

# BOXLEY PARISH COUNCIL

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7 July 2014

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

There will be a meeting of the **Environment Committee** on **Monday 14 July 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 Interests, dispensations, predetermination or Lobbying.** (7.31)  
Members are required to declare any interests, dispensations, predetermination or lobbying on items on this agenda. Members are reminded that changes to the Register of Interests should be notified to the Clerk.
3. **Minutes of the Meetings of 9 June 2014.** (7.32)  
To consider the minutes of the meetings (previous circulated) and if in order to sign as a true record.
4. **Matters Arising From Minutes.** (7.34)
  - 4.1 Minute 2651/10.5 Westfield Sole Road additional signage. KCCH&T have agreed to arrange 'unsuitable for HGV' signs to be placed at the ends of the road.
- To adjourn to allow members of the public to address the meeting.** (7.35)
5. **Planning Applications and Appeals for Consideration.** (7.40)  
See attached list (pages 3-4). For decision.
6. **Planning Decisions, Appeals and Appeals Decisions.** (7.48)  
To receive details of information received (pages 4).
7. **Neighbourhood Development Plans.** (7.52)  
The first stage for obtaining the community's views is under way.
8. **Volunteer Groups.** (7.53)  
To receive any reports from volunteer groups associated with the parish council. For information.
9. **Highways and Byways.** (8.00)
  - 9.1 Bollards: to consider sites put forward by members see report (page 5).
  - 9.2 Condition of vegetation throughout the parish: to consider sites put forward by members see report (page 5).
  - 9.3 Integrated transport Policy see report (page 5).
  - 9.4 Speed limit Grange Lane see report (page 5).
  - 9.5 Speed limit Walderslade Woods Road see report (page 5).

10. **Policy and procedures review.** (8.15)  
Annual competency review/statement see report (page 6-7).
11. **Maidstone Play Area Strategy Consultation Results.** (8.21)  
To consider the response to the consultation and specifically the response to the parish council's submission, see report (page 7 - 9).
12. **Matters for information.** (8.31)  
Changes to yellow lines and restrictions at Cuckoo Wood Avenue the order to make the changes has been advertised.
13. **Next Meeting.** (8.32)  
Next full environment meeting 11 August 2014 at Beechen Hall commencing at 7.30 p.m. Items for the agenda must be with the parish office no later than 5 August 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.** (8.33)  
To consider, if any received, confidential updates.

*Pauline Bowdery*

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:

Dec 2014 Minute 2600/10.4 PROW Round Wood Valley, review the request to KCC PROW for it to be made a PROW. Minute 2639/4.1 Grovewood Drive North crossing improvements.

**REPORTS ATTACHED TO ENVIRONMENT COMMITTEE AGENDA 14 July 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.

Clerk's note: MBC are still experiencing problems but are regularly updating the parish council's. Two systems have backlogs and this has slowed the submission of applications to parish councils. MBC does not set deadlines for responses until it sends out notification to the legal consultees which includes parish councils.

MA/14/0018 land to the rear of Hillah, Cossington Lane. To ratify the Clerk's response, after consulting with members that the planning application was not to be reported to the MBC Planning Committee. *Clerk's note: a condition that obscure glass is included in a couple of windows is being put in place by the planning officer.*

Asbestos Waste Site, North Dane Way KSL140603/HW07: Environment Agency - 3R Waste Limited, North Dane Way, Lordswood - Environmental Permit application (e-mail 4.6.14). To ratify the Clerk's response, after consulting members. *Clerk note: the following were placed beside the relevant section of the risk assessment produced by the company. This can be supplied in full to members if requested.*

#### Boxley Parish Council comments

The site is situated to the adjacent to the extensive Lordswood housing areas, a leisure centre (with outside football pitches) and farmland. The agricultural plateau is also a water catchment area for the spring line just below the North Downs. Pumping stations exist along the bottom of the North Downs Escarpment and so this is a very sensitive area. There is a proposal to build 500 homes on the land adjacent to and surrounding the site (and it is understood that further large developments may be under consideration) so the potential for human exposure to contamination will have increased if any accidental spillage occurs.

Inadequate road infrastructure increases risk of spillage leading to air transport then inhalation. The site is situated off of North Dane Way which is a modern road however the road infrastructure that delivers traffic to this road is old and not suitable for the traffic that currently uses it. Access to the site will either be via;

- Walderslade/Lordswood;
- The Medway Towns conurbation; or
- Across country.

These routes are unsuitable because they are either through heavily populated areas or on roads primarily designed for local residential use. Each route has its own problems but share a common safety issue in that there are regular crashes and shunts. Access from M20 J6/A229 and M2 J3 would be via the A2045 which leads into residential roads before reaching North Dane Way. Access from M2 J4 would be via either single track country lanes or through the urban area. It is not if a crash happens but when a crash happens causing spillage and unacceptable exposure to the asbestos being carried by the vehicles. Any ground spillage will result in: Ground and wind pollution not only affecting residential properties in the adjacent area but also potentially contaminating farmland and water supplies for years to come.

Flytipping. This is a particular problem in this area and CCTV cameras have had to be installed outside Shawstead Lane Household Refuse site to identify offenders. There is

concern that asbestos waste will be dumped at this site by unscrupulous contractors. Column D of this assessment fails to recognise the danger to the local human population.

The site is within an agricultural area with the associated wildlife. Any materials left outside, whilst waiting to be unloaded, will attract crows and magpies. These local birds and foxes have learnt that plastic bags are associated with food and now have a learnt habit to rip open anything that is plastic. This would cause a pollution hazard.

The agricultural plateau is part of the North Downs chalk aquifer which is important for supplying water within Kent and to London. It is also a water catchment area for the spring lines situated along the base of the North Downs Escarpment which feeds into the ponds and streams that ultimately find their way into the River Medway. Pumping stations exist along the bottom of the North Downs Escarpment and so this is a very sensitive area.

This is a site set back from the road and it has in the past been the subject to anti-social behaviour and there is concern that if this happens again then the resulting vandalism will cause health and pollution issues.

The site is located on a plateau that is high, exposed and windy.

The agricultural plateau is part of the North Downs chalk aquifer which is important for supplying water within Kent and to London. It is also a water catchment area for the spring lines situated along the base of the North Downs Escarpment which feeds into the ponds and streams that ultimately find their way into the River Medway. Pumping stations exist along the bottom of the North Downs Escarpment and so this is a very sensitive area.

14/500168/TPO Application to fell 1 x Ash tree at 30 Spenlow Drive Chatham Kent ME5 9JT. *Clerk's note: tree is behind their back fence and there is not enough room to replant a replacement.*

14/500574/PNJCLA FOR INFORMATION Article 10 consultation, change of use of the Pump House, currently in use as B1(a): Office to 5 x residential apartments falling within use class C3 Forstal Pumping Station Forstal Road Aylesford Kent ME20 7AH. *Clerk's note: This application is under the changes to the permitted development regulations and as well as the planning authority Kent Highways, the Environment Agency and Environmental Health Team have to state whether there are objections, thus triggering a full application, objections can be based on highway traffic, flooding, contamination etc.*

14/500676/FULL Single storey side and rear at 56 Fir Tree Grove Lordswood Kent ME5 8XD.

<p><b>Item 6 Planning Decisions, Appeals and Appeals Decisions.</b> <i>Purpose of report: Information.</i></p>
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Newnham Court Shopping Village. REFUSED

MA/14/0517\* – Alterations to existing double garage to provide ancillary accommodation at The Banks, Boxley Road, Walderslade, Chatham, Kent, ME5 9JE. **This application was Approved/Granted with conditions on 2/6/14.**

### **9.1 Bollards.**

Cllr Wendy Hinder put forward:

- The village end of Boxley Road, Walderslade. This will be an extension of the bollards that are currently at the junction. Currently drivers park across a dropped verge and on the verge.
- The verge at Boxley Road/Travertine Road. Whilst on the verge parking has currently stopped it is likely to start again in the winter.

**9.3** Integrated transport Policy. KCC has agreed to a representative from parish councils to be on the working group to produce this strategy. KCC has previously criticised MBC for not progressing this document which is part of the local plan.

**9.4 Speed limit Grange Lane.** A resident has contacted Cllr Brooks about the unrestricted speed limit on Grange Lane outside his property. The resident has been in contact with KCC and received the following response.

Unfortunately due to the high number of requests for highway improvements/traffic calming that we are currently receiving, all requests which are received must be prioritised; this is especially important due to the reduced budgets which are available at this time as a result of the current economic climate. Therefore, we are currently only considering those new works where there is evidence of personal injury crashes in the last three years and we also look at the sites most in need of changes which have support of the local community.

I have checked the crash record for Grange Lane and there have been no recorded incidents in the last 3 years. This does not provide evidence of a safety problem and therefore at this moment in time, we will not be able to meet your request.

If you want to take this further you may wish to raise this issue with your local representative. This could be a county, borough, district or parish councilor. If they support your request, the representative will contact us to take the request further.

I am sorry that this will not be the answer you were hoping for. KCC has to be fair and consistent in its approach to these issues across the County. I can reassure you that we take road safety issues very seriously; as part of our annual Casualty Reduction Programme, we will continue to monitor the safety record.

Clerk's note: KCCH&T use the Government's guidelines on when it must put speed limits in (how many residential properties front the road, how many junctions etc.) but then has discretion on implementing additional speed limits (20mph outside schools etc.). The Police have previously indicated that they will object to any speed reduction (thus stopping it) that they feel they cannot enforce.

**9.5 Speed limit Walderslade Woods Road.** A resident has contacted the office about the need for a reduction in the speed limit on Walderslade Woods Road. The request has been forwarded to KCC and an explanation for why the part of the road between Bridgewood roundabout and the traffic lights are 40mph has been requested.

<b>Item 10</b> Annual competency review/statement. <i>Purpose of report:</i> Information/consideration.
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The Clerk is tasked with undertaking an audit of the working of the parish council's committees and councillors are also encouraged to take a few moments to reflect on the previous work of their committee. The purpose of the audit is to highlight any strengths, good working practices, weaknesses and/or poor working practices with an aim to improve the procedures and the way the committee works. Where weaknesses are identified action points have been suggested.

Clerk's report: Generally the committee works very well with decisions made in good time to meet deadlines etc. Where weaknesses, and it is acknowledged that some of these are nit picking, are identified action points have been suggested.

Strengths:

- Procedures' and working practices are fit for purpose and generally have adequate in-built flexibility to allow work to progress.
- Members are open to suggestions for change, open to constructive criticism, willing to improve where they identify need and also willing to set a high standard and strive to reach it.
- Councillors are respectful of each other and of their colleagues' views and work well as a team.

Weakness:

- To what extent are members' swayed by residents attending who object to an application? The committee policy is that it will only object and require the application to be reported to the planning committee on clear planning material grounds but members can find it difficult to refuse to support a resident who has taken the time to attend a meeting. **Action: members are reminded that there is a policy and that unfortunately residents may be disappointed in a parish council's decision. The current policy can be reviewed by the committee if members so wish.** *Clerk's note: Consistency and working to policy is a protection for the councillors against unfair criticism.*
- A procedural weakness is causing issues. At the time of making a decision members should be asked whether they wish an application to be reported to the Planning Committee. Failure to do so can on occasions result in additional work. If this is recorded at the time of the decision it would reduce the e-mail traffic to members. **Action: Clerk or Asst Clerk to ensure the question is asked and a minute note taken.**
- Request for action or investigations which requires input from councillors. Occasionally confusion occurs when either the office or councillors do not understand or complete the action that has been set for them. Between meetings councillors may forget that they are supposed to be coming to the next meeting with some information. **Action: The draft minutes show action points and these are placed on the website but not issued to councillors until the parish council meeting at the same meeting the agenda for the next committee meeting is given out. Members' views are sought on what the office can do to remind them that a response is received in time for an agenda, for example would an action e-mail summary to committee members help.**
- Sometimes, with all due respect, members stray from the item being discussed and this can adversely impact on the efficiency of the meeting. Councillors and prospective councillors may be put off serving on a council by constant late finishing times and whilst a social and relaxed atmosphere often oils the workings of the committee it occasionally needs controlling. **Action: Councillors and Chairman to keep an eye on the time and consider the relevance of any anecdote.** *Clerks note: Due to the changes to electronic planning applications it is felt that extra time, at least initially will be required thus extending the times of*

*the meeting.*

Clerk's comment: Committee chairmen are encouraged to pass on suggestions, be they from themselves or from members, about how the office support and service to their committee may be improved or enhanced.

**Item 11 Maidstone Play Area Strategy Consultation Results – based on 177 online responses and 18 other responses (email, letter, etc.).**

The full document is available on the MBC website or in electronic form from the parish office.

MBC statement. Shepherds Gate Drive - the play area to be retained as non-strategic with the current equipment being maintained. Other organisations or groups will still be able to come forward to look at taking on the site. Once the equipment fails through health and safety inspections, the status of the play area would be reviewed for consideration again through the yearly review of the Play Strategy.

*Clerk's comment: This confirms what was in the original consultation document. As the new improved playground at Grovewood Drive North is finished the next MBC annual review would show that a strategically important playground is now in place and logically the only decision that can take place is that SGD is no longer needed. It is at this point MBC will offer it (with no MBC grants or funding being made available) to BPC.*

*On the request of two parish councillors an investigation into the parish council ultimately taking on responsibility of SGD play area will be requested. Action currently being undertaken is the production of a parish wide playground strategy for BPC.*

*The MBC decision on the play areas is not open to a public enquiry as it has been taken out of the local plan structure.*

The following are the comments and response from MBC and it contains two issues (highlighted in bold) that members may wish to respond to.

**PC comment**

The parish council would only agree to Shepherd's Gate Drive play area being closed if it receives assurances that Grovewood Drive North will be developed to an excellent standard and Shepherd's Gate Drive will only be shut after the work has been completed. The parish council considers that the 12 minute walk, which it gathers was a paper exercise, is unrealistic in time for a mother with a buggy and a walking child. Whilst understanding the limitations of a paper exercise the parish council considers that MBC should have a caveat somewhere in its documents for an 'appeal' against closure of an existing play area should the 12 minute rule be proved to be inaccurate. Boxley Village and Walderslade area have not been included in the areas highlighted as lacking in provisions. The parish council requests that these are

**MBC response**

All comments noted and thank you for taking the time to provide a full response.

Officers visited the Shepherds Gate site and walking time for an adult between Harrow Way (road next the play area) and Grovewood Drive is 7 minutes. Also Weaving Heath kick about area is less than 4 mins walk from Harrow way. **CLERK'S NOTE: I THINK THE REFERENCE IS TO GROVEWOOD DRIVE SOUTH.**

As part of the improvements it is planned to increase the footprint of Grovewood Drive play area and improve the play equipment. We understand this play area is very well used, especially after school hours.

added to the list. Sandling Village has been identified as being within 12 minutes' walk of the play area at Brookbank however this is incorrect and needs to be rectified with Sandling Village being added to the list of areas lacking in improvements. MBC appears to be shirking its responsibility to the communities that it identifies as lacking in facilities. Parish and Neighbourhood Development Plans are voluntary and NDP are only applicable if a community is pro-development. MBC appears not to be willing to fulfil its own strategy or meeting the needs of its community. Areas that are lacking in provision are often rural and away from other facilities which many urban areas take for granted. It is not clear from the statement concerning Parish and Neighbourhood Plans whether MBC would take on an area provided by development or even whether it would actively support a parish council or community in obtaining section 106 monies. It is surmised that the cost of developing future parks to meet the lack of provision will fall on parish councils and have to be paid from by the precept resulting once again in double taxation. Provision for youth is non-existent in the North Ward of the parish. The parish council applauds the Parks & Leisure Department stance on trying to improve play areas to an excellent standard however the department has no real control over section 106 funding or other funding hence the caveats within the document "That S106 off-site developer contributions will be recommended for the improvement of SIPAs where available". It also applauds "Working alongside Planning colleagues we will embed the principles of the SIPA network into new development plans additional to the application of the NPFA standard. This in turn will determine the scope of on-site and off-site S106 contribution requests". However Parks & Leisure cannot guarantee that any funding will be available when other priorities e.g. affordable housing has been adopted by MBC. It appears from the document that MBC will require other organisations, notably Parish Councils, to provide play areas where it identifies the need. Parish Councils are not involved in pre consultation discussions between planning and developers and by the time planning applications have been produced the section 106's are generally already agreed and not up for discussion. MBC has refused to be proactive in adopting a Community Infrastructure Levy and with the cutbacks it has undertaken and proposed this parish council feels

We will add Boxley Village and Sandling Village to the list of areas lacking play facilities. Walderslade has Timber Tops play area on one estate to the east and is serviced to the west by the Tunbury Wood play area just over the MBC boundary line.

**CLERK'S NOTE: THIS IS OVER A 12 MINUTE WALK FOR SOME WALDESLADE WOODS RESIDENTS.**

**RESPONSE REQUIRED?** Sandling village is close to the new play area at Cobtree Manor Park but still a car ride away. There will probably be difficulties in identifying potential areas of land in these areas for play areas with MBC having no land ownership. If the Parish Council can clarify if there are any other potential areas of land we can keep a list of these. For instance would the Church at Boxley be open to the idea of a play area on their land to service the local community? **CLERK'S NOTED; RESPONSE REQUIRED.**

The adoption of the new standard will allow the Parks department to be further involved in advising at the planning stages for new developments in determining requirements for off-site and on-site S106 contributions. In effect there will be a more considered approach to ensuring funding from new developments is directed to improving open space and play area infrastructure. (23) This is an area we are now much closer to and can influence outcomes from planning new development in specific areas. In areas where there is public open space within a one mile radius of a development we will be advising on the open space requirements in the locality.

Any play area closed will be kept as open space for perpetuity as detailed in the Draft Play Area Strategy document, and children and young people will still be able to play in these spaces. (3)

The entire document is about play areas for all age groups and doesn't discriminate between age groups. This allows us to assess each area individually for equipment across all age groups taking into account provision in other nearby areas. This is covered by Priority Two – improving the quality of play and outdoor activity facilities for all age groups.



that any reference to the Parish Services Scheme funding or section 106 funding is overly optimistic. MBC in decommissioning play grounds should undertake to protect the open spaces being sold off for development by submitting them for voluntary village green status. The parish council is disappointed at the lack of identified priorities for the provision of outdoor activities for youth and adults.