

## **MAIDSTONE BOROUGH LOCAL PLAN REVIEW**

### **DRAFT PLAN FOR SUBMISSION (REGULATION 19)**

#### **OBJECTION TO SOUNDNESS ON BEHALF OF LENHAM PARISH COUNCIL**

##### **HEATHLANDS GARDEN SETTLEMENT**

##### **POLICY LPRSP4 (A)**

##### **OBJECTION TO POLICY DRAFTING**

##### **LPC FOURTEEN**

1. Lenham Parish Council believes the Heathlands proposal is deeply flawed and should be deleted from the Review in its entirety.
2. Notwithstanding this objection, if Heathlands is to be retained, Lenham Parish Council believes policy LPRSP4 (A) should be redrafted to give much more clarity as to what the proposal entails. Such clarity is a requirement of the National Policy Planning Framework (NPPF) at paragraph 16 (C).

##### **PHASING AND DELIVERY**

3. Lenham Parish Council believes it will not be possible to do all the work necessary to secure approvals and construct infrastructure (including a new waste water treatment works) in order to achieve first completions by 2029. The parish council believes the earliest practical date for first completions would be 2033.
4. If infrastructure is to be delivered on a phased basis, then the plan should include policy provision to achieve this.

For example:

##### **Phase 1: 750 dwellings**

**New wastewater treatment provision**

**One 3FE primary school**

**Employment 7 hectares**

**Easterly new access from A20**

**Local Centre**

**Work will not commence on any later phases until Phase 1 as set out above is substantially complete.**

5. The above policy would prevent sporadic, disjointed incremental development across the entire area allocated for the garden community.

##### **HOUSING**

6. Lenham Parish Council has confidence that the delivery rate at Lenham is a maximum of 100 dwellings per annum. Starting at 2033 it may, therefore, be possible for Heathlands to deliver a maximum of 400 dwellings within the plan period to 2037.
7. At 100 dwellings per annum the project would take 50 years to complete, i.e. by 2083. Development needs cannot be forecast that long in advance. The parish council believes it is fundamentally wrong to commit the borough to a planning strategy extending over such a long period.

## LANDSCAPE AND DESIGN

8. The project requires two new junctions with the A20 located at the very border of the North Downs Area of Outstanding Natural Beauty (AONB). To meet current highway requirements those junctions would need to be extensively lit with tall lamp pylons. This would negatively impact of the viability of the AONB
9. The development area extends for a long frontage to the A20 at the border of the AONB. The development area does not allocate any specific areas as open space or parkland. As currently allocated, the parish council concludes the cumulative visual impacts on the AONB would be extremely damaging.
10. The development area extends very close to the footprint of Lenham village as extended by the allocations contained in Lenham Neighbourhood Plan (2021). As a consequence, there will be both real and apparent coalescence with Lenham village (as extended). That coalescence would give the appearance of continual sporadic development along the entire length of the A20 arterial road from eastern borders of Harrietsham village to the borough boundary with Charing which is the first village on the western edge of Ashford Borough Council (ABC). The parish council believes that such sporadic development along the arterial road to be the antithesis of good planning.

## EMPLOYMENT/COMMERCIAL

11. Based on extensive and lengthy local knowledge of real-world market conditions, Lenham Parish Council believes it will never be possible to provide anything close to 5000 new jobs at Heathlands.
12. Based on the factors contained in Maidstone's own employment report the maximum capacity of the 14 hectares of dedicated new employment land would be 1,388 new jobs. From the Masterplan it is apparent that no more than 14 hectares could be provided on site. The proposed new District and Local Centres could support an additional 500 new jobs.
13. As a consequence of the lack of on-site employment and severe doubt about the delivery of a new station, Heathlands would remain fundamentally a car-based proposition. The parish council has seen no evidence that an assessment of the cumulative highway impacts of a realistic level of on-site employment provision has been made.

## INFRASTRUCTURE

14. The Borough Community Infrastructure Levy (CIL) approach should rely on an evidence-based assessment of infrastructure needs. To have a higher than ordinary CIL approach (Super CIL) appears dubious.
15. If a higher than ordinary CIL approach is necessary, is that because Heathlands is an inherently isolated location and therefore an inherently inefficient and expensive location at which to provide infrastructure. There would be less of a claim on borough-wide infrastructure funds if a better located site could be chosen not relying solely on the provision of brand new and very expensive infrastructure.
16. Mr Roger Clews, the Inspector at the examination of the North Essex Authorities local plan, considered this matter in a preliminary letter dated 15<sup>th</sup> May 2020. At paragraph 188 he concluded that a policy providing a similar arrangement for sharing 'risk and reward' would be inappropriate and potentially unlawful.
17. Land value captured by the proposal should properly go to the existing landowners after development costs have been met. The combination of Super CIL and excess land value capture to the promotor is at best dubious in terms of legality.

## TRANSPORT CONNECTION

18. It is far from clear whether a new railway station could ever be provided to serve Heathlands. The entire Sustainability Appraisal report is predicated on the assumption that a new railway station and 1 to 1 ratio of new jobs to new houses will be provided (see September 2021 SA Report, page 219). Despite the above assumptions the SA found Heathlands to be the worst performing of the garden community options assessed. If Heathlands is properly assessed its isolated location means it will always tend to generate excessive levels of carbon dioxide pollution contrary to climate change policy objectives.
19. Lenham Parish Council has seen no evidence that the plan has used current best practice methods to provide a robust quantified comparison of the carbon footprints resulting from the various options under consideration. The plan is unsound in this regard.
20. There is no evidence of any development proposals in Ashford Borough between M20 junctions 8 and 9 to support a new M20 motorway junction.

## ENVIRONMENTAL

21. There is no evidence that a new country park 'south of the site' would secure nutrient neutrality to the satisfaction of Natural England. The site of the new country park is not defined as a green space on the policies map. Similarly, there is no coherent evidence as to how 20% biodiversity net gain could be secured across the site.

## OPEN SPACE PROVISION

22. Under the provision of policy LPRSP4 (A) Heathlands is to provide an unquantified full suite of open spaces including amenity green space, play space, sport provision, allotments and semi-natural open space. The amounts of the open spaces are not defined nor are their locations defined on the policies map.
23. Under the provision of policy LPRSPA (B) (5) (d) on the other hand Lidsing is to provide a full suite of open space and the actual areas are defined in the policy. This is to include no less than 31 hectares of natural/semi natural open space.
24. It seems to Lenham Parish Council that the above distinction may be another example of conscious or unconscious bias on behalf of Maidstone Borough Council towards its own development project.
25. The plan does not provide adequate policy provision to secure the necessary open space at Heathlands and is unsound in this regard.

## OMISSION

26. The updated Homes England report entitled 'Heathlands Development Project Delivery Plan (PDP)' forms part of the evidence base supporting the Review. At page 8 of the PDP is a summary of infrastructure costs and scheme abnormalities. Under access and movement the PDP includes:  
  
*'upgrades to A20 J8 connections. M20 J8 signalisation and local widening'*
27. Lenham Parish Council believes the above two items to be an essential part of the infrastructure needed to support the proper delivery of the Heathlands development. If it is not needed why would it be included in the Homes England PDP?
28. There is no reference to this item of infrastructure in either the Plan itself or in the sustainability appraisal which supports it. The cumulative impacts on M20 J8 together with this mitigation have not been assessed. This plan should include this scheme and show the land needed for it on the policies map. As currently drafted it does not.

## CONCLUSION

29. Fundamental problems remain with the delivery of Heathlands to be a self-contained garden community as envisaged in the Town and Country Planning Association (TCPA) guidelines. As a consequence, Lenham Parish Council believes Heathlands should be deleted from the plan in its entirety.
30. If the Heathlands policy is to be retained, it would need radical reformulation to ensure it contained proper phasing provision, a realistic timeframe for delivery of housing, a realistic level of employment, deliverable transportation provision and delivery of an appropriate distribution of open space.