

# city of canterbury



Percy Jackson, R.I.B.A., F.R.T.P.I., City Architect and Planner, 14 Dane John, Canterbury, Kent CT1 2QP. Telephone: 51755.

Mr. C.G. Elliot,  
Hon. Sec.  
Mailbourne Protection Society,  
The Paddock,  
Bishopsbourne,  
Canterbury, Kent.

My ref: GL/EJC/C.TD.2.77/BIS

Your ref: -

27th October, 1977

Dear Sir/Madam,

Tree Preservation Order No. 2 of 1977:-  
Trees at former Elham Valley Railway Line, between  
Bishopsbourne and Kingston.

You may recall that the above Order was made by the City Council on 26th August, 1977. The procedure for making a Tree Preservation Order is that the owner of the land to which the Order relates is given an opportunity to object to the Secretary of State, if he so wishes. If no objection is made, then the Local Planning Authority is at liberty to confirm the Order, but where an objection is lodged within the time allowed, then the decision as to whether the Order is confirmed or not, rests entirely with the Secretary of State and no longer with the Local Planning Authority.

In this instance, however, the owner has objected, and accordingly the Secretary of State has asked the Local Planning Authority to submit written representations to substantiate the Order so that these can be assessed when the Minister's Inspector makes his site visit.

Although interested parties, other than the objector and the Local Planning Authorities are not normally allowed to attend the site visit, any written representation that you may wish to make about the Order, will be considered by the Minister, together with the recommendations made by the Inspector following his site visit. The address to write to is as follows:-

Department of the Environment,  
/Department of Transport,  
South East Region, Room 529A,  
Charles House, 375 Kensington High Street,  
London W14 8QH.

and letters should be headed "Tree Preservation Order No. 2 of 1977 at former Elham Valley Railway line between Bishopsbourne and Kingston, Canterbury Kent, reference no. SE 2/5273/146/9.

Yours faithfully,

*P. Jackson*

CITY ARCHITECT & PLANNER

When calling or telephoning please ask for

Mr. G. Long

Extension

36

*W. S. New. In reply to letter  
from M.*

Rly

# CITY OF CANTERBURY



Percy Jackson, R.I.B.A., F.R.T.P.I., City Architect and Planner, 14 Dane John, Canterbury, Kent CT1 2QP. Telephone: 51755.

Mr. G.C. Elliott,  
 Hon. Secretary,  
 Nailbourne Protection Society,  
 The Paddock,  
 Bishopsbourne,  
 Nr. Canterbury,  
 Kent.

My ref: GL/EC/C.TD 2-77 BIS  
 Your ref:

5th September, 1977

Dear Sir or Madam,

Former Elham Valley Railway Line  
 between Bishopsbourne and Kingston.

I refer to your recent letter regarding the above, and would advise you that the Planning (Town Planning) Committee on 20th July, 1977, resolved to suggest to the Amenities and Recreation Committee that discussions be held with the Kent County Council with a view to the land being acquired for the first stages of a "Country Park."

It was also recommended to make a Tree Preservation Order in respect of the trees on the land, which was served on the owners on 26th August, 1977. Provided that no objections to the Order are received within 42 days of that date, the Order is made effective by being confirmed by the Council after this period. However, if there are any objections, then the Secretary of State would have to decide whether or not to confirm the Order.

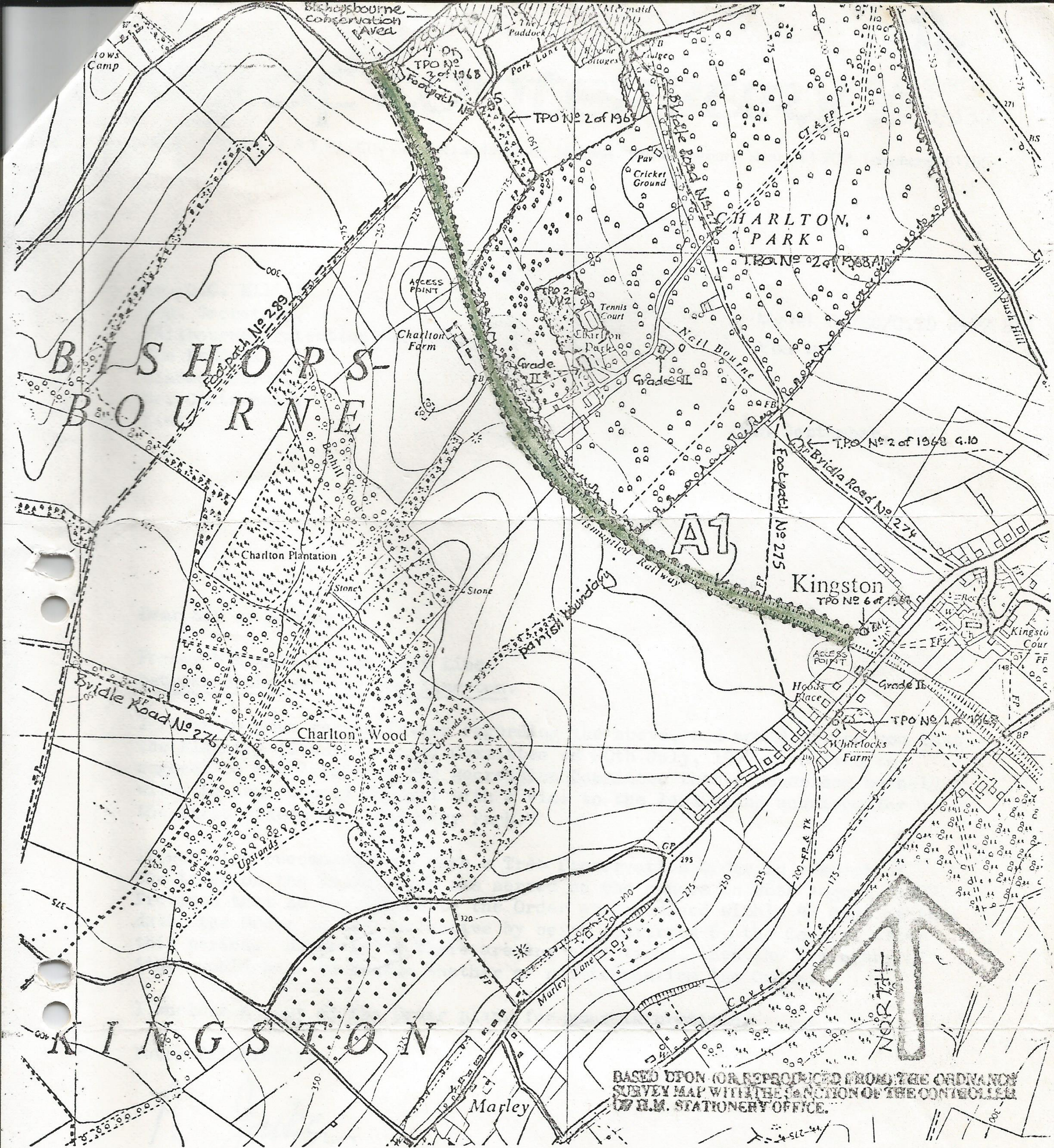
I enclose a copy of the Order plan, for your information.

Yours faithfully,

*P. Jackson*

City Architect & Planner.  
*gn*

*a. 16 out*



BASED UPON (OR REPRODUCED FROM) THE ORDINANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF H.M. STATIONERY OFFICE.

# Town & Country Planning Act 1971 : City of Canterbury Tree Preservation Order (ELHAM VALLEY RAILWAY LINE, BISHOPSBOURNE) No.2 1977

AREA : 14 ACRES APPROX.  
 TP CTTEE : 20 JULY 1977  
 TR 1851, 1852, 1851  
 June 1977  
 1:10,000 th scale

drawing number  
**A729**

P. JACKSON, R.I.B.A., F.R.T.P.I.  
 City Architect and Planner  
 12-15 Dane John, Canterbury CT12 QP

BISHOPSTON AND PARISH COUNCIL

ELHAM VALLEY RAILWAY LINE

Dear  
your readers may have noticed, in your edition  
of 14<sup>th</sup> October last, Planning Application NO  
CA/77/943/BIS "reclaim to road for further  
agricultural use, railway cutting between  
Bishopstone and Kingston".  
This application is misnamed. In fact it is a  
proposal to use the railway cuttings at  
Bishopstone as rubbish dumps, using  
the spoil from the embankment at the  
Kingston end for covering the rubbish, said  
to be non-toxic.  
Apart from the fact that the farmers on each  
side of these cuttings are firmly opposed  
to this plan, there are strong objections from  
the environmental aspect.

Draft

Dear Sir,

# BISHOPSBOURNE PARISH COUNCIL

Reference Planning Application ~~GA/77/943/81~~<sup>5</sup>

## RAILWAY CUTTING, BISHOPSBOURNE, KINGSTON.

This Council is opposed to the application to use the old railway cuttings for the dumping of refuse.

The Kent Structure Plan lists Bishopsbourne as a village of Special Overall Character. The suggested siting of a rubbish tip in the railway cutting will introduce problems of pollution and traffic, which are clearly contrary to the policy. The Conservation area, at one part, <sup>is adjoins</sup> ~~is bounded~~ by the cutting. The implied suggestion that the land reclaimed would be of agricultural use is questionable. These cuttings would require such a vast amount of fill that it is difficult to estimate completion to a natural level within a foreseeable period. This operation, if permitted, could constitute a continuing nuisance for many years to come. Moreover the farming landlords on each of the cutting <sup>sides</sup> are opposed to this application. (It is understood that the Bourne Estate, The Prestige Estate, and the owners of Charlton Park are protesting separately).

The narrow access track to the proposed tipping area, as quoted in the application <sup>was</sup> letter to the City Council on September 23rd. 1977, is in private ownership, and is the only access to Charlton Farm. The entrance to this track is restricted and hazardous.

The many tipping and skip vehicles must pass through the village of Bishopsbourne, past the church and houses on School Hill. The inhabitants could suffer from dust, windblown paper, smoke and smell. The approach roads to Bishopsbourne are unsuitable to heavy traffic, and include two old bridges which may be made unsafe by continuous heavy traffic. (the railway bridge is already shored up with timbers).

During the thirty years since disuse, the old line has gradually and naturally evolved into a linear belt of major amenity value.

As the surrounding acreage is devoted mainly to mechanical and chemical fruit and mixed farming, the disused line now provides a natural habitat for many ~~species~~ <sup>species</sup> plants and wild life. This sanctuary helps to maintain some balance in the ecology of East Kent. <sup>this part of</sup>

The disadvantage to the local environment of any such operation, even though the materials are said to be non-toxic, are clear. We are therefore utterly opposed to this form of pollution and strongly recommend that this area be preserved for its amenity and ecological value.

Yours faithfully

Clerk to the Council

RTW -  
P. Clerk



# Nailbourne Protection Society

The Paddock,  
Bishopsbourne,  
Nr. Canterbury,  
Kent.

15th July, 1977

City Architect & Planner,  
14, Dane John,  
Canterbury,  
Kent CT1 2QP.

Dear Sir,

## BISHOPSBOURNE-KINGSTON DISUSED RAILWAY-LINE

### TREE PRESERVATION ORDER.

Ret

This Society is opposed to any proposal to operate an rubbish tip in the disused railway cutting between Bishopsbourne and Kingston. Our members are recruited mainly from Bridge, Bishopsbourne, Kingston and Barham, and are dedicated:

"(a) To promote the permanent preservation of all that is of merit in the rural environment .... especially of the Nailbourne Valley.

(b) To resist by legal proceedings if necessary any threat to the peace and tranquility and the rural character of the Nailbourne Valley...."

We are therefore utterly opposed to any form of pollution in this area, unless clearly essential in the public interest.

~~Recent survey shows that during the past 30 years, the old line has gradually evolved into a 'linear-belt' of major amenity and ecological merit.~~

~~Some 27 species of trees and shrubs, including ASH, BEECH, NORWAY MAPLE, HORSE CHESTNUT, WALNUT, YEW, SILVER BIRCH, SPINDLE etc. have been identified. Over 80 species of plants have been noted.~~

As the surrounding acreage is devoted mainly to mechanical and chemical fruit and mixed farming, the disused line now provides a natural habitat for many species of wild life, many of which would otherwise disappear from this part of Kent. This sanctuary helps to maintain some balance in the overall ecology of this part of East Kent.

(cont.)

The ~~alleged~~ advantage of reclamation of land for farming is questionable. These deep cuttings would require such a vast volume of fill, that it would be unpracticable to complete to natural level within any foreseeable period of time. (One conservative estimate indicates that it would require 35,200 skip loads).

The disadvantages to the local environment of any such indefinite operation, even though the material is non-toxic are obvious. In addition to pollution by mud in wet weather, dust smell, plastic and other litter and pests, there are, in this case serious problems of access, increased hazard to road traffic and possibly problems over the stability of the railway bridge (which has already been propped up by scaffolding), and the small bridge over the Nailbourne stream in Bishopsbourne. All the possible access roads are narrow and unsuitable for heavy traffic.

The Kent Structure Plan lists Bishopsbourne as one of the few villages in the Canterbury District as of Special Overall Character. The suggested siting of a tip in this village is contrary to this declared policy.

Finally, in addition to our objections to any commercial development of this disused line we strongly recommend that a Tree Preservation order be made immediately on this linear area (within the established boundary fences) between the Bishopsbourne railway bridge and Kingston, pending further consideration of measures to conserve this unique sanctuary on a permanent basis.

*L. G. Elliott*  
Yours sincerely,

G.G. ELLIOTT  
(Hon. Secretary)  
The Nailbourne Protection Society

*This Society will therefore continue to provide active support in any measures designed to preserve this disused line as a natural Sanctuary and also important amenity.*

**Department of the Environment**

South East Region

Room 529A

Charles House 375 Kensington High Street London W14 8QH

Telephone 01-603 3444 ext 54

G G Elliot Esq  
Hon Secretary  
Nailbourne Protection Society  
The Paddock  
Bishopsbourne  
Canterbury Kent  
CT4 5HT

Your reference

Our reference

SE2/5273/146/9

Date

17 April 1978

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1971  
CANTERBURY CITY COUNCIL TREE PRESERVATION ORDER NO 2, 1977  
ELHAM VALLEY RAILWAY LINE, BISHOPSBOURNE/KINGSTON

1. Thank you for your letter of 9 April 1978, the contents of which have been noted.
2. A copy of your letter of 7 November 1977 will be sent to the objectors (K Champion's Controlled Tip Limited) and to the Canterbury City Council. You will be notified of any comments made by either party.

Yours faithfully

MISS J FOWLER





## Department of the Environment

South East Region Room 529A

Charles House 375 Kensington High Street London W14 8QH

Telephone 01-603 3444 ext 54

G G Elliot Esq  
 Hon Secretary  
 Nailbourne Protection Society  
 The Paddock  
 Bishopsbourne  
 CANTERBURY Kent CT4 5HT

Your reference

Our reference

SE2/5273/146/9

Date

18 January 1978

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1971  
 TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1969  
 CANTERBURY CITY COUNCIL TREE PRESERVATION ORDER  
 ELHAM VALLEY RAILWAY LINE, BISHOPSBOURNE/KINGSTON

Thank you for your letter of 7 November 1977 concerning the above-named Order. Under Regulation 8(2) of the Town and Country Planning (Tree Preservation Order) Regulations 1969, before deciding whether to confirm an order, the Secretary of State is required to take into consideration any objections and representations duly made in accordance with Regulation 7, ie objections and representations received by the Secretary of State within 28 days from the date of service of the notice of the making of the Order. There is no express provision for taking into account the views of interested persons when these are submitted directly to the Secretary of State after the expiration of the statutory period for objections and representations. Nevertheless your representations will be considered when the decision on the Order is taken.

Yours faithfully

MISS J FOWLER



**Department of the Environment/Department of Transport**

South East Region Room 529A

Charles House 375 Kensington High Street London W14 8QH

Telephone 01-603 3444 ext 54

G G Elliot Esq  
 Hon Secretary  
 Nailbourne Protection Society  
 The Paddock  
 Bishopsbourne  
 CANTERBURY, Kent CT4 5HT

Your reference

Our reference

SE2/5273/146/9

Date

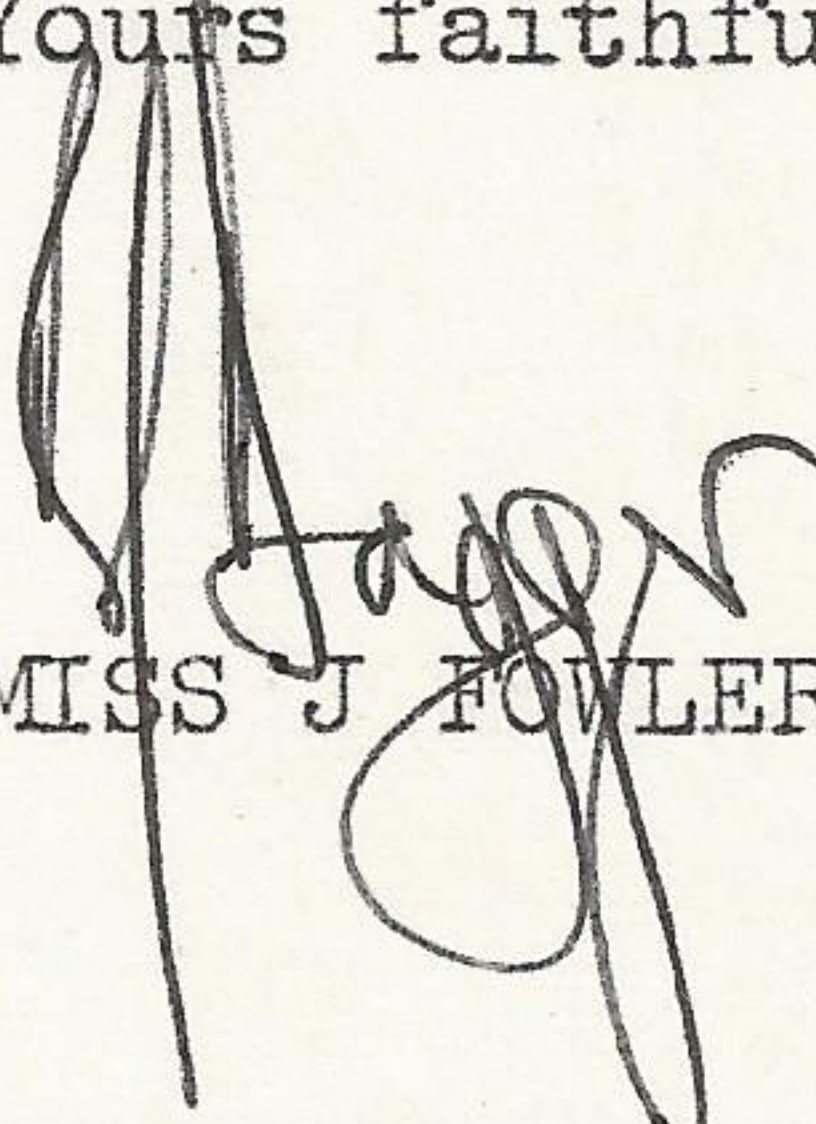
3 April 1978

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1971  
 TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1969  
 CANTERBURY CITY COUNCIL TREE PRESERVATION ORDER NO. 2, 1977  
 ELHAM VALLEY RAILWAY LINE, BISHOPSBOURNE/KINGSTON

1. I refer to your letter of 7 November 1977 concerning the above-named Order, and to my reply of 18 January 1978. Since I wrote to you, the policy on dealing with the views of interested persons has been revised, and I am writing to ask you to disregard the contents of my letter of 18 January, and to note that this letter is intended as a substitute for that one.
2. Under Regulation 8(2) of the Town and Country Planning (Tree Preservation Order) Regulations 1969, before deciding whether to confirm an order, the Secretary of State is required to take into consideration any objections and representations duly made in accordance with Regulation 7, one requirement of which is that they be received by the Secretary of State within 28 days from the date of service of the notice of the making of the Order.
3. However, the Secretary of State is now prepared to exercise discretion and accept your representations, provided that you are agreeable to them being circulated to the other parties involved, that is, to the objector to the Order and to the Canterbury City Council. If you are not prepared to have your comments circulated, the Secretary of State will not be able to take them into consideration when reaching a decision on the Order.
4. Will you please let me know within 21 days from the date of this letter, whether you are agreeable to your representations being circulated. If we do not receive a reply in the time stated, it will be assumed that you are not prepared to allow your comments to be circulated, and your letter will be returned to you.

Yours faithfully

  
 MISS J FOWLER

a q'

3 Whitelocks Close,  
Kingston,  
Nr Canterbury.

1st August 1982.

Tel: Canterbury 830039

To: The Secretary  
Private Flying Club  
Lydd Airport.

Dear Sir,

This Society seeks to preserve the beauty and tranquility of the lovely Nailbourne ( Elham ) Valley which lies between Canterbury and Folkestone.

We have noticed small planes flying above the Valley and I wonder if any of your private pilots would be willing and so kind as to assist us by taking me up to photograph the Valley from the air ?

Whilst we have photographs taken from the ground aerial pictures would add greatly to our archives.

I will be pleased to make contact with any of your pilots willing to assist.

Yours sincerely,

*Ian Taylor*

Mr Ian Taylor  
Secretary.

*Flying Instructor seen  
and offered trips over  
the Valley at £1 per hour.  
NOT taken up.*

# KENT VOLUNTARY SERVICE COUNCIL

Registered Charity (No. 212796)

Incorporating the Rural Community Council

Affiliated to the National Council for Voluntary Organisations

Vice-Patron: COLONEL THE RT. HON. THE LORD CORNWALLIS, K.C.V.O., K.B.E., M.C.

President: THE RT. HON. THE LORD ASTOR OF HEVER

Chairman: DAVID G. DOWNES, M.A.

Vice-Chairman: ALAN R. STRAW

Hon. Treasurer:  
R. H. OAKELEY

General Secretary: LT. COL. A. H. THRIFT, M.C.

Deputy General Secretary: G. A. BAGNALL

Countryside Officer: AMANDA WOOLLEY, B.Sc.

15 MANOR ROAD  
FOLKESTONE  
KENT, CT20 2AH  
Folkestone 52333

2nd June, 1980.

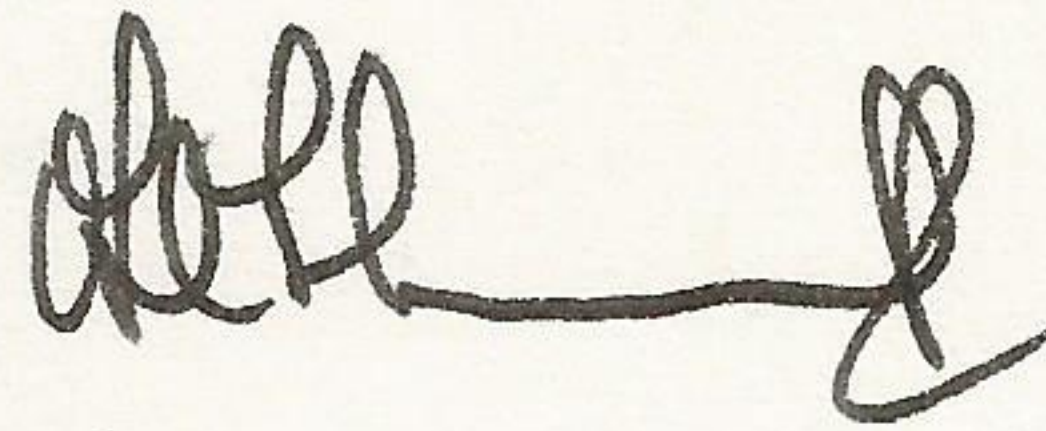
Dear Mr. Taylor,

Thank you for your letter of the 16th May about the proposal to dispose of waste in the Old Elham Valley Railway Line.

In fact the Kent Branch of the Council for the Protection of Rural England, which operates within this Office, has already submitted its views on this planning application and will also be represented at the Public Inquiry by Mr. Purchase. The Branch, in fact, received a copy of the notice sent with your letter from the London H.Q. of C.P.R.E.

It would seem, therefore, that from my Council's point of view, the matter is already well in hand.

Yours sincerely,



General Secretary.

I. D. Taylor, Esq.,  
3 Whitelocks Close,  
Kingston,  
Canterbury,  
Kent. CT4 6JG.

Tuberculosis Care

Village Halls

Countryside  
Protection

Best Kept Village  
Competition

Local History

Drama

Family Welfare &  
Save the  
Children Fund

Parish Councils'  
Association

Welfare of  
Migrants

Volunteer Bureaux

Social Care  
Project

NPS.

Hon. Sec. Col. G.G. Elliott, D.S.O., M.A.,  
The Paddock,  
Bishopsbourne,  
Canterbury,  
Kent, CT4 5HT

7 November 1977

Department of the Environment,  
S.E. Region, Room 529A,  
Charles House,  
375 Kensington High Street,  
London, W14 8QH

Dear Sirs,

Tree Preservation Order No. 2 of 1977 at  
former Elham Valley Railway Line between  
Bishopsbourne and Kingston, Canterbury, Kent  
Ref. No. SE 2/5273/146/9

This Society was constituted in 1971 to promote the preservation of the natural environment of East Kent, and to resist any threat to the rural character of the Nailbourne Valley. There are at present some 350 members, mainly from the parishes of Bridge, Bishopsbourne, Kingston, Barham and Elham.

The Nailbourne Society unanimously supports the City of Canterbury in the latter's recommendation that the disused line be subject to a Tree Preservation Order.

During the thirty years since disuse the cuttings and embankments have gradually evolved into a linear area of major amenity value.

It now provides a habitat for numerous and various species of plant and wild life, which helps to maintain some ecological balance in this part of East Kent.

This Society would support any measures to preserve this area on a more permanent basis.

Yours faithfully,

Hon. Secretary  
Nailbourne Protection Society

cc Committee for Preservation of  
Rural England  
City of Canterbury (ref: GL/EJC/  
CTD.2.77/BIS)