**BOXLEY PARISH COUNCIL**

[www.boxleyparishcouncil.org.uk](http://www.boxleyparishcouncil.org.uk)

Beechen Hall, Wildfell Close, Walderslade, Chatham, Kent. ME5 9RU

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**Clerk** Mrs Daniela Baylis **Assistant Clerk** Mrs Melanie Fooks

**A G E N D A**

**To All Members of the Council, Press and Public**

There will be a meeting of the **Environment Committee** on **Monday 7 October 2019 at St Johns School, Provender Way, Grove Green, ME14 5TZ**, commencing after the finish of the Parish Council Meeting when it is proposed to transact the following business:

1. **Apologies and absences**

To receive and accept apologies for absence.

2 **Declaration of Interests, Dispensations, Predetermination or Lobbying**

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.

**To adjourn to allow members of the public to address the meeting**

1. **Planning Applications/Appeals for Consideration - Ratifications**

**19/504294/ADV** **– Plot 9, Eclipse Park, Sittingbourne Road North, Maidstone, Kent.**

Advertisement consent for 10no illuminated fascia signs, 2no illuminated totem signs and 10no vinyl’s to trolley bays (2 vinyl’s per trolley bay)

To **ratify** the Clerk’s decision, after consulting members: The Parish Council has no material planning reason to object.

**19/504506/TPO** **– 6 Olivine Close, Walderslade, Chatham, Kent, ME5 9NQ.**

TPO application to reduce four Ash trees to height of 12m and a radial distance of 4m

To **ratify** the Clerk’s decision, after consulting with members: The Parish Council has no objection, defer to the view of the Landscape Officer.

**19/504469/FULL** **– South Moor, Grove Green Lane, Weavering, Maidstone, Kent, ME14 5JW.**

Demolition of existing conservatory. Erection of a single storey rear extension and side and rear first floor wrap around extension.

To **ratify** the Clerk’s decision, after consulting with members: The Parish Council has no material planning reason to object.

**19/503863/FULL – Anvil Cottage, Forge Lane, Boxley, Maidstone, Kent** - Demolition of existing conservatory and construction of a single storey rear extension.

To **ratify** the Clerk’s decision, after consulting with members: It was decided to make no comment.

**19/504474/FULL** **– 3 Bracken Hill, Boxley, Chatham, Kent, ME5 9QQ**

Erection of a single storey front extension

To **ratify** the Clerk’s decision, after consulting with members: The Parish Council has no material planning reason to object.

**19/504358/TPO** – **Forestdale Road, Boxley, Chatham, Kent, ME5 9NB.**

Application to crown reduce one Oak tree – height and width reduction of 1.5m, and left at 13m high and 8m spread.

To **ratify** the Clerk’s decision, after consulting with members: The Parish Council has no objection, defer to the view of the Landscape Officer.

**19/504442/FULL – Land East of Gleaming Wood Drive, Lordswood**

Erection of 115 dwellings together with associated infrastructure, open space, landscaping and access works. (RESUBMISSION OF 18/500346/FULL)

To **ratify** the Clerk’s decision, after consulting with members -see response page 3-7

**APPEAL**

**18/503492/OUT – Land at the Junction of New Cut Road and Bearsted Road, Weavering**. Outline application for a care homo (use Class C2) with access to Bearsted Road including landscaping, parking and associated works. Matters of appearance, landscaping, layout and scale are reserved for future consideration.

To **ratify** the Clerk’s decision, after consulting with members -see response page 7-8

To **note** the letter sent by the Clerk to Mark Green of Maidstone Borough Council regarding the disposal by way of Easement of 1500 square metres of Weavering Heath. See Page 9

1. **Next Meeting**

Next full Environment Committee meeting 14th October 2019 at Beechen Hall commencing at 7:30pm.

Daniela Baylis

Daniela Baylis

Clerk to Boxley Parish Council Date: 30 September 2019

**19/504442/FULL – Land East of Gleaming Wood Drive, Lordswood**

Boxley Parish Council object in the strongest terms to this application and would like it referred to the Planning Committee.

The Application describes the location as a Chatham suburb. This is misleading because, whereas Chatham is in the Medway Unitary Authority which has not met its 5 year housing target, the site actually lies in Boxley Parish in Maidstone Borough, which has met its target for the next 8 years without this development, and has not listed this as a development site in its Local Plan.

**Biomass Boiler**

The Outline Planning Permission for 89 houses granted on appeal was dependent on the provision of a central biomass boiler facility for residential heating. In this current application the biomass boiler has been found to be unsustainable ‘as it became clear that the ancient woodland would not be able to support the requirements, and any wood undergoes processing prior to being able to be burnt anyway’. Surely the sustainability, operating processes and management of the biomass boiler were investigated at the previous application stage and before the Reserved Matters Application approval. If it is unsustainable now it would have been unsustainable then and this was one of the main focuses of the Appeal Inspector and his reason for granting approval. Without the biomass boiler the development would be in contravention of current Government targets for low carbon heating in new build houses.

The reserved matters (regarding details of access, appearance, landscaping, layout and scale and the biomass heating plant) from this appeal decision were submitted after extensions to the 30thNovember 2018 deadline and decided in June 2019. These reserved matters included plans for a biomass heating system but lacked a clear business plan for its operation. Boxley Parish Council in its objection to the Reserved Matters Application asked for the following conditions:

* Proof, by a financial feasibility study, business plan or similar, that a biomass unit is sustainable and can by funded and maintained by the current scheme.
* A legal requirement, to ensure the site remains sustainable and that the biomass unit is funded to remain in operation for 30 years

Reserved Matters approval was however granted without any of this information being provided.

 The section 106 unilateral undertaking included an undertaking for a biomass boiler of minimum 300 kw capacity. The time trigger for the submission of the Biomass Energy Delivery Plan is before implementation and the time trigger for operation is the first occupation. As the applicant now states that the biomass heating unit is not sustainable, it is the parish council’s view that this Appeal decision and subsequent Reserved Matters approval should be considered null and void as one of the principal conditions (reason 23) on which permission was granted cannot be met. The whole application should be resubmitted reflecting its current status. If not, because provision of a biomass heating unit, was a condition of the original and Reserved Matters applications, Boxley Parish Council wants it to be installed if the development goes ahead.

This application differs substantially from that granted on Appeal in 2015 and should be considered in its own right with no references to previous applications and in line with all current legislation.

**Transport**

The Peak Local Road Traffic Flow Impact is very optimistic. It gives an estimated increase in traffic on Walderslade Woods of just 2%. This is an increase of just 19 cars from a development of 115 houses.

The Traffic plan states ‘there are no nearby “local plan allocated” sites or other consented development sites, in the vicinity of the proposed development site. This traffic impact assessment does not therefore require an assessment of committed development’. This is not true; nearby, but over the border in Medway, the applicant has outline planning permission for 450 houses on a site known as Gibraltar Farm, granted on appeal and a further application awaiting decision for 800 houses at East Hill (planning reference Mc/19/0765). Gibraltar Farm will exit onto Ham Lane, Westfield Sole Road and then onto the Round Wood Roundabout, Walderslade Woods, Junction 3 of the M3. East Hill will exit onto North Dane Way and then onto Gleaming Wood Drive, Lordswood Road, Round Wood Roundabout, Walderslade Woods, Junction 3 of the M2. Both of these developments are on greenfield sites that will erode the green lung between Medway and Maidstone creating an urban sprawl into a vitally important strategic gap. Both developments had/have considerable local objections from residents and other organisations.

Walderslade Woods road (A2045) currently queues for almost its entire length in the morning and evening rush hours. Junction 3 of the M2 is already over capacity. KCC in their consultation document expressed concern about worsening congestion in this locality.

The trip distribution data for the previous application shows two thirds of the trips being assumed to route to the West via Gleamingwood Drive and the Round Wood roundabout. Over a third of trips are assumed to route via Walderslade Woods. The additional traffic at the Round Wood roundabout was shown to cause a further deterioration in operating conditions. The mitigating strategies planned by the applicant are not enough to alleviate the potential problems. Much of the remaining traffic movements will be via Harp Farm Road which is a narrow road with passing spaces.

The traffic plan was done in August 2019 which is during the school holidays and a time of year when many people will be taking annual leave as such it does not accurately represent normal traffic conditions for the areas surveyed. Boxley Parish Council asks that a new traffic plan be submitted taking into account this and the 2 other developments and their impact on the already overstretched local roads. The traffic plan must also show the knock on effect on Walderslade Woods and Junction 3 of the M2 from all these proposed developments.

**Environmental**

**Ancient Woodland**

There have been significant changes to the NPPF regarding ancient woodland since the original application and these should be fully considered with this application as a material objection.

The NPPF (in paragraph 175) requires wholly exceptional reasons for development that would result in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees). Given that ancient woodland takes hundreds years to establish it must be deemed an irreplaceable habitat. The ancient woodland protection is regardless of its condition and management and these should not be a consideration in determining this application. Boxley Parish Council does not consider that this application meets the ‘wholly exceptional reasons’ required and should be refused.

Policy DM3 of Maidstone’s Local Plan requires ‘new development to protect and enhance the natural environment by incorporating measures where appropriate to protect areas of ancient woodland and to enhance, extend and connect fragmented ancient woodland’. This application is in direct contravention of the Local Plan as it is actively fragmenting ancient woodland by putting an access road through it.

Whilst there is now a draft ancient woodland management plan, there are no details or plans as to who is going to do the work, how long the plan will be operated for etc. There is a statement from the developer that the products from the woodland will still be used to make pellets for biomass use. Who is contracted to do this and where will the wood be taken or will it be processed on site – if so, where?

**Wildlife**

This site contains 6 European and Full WCA protected species of wildlife as well as 8 of principal importance.

The environmental study done in June 2018 found 29 species of bird with 21 species breeding on the site of which 8 are Species of principal importance further to Section 41 of the Natural Environment and rural Communities Act 2006.

The developer says that they would avoid disturbance to nesting birds by avoiding clearance during the months of February to August inclusive. This would mean that clearance work was being done at a time of year when dormice and reptiles were hibernating. What mitigating strategies will be put in place to protect these species?

The dormouse population is very well established, with the survey results showing nesting in some of the survey tubes. The fragmentation of their habitat is not acceptable and the mitigation strategies inadequate.

6 bat species have been recorded on the site. These are all European protected species. Their habitat should not be disturbed. None of the mature trees on the site have been properly assessed for bat roosts.

The reptile surveys were very misleading. Most of them were carried out with temperatures between 8 and 13 degrees with cloud cover. The only time period with a reasonable temperature for reptiles of 18 degrees, unsurprisingly provided the largest number recorded. For this reason, the relatively low figures are likely to be very inaccurate. Given the cessation of grazing in the old horse paddocks and subsequent vegetation growth, there would likely be a larger number of reptiles present than that recorded. There are no mitigating strategies in place to enable them to get from one side of the access road to the other.

The proposed 15 metre buffer zone development to woodland is not felt to be adequate given that the proposed development would fragment the ancient woodland. Boxley Parish Council would like to see a 30metre buffer zone implemented, that is planted, established and fenced off before any construction work commences.

The additional light pollution from artificial lighting in houses and streetlights will inflict profound biodiversity damage. Boxley Parish Council is not convinced that this application properly addresses this level of damage and does not think streetlights are appropriate in this setting. The advice to ‘orient the dwellings to address and face the ancient woodland’ will further exacerbate the problem. Boxley Parish Council would like to see an assessment with associated mitigating strategies with regard to light pollution.

Houses have people, people have pets, the vast majority being cats and dogs. In 2016 the average number of cats per household was 1.6 based on 18% of households owning cats, so this development is likely to introduce an average of 33 predators into a protected species rich habitat with devastating consequences. Dog ownership is likely to lead to an average 38 dogs (25% of households with average number of 1.3 dogs/household) from the development being walked through the woods which would also disrupt and harm wildlife.

People will also lead to the intensification of recreational activity by walking, dog walking, cycling, running etc which will cause disturbance to wildlife, compaction of soil leading to poor drainage, littering, removal of deadwood, fire damage and trampling.

The Ecological Survey has not looked at insect species present on the site.

The site is located above a Principal Aquifer and is located within an Environment Agency defined Groundwater Source Protection Zone 3. What safeguards has the developer put in place to prevent polluting the water source and ensuring that sufficient water permeates through to replenish the aquifer?

**Renewable Energy**

Maidstone has declared a climate emergency and this development does not sufficiently address the provision of low carbon heating and electricity.

The developer has deemed the biomass heating plant as ‘unsustainable’ but has not put in any alternative low carbon heating initiatives.

Passive solar design – This is an excellent principle but the plans submitted do not show any detail of how this is to be achieved with each house.

Implementation of PV across the site. Again, this is an easy statement to make but how many PV panels will be provided/house? What is the potential energy generation per house? Is battery storage for excess electricity generated also included within the PV scheme. What affect will the close proximity of trees have on potential solar energy production?

Are there any plans for electric vehicle charging points as this is not referenced in the current plans?

**Community Involvement**

Boxley Parish Council dispute the Community Involvement statement as follows:

* Leaflet drop to 700 houses. A quick sample of residents living within the leaflet drop area revealed that none of them received a leaflet.
* Boxley Parish Council has received no consultation from the developer despite the development being in its parish.
* Boxley’s Ward Councillors have had no consultation on this development.

All development of this site has had comprehensive objections from Boxley and Bredhurst Parish Councils, Local Residents, Medway Cllr Vince Maple, Tracey Crouch MP as well as organisations such as the Woodland Trust and Kent Wildlife Trust. Planning permission has been refused twice by Maidstone Borough Council.

As such Boxley Parish Council can find no evidence to support the statement that ‘there is clear support for redevelopment of this site’, not that what is being proposed for this greenfield site would normally be thought of as ‘redevelopment’.

**Impact on Local Services**

Following statements made in the Local Travel Plan, the following should be taken into account:

Spinners Acre Community Junior School – closed in 2013

St Benedict’s RC Primary School – oversubscribed with current waiting list of 60.

Swingate Infant and Nursery School – No provision under S106 for any expansion to meet increased demand for places. They are currently a 3 form entry. They are full and have no further capacity, with waiting lists for each year group.

Lordswood Primary School - No provision under S106 for any expansion to meet increased demand for places.

Greenacre Secondary School – according to current data has 1 vacancy

Walderslade Girls schools – according to current data has 3 vacancies

Lordswood Community Healthy Living Centre – a sum of money has been made available under S106 for improved facilities but the reality is that this will not address the current long waiting times for appointments. Requests for appointments were made from 2 of the surgeries in the group on 19thSeptember – next available appointments given were 9th and 14th October. There are serious doubts about the Centre’s ability to cope with any more patients with waiting time for appointments this long.

Medway hospital (the closest and heavily over-subscribed) was in special measures for 4 years until 2018 and still requires improvement.

Maidstone Hospital is rated as needing improvement.

Boxley Parish Council is concerned at the further strain this development would put on already

**APPEAL**

**18/503492/OUT – Land at the Junction of New Cut Road and Bearsted Road, Weavering**. overstretched local services.

Boxley Parish Council object to this Appeal.

Boxley Parish Council would like to reiterate all of its original objections.

This scheme will have a detrimental effect on both the landscape and street scene contrary to the principals of the Maidstone Local Plan.

The ecology report states ‘that the site is not designated for nature conservation and is not connected to any such sites. This is not true as it is the main water feed for Vinters Valley Nature Reserve and any development on the site would have a catastrophic knock on effect through interruption of the water course, contamination etc.

This marshy land forms an important boundary to the Weavering/Grove green urban area. It is an undeveloped greenfield site that acts as a wildlife corridor connecting Mote Park/Vinters Valley Nature Reserve to the surrounding countryside including Weavering Heath, Horish and Popes Woods. The stream that runs around the perimeter of the site feeds directly into Vinters Valley Nature Reserve. There is no indication that the developers plan to safeguard this vital resource.

This “natural” corner ~~is~~ a prominent feature of the landscape for drivers entering Bearsted and New Cut Roads and the building of such a large prominent structure would be detrimental to the character of the street scene.

In the report the NHS states that there is currently insufficient GP cover in the Maidstone area to provide cover for the existing care homes. These plans do not have any provision as to how they will mitigate this problem.

Traffic

The increased traffic on this roundabout caused by KIMS hospital and associated businesses, Cygnet Mental Health Facility, proposed Innovation Centre, Eclipse Park, Newnham Court Shopping Village and veterinary centre and the two schools currently under construction means that the roundabout is already over capacity with long queues to get out of existing sites. This is considerably worse at peak times. There will also be additional traffic movements due to the proposed day rooms for clients/patients attending on a day to day basis.

The increased pollution caused by standing vehicles will have a detrimental effect on all residents and users of the local area.

The proposed left only turn into the development does not explain how traffic entering Bearsted Road from the roundabout is going to be turned around to meet this requirement. The access to the site is too close to a very busy roundabout to be considered safe.

Parking provision is inadequate. The proposed design makes the site very cramped so no further parking provision would be possible. There are limited bus routes that stop at Newnham Court Shopping Village enroute to New Cut Road. They do not stop in the other direction; People would then have to walk down the hill and across the busy roundabout to access the development. This would make reliance on motor vehicles inevitable.

Given the limited parking available on site staff and visitors would be reliant on public transport. The current bus service available to service this proposed development is extremely limited, with little measurable service on a Sunday - there being no service before 9.50am and nothing after 5pm. Aviva Route Number 9 refers.

Children will now be walking along the pavement from Grove Green, past the site to access the new schools being built in Popes Field.

Due to its location the development needs acoustic fencing of a height that is incongruous and a blight on the visual impact of this area.

The outline application for 8 houses on the site was refused and an appeal dismissed. In the appeal decision the inspector states that he considers the site has a role in conjunction with the adjoining land of providing an open landscape setting to the Northern edge of the town. This has not changed

It has been noticed by concerned residents that work has already started on clearing the site.