

July and August Planning decisions

26/502297/FULL	Keilen Park Dickley Lane Lenham Kent ME17 2DD	No Comment
26/502206/LBC	1A High Street Lenham Kent ME17 2QD	No Comment
26/502146/EIASCO	Land At Lenham Heath - Heathlands Lenham Heath Road Lenham Heath Kent	As per Appendix A of the July Planning decisions.
26/502205/FULL	1A High Street Lenham Kent ME17 2QD	We strongly support this application.
26/502417/ADJ	Land At Lenham Heath - Heathlands Lenham Heath Road	LPC has already submitted detailed comments in respect of this potential development under the application 26/502146/EIASCO.
Please duplicate our comments in respect of this ADJ application.		
26/502494/DOM106	Land North Of Old Ashford Road Lenham Kent	LPC has no way of commenting on this important issue as there are no documents posted on the MBC website. We would point out that surface water drainage was the subject of much discussion and eventual change on the original hybrid application for this site.
We would request an extension of the time period for comment after such time as the documentation is posted on the MBC planning web.		
26/502180/FULL	36 Douglas Road Lenham Kent ME17 2QP	LPC supports this application in principle however the construction material detail is somewhat light.

We would ask for a condition that at least the bricks and tiles as specified should be matched in colour to those of the neighbouring properties.		
26/502211/FULL	The Depot Sandway Road Sandway Kent ME17 2LX	LPC in principle does not object to this application though we are aware that the environmental study makes no mention of the tributary to the river Len adjacent to the site which runs down Old Ham Lane prior to crossing the Sandway Road and running westwards. We assume that this will be taken into proper account in respect of run off, both during the construction phase and subsequent ongoing operations.

Appendix A

26/502146/EIASCO: EIA Scoping Opinion - Proposed outline application for residential development of up to 5,000 homes, including employment, mixed use and community floorspace, public open space, outdoor sports provision and structural planting, schools, new railway station, demolition of existing buildings, and associated infrastructure. Land At Lenham Heath - Heathlands, Lenham Heath Road, Lenham Heath Thank you for consulting the Parish Council on the request made by the applicant for the above EIA Scoping Opinion for the regional scale proposed development at Lenham Heath. This is a precursor to an outline application which Maidstone Borough Council will submit to itself for determination as the Local Planning Authority. We agree that the proposed development is considered likely to result in significant environmental effects in a sensitive area due to the clear intervisibility with the National Landscape, Nutrient Neutrality and the number of heritage assets as well as other matters. Therefore, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'), the proposed development will require an Environmental Assessment to be submitted to MBC in due course, in conjunction with an outline planning application from MBC. As a general point, Lenham Parish Council remains very concerned that MBC are submitting an application to themselves and also dispute that MBC can sign a s106 legal agreement with itself. The first paragraph of the 'Phasing' section is of great concern to us: 'The Proposed Development is anticipated to be delivered over a long-term, phased programme extending from the late 2020s into the mid-2050s. Outline planning permission is assumed to be granted in March 2027, followed by the discharge of pre-commencement conditions, approval of initial reserved matters, and the commencement of early enabling works' (our emphasis in bold). We fully acknowledge that MBC will be submitting an application to itself, however, it is July now and to continue to 'rush through' such a massive application before Local Government Reorganisation is not considered to be a 'good look'. It is concerning that no period for pre-application discussions seems to have been taken into account unless the 'workshops' organised by Homes England were a substitute skipping this even though it is advocated in the NPPF. Secondly, whilst MBC are both 'judge and jury', they are certainly not a commercial organisation, and neither are their co-promoters – Homes England. So, what commercial expressions of interest have there been to justify the assertion that development will commence this decade or will the public purse continue to pay all costs? Moreover, we remain concerned about the environmental impacts of building 1771 homes without a railway station and no mention at all of any employment. This is unlikely to be addressed until the final phase, and it will be anything but a 'garden community' just a dormitory

estate with an over reliance on Lenham Railway Station and its car park with no local employment apart from a convenience shop/local centre. In addition, where is the evidence from KCC that new schools will be built and operational in Phase 1?

Regarding the forthcoming outline planning application and, moreover, for the EIA Regulations to be complied with, the applicant will be submitting parameter plans. 'Maximum and minimum building heights' are referred to but no mention of existing and proposed cross sections and contours. These are considered essential to understand the visual impact of the development of what is noticeably undulating countryside. There should be at a maximum of 0.25 metre intervals. We have reviewed the scoping document and consider that a comprehensive set of reports must be submitted by the applicant as part of their Environmental Assessment to cover the range of environmental impacts that are anticipated to occur. It appears that certain assessments and studies are missing such as a specific Health Impact Assessment and a shadow Habitats Regulations Assessment. Moreover, we consider that the scoping document is 'thin' on detail being highly descriptive and lacking in any analysis with no direct connection between data and analysis of this data. Examples of this are: • In the socio-economics section on employment, the data relied upon for portraying a rosy picture is Borough wide and not at Parish level. Secondly, why aren't socio economic indicators such as the number of households in housing need set out and analysed and the numbers of people in temporary accommodation with projections into the future? • Why aren't people with specific housing needs considered as advocated by the NPPF? • Critically, the quantified need for gypsies and travellers is not considered etc • The transport section does not appear to be based on any data in terms of traffic modelling. In MBC's own SPD on Heathlands, MBC's own consultants – WSP advised that data from the 2026 Kent Transport Model would be analysed but there is a vacuum in the scoping report as to whether there has been any consideration of this. No doubt MBC will defend itself by promising that this detail will be provided at some stage in the future, reminiscent of Samuel Beckett's 'Waiting for Godot'.... Overall, we consider the document to be a long series of headings but no sign of data analysis or the application of those findings. We also consider that the cumulative impacts of this development must be thoroughly considered. To this extent we disagree with the applicant's suggested approach on page 44 of the scoping opinion report, to the assessment of the cumulative and in-combination effects of the development. The applicant says that, because the Planning Inspectorate advice on Nationally Significant Infrastructure Projects is issued under the Planning Act 2008, it is not "necessary or appropriate" to apply the tiered long list/short list methodology in this instance. We disagree. The National Planning Policy Framework (February 2025), at paragraph 5, clearly confirms that National Policy Statements are part of the overall framework of

national planning policy. Paragraph 5 is copied below: “The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision- making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration. in preparing plans and making decisions on planning applications.” This is a major strategic project that requires significant scrutiny and as such it is wholly appropriate to apply the principles set out in National Policy Statements to the environmental impact assessment of the development. Throughout the scoping report, in all the sections, the applicant says that the environmental impacts will be assessed using “professional judgement and guidance”. This is far too vague. Where expert judgement is being relied on, the Environmental Statement should explain the reasoning and evidence to support that judgement, otherwise it is just opinion. We also consider that detailed consideration needs to be given to the following matters in the Environmental Statement:

1. Water Supply The supply of water is a critical material consideration for this application. The pressure on water supply has been felt across Kent in recent months. As recently as last month water supply outages were experienced in Whitstable, Tunbridge Wells and various related rural areas. This led to domestic supplies not being available for several days and resulted in many businesses including food businesses having to close as they did not have water for toilets and for cleaning. As a relevant example: Tonbridge and Malling Borough Council is progressing its local plan. Through the recent Regulation 18 consultation on the emerging Local Plan, the Council wrote to key infrastructure providers asking for comments. In response to the consultation, South East Water has formally set out its position on water supply for the borough. In essence, they responded by saying they could not accommodate development above what they have already planned for. The ES must include a full assessment of the water supply position. South East Water should be asked for their projections for water supply to serve the development and whether they have in place a programme of infrastructure upgrades to accommodate the proposed development. It is not clear whether South East Water has considered the Heathlands proposal given the lack of reference to this massive project in their Water Resources Management Plan. Where is the contemporary letter from South East Water confirming that there is capacity for at least 5000 new homes plus (theoretically) employment floorspace? This is all in addition to the undeveloped allocations in the Lenham Neighbourhood Plan.

2. Delivery of a railway station The provision of a railway station to serve the development is of critical importance if the development is to be sustainable in transport terms. This was underlined by the Inspector of the 2022 Local Plan at paragraph 139 of his final letter: MMs to identify preparatory work on a new railway station in the preliminary stage of the development and the delivery of a railway station within phase 1 are necessary to ensure the

policy fully aligns with the SA assessment and to embed the ambition of modal shift early within the development programme, with the attendant benefit of potentially reducing the degree of off-site highway interventions that may be required. This is necessary for plan effectiveness and consistency with national planning policy (NPPF paragraphs 73 and 106, our emphasis in bold). In the rush to adopt the Local Plan Review prior to the May 2024 election, the ruling administration portrayed themselves, especially officers, as agreeing with all the Inspectors suggested Main Modifications but outside of the public gaze the applicant has ‘dropped’ the delivery of a railway station from Phase 1. This is clearly contrary to the findings of the Inspector at the public examination of the Local Plan Review. This is a strong material consideration weighing against this proposal but there is little, if any, analysis of this in the scoping report with regard to the impact on the purported sustainability credentials of Heathlands. The delivery of a railway is obviously very costly and will require clear agreement and commitment from all the stakeholders. As stated above, it is deeply concerning that Phase 1 will be permitted by MBC without the requirement for a new railway station as noted by Mr Spencer and required to comply with the SA. Any question over the potential for this critical piece of infrastructure to be delivered and delivered in a timely manner is of utmost importance to the Parish Council. MBC have been promoting their own project for about 10 years now but where is the letter from Network Rail to confirm it will be built and existing train stations are not subject to closure, how it will fit into a revised timetable, the projected costs and funding etc? The Environmental Statement will need to fully explore and assess the feasibility of the delivery of a station. It will not be enough to set out broad and vague desires for this to be delivered. The Environmental Statement will need to provide convincing evidence and detail to demonstrate that all necessary agreements and commitments are in place to ensure beyond any reasonable doubt that the station will be delivered in time to serve the new residential occupiers of the site and its impact will be mitigated in appropriate and clearly identifiable ways. This information will need to include written assurances by Network Rail and other stakeholders that they are committed to the delivery of the project and that the funding has been identified to pay for this infrastructure. This begs the question as to where is the contemporary written assurance from Network Rail that a new railway station will be delivered? Where are the minutes from Homes England’s promotional ‘workshops’ that categorically set out the delivery programme and costings? Anything less than evidence of full assurance, will not be acceptable to the Parish Council and neither should it be acceptable to the Borough Council. The provision of a station is essential if the development is to be sustainable in planning policy terms and outline planning permission can only be granted if reasonable assurance is given that this element of the scheme will be delivered at the right time. At this point in time, there is no evidence that a train station will be delivered and on top of this nearly 2000 homes will be built in Phase 1 without a railway station and we question whether or not the Strategic Environmental Assessment would have been so favourable to MBC’s Heathlands

project at Public Examination if MBC had been transparent and set out that delivery of a railway station, at best, would be in the latter phases of development.

3. Visual / landscape impact Given the sheer scale of the proposed development and the close proximity to the Kent Downs National Landscape, there is a clear impact on the setting of the North Downs escarpment, and this setting is protected in both local and national policy. However, there seems to be no clear link with the density and layout. Given the impact on the setting of the NL we had hoped that there would be extensive vistas maintained of the NL, but this is not apparent in the scoping report more a 'let's plant lots of trees' but keep on with the housing numbers regardless. This is fundamentally poor design in that the context i.e. large-scale development in close proximity to the scarp slope of the North Downs is not being respected rather generalisms around high densities around a supposed railway station and a convenience shop / local centre. A methodical approach to assessing the landscape impact of the development is essential. The development will clearly alter the environment significantly, but all reasonable opportunities must be taken to minimise the impact and to design the development with the landscape and topography in mind. The NPPF at para 189 states that planning decisions should contribute to enhancing the natural and local environment, but amongst other things: 222) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); Therefore, well considered and verified views must be identified and a robust and accurate assessment must be made as to how the development can be most successfully integrated into the natural environment.

4. Mineral resources The scoping report states that, because the site is allocated for development in the Local Plan and that through that process consideration was given to the safeguarding of sand extraction sites, there is no requirement for further assessment. This is not correct. The NPPF says at para 222 that: 222. It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. What is also unclear is how the viability and maintenance of the chalk stream which forms the basis of the Stour will be maintained both through the sand extraction and afterwards during the lack of reparation to the excavation site and the overall development of Heathlands.

5. Ecology Ecology is a crucial element of the ES and although the applicant proposes to provide an extensive assessment of these impacts, the applicant does not intend to make this a comprehensive assessment of all development sites. In section 5 of the scoping report, it states that residential development below 250 dwellings will be scoped out of consideration and that other proposed developments such as intensive farming, industrial and landfill will be reviewed on a case-by-case basis. This is not appropriate. All developments should be cumulatively assessed. There is no reason why the applicant could not do this as the information about the location and type of these

developments is readily available on Council websites and the cumulative impact of these must form part of the assessment of impacts on the environment if the ES is to be a valid and meaningful document. This concern applies equally where the applicant proposes not to include within the ES other proposed developments such as landfill, industrial and industrial farming. The reason that a comprehensive assessment is required is to allow a full assessment of the development proposals to be made at outline planning application stage. This is very clearly required in order to address the requirements set out at para 193 of the NPPF (copied below) 193. When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

6. Aquatic Biodiversity The scoping statement states that sites over 20 kilometres from the site will be scoped out of the ES. This would mean that the impact on the internationally designated site at Stodmarsh in Canterbury City Council would be outside of the scope. This is not acceptable as the impact of this development and in combination and cumulatively with other housing development on downstream ecology is a key consideration that must be covered in the ES as much of the site is underpinned by gault clay (especially in the region of the A20. This includes discharge from water treatment facilities as well as surface water run off through any suds scheme. Furthermore, an in combination and cumulative assessment of this environmental impact should be carried out to include ALL planned and committed housing growth including smaller development of under 250 dwellings. This assessment should also cover the cumulative effects of all planned housing growth in terms of the potential addition or reduction in water entering this watercourse that will have an impact on flow rates, water levels and oxygen levels that could all have an impact on aquatic biodiversity. The in-combination and cumulative impacts of this development along with all other contributing developments, including those under

250 dwellings, should not be scoped out. It is understood that the purported 'solution' to concerns over nutrient neutrality i.e. phosphate and nitrate discharge into the River Stour is a new wastewater treatment works but again where is the evidence that there is a reasonable likelihood of delivery and if it is to be delivered when will this be? Will it also be left out of Phase 1? If so, how will phosphate and nitrate discharges be dealt with in the interim?

7. Air quality The development of this site would be likely to create additional traffic flows into Maidstone via the existing air quality management areas. It is therefore necessary to scope in an assessment of the impact on air quality in those AQMA areas so that the planning application can be properly assessed against the requirements in the NPPF set out at para 199 (copied below)

199. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. The impact of the transportation and disposal of construction waste is proposed, in the report, to be scoped out. This is not appropriate as for a development of this size there will inevitably be significant amounts of construction waste.

8. Transport and movement The ES should include an assessment of transport. The NPPF at paragraph 109 makes it clear that transport for proposed development must be considered at the very early stages. The emphasis of the NPPF is on maximising sustainable travel and the ES must demonstrate how this has been achieved and the residual impact such as on pollution, climate change are to be managed, NPPF para 109 is copied below:

109. Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities; b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places; c) understanding and addressing the potential impacts of development on transport networks; d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated; e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate

opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. As stated above, it is not clear if KCC's new Transport Model for Kent has been employed but, moreover, what strategic modelling has been employed. At the Examination there was frequent reference to the 'vision and validate' approach to transport planning which, admittedly, the Inspector accepted but we are now at the decision making stage and there is no evidence of the 'validate' element with a major piece of sustainable transport infrastructure missing for the first phase i.e. the railway station. As the transport evidence was very 'light' at the Examination then so was the mitigation and the scoping report still evades details of mitigation such as junction improvements such as to junction 8 of the M20 motorway.

9. Climate Change The scoping report identifies limitations and assumptions regarding Climate change assessments and states that assessments will be limited in the ES. The reason given is that this is an outline planning application and that further master planning work will be carried out that will be assessed at a later stage. We do not agree that this is a valid reason for limiting the scope of the assessment on climate change. The environmental impacts of the outline planning application will need to be considered in significant detail based on the detail. The NPPF at para 163 says that: "The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts." One of our fundamental concerns with MBC's own project is the continual 'kicking the can down the road' in terms of basic evidence and detail such as what junction mitigation is proposed, evidence of the deliverability of key infrastructure such as a new wastewater treatment plant etc.

10. Human health An assessment should be made of the welfare and health impacts of the development. The applicant will need to address this matter in their planning submission as an assessment will need to be made of these impacts at the outline planning application stage and consequently the impacts of these will need to be covered in the ES. There are section headings in the scoping report but no specific reference to a Health Impact Assessment. The relevant paragraphs of the NPPF are 96 and 98, and are copied below:

96. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas;
- and c) enable and support healthy lives, through both promoting good health and preventing ill health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities

– for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. 98. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. As can be understood from the above referenced NPPF paragraphs, there is specific detail which we feel does not appear to be comprehensively covered in the scoping report. Overall, we feel that the scoping report is 'thin' on detailed analysis. No doubt MBC officers will argue (again) to themselves that this will all be 'sorted out' in the ES, but our experience continues to be one of being informed that detail analysis will be at the next stage which never seems to materialise. We are grateful for having the opportunity to comment on the Scoping report submitted by the applicants and hope that you will find our comments, made by the Parish Council on behalf of our residents, helpful when forming the opinion of the Council on the scope of the Environmental Statement to be submitted. We look forward to attending Planning Committee to air the above concerns with the quality of the scoping report.