

SMW/TP  
5<sup>TH</sup> July 2017

To: Peter Jones

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cc: Emma Fulham  
Clerk to the Parish Council

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Dear Peter and Emma

**Re: Crowhurst Brickworks**

As you know I met yesterday with Linden Homes and we looked at the various issues raised by you and the Parish Council.

The Meadow Land

The preparation of the seed bed for sowing of grass appears to be going reasonably well. As you say, there is still some stone and brick material to be hand-picked and Linden assured me that this would be done. They are planning on seeding the land this Autumn and I emphasise that the best time to do this is towards the end of August and certainly not at the end of September (that would be too late).

We looked at the pile of rubble (you referred to them as bunds). I was unaware that there had been an agreement in the first place to leave this stone and material in a bunded heap in the corner of the meadow although Linden seemed to think this had been agreed by somebody. In my view this would never have been a suitable solution. As you know they wanted to deposit this material in the fenced-off wild area immediately to the north and specifically in the hole which exists just a few metres away.

Purely from the prospective of trying to achieve the very best restoration of the land with the highest possible aesthetic and environmental outcome, one would ideally have taken the material away from site. Linden Homes are reluctant to do this. They point out that moving it to a landfill by road is not particularly environmental (whilst this is true this is not really our problem) but perhaps more importantly they are concerned about damage to the seed bed that has been created by having to track machinery in and out to take it away. I do have some sympathy with that argument. It seems likely that even in the current dry conditions there could be some collateral damage to the area of land they have been working on in extracting the material. If they come in with a very small machine, take down the post and rail fence and move this material right back into the hole, then in truth it probably isn't really going to make any significant difference to the quality of this land in the long-term. The fact is that "the wild area" to which you refer is in fact a tip under which there is lots of brick rubble and material anyway, this is the same reservoir of material that is coming through the meadow land. The area will quickly green over and within a year or two nobody would be any the wiser. I am therefore willing to recommend that we allow them to do this, subject however to both the residents and the Parish Council's approval.

There could technically be a requirement to get planning consent as tipping of this small amount of material could be operational development. Alternatively it could be argued to be de minimus. It would not be proportionate to expect Linden to make a planning application but we could ask them to indemnify us against any future action by the Local Planning Authority.

They are going to send to me an exact specification of the seed mix and drilling/seeding method for approval.

I am not too concerned about the previous weed killer applications. These should not now have any impact on seeding the land this Autumn.

There is at least one area of damage to the post and rail fence caused by a falling tree which they are going to attend to. We could not find any other areas of damaged fence.

With regard to the trees, I understand that the tree survey was carried out in February this year and David Whitbread is going to send to us a copy of it. With regard to the oak tree adjacent to Willow Drive, we agree this is in poor condition and they are going to ask a specialist to look at it. It looks to me as though it is dying back and may therefore have to be removed. With regard to the other oak tree which lost a limb earlier this year, we could not see any obvious signs of fungus and indeed overall the tree looked quite healthy, however they are going to put it on their list to monitor and to include within the next tree survey. I am perfectly happy with that. We did incidentally notice several small dead trees along the footpath through the wood during our inspection yesterday and they are going to have these attended to.

With regard to the raised manhole covers to which you refer, we struggled to locate these and perhaps therefore you could let me have a plan or better description of exactly where they are.

With regard to the footpaths around the lake, we walked all of these. If I am honest I struggled to take much sympathy with the points raised by the fishing club. Linden Homes' (the management company) responsibility is to keep those paths open and safe for the public, not just the fishing club. We identified one particular hole on the path where a drain under the path stops short, leaving an open gully (this would be somewhere between points E and D on the plan supplied by the fishing club). This needs to be made safe. There is a general requirement to maintain either dangerous or fallen trees around those paths and to fill in potholes so they are not obvious trip hazards. There is not however a requirement to create a Rolls Royce tarmac pathway. There are clearly different expectations by different users but we have to strike a balance as to what is reasonable. Obviously if the fishing club in particular want to upgrade a particular set of steps with consent from their Landlord (the Parish Council) and in consultation with the management company, then I am sure these sorts of things can be agreed but I could not see any obvious argument to justify Linden Homes spending money on what appeared to be a bit of a wish list from the fishing club.

I would, as a footnote add that clearly we inspected the paths during a very dry period. It is obviously wetter and more boggy during the winter. It would merit a further inspection towards the second half of the winter to reassess these points as some of them may stand out more in winter conditions.

With regard to the fence to the east side of the site which joins Barrowland Farm, this fence is defective and as you know I have received a quote from Redhill Farm Services to rectify this and Linden have confirmed they will pay for this. I will deal with this between Linden and the contractor and neighbouring farmer. With regard to the fence on the west side adjacent to the concrete road, we had a brief look at this and there are clearly some defects in its construction although not as many as on the

east side. Linden have confirmed that they are happy for me to ask Redhill Farm Services to quote for any remedial work that might be required to bring this fence into a better standard. I will need to liaise with whoever is the farmer who occupies that land. I am wondering if you have any information as to who that might be. We will probably ask Redhill Services to get on with sorting out the fence on the east side and they can do an inspection of the fence on the west side whilst on site.

I hope this is a helpful summary and I look forward to receiving any comments you may have. I would be grateful if you could both let me have instructions on the proposed depositing of the rubble into the hole in the wild area.

Kind regards.

Yours sincerely



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