

Victory has been squared

Dr Wendy Le-Las, planning consultant, details a victory for a Kent community

This October the people from Herne Hill Parish in Kent will have a double reason for celebrating the bi-centenary of Nelson's triumph at Trafalgar. Their battle started in the mid 1990s when a shard eyed resident noted that someone wished to move the boundary of the Special Landscape Area, in the emerging local plan, so as to exclude nearby Clay Hill. It proved too late to stop both Swale District and Canterbury City Councils removing this protection from their plans.

An Application

This was the precursor to an application by Cleanaway Plc to pile up seven million cubic metres of household rubbish against Clay Hill. They said the site had been used for mineral working. In fact ancient oak forest had been felled to remove tons of clay to create sea defences for Whitstable after the 1953 floods. Thereafter the land had been used for agriculture.



Looking across the site to Chatham

In the mid nineties, Kent County Council was embarrassingly short of space for landfill: it's Minerals Local Plan had proved too effective: they won every appeal and the rubbish was piling up! With difficulty the residents persuaded the county council to refuse the application, Cleanaway appealed.

A "David and Goliath" struggle ensued between the residents and Cleanaway. The environment Agency did not object: secondary aquifers appeared expendable. English Nature acquiesced with the scheme, despite the fact that Ellenden Wood, adjacent to the Clay Hill, was a proposed site for protection under the EU Habitats Directive, and polluted water from the site could reach several internationally protected bird reserves. A few weeks before the start of the inquiry, the county council's experienced witness on landfill suddenly took early retirement. His successor's ignorance was an embarrassment a year later.

Despite repeated requests from the Inspector, the Environment Agency did not appear at the inquiry to give evidence on the novel bioreactor for treating the waste: their expert was having a nervous breakdown.

Herne Hill Parish Council

Under the aegis of Herne Hill Parish Council, the residents of Dargate, Yorkletts and the Denstroude valley galvanised themselves into a fighting force called STOP. It retained professional help on planning, surveying, geology and landfill. A number of professional people in the area, such as lawyers and a doctor, together with a Cambridge ecologist gave their services free to the community. An evening session heard of the anxieties of residents, fruit-growers, those in tourism and the famous Oyster Fishery in Whitstable. Cleanaway, with their QC and 12 expert witnesses were given a run for their money. The two-week enquiry scheduled for March 1997, was resumed for a three week session in October, and re-convened in February 1998.

This sparsely populated area of East Kent undertook a prodigious fund-raising programme over several years. In total this inquiry cost over £40,000. The anxiety caused by the proposal brought the community together as never before. Fund-raising even continued during the actual inquiry. Local ladies provided coffee, tea and home-made snacks during breaks in the proceedings in the village hall: all parties happily paid up. Everyone was in for a long haul.

Then came the long wait. STOP's trump card was that this was a land-raising scheme on agricultural land. In policy terms, this is the least desirable option for waste disposal. The Government played for some time. Suffice to say, the county council sorted out its waste disposal problems and at end of August 2001, the Secretary of State refused the appeal. Understandably, this was greeted with great joy, but this was not the end of the story.

Clay Hill

The woodland, atop Clay Hill, felled to access the clay in the 1950s, was part of the ancient forest of Blean. It is now fragmented into 80 different woods, covering some 7,000 acres to the north and west of Canterbury. It hosts some of the UK's rarest plants and animals.



The other site looks out to Sheppey and the estuary

Thanks to the enterprising resident living near Clay Hill, the Woodland Trust has purchased the site from Cleanaway. This year, the trust is highlighting the contribution of English timber to the commemoration of the 200th anniversary of Trafalgar with the creation of 27 new woods each named after a ship that took part.

From the top of Clay Hill, people can look west towards Chatham where HMS victory and many of her sister ships were

constructed. To the north can be seen the Thames estuary and the Isle of Sheppey, where Victory anchored for a night en route to a triumphant reception in London with her Admiral, Lord Nelson, lying pickled in a barrel of brandy.

The 350 acre Clay Hill site will be the largest of the woods. The stunning views from the top will be preserved, but tree planting by local people will begin this autumn. Many of them contributed to the more recent battle. It is only fitting that this huge expanse of hillside, once again linking Ellendon Wood and Blean Wood, is to be called "Victory Wood".