

**Minutes of the Environment Committee on Monday 9 December 2019 at  
Beechen Hall, Wildfell Close, Walderslade commencing at 7.30 pm.**

Present: Cllrs W Hinder, Ms L Clarke, Mr I Davies, Mr B Hinder, Mrs P Huntingford, J Willmott together with Mrs M Fooks Assistant Clerk.

**1 Apologies and absences**

Apologies received from: Cllrs Brindle, Hollands and Constable.

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

Cllrs Willmott declared that he would not discuss or vote on Planning Application 19/505949/Full.

**3 Minutes of the Meeting 11 November 2019**

The minutes were agreed and signed as a correct record.

**4 Matters Arising from the Minutes**

4.1 Minute 3330/4.1 Junction 3 M2. 10 MPs request for action on local infrastructure. Cllr B Hinder reported that this was now on the JTB agenda for a meeting on 15 January 2020. He also confirmed that local MP's Helen Whately and Tracy Crouch would also pursue this issue if re-elected.

4.2 Any other matters arising from the minutes not on the agenda. **None.**

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

2 members of the public were present to give their objection to the planning application 19/505949 Land to back of Cherry Orchard, Court Lodge Farm.

**5 Planning Applications for Consideration**

**19/505949/Full – Land to back of Cherry Orchard, Court Lodge Farm, The Street, Boxley ME14 3DX.** Construction of a sand school (retrospective).

**Parish Council response:** Boxley Parish Council wish to see the application refused for the following material planning reasons:

- It is contrary to Policy SP17 of the Local Plan. The applied for retrospective development at this location is detrimental and harmful to the distinctive character and appearance of its setting and to the visual amenity and openness of the surrounding rural area and the Kent Downs AONB.
- The surface that has been used in the sand school is not sand but a shredded carpet which blows fine fibres out of the school into the surrounding area, causing a nuisance to the immediate neighbors and contaminating the environment.
- The size and bulk of the development is not appropriate in the setting of the AONB. The sand school introduces the appearance of a commercial equestrian activity which is out of keeping with the area and immediately adjacent to the Grade II listed Pump House. This is contrary to the previous application which sought to avoid the appearance of a commercial operation at the site. There is a statutory requirement under Section 85 of the Countryside and Rights of Way Act 2000, for relevant authorities to have regard to the purposes of conserving and enhancing the natural beauty of AONB's when performing their functions. The NPPF further states that AONB's are designated rural areas and great weight should be given to conserving and enhancing their landscape and scenic beauty. The introduction of a large sand school in this area cannot be seen as conserving or enhancing the scenic beauty of the AONB.
- The Parish Council considers that the right of the Borough Council to object or manage a planning application, is seriously eroded by the legislation allowing retrospective planning applications.  
Members also have concerns with the following contraventions

- A previous application for stables (MA/17/504038) on this site has a condition concerning the storage of waste. This has been contravened by the applicant who has moved the waste pile closer to an existing residential property, resulting in noxious smells, pollution and reduced air quality for the property.
- External lighting has been installed on the stable block in contravention of a condition from the previous application (MA/17/504038). This also contravenes Policy DM8 in Maidstone's Local Plan.
- The Sand School has been built right up to the boundary of the neighboring property with little or no screening/hedging, harming the setting of the Grade II listed Pump House. This also contravenes a condition on the previous application (MA/17/504038).

If the Planning Officer is minded to permit the development the parish council requests that it is reported to the Planning Committee.

#### **19/505777/FULL – 6 Tollgate Way, Sandling, Maidstone, Kent, ME14 3DF**

Erection of a two storey side extension and garage conversion.

##### **Parish Council response:**

Wish to see refused but not reported to the planning committee for the reasons set out below:

- Detrimental and incongruous to the street scene.
- Overdevelopment of the site by sheer bulk and size
- Overshadowing adjacent properties resulting in loss of light.
- Intrusive.
- It is within the setting of the AONB.

#### **19/505804/FULL – 36 Crownfields, ME14 5TH**

Demolition of existing garage. Erection of part two storey, part single storey side extension with front porch (revised scheme to 19/503460/FULL).

**Parish Council response:** The Parish Council has no material planning reason to object.

#### **19/505816/SUB – Parsonage Farm, Boxley ME14 3DX**

Conservation notification to Fell one Cedar Tree.

**Parish Council response:** Do not wish object, defer to the views of the Landscape Officer.

#### **19/505919/Full – Doullens, Tyland Lane, Sandling ME14 3BL**

Demolition of bay window, erection of single storey front extension. Changes to fenestration.

**Parish Council response:** The Parish Council has no material planning reason to object.

#### **19/505816/SUB – Lordswood Urban Extension, Gleamingwood Drive Lordswood**

Submission of details pursuant to conditions 5 (Materials), 7 (Woodland Management Plan), 8 (Proposed Boundary Treatment), 10 (Ecology), 11 (CEMP) 17 (Bird Boxes) in relation to planning application 15/503359/OUT.

**Parish Council response:** Boxley Parish Council strongly object and if the officer is minded to approve would like it reported to the planning committee.

Boxley Parish Council object to the following Discharge of Condition applications:

Condition 7 – Woodland Management Plan

This is not a Woodland Management Plan but more an idea of what work Bioscan recommends. It does not include any timescale for the work or any indication of who is going to carry out the work. Who is going to fund the work and how long for?

The Management Plan should include timescales, mapped areas, detailed work schedules and costings for a minimum of 25 years with an indication of how future work after this time will be funded.

#### Condition 10 – Ecological Design Strategy

There has been no reptile survey undertaken since October 2018 so up to date figures are not available on numbers. It is accepted that translocation and reptile fencing are widely used methods but the planned brush cutting, and strimming can be fatal to reptiles and as such other non-powered methods of clearance would be preferred. As the proposed reception area is very close to one of the access roads, what measures will be put in place to protect them once the development is completed? The proposed area of fencing is very small and will not protect reptiles living outside the development area from entering.

In the application it was proposed to put in place 'bridges' so that dormice could get across the access road. There is no mention of these in the Ecological Design Strategy submitted. The Design Strategy does not have a long term maintenance plan or adequate proposals for monitoring the species requiring specific mitigation or any remedial measures.

#### Condition 11 – Construction Environmental Management Plan: Biodiversity

The proposed 15 metre buffer zone between the development and the 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 30-metre buffer zone implemented, that is planted, established and fenced off before any construction work commences.

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 environmental strategy does not address this and does not have any proposal to reduce fragmentation caused by the access road.

#### 6. **Planning Decisions, Appeals and Appeals Decisions**

The Planning decisions on the Agenda were noted.

#### 7. **Highways and Byways**

7.1 Dangerous Parking on Impton Lane at the junction of Celestine Close. Members received the report and after consideration it was agreed that a letter is sent to the Spire Alexandra Hospital making them aware of the issue and for double yellow lines to be added to the HIP (highways improvement plan). **Action office.**

7.2 KCC Tree Maintenance. Maintenance on trees along Beechen Bank Road and PRoW KH656 was noted.

7.3 Highways Improvement Plan

##### **Drainage – Harp Farm Road**

Members received the Clerk's report and asked for clarification from Jennie Watson (KCC) as to whose responsibility it is to fix the problem. If it is if the farmer who is filling in the ditches which in turn is causing the flooding, is he responsible for the repairs. **Action office.**

##### **Walderslade Woods**

Members agreed that a request to KCC for the data from the speed surveys carried out at the end of November is made so that it can be considered at a future meeting. **Action office.**

##### **Westfield Sole Road**

HGV Signs – noted.

##### **Weaving Street**

Slow markings are being installed and refreshing existing markings. **Noted.**

**Boxley Village**

Members received the Clerk's report and requested that 20mph roundels and pedestrians walking signs are added to the HIP. They also asked for the cost for moving the speed hump so that this could be considered at a future meeting. In the meantime, the office should monitor and report back any further complaints. **Action office.**

The following 3 items were put forward to be included on the HIP and one existing requires clarification.

Boxley Village - Speed Humps - cost of moving them.

Impton Lane – DYL at Junctions

Boxley Road (North, Medway end) Road Junction Sign

9. Sandy Lane needs clarification with Cllr Brindle possibly a 'no through road' sign is required.

8. **Budget**

Members reviewed and **agreed** the budget for 2020.

9. **Policy and Procedures**

None scheduled for review. **Noted.**

10. **Members and Officer's Reports**

None were reported.

11. **Consultations**

Air Pollution and Anti-idling campaign received from MBC. Members considered possible areas and agreed that the Taxi rank in King Street, Maidstone is included. **Action office.**

12. **Volunteer Groups**

FoWH report was **received** and **noted.**

13. **Items for Next Agenda**

Requests for items to be included on the agenda to be submitted no later than 6 January 2020.

**Noted.**

14. **Next Meeting**

Next Environment Committee meeting 13 January 2020 at Beechen Hall, Wildfell Close, Walderslade ME5 9RU commencing at 7.30pm.

15. **Enforcement and CIL/Section 106 updates from MBC.**

**Received** and **Noted.**

Meeting closed 9.10 pm.

Signed as a correct record of the proceedings.

Chairman ..... Date .....