



# **Maidstone Local Plan Examination**

## **Response to Inspector's Session 7 Questions: Rural Service Centres (Lenham)**

*Prepared on behalf of*



**COUNTRYSIDE**  
Places People Love

**October 2016  
DHA/11752**

# Contents

<b>1</b>	<b>INTRODUCTION .....</b>	<b>3</b>
1.1	Overview.....	3
1.2	Scope of Representations.....	3
<b>2</b>	<b>RESPONSE TO THE INSPECTOR’S QUESTIONS.....</b>	<b>4</b>
2.1	Overview of Evidence.....	4
2.2	Qn7.2 Are Policies SP8 and H2(3) strategic policies with which the Neighbourhood Plan must generally conform should it be made after the adoption of the Local Plan?.....	4
2.3	Qn7.3 Should the Local Plan identify that specific sites in the Broad Location are to be allocated by means a review of the Local Plan?.....	4
2.4	Qn7.4 When is the Review of the Local Plan anticipated?.....	5
2.5	Qn7.5 What would trigger the release of broad location land before 2026 and should that be more explicit in the Policy? .....	5
2.6	Qn7.6 In the alternative, should housing sites be allocated in the Lenham Neighbourhood Plan instead of a Review of the Local Plan and would the Neighbourhood Plan be required to generally conform to the Local Plan’s strategic target for housing in Lenham? .....	5
	Opportunities and constraints .....	6
<b>3</b>	<b>CONCLUSIONS AND SUGGESTED MODIFICATIONS .....</b>	<b>8</b>
3.1	Summary .....	8

---

# 1 Introduction

## 1.1 Overview

- 1.1.1 This evidence is submitted on behalf of Countryside Properties, which controls a number of major development sites within the Maidstone Borough.
- 1.1.2 Specifically, Countryside Properties control west of Lenham, which it feels should be formally allocated within the plan as an alternative to the proposed Broad Location.
- 1.1.3 Given the above, and because of wider concern in respect of the housing land supply position, our client wishes to be present at the rural service centre hearing session to have the ability to provide further comments in respect of the Inspector's questions.

## 1.2 Scope of Representations

- 1.2.1 Maidstone Borough Council (MBC) has submitted its Local Plan and associated documentation for Independent Examination.
- 1.2.2 The first tranche of hearings was held in October 2015 and addressed issues of national policy consistency, housing land supply and other strategic borough-wide issues. The subsequent parts, to be heard in November and December 2016, will consider more site-specific allocations and generic planning issues.
- 1.2.3 This statement constitutes Countryside Properties' formal response to questions raised by the Inspector in regards to Matter 7 and in respect of Lenham as a Rural Service Centre.

---

## 2 Response to The Inspector's Questions

### 2.1 Overview of Evidence

2.1.1 The Inspector has raised six questions in respect of matters relating to Lenham as a Rural Service Centre. We take this opportunity to respond to those where we feel can add to the discussion and assist the Examination.

### 2.2 Qn7.2 Are Policies SP8 and H2(3) strategic policies with which the Neighbourhood Plan must generally conform should it be made after the adoption of the Local Plan?

2.2.1 We consider that the policies SP8 and H2(3) are flawed and unsound as currently drafted, and therefore we do not consider them a reasonable basis for informing future Neighbourhood Plan policies.

2.2.2 As stated at the housing supply session, we see no sound planning reason why the identification of sites in Lenham have been treated differently to other settlements, nor delayed, when sufficient land is available to allocate for housing – including our client's land west of Lenham. There are no physical or infrastructure constraints that have been presented by the Council (nor underpinned by evidence) that prohibit the delivery of housing in Lenham now. Accordingly, the failure to provide an immediate set of firm allocations to supplement the housing supply means the plan is neither effective, justified nor positively prepared.

2.2.3 We also object to the strategy relying on the 1,500 units being delivered between 2026 and 2031 and the need for compacted delivery of 300 units per year for an intense five-year period. This notion is illogical and unsound in planning terms on the basis that even a healthy housing market could not sustain this form of intensified growth in such a short period. Furthermore, the development industry would not have the resources to sustain such rapid growth.

2.2.4 Finally, we retain our concern that by not identifying specific sites it would encourage a 'first come first served' style arrangements whereby the growth of Lenham is disaggregated and comes forward on an ad hoc basis rather than via a comprehensive 'plan led' strategy. The recent grant of an appeal at Ham Lane, Lenham, also shows that sites can come forward ahead of 2026.

2.2.5 In summary, the policies as drafted lacks the mechanism that identifies the best and most sustainable sites for Lenham, accordingly they are an unsound higher level basis for future Neighbourhood Plan policies.

2.2.6 Given the above, we respectfully suggest that the Inspector suggest main modifications to include the identification of specific deliverable and developable sites in Lenham for the 0-5 and 6-10 year periods of the plan.

### 2.3 Qn7.3 Should the Local Plan identify that specific sites in the Broad Location are to be allocated by means a review of the Local Plan?

2.3.1 We consider there to be a need for sites to be allocated in Lenham now. Without such allocations, severe doubts exist about the ability of the plan to put in place a robust five-year

supply of housing land and therefore there is a significant risk of the plan being quickly rendered out of date.

2.3.2 Furthermore, at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For plan making, this expressly means that local planning authorities should positively seek opportunities to meet the development needs of their area. Critically, Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.

2.3.3 A Local Plan review does not provide the ability to rapidly respond to change in circumstances. According, any form of remedy to the concern regarding the delivery of housing in Lenham, or additional flexibility, must be secured by a mechanism that can work swiftly without a full scale review of the plan.

#### **2.4 Qn7.4 When is the Review of the Local Plan anticipated?**

2.4.1 We understand that the Council is advocating having a review underway by 2022. Accordingly, we consider it essential that the plan puts in a clear and robust housing supply so see the Council through to at least 2026, with sufficient flexibility to respond to the change in circumstances.

2.4.2 In our view, without specific allocations for the growth of Lenham, the plan will fail to meet these parameters.

#### **2.5 Qn7.5 What would trigger the release of broad location land before 2026 and should that be more explicit in the Policy?**

2.5.1 Notwithstanding that we object to the Broad Location approach, if the Inspector is minded to support the plan as drafted, any delivery mechanism must be integral to the emerging plan and not left to a subsequent review. This is because a review process would be too lengthily for the authority to be able to rapidly respond to changes in circumstances, which is a key component of the presumption in favour of sustainable development when plan making.

2.5.2 We would suggest that an appropriate 'test' for its early release would be if the Annual Monitoring Report shows a lack of a five-year supply of deliverable sites.

#### **2.6 Qn7.6 In the alternative, should housing sites be allocated in the Lenham Neighbourhood Plan instead of a Review of the Local Plan and would the Neighbourhood Plan be required to generally conform to the Local Plan's strategic target for housing in Lenham?**

2.6.1 In simple terms, and for the reasons outlined above and highlighted within our Matter 5A statement, we consider there to be a need to identify specific deliverable sites within Lenham.

2.6.2 Whilst we acknowledge that the Inspector's remit only extends to advising the Council to include sites, not to recommend specific land be allocated, we consider that land within Countryside Properties control west of Lenham is the most suitable to be allocated in the short term as an alternative to the Broad Location. Furthermore, initial discussions have taken place

between our client and Lenham Parish Council regarding the ability to deliver a comprehensive and masterplan led urban extension to the west of Lenham.

- 2.6.3 In this regard, the site is situated to the south of A20, to the west of Old Ham Lane and to the north of the Ashford to Maidstone Railway Line, on the western edge of Lenham. It consists of approximately 18 hectares of undeveloped agricultural land and benefits from established hedgerows around the perimeter of the site.
- 2.6.4 To the north, the site adjoins land which already benefits from planning permission, granted at appeal for 67 residential dwellings (16/500229/FUL).
- 2.6.5 To the east, the site has a Frontage onto Old Ham Lane, adjacent to The William Pitt Playing Field, opposite existing residential development fronting on to the Highway, and Lenham Storage behind.
- 2.6.6 The Ashford to Maidstone railway line runs along the southern boundary and to the west the site is surrounded by agricultural land.

#### ***Opportunities and constraints***

- 2.6.7 In terms of opportunities, the site abuts the settlement confines of Lenham and has no policy constraints, as it is not protected for any landscape, ecological or heritage reasons. The site is to the south of the Kent Downs AONB (but not within it) separated by the approved Jones Homes scheme for 67 units.
- 2.6.8 The site benefits from established tree and hedge planting along the site boundaries – the majority of which can be retained. The existing tree and hedge planting land would not prohibit development coming forward; rather it can provide a natural screening buffer and attractive setting for a sensitively designed scheme as well as acting as clear and defensible boundary.
- 2.6.9 The site falls within Flood Zone 1 with no known risk of flooding and in terms of vehicular access, there are various access options that could be achieved from the A20 and/or Old Ham Lane. Sufficient land exists to ensure that a safe and efficient access meeting current highway design standards could be provided to serve this village extension.
- 2.6.10 For reasons set out in this statement, the site is considered suitable for development. The site borders the currently defined confines of Lenham (an identified Rural Service Centre) within close proximity to the local facilities, services and public transport. Visually the site aligns itself with the existing village edge - development on the submission site would not result in sporadic isolated development in the countryside; rather it would form a logical and natural village extension to the village edge – whilst maintaining Lenham’s compact development form.
- 2.6.11 The scale of our client’s land is also sufficient to generate significant contributions towards any infrastructure upgrades deemed to be required, whilst the site is also of sufficient scale to deliver a new school if needed.
- 2.6.12 There are no known financial restrictions that would affect the viability of a housing scheme or that would prohibit development coming through within the early stages of the plan

period. To the contrary, we consider there opportunity to deliver a high quality residential development scheme of market and affordable house that could potentially be supplemented by a range of different community facilities.

- 2.6.13 Finally, the site is within the control of Countryside Properties. There are no complicated legal agreements or covenants that would prohibit the ability to bring forward the site immediately.

---

## 3 Conclusions and Suggested Modifications

### 3.1 Summary

- 3.1.1 As drafted, the plan lacks a cohesive strategy for the main rural service centre of Lenham. The inclusion of 1,500 homes within the overall housing supply for the plan period, without allocating specific sites, is not the most suitable strategy when faced with the reasonable alternatives i.e. identifying and allocating sites now. Furthermore, the notion of delaying the sites until post 2026 provides no realistic prospect of 300 dwellings per year coming forward.
- 3.1.2 Due to these significant flaws, the plan cannot be positively prepared, it cannot be justified and it cannot be effective. Furthermore, it is not consistent with national planning policy.
- 3.1.3 In order to remedy these concerns we consider it essential that main modifications be proposed and sufficient additional housing sites are added. Furthermore, firm allocations are needed for Lenham to provide an immediate supply of new housing. This should include our client's land west of Lenham to ensure adequate delivery and flexibility for the plan period as a whole