

BOXLEY PARISH COUNCIL

www.boxleyparishcouncil.org.uk



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Beechen Hall
Wildfell Close
Walderslade
Chatham
Kent ME5 9RU

2 February 2015

To All Members of the Council, press and public.

There will be a meeting of the **Environment Committee** on **Monday 9 February 2015** 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 12th and 26th January 2015** (7.32)
To consider the minutes of the 12th January meeting (already circulated) and the 26th January meeting (page 3) and if in order to sign as a true record.
4. **Matters Arising From Minutes** (7.35)
 - 4.1 Minute 2715/4.1 Boxley Warren gate. Update (page 3).
 - 4.2 Minute 2715/4.2 Pilgrims Way/Lidsing Road junction. Update (page 3-4).
 - 4.3 Minute 2715/4.4 Clearway Sandling. Erection of posts and signage. Update. (page 4).
 - 4.4 Minute 2716/8.1 Clearway Chatham Road, letter to Kent MP's (page 4).
 - 4.5 Minute 2716/8.2 KCCH&T seminar 19/11/14. A letter was sent to KCC suggesting that Borough Council representatives are invited to the seminars to deal with cross over issues.
 - 4.6 Any other matters arising from the minutes not on the agenda.
- To adjourn to allow members of the public to address the meeting** (7.45)
5. **Planning Applications and Appeals for Consideration** (7.55)
See attached list (page 4-5). For decision.
6. **Planning Decisions, Appeals and Appeals Decisions** (8.02)
To receive any information.
7. **Volunteer Groups** (8.04)
To receive any reports from volunteer groups associated with the parish council.
For information.
7.1 WWG report to follow.
8. **Highways and Byways** (8.08)
 - 8.1 The Maidstone Joint Transportation Board Drainage Report (pages 5-6).
 - 8.2 Footpath between Wildfell Close and Boxley Road see report (pages 6-7).
 - 8.3 Additional maintenance see report (page 7).

9. **Policy and procedures review** (8.23)
None to review
10. **MBC Local Plan** (8.24)
To receive an update on any progress or issues.
10.1 Site allocation update (information) see report (page 8).
10.2 KCC Transport Strategy Progress (information) see report (pages 8).
10.3 General update see report (page 8-9).
11. **Matters for information** (8.30)
To consider any received.
11.1 National Planning Policy Framework (information) see report (page 9-10).
12. **Next Meeting** (8.31)
Next full environment meeting 9th March 2015 at Beechen Hall commencing at 7.30 p.m. Items for the agenda must be with the parish office no later than 2nd March 2015.
- 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** (8.42)
To receive a confidential update.

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:

Jan 2015 Minute 2715/8.3 PROW Round Wood Valley, review the request to KCC PROW for it to be made a PROW in June 2015. Minute 2639/4.1 Grovewood Drive North crossing improvements.

Legislation allows for meetings to be recorded by anyone attending. Persons intending to record or who have concerns about being recorded should please speak to the Clerk.

REPORTS ATTACHED TO ENVIRONMENT COMMITTEE AGENDA 9 February 2015

Members are reminded that the Chairman will assume that these papers have been read prior to the meeting.

Councillors wishing to suggest changes to any policy document or procedure in this agenda should notify the office, in writing, at least three working days in advance of the meeting. This will allow details to be circulated at the meeting (or in advance if particularly contentious).

Item 3 Minutes of the Environment Committee on Monday 26 January 2015 at Beechen Hall, Wildfell Close, Walderslade commencing at 8.42 p.m.

Councillors present: Mr P Dengate (Chairman), Mrs P Brooks, Mr Ivor Davies, Mr M Hinchliffe, Mr A Springate and Mrs M Waller together with the Clerk and Cllr Spain.

1. Apologies and absences

Cllrs Bob & Wendy Hinder (holiday) and Cllr Hollands (holiday).

2. Declaration of Interests, Dispensations, Predetermination or Lobbying

None received.

As no members of the public were present the meeting was not adjourned.

3. Planning Applications and Appeals for Consideration

14/506131/FULL. Change of use of the east end of Boxley Abbey Barn to a wedding and function venue (Use class D2). Such use limited between April - September with limit of 26 events in one year. Change of use of adjacent field and hard standings for associated parking and access at Boxley Abbey, Boarley Lane, Sandling.

Do not wish to object but concerns raised about the additional traffic on the narrow country lanes, the new entrance and noise disturbance from events.

14/506841/FULL. Extension of existing car showroom at Lipscomb Cars Ltd Performance House, Forstal Road, Aylesford Kent. Do not wish to object

Meeting closed at 8.50 pm.

Item 4 Matters Arising From Minutes. Purpose of report: Information.

Item 4.1 Minute 2715/4.1 Boxley Warren gate.

Update as at 22/01/15. The Lidsing Road entrance has been redesigned with the structures (from the Public Rights of Way store) delivered to KCC H,T&W. A site meeting with the contractor was undertaken on 29 January 2015 and KCC has confirmed that highways department will pay for the installation. Five wooden bollards, to narrow the entrance, were not supplied by PRoW and in order not to delay the development Cllr Paul Dengate (acting Chairman of the Environment Committee) agreed to the use of the unspent street maintenance budget if it was needed. As at the time of writing this report no date of installation has been received.

As part of securing the site an approach was made to the Community Safety Unit requesting that the 2014 Anti-Social legislation is used to temporarily shut up Pilgrims Way to vehicles. A reminder that this request has still not received a response was sent on 30.1.15.

Item 4.2 Minute 2715/4.2 Pilgrims Way/Lidsing Road junction. Road safety investigation.

Report From KCCH,T&W.

The site lies in a rural location to the north of Boxley village and forms a T junction arrangement on the outside edge of an uphill bend with Lidsing Road and Pilgrims Way. Pilgrims Way heading to the west from the junction is currently stopped up to vehicular traffic in the form of steel posts and a gate. At the time of the site visit traffic flows heading south on Lidsing Road were high due to problems on the main the A249 and traffic using this route to avoid the congestion on the main network. The general highway infrastructure in the area was deemed to be in poor condition with stripping to the carriageway surface, signs dirty and twisted, road studs missing and road markings worn. It is recommended that the following action be taken:

- 1) Remove steel posts in junction mouth as they pose a hazard to traffic*
- 2) Cut back vegetation on inside of bend (land ownership will need to be established)*
- 3) Resurface carriageway with Buff HFS around bend*
- 4) Replace road studs with solar powered variants*
- 5) Recover road markings and add edge of carriageway lines around bend and SLOW marking to advance warning signs, remove Give Way road markings at the Pilgrims Way junction as no longer required,*
- 6) Replace signage and install Chevreflex around bend.*
- 7) Install verge marker posts to outside edge of bend (A vehicular access to Pilgrims Way must be maintained)*

CLlr Harwood reports that when the road is closed for the work a deep cleanse of the surrounding roadside verges will take place.

Item 4.3 Minute 2715/4.4 Clearway Sandling. Erection of posts and signage.

These have been erected. There is a temporary Road Closure and 40mph Speed Limit – Chatham Road, Sandling – from 2 February 2015 for up to 5 days to allow the erection of the barriers to narrow the road.

Item 4.4 Clearway Chatham Road, letter to Kent MP's.

Clerk's report: There has been a positive response to the parish council's letter (responses will be available at the meeting) and some parishes have also written to support the suggestions. KALC had a meeting scheduled with KCCH,T&W for 29 January to discuss lorry parking and they will raise this with them then to see if they can collectively get Government to do something on this.

Copies of the responses received have been electronically passed to Environment Committee members and will be available at the meeting.

The response from Farningham PC highlighted that foreign drivers not paying the Dartcharge will be pursued in Europe and an e-mail has been sent asking whether a Borough Council could buy-into this service.

A press release about what the parish council is attempting has been issued.

<p>Item 5 Planning Applications. <i>Purpose of report:</i> To consider planning applications. Members' are reminded to consider possible section 106 requests or to suggest any conditions.</p>
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15/500249/TPO. Trees - Chestnut Tree - Crown reduction AT 15 Cinnabar Close Walderslade Kent ME5 9PF. *Deadline 11 February 2015.*

15/500284/FULL. Single storey rear extension and (part) garage conversion. (Orangery) at Le Jardin The Street Boxley Kent ME14 3DY. *Deadline 11 February 2015.*

14/504230/FULL: New annex extension. Resubmission of 14/500451 at 14 Exton Gardens, Weaving. To ratify Clerk's decision after consultation with committee members to amend the decision so that the objection is NOT referred to the planning committee as long as a condition is included stating that the annex can only be sold with the property and not as a separate dwelling.

Original response.

Wish to see refused and reported to the Planning Committee.

It was considered that despite the changes to the original plans this is still an independent property, albeit now smaller and semi-detached. It is noted that there is no internal access between the main house and the proposed annex extension.

Whilst sympathetic to the needs of the family this parish council has a policy that it will not take into account personal needs.

If the planning officer is minded to approve then a planning condition must be included that links the occupation of this annex extension to that of the persons living at no 14 so that it remains an annexe to the main property and should not be separated, sub divided or altered in anyway so as to create a separate self-contained residential unit.

14/501511/FULL Conversion of redundant farm building to dwelling – revised drawings at Street Farm, The Street, Boxley Kent ME14 3DR. *Deadline 13 February 2015.*

14/504888/FULL. Change of use of store to 2 x dwellings, 2 storey rear extension to provide 1 x dwellings (3 dwellings total), provision of external stair cases to 3x dwellings and new door way to lower ground floor (front elevation) and raising roof height of store at The Pump House Forstal Road Aylesford Kent 42 ME20 7AH. *Deadline 19 February 2015.*

14/506341. Conversion of garage to habitable room (removal of restrictive condition) at 4 Cobnut Close Weaving Kent ME14 5FS (*Off Franklyn Drive*). *Deadline 19 February 2015.*

Item 8. Highways and Byways. *Purpose of report:* Information.

Item 8.1 (information) The Maidstone Joint Transportation Board on Wednesday 21st January, 2015 received a report on drainage and the following is a summary of issues identified which may be of interest to members.

Clerk's note: As members will see from the report in rural areas there is no drainage cleansing scheduled it operates on a complaints received policy. It is therefore important that councillor and the residents are encouraged to report blocked drains.

The community lead approach being trialled has not been apparent in this parish however there is a good relationship with the highway steward.

Do members wish to see a copy of this summary placed on the parish council's website?

Information from the KCC report.

Maintenance

With effect from April 2014 the frequency of cyclical cleansing on high speed roads was reduced from six monthly to annually to be consistent with the frequency of maintenance on the County's other main roads.

Drains on minor urban roads are generally less prone to becoming blocked due to protection by kerb lines, the nature of the traffic using the roads, street sweeping undertaken by District Council and self-cleansing capabilities of the carrier pipes. Examining the data collected from routine walked inspections undertaken by the

Highway Inspectorate between April and September has emphasised this point. Blocked drains were reported on less than 10% of the roads inspected.

A targeted approach to cleansing is now being trialed on minor urban roads. Rather than a cleansing crew attending every road once every two years, each road is inspected at least annually and resources are focused where the need is highest.

Drains on minor rural roads are often more prone to becoming blocked. Gullies can become overgrown by verges and hedge rows and are particularly vulnerable during peaks in agricultural activities or when silt is washed off fields during prolonged or heavy rainfall. It is not financially viable to increase the cleansing frequency and therefore a community lead approach is being trialed. The principle behind this approach is to utilise the good relationships that have been fostered by Highway Stewards with Members and Parish Councils. Over the past three years, the Highway Stewards have developed a detailed knowledge of issues in their area. The intention here is to use this local knowledge of community issues to inform our programmes of gully cleansing.

Cleansing is now being undertaken in response to enquiries from Members, Parish Councils and customers. Each site is inspected by a highway steward, assessed and prioritised on the basis of highest risk first.

The assessment criteria include, risk to highway safety and risk of internal property flooding.

Repairs, renewals and improvements

Highway flooding causes significant level of disruption; it affects movement of people and goods, therefore adversely affecting the local economy. It also causes significant damage to the highway network; at surface level, flood water scours the surface of the carriageway and footway, which will allow ingress of water to the layer below. In the short term it will result in cracking and development of potholes. Flood water also penetrates the lower layers of road construction washing away fine materials and in time results in large failures of the road structure which may require significant repairs or even reconstruction.

Item 8.2 (information and decision) Footpath between Wildfell Close and Boxley Road.

The following request has been received from a resident.

"For a couple of months we have had rats in the overgrown path at the rear of our properties in Greensands. My neighbour and I have been using bait boxes for 2 months but this does not appear to be having any effect. The rats have dug tunnels under the fences to get into the gardens.

Any help from the Borough and Parish Council's to address this problem would be much appreciated".

This is a long standing issue and in June 2014 the following letter was delivered to properties backing onto the path.

It is with regret that the Parish Council has to write this letter but it has received complaints from residents that garden and other waste is being tipped into the footpath area behind the properties in Wildfell Close and Greensands. Not only is it illegal but it is providing food and nesting material for vermin.

The local authorities have various ways of disposing of 'extra' waste including:

- House to house collections*
- Household waste recycling centres (the nearest are in Medway – for locations see www.medway.gov.uk)
- Bulky refuse collections*
- Saturday Freighter Service (collections from 2 locations in Impton Lane)*

*Details can be found at www.maidstone.gov.uk under refuse and recycling.

The recent mild, wet winter has seen an increase in the vermin population regularly appearing in local gardens due to their displacement from their flooded burrows. Whilst feeding birds is encouraging wildlife into the garden it will also encourage the displaced vermin. If you know there is a local problem you may wish to cease putting out food for a short period.

In addition residents should ensure that all household rubbish is put in the rubbish bins provided and that the lids are closed otherwise magpies and foxes will spread the rubbish and again encourage vermin.

The Parish Council thanks you for your cooperation.

It is clear from the resident's e-mail that this approach has not dealt with the problem.

Clerk's note:

Ownership. The pathway is not a Public Right of Way or KCC highway responsibility. It is believed **but this has not been firmly established** to be in the ownership of Kent Property Services and is part of the originally compulsory purchased woodlands. The original developer went into receivership and the areas in the estate were never officially handed over to KCC. **The resident is asking that the parish council investigates and clarifies the land ownership, and therefore the responsibility, issue.**

Previous work. In the past the parish council used the (now defunct) concurrent functions grant to pay for work to clear the undergrowth. There is however an issue regarding the steps (15 or more) at the Boxley Road end of the path. It is likely that these have now completely rotted and would need full replacement with Oak step risers.

Financing work. The parish council's Environment Committee has a street maintenance budget of £3,500 in 2015/2016 financial year and County Councillor Paul Carter has a community budget and he could be approached to release some of this.

Maidstone BC. The Borough Council has no responsibility for the area and it contracts pest control work out to Mitie which charges £45 for two visits (minimum) per domestic property.

Investigation. There has been no formal investigation of why the rats are in the area. Advice was sought last year on an issue relating to the allotments and this highlighted that the recent mild winters had seen an increase in the rat population and periods of intense wet weather had flooded underground burrows. The advice was also that rats would not stay in an area unless there was food easily available. No request has been made to the drainage authority's to check whether there is an issue surrounding the drains or drain covers.

Item 8.3 (information/action) Additional maintenance.

Clerk's report: County Councillor Paul Carter has been contacted by Borough Councillor Greer about funding some additional maintenance. As the request seemed to contradict the previous maintenance information received from KCC H,T&W clarification was sought.

As members are aware the Environment Committee approached KCC about additional maintenance to the annual cut and it received details of cost and also restrictions should the committee wish to do this.

Cllr Greer's request for additional maintenance did not attract the stringent restrictions that the parish council received.

Apparently there are two categories of maintenance at KCC and the Environment Committee request was put in the most stringent one rather than the more relaxed one. It is not clear why KCC has two categories or why the original request was placed in one and not the other but it appears that there are technical differences in the two terms.

Members are now advised that it can approach KCC to undertake additional maintenance to highway land as long as it funds it and uses a company with workers who are trained to work adjacent to highways etc. The committee should notify KCC soft landscaping of the additional work it wishes to undertake.

Item 10. Local Plan. Purpose of report: Information.

10.1 Results of second call for housing allocation sites. MBC has released the additional sites that are being put forward and none are within the Boxley Parish Council boundary. The Cabinet Meeting on 2 February will consider the reports.

MBC will be preparing to launch a second Regulation 18 Public Consultation on potential additional development sites at the end of February.

10.2 KCC Transport Strategy Progress Update.

Clerk's note: This is a summary of the work that is being undertaken to provide evidence for the Local Plans' Integrated Transport Policy. Not all actions and information have been supplied, the Clerk has reproduced sections that members have previously commented on or which she feels will be of interest to the parish council.

A Transport Workshop (for KCC members) was held on the 15th December 2014.

"The presentation made by Amey at the Workshop indicated that the road network would come under increasing pressure from substantial additional demand for journeys as development proceeded into the future. By the end of the Local Plan period, the results were showing an increased demand for travel of 17-18% in both peak hours, and even with a full package of capacity improvement schemes, the projected increase in total journey time across the network was a 25% increase in the morning peak (8 – 9 a.m.) and a 34% increase in the evening (5 – 6 p.m.). This indicates that, not only will congestion increase on the main roads, more traffic will use alternative routes on the minor road network. Overall, this would greatly reduce the resilience of the network. This means that any incident (breakdown, road works etc.) would have a greater impact on congestion, as there would be little or no spare capacity on any alternative routes around the town."

Amey were to be carry out further transport model tests to evolve the most effective package of measures to deal with the development aspirations of the Local Plan.

KCC will be commissioning two new model runs, one based on the sustainable transport improvements advised by MBC, but without the Leeds/Langley Bypass. Results likely early February and another KCC workshop will be held to discuss the outcome. The second will be a run specified by KCC, which would assess its own suggested alternative development scenario and transport improvements.

10.3 General update.

Requested boundary change. Response from MBC *"I am not sure how much this matter has been progressed I am afraid. I am not aware of any recent meetings with Medway, although we are still aware that we need to raise this issue with them. I have copied into this email Sue Whiteside, Planning Policy Team Leader so that she is also aware of the need for a discussion on this matter.*

In terms of progress with the plan, we will be consulting on additional sites in the coming weeks, and once we have completed assessment of the representations, along with other continuing work we will indeed be looking to pull a revised plan together to move to the 'Publication' stage in the regulations. We will need to ensure that your remaining issue is dealt with before we reach this stage.

In other developments, you may have noted that the eastern by-pass is again being promoted by KCC through the Joint Transportation Board and is likely to be tested in the latest round of updated transport modelling. Whether the scheme is taken forward into the revised transport strategy remains to be agreed given the likely cost, at present un-

quantified benefits and uncertainty over exact routes, impact on countryside, listed buildings and so forth. The revised strategy will be subject to public consultation once completed."

Item 11. Matters For Information. Purpose of report: Information.

National Planning Policy Framework.

Update from NALC (KALC e-mail 18.12.15).

The Communities and Local Government Committee – appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Communities and Local Government – has published the report on its inquiry into the Operation of the National Planning Policy Framework in its first two years, outlining a number of changes that should be made both to the NPPF itself and to the way it is applied.

Based on information provided by county associations and local councils we submitted written evidence to the inquiry, as did 26 local councils and two county associations; the Chairman of NALC also gave oral evidence (17.28:15 in) on 9 June.

A summary from the report is set out below:

- The National Planning Policy Framework (NPPF) has now been in operation for two and a half years.
- The simplification it has brought to the planning system is welcome and was acknowledged by many witnesses, but it needs more time to bed in, and the Government needs to collect more data, before a full assessment can be made of its strengths and weaknesses.
- Nevertheless, the evidence to this inquiry has highlighted a number of emerging concerns: that the NPPF is not preventing unsustainable development in some places; that inappropriate housing is being imposed upon some communities as a result of speculative planning applications; and that town centres are being given insufficient protection against the threat of out of town development.
- These concerns point to the need to strengthen, rather than withdraw, the NPPF.
- Changes that should be made both to the NPPF itself and to the way it is applied include:
 - ensure that the planning system delivers the sustainable development promised in the NPPF. We should ensure that the same weight is given to the environmental and social as to the economic dimension; that permission is only given to development if accompanied by the infrastructure necessary to support it; and that the planning system places due emphasis on the natural environment;
 - all councils must move much more quickly to get an adopted plan in place: this will give communities increased protection against the threat of undesirable development. We call for a statutory requirement for councils to get local plans adopted within three years of legislation being enacted;
 - we must address the complex issue of land supply. Provisions in the NPPF relating to the viability of housing land are leading to inappropriate development: these loopholes must be closed. There also needs to be clearer guidance about how housing need should be assessed. In addition, local authorities should be encouraged to review their green belts as part of the local planning process;
 - changes should be made to ensure the NPPF gives greater protection to town centres. The internet has changed the way we shop; town centre planning policy must therefore evolve too. We call for an end to permitted development that allows shops and buildings used for financial and professional services to become homes without planning permission, a policy which is undermining the local planning process.
- The NPPF makes clear that importance of a plan-led system that delivers sustainable development. We trust that the Government will make the changes we propose to ensure that this principle is met and the NPPF becomes a document in which everyone can have greater confidence.

Our campaigning on CiL was also picked up on page 12 in section 19:

So far, the number of councils choosing to use CIL has been limited. Research by Savills forecasted that 68% of councils would not have CIL in place by April 2015. This slow adoption rate has led some parish and town councils and community groups to express concern that they are not receiving infrastructure funding because CIL is not being charged.⁴⁸ In comments to the press, Cllr Ken Cleary, Chair of the Larger Local Councils Committee at the National Association of Local Councils, said that, as a result, councils were missing out on “crucial investment in infrastructure needs identified by the community, such as improvements to parks and play areas, community facilities, road or traffic schemes and other local projects”. We are concerned that parish and town councils might not receive infrastructure funding when the principal authority has decided not to charge CIL. This problem is likely to be particularly acute in neighbourhood planning areas. It would be unfair if a parish council or neighbourhood forum found it had no way of funding the infrastructure allocated in its neighbourhood plan. Local authorities should be particularly mindful of the need to support infrastructure requirements identified in adopted neighbourhood plans. We strongly encourage parish and town councils and neighbourhood forums that have an adopted neighbourhood plan to request from their local planning authorities a share of infrastructure proceeds from section 106 agreements, where the Community Infrastructure Levy is not in place. We encourage local planning authorities to give full consideration to such requests.