance.

Vision splays are a H & S issue if they are overgrown and should be cut as and when required. This is the same as vegetation around speed signs and highway directional signs.

When considering projects Environment Committee should consider the following

- Whether the request is commensurate with the possible cost.
- H & S issues if it is going to arrange for work to be done.
- Who uses the footway, footpath etc?

- Why is it used (does it connect to a bus stop etc.)?
- Benefit to the wider community.
- Is it a 'make it pretty' request or a practical request?

There is a limited budget for work and where possible problem areas will be given priority. The Environment Committee can consider work for aesthetic reasons but these should not take priority over work needed for practical reasons.

### **Street Maintenance. Checklist for requests for funding**

Description of work required and why it is needed (practical, aesthetic, H&S issues)
Location. Please be precise use house/road numbers/names or draw a plan on a separate sheet.
If the land is not highways do you know who owns it? Give details.
Have you reported the problem to KHS (08458 247800)      YES / NO
If yes give reference number and date reported.
Any other relevant information.

#### **Parish office notes**

Prior to submitting to Env. Committee for consideration following has to be attempted.

Has KHS been chased (normally 7 days/3 days if H&S issue)
If no progress has the Contact Centre/Highway Inspector being contacted (allow another 7 days for a response. Less if H&S issue)
Are benefits of work commensurate with cost
Any other information/notes