

## Written Statement – Session 8 – Employment Policies and Allocations

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1. This submission is made as a member of the Co-ordinating Team, based on 45 years' experience of the commercial market.
2. The Borough has not fulfilled its Duty to Cooperate in respect of employment matters, particularly with Tonbridge & Malling, and we are very concerned that the reality of market forces is absent from the plan.
3. Nor has the Borough thought strategically about employment, in particular ignoring potential alternative sites, while being fixated on Junction 8, despite contrary legal and Planning Committee decisions.
4. GL Hearn (January 2014) states at paragraph 10.23: "The GVA forecast anticipates job growth of 14,400 jobs in Maidstone Borough over the 20-year period to 2031. This represents a potentially optimistic assessment of employment growth, and is above baseline forecasts".
5. The chart at Paragraph 3.2 of GVA's Economic Sensitivity Testing & Employment Land Forecast (February 2014) identifies potential employment growth of 7,818 jobs between 2012 and 2031, note 14,400.
6. The Inspector's questions are answered immediately below, with context for those answers following.

### Inspector's Questions

Numbering is the Inspector's.

Question	Our Comment
Qn8.1 How does the assessment of employment needs address the cross-border commuting flows into and out of Maidstone Borough and especially between the Borough and Tonbridge & Malling and Medway?	<p>It does not.</p> <p>The Borough claims it has consulted Tonbridge &amp; Malling and states that, as T&amp;M currently has a 33 ha industrial space shortfall, it could not absorb any Maidstone employment need.</p> <p>T&amp;M's "The Way Forward - Regulation 18 Issues and Options" is an example of how Maidstone should have approached employment; that is, open-mind and consultation, rather than fixation on Junction 8.</p>
Qn8.2 Would MBC please explain the proposed change to Table 4.4?	No comment.
Qn8.3 What account has been taken of employment land potential in neighbouring districts?	<p>MBC has only made cursory exploration of such potential; it is fixated on Junction 8.</p> <p>London commuting needs proper consideration as well as opportunities on the 872 acres (twice the size of the Olympic Park) on the Swanscombe Peninsula.</p> <p>(6,700 full time jobs at the Entertainment Resort, 1,800 full time jobs in Entertainment Resort hotels, potential for 15,700 supply-chain jobs and growth from local spending. Peak on site construction employment up to 6,300.)</p>
Qn8.4 Would such provision exceed the need to provide employment for	Absorbing some of Maidstone's employment needs might exceed local needs of neighbouring authorities,

<p>residents of those districts?</p>	<p>but they have traditionally provided employment for Maidstone’s residents and are likely to in the future. Methods of working are changing.</p> <p>While Maidstone may not wish to be a London dormitory town, substantive discussions with the “Mayor of London” should have taken place to encourage TFL to extend its reach to improve services that connect into London. Positive action to make commuting more attractive for residents should be advocated, such as pressure to improve rail service, including affordable station parking and Wi-Fi facilities.</p> <p>If commuting is not improved, would-be commuters will seek more-sustainable homes elsewhere, such as Ashford and Ebbsfleet which is targeting 15,000 new homes, with one of the most successful shopping centres on its doorstep and 17-minute journey time to London.</p> <p>We are in a competitive market place and the current approach is likely to lose jobs and leave many new houses un-built, unsold or sold at depressed prices.</p>
<p>Qn8.5 What implications may the history of office allocations adjacent to the M20 and current viability assessments have for any new office allocations?</p>	<p>Maidstone, according to GL Hearn and the market, is not a recognised office location. Hence there have been, and will be, windfall opportunities to convert existing empty offices to residential.</p> <p>Being adjacent to the M20 is not a guarantee of demand, as clearly demonstrated at the Junction 7 (Eclipse) development. Originally planned for commercial/B1 development, it has failed to let after many years. It had to obtain a change-of-use in 2014 to retail/A1. The retailer, Next, is the occupier and Waitrose is seeking permission to take up space that cannot be let for B1. (FYI. - Next’s building is approximately 14m high, which illustrates the potential visual impact at Junction 8 that tall buildings/sheds could bring to Junction 8).</p> 
<p>Qn8.6 How much residential development would MBC accept on this site?</p>	<p>No comment.</p>
<p>Qn8.7 How much residential development is needed for a viable</p>	<p>No comment.</p>

mixed use development?	
Qn8.8 What would be the implications for the amount of office floor space?	Too much, having regard to market demand.
Qn8.9 If office development would be dependent on cross-subsidy from residential development, would that justify a reduced affordable housing target for development on this site and, if so, what should that target be?	<p>No.</p> <p>You cannot give offices away, so why mix these matters?</p> <p>If viability shows a surplus, it will automatically show how much “affordable housing” is digestible.</p>
Qn8.10 Does the Policy require modification for it to be certain and effective and, if so, what wording would achieve that?	No comment.
Qn8.11 Does MBC remain of the view that the development is necessary to meet an objectively assessed need for employment and, if not, why not?	<p>Officers stated (during Session 3) that these sites should be considered again, hoping they will be in the approved local plan to carry weight at a future appeal.</p> <p>There are alternatives that Officers have not properly considered, such as Detling and cooperation with neighbouring Authorities.</p> <p>Struggling with Junction 7, Officers should appreciate that motorway junctions can be “difficult” and that Junction 8 is not suitable for <u>any</u> development.</p>
Qn8.12 What mix of floorspace in each use class is anticipated by MBC and the landowner and how much site area would each use be likely occupy?	The scheme is potentially B1a, B1b, B1c and B8 units. Developers would determine mix, based on investment value and profitability, not MBC, who will therefore not now be able to assess employment-type, jobs and traffic flows.
Qn8.13 Should the policy further define the type of development proposed in order to better assess its likely landscape and visual impact and the scope for mitigation?	<p>Build-box could cause the most damage to the environment.</p> <p>Restricting eaves-heights to 14m is mooted. Once approved, this not-to-exceed figure would then likely be exceeded. (Reference to 8m related to smaller units).</p> <p>Not building is the way to avoid damage to the landscape and visual amenity.</p> <p>Development at junction 8 would inevitably involve the “Trojan Horse” sand extraction in relation to Waterside. It would be seen as part of the development process i.e. no specific permission would be required for extraction which would take at least 2-3 years – (60 HGV loads/day i.e. 120 trips/day (empty then full), 4- axle ,20 tonne tippers.)</p>
Qn8.14 How viable would each class of development be at this location??	The market would view this location as not sustainable, as it is remote from supporting services (even though

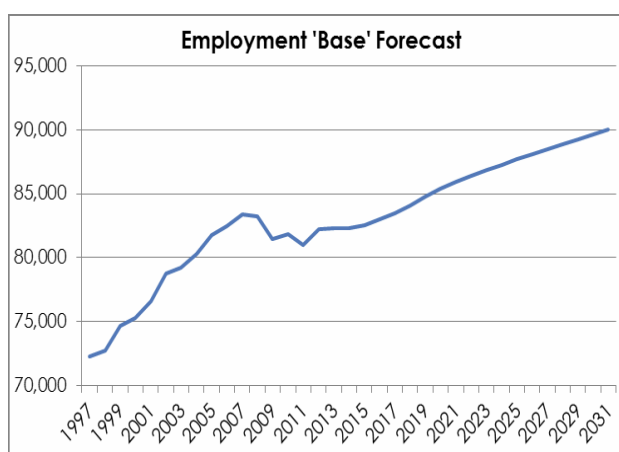
	<p>close to J8).</p> <p>KCC have lodged a highways objection and the A20, which blocks up with every small incident, would suffer congestion.</p> <p>The sustainability report -Document ORD 006(B) - gives Junction 8 as an unsustainable location. The market would not need a report to reach this conclusion; it is blindingly obvious. "There is nothing to do in the lunch hour."</p> <p>Irrespective of, hopefully resolved, Operation Stack issues, a would-be occupier would look elsewhere because of staff issues and lack of nearby facilities.</p> <p>This is a "white elephant" location, supported by Officers who, apparently, have little or no experience of the occupational market and its needs.</p>
<p>Qn*. Has the (town centre first) sequential test in national policy need to be satisfied in respect of the office component of the development?</p>	<p>No comment.</p>
<p>Qn8.15 Why is B1(b) research and development proposed to be limited to 'an element'?</p> <ul style="list-style-type: none"> <li>• How much development would that represent?</li> <li>• Does the wording require modification for clarity and certainty as to what may be permitted?</li> </ul>	<p>Exterior appearance would be similar to an office building.</p>
<p>Qn8.16 What use class would 'hi-tech' development fall within and why does it also require separate treatment?</p>	<p>Probably B1, but "Hi-Tech" has various interpretations.</p>
<p>Qn8.17 Having regard to the conclusions of the Secretary of State in relation to the heritage impacts of the larger KIG proposal and to the Planning Committee's conclusion of a less than substantial adverse impact on the setting of one Grade II listed building, would heritage impacts alone be capable of being outweighed by the public benefits of the development?</p>	<p>It is the setting of, and approach to, a Grade 1 building, as well as the building itself and includes impact on AONB setting.</p> <p>Some 2,000 jobs are directly or indirectly dependent on Tourism. Leeds Castle is a key component. Maidstone itself is not a destination tourist attraction and, with a diminished Leeds Castle, tourism will falter.</p> <p>(Attachment 2 is a copy of the representation to MBC – behalf of Leeds Castle in respect of a proposed planning application last year).</p>
<p>Qn8.18 Would there be scope for mitigation in the scale, design or mix of the development to reduce its landscape and visual or heritage</p>	<p>No.</p> <p>Many jobs are dependent on tourism. This proposal, however, mitigated, would have serious adverse impact</p>

impacts to an acceptable degree when weighed with the economic or other public benefits of the scheme?	on Kent’s major contributor, Leeds Castle.
Qn8.19 What reasonable alternatives for a development of similar strategic scale may have a less adverse landscape or visual impact, including in their effect on the AONB and its setting?	During session 3, Helen Whately MP supported opposition to any development at Junction 8.
Qn8.20 In the alternative could equivalent floorspace be achieved by dividing provision between 2 or more smaller sites and would that have less impact?	We think not. And dividing a marginal location would deliver less than critical mass.
Qn8.21 Do participants agree or disagree with the SA assessment and how might the reduced scale of the development now proposed by the Representor affect those conclusions?	SA gives Junction 8 as unsustainable location. Any development would adversely affect Grade1 “Leeds Castle” and its setting, as well as on the setting of the AONB.
Qn8.22 How might the suggested relief road be incorporated and where might it continue to the south?	No comment.
Qn8.23 Where would the proposed development take access from the A20?	No comment.
Qn8.24 If the relief road were not incorporated would the access to the proposal site compromise any future connection of the relief road to the M20 and junction 8 at this roundabout?	No comment.
Qn8.25 What account has been taken of the appeal Inspector’s conclusions concerning heritage impacts and how have these been addressed?	No account has been taken of impact on Leeds Castle - “The Loveliest Castle in the World”. It is the largest employer at Junction 8 and its success supports jobs associated with the Great Danes & Marriott Tudor Park and other tourist-related businesses. Reducing building heights is cosmetic and may not be respected. Officers have apparently sought to change designation of this area in an attempt to facilitate development. Hopefully the Inspector will make recommendations to secure this area against development.
Qn8.26 Has MBC’s opposition to the allocation of this site been affected by the Planning Committee’s decision	Officers have stated that, because it was included in the draft plan, due weight should be attached to its inclusion. Planning Committee did not accept Officers’

concerning Woodcut Farm?	<p>advice.</p> <p>We understand that this advice is contrary to the appeal decision of Gallagher v. Sec of State and MBC [2016] EWHC 674 AND the appeal decision of the Sec. of State 3rd March 2016 Land at Boughton Lane [APP/U2235/A/14/2227839], where limited weight was attributed to the document.</p>
Qn8.27/8.28/8.29	No comment.

**Context – New Employment & Market Forces**

7. GL Hearn stated: *“The GVA forecast anticipates job growth of 14,400 jobs in Maidstone Borough over the 20 year period to 2031. This represents a potentially optimistic assessment of employment growth, and is above baseline forecasts”.*
8. Paragraph 3.2 of GVA’s Economic Sensitivity Testing & Employment Land Forecast (February 2014) identifies employment growth of 7,818 workforce jobs for 2012-31.
9. MBC persists with “14,400”, but base forecast is about 8,000, leaving a huge mismatch against 18,560 new homes. (Perhaps 17,000 missing jobs @1.3 per home?)
10. MBC looked only within the Borough and explains their fixation on Junction 8.
11. The market prefers established locations such as Aylesford and Ashford. The plan ignores current flows with, particularly, Tonbridge & Malling (see Attachment 1).
12. The market would not ignore Maidstone, but there are better locations due to congestion concerns and labour requirements.
13. MBC ignores commercial development land outside the Borough.
14. Many in-migrants from London would need to commute to London for jobs as, despite commuting hassle, wage differentials make it attractive.
15. Modern technology opens up distance working and Internet shopping, neither being considered in the plan.
16. Loss of park & ride at Junction 7 and the management of the other two schemes has an adverse impact on Maidstone’s accessibility.
17. Maidstone competes with better locations for shopping, working and leisure opportunities, such as Bluewater and Tunbridge Wells and the soon to be expanded Ashford Designer Outlet (in total an extra 165,000 sq ft will be added to the current 183,000 sq ft).
18. The approach to “local jobs” must change, with full appreciation of “needs” and market forces.
19. Unless there is a more-balanced and sustainable plan, the Town Centre will die. The fact that it is the County Town of Kent will not guarantee its survival.



**Context – Maidstone’s Current Status**

20. By 2027, the plan assumes a 3,300 jobs at “Medical & Research” facilities at Junction 7.
21. Experience at, say, Harefield Heart Hospital is relevant. Professor Sir Magdi Yacoub backed the establishment of a medical and science park alongside this centre-of-excellence. It failed, being too far from “Harley Street”. Competition was established within reasonable drive-times to attract those leading experts. “Location, Location”.
22. MBC is seeking adjustments to Junction 7’s planning status to enable alternative use.
23. Retail (Next) has appeared and, perhaps, Waitrose. A primary school to serve Bearsted is

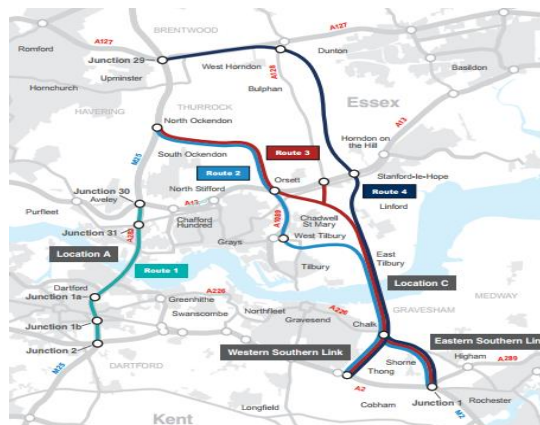
- mooted, but is beyond reasonable walking distance, a criterion suggested by MBC.
24. Congestion from additional housing along A274 will reduce Parkwood’s employment attractiveness. Drive-times are important.
  25. Suggesting an improved bus service will solve traffic problems ignores the “Oxford Street” effect whereby buses cause congestion and poor air quality and take up valuable road-space, which in turn increases “drive-time”.
  26. As a shopping location it does not have the critical mass or accessibility advantages to compete with major centres within a 45-minute drive time. The market will determine Maidstone’s future and at present this does not look too exciting.

### **Context – Other Candidate Sites**

27. Ashford - proposals are being developed following £70m being ploughed into the new Junction 10A to connect to the commercial AXA scheme – 160,000 sq m. Ashford will probably have oversupply which could accommodate MBC’s undersupply within a reasonable drive-time.
28. Detling –not addressed until session 3. Officers’ apparent objection is because it is within the AONB. It is brownfield, with old industrial buildings and runway. It may provide commercial and residential sustainable opportunities. It needs to be considered, if only to be discounted for declared reasons. Compare Detling (Binbury Park) 373 acres (151 ha) to the successful Brooklands scheme in Surrey (380 acres).
29. Maidstone Prison (6 acres) - the Government is selling assets. This site merits consideration for either employment or housing.
30. Aylesford – T&M, at the initial stages of its plan process, has 33 ha shortfall of industrial space. MBC has therefore dismissed Aylesford, despite large travel flows. The market prefers established locations such as this. For example, KCC acquired space at New Hythe Commercial Park in Aylesford (112,200sq ft).
31. London Paramount - Swanscombe Peninsula 545 Hectares
  - 6,700 full time jobs at the Entertainment Resort
  - 1,800 full time jobs in Entertainment Resort hotels
  - Potential for approximately 15,700 indirect jobs through the supply chain and growth from spending in the local area
  - Peak on-site construction employment of up to 6,300 jobs

### **Context – New Factors**

32. Conversion of office to residential is a permanent permitted development right.
33. MBC is aware “that there is an oversupply of poorer quality office stock in the town centre which is no longer fit for purpose”.
34. Automatic conversion from smaller industrial units is also mooted.
35. The market may therefore remove some current employment locations and add pressure to finding alternative, sustainable employment sites, inside or outside the Borough.
36. A new Thames Crossing is in the offing and, in due course, the route will resolve itself. The plan must anticipate its delivery and its impact on, and benefits for, our Borough.



### **Context – Junction 8 - Woodcut Farm and Waterside Park**

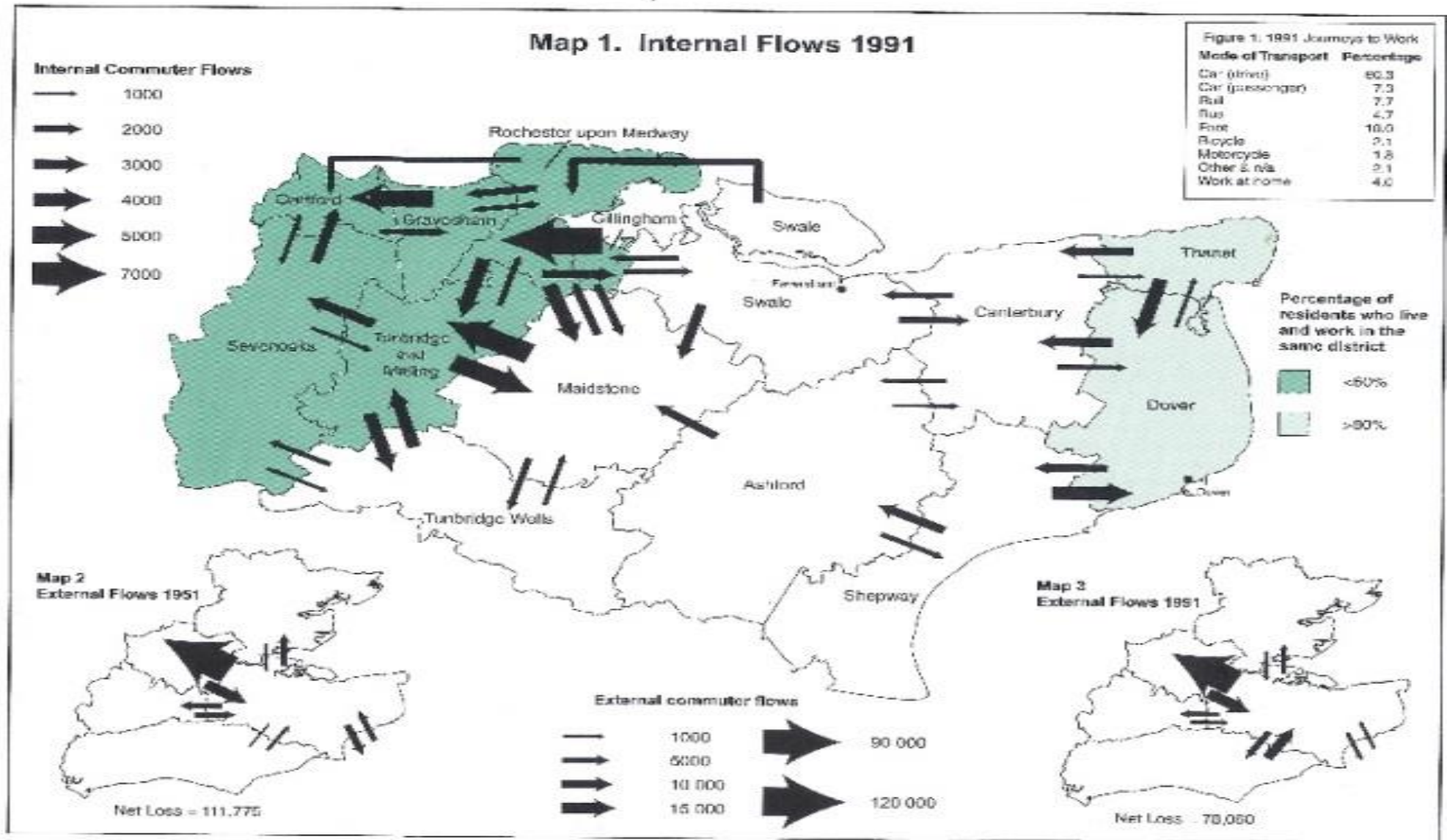
37. MBC policies are fixated on Junction 8, and therefore Woodcut Farm and Waterside, as the answer to all employment requirements derived from 18,560 new homes.

38. Appeal(s) and High Court decisions for Waterside and KIG should have given Officers sufficient justification to recommend refusal of the recent Woodcut Farm application. Instead they recommended approval?
39. With obvious sustainability issues and clear market doubts about this location, Officers' fixation on Junction 8 is difficult to understand. Woodcut Farm development runs contrary to Planning Inspectors' decisions to protect the setting of Kent Downs AONB.
40. Planning Committee members have on three occasions voted not to accept Officers' Junction 8 advice - twice in respect of Waterside Park and once in respect of Woodcut Farm.
41. If eventually allowed, Junction 8 development will open floodgates to further development along the M20/A20 corridor to the east of Maidstone.
42. If this area deteriorates into an "industrial scene" with huge sheds, it would adversely affect Tourism, for which Leeds Castle is a key local consideration.
43. "Robust" wording set out in the decision notice referred to "saved policy ENV34 is not proposed to be taken forward as a landscape designation in the submitted Local Plan." That raises the prospect of renewed applications or appeals once ENV34 is discarded, with applicants/appellants searching for gaps between ENV34 and the new plan's policies – and, on past performance, Officers' will not energetically resist.
44. MBC's web-site is still promoting Junction 8 and Woodcut Farm in the publication "Maidstone Economic Development Strategy". The latter's inclusion was approved after the Waterside Appeal, and before the Inspector's decision was published. This disinformation needs to be corrected because it brings MBC into disrepute.
45. Past appeal and planning decisions should make the position clear to everyone. However, it would assist if the Local Plan designates this area as a "no-go-area" for future commercial development to support refusal of any future development attempts.

### **Conclusion**

46. As submitted, the plan will not pass the test-of-time.
47. For "employment" it fails to take a realistic, market-aware stance and persists with a Junction 8-oriented.
48. There is a large mismatch between realistic job creation and proposed new homes.
49. Problems and deficiencies within our Borough need to be addressed, not made worse.
50. MBC have not thought through the consequences of the plan - market forces will determine whether success or failure.
51. As infrastructure consequences will not be anywhere near fully mitigated, house and employment location values will fall. Developers will land-bank sites, renegotiate S106 agreements and wait for market improvement, which may not arise.
52. Our County Town will continue to decline.
53. Regrettably Maidstone itself will continue to decline. The bottom line is that it cannot compete in terms of destination shopping, or as a tourist attraction without the influence of Leeds Castle (copy of representations in respect the initial application for Woodcut Farm made on behalf of Leeds Castle is Attachment 2) which the Junction 8 development enthusiasts seem intent of destroying.







Our Ref:  
Your Ref: 15/503288/OUT

30th July 2015

Mr Richard Timms  
Maidstone Borough Council  
Planning Department  
Maidstone House  
King Street  
Maidstone  
Kent ME15 6JG

Email: Vivienne.goddard@wyg.com

Dear Sirs,

**Land At Woodcut Farm Ashford Road Hollingbourne Kent ME17 1XH. Outline application for a mixed commercial development comprising B1(a), B1(b), B1(c) and B8 units, maximum floor space 47,750 square metres (access being sought) (Planning Reference 15/503288/OUT)**

We write on behalf of our client Leeds Castle Foundation in respect of the above application submitted on 10 April 2015 (Reference 15/503288/OUT).

The application site lies to the south of Junction 8 of the M20, just to the east of Maidstone. The application proposes a single site access for vehicles from the A20 in the centre of the site with most commercial traffic approaching the site coming via the M20 Motorway Junction 8 and along the A20 to the site entrance. This being principal route to Leeds Castle the proposal is directly visible to those visiting the castle. As a Grade I listed Building Leeds Castle is considered to be of exceptional heritage interest and because of this a major tourist attraction attaching in the region. The impact of any development on the Castle therefore needs to be considered not just in respect of the impact on its physical setting but also on its role as a major tourism asset; its economic importance to local jobs and businesses and ultimately how this will be impacted by industrial estate in such close proximity.

The Heritage Chapter of the *Environmental Statement* describes "very limited visual access" (para 9.111) between the application site and Leeds Castle but it is acknowledged in support planning statement that "it is clearly visible from the motorway and from Junction 8 itself" (para 3.18). The proposed industrial estate will therefore physically impact on the views along the route to the Castle and the perception of the heritage asset in the immediate vicinity. The application submission considers the proposal represents no impact on the significance of this historic asset. This appears to be based solely on the distance and suggested limited views between the sites. No consideration or assessment has been given to the view along the route and the impact to Leeds Castle as a vital tourism and economic asset to the surrounding area. The Castles exceptional heritage interest and its value as a tourism asset are inter-dependent and the proposal seriously undermines this later role. We do not consider this is an appropriate location for an industrial development and accordingly we formally object to planning application 15/503288/OUT.

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creative minds safe hands

We have in the past submitted formal objections in respect of application MA/13/1549 for a new industrial estate at Land at Waterside Park, M20 Junction 8, Maidstone (Land south of A20/M20 Link Road Roundabout) and the subsequent application 14/501895/FUL having given evidence at the Planning Inquiry. Reasons for refusal related to the detrimental impact on the character and appearance of the countryside hereabouts in general, the setting of nearby heritage assets to the south of the site and to the setting of the Kent Downs Area of Outstanding Natural Beauty in particular.

We maintain our objections that this locality is not appropriate for industrial development on the following grounds:

- Detrimental impact on the character and appearance of the surrounding countryside;
- The impact that would occur on Leeds Castle and its associated garden as a result of the development; this relates to the physical impact; this being not just the inter-visibility between the sites but the impact change to the rural landscape within the wider setting of the Castle;
- As a major tourist attraction the potential impact on visitor numbers respect of the perception of the heritage asset within rural Maidstone and not in an industrial location;
- The impact of additional traffic on visitor numbers;
- The potential loss of income directly to the Castle and the subsequent impact on surrounding tourism businesses reliant on tourism from the Castle;
- Contrary to Policy DM10 which seeks to ensure that such historic assets do not suffer any adverse impact
- Contrary to the strategic objectives of the Boroughs tourism objectives which seeks to ensure existing tourism opportunities.

Both appeals for the development of Land at Waterside Park, M20 Junction 8, Maidstone were dismissed on 23rd July 2015 and the impact on heritage assets was a significant factor. Further details on the dismissal and impact on this current development proposal is discussed later on in this letter of objection.

#### Heritage Impact

The supporting Heritage Statement to the application identifies the heritage assets being potentially affected by the proposals:

- Woodcut Farmhouse: a Grade II listed building with the proposed site within its setting;
- Mortuary building of Hollingbourne Union Workhouse: an undesignated heritage asset surviving on the southern boundary of the site;
- Historic Landscape: The landscape to the north of the site comprises farmland interspersed with traditional woodland, some of which is designated as 'ancient woodland' gently rising to a pronounced ridge.

The report states that "*the site is notionally within the wider setting of Leeds Castle*" (page 1) but "*there is likely to be no impact on the setting of Leeds Castle, by virtue of relative disposition (1.9km) to the south east) and lack of inter-visibility*" (para 6.2.4) although there is no visual inter-relationship by virtue of topography, mature vegetation and disposition. The Heritage Chapter of the Environmental Statement states "*It is considered that, given the relative disposition and very limited visual access between the Application Site and Leeds Castle, there will be no impact on the significance of the asset*" (Paragraph 9.38).

Local plan Policy DM 10 – *Historic and Natural Environment* states:

*“1. To enable Maidstone borough to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the historic and natural environment, where appropriate, by incorporating measures to:*

- i. Protect positive historic and landscape character, heritage assets and their settings, areas of Ancient Woodland, veteran trees, trees with significant amenity value, important hedgerows, features of biological or geological interest, and the existing public rights of way network from inappropriate development and ensure that these assets do not suffer any adverse impacts as a result of development (our emphasis);*

It is our view that the submitted assessment has not fully addressed the impact of the proposed development on the setting of this asset. It is acknowledged in the supporting Planning Statement *“the site lies within a sensitive area, close to the AONB which lies on the northern side of the M20 motorway. Its location adjacent to the motorway, with the undulating nature of the site, enables views of the site from various locations. It is clearly visible from the motorway and from the Junction 8 itself”* (para 3.18).

The Heritage Statement acknowledges there is limited visual linkage between the application site and the Castle. What is not assessed is the harm caused to the Castle by the change to the rural landscape which is acknowledged in the Heritage Statement as forming part of the wider setting of Leeds Castle. We consider high visibility of industrial buildings along the route to the Castle, the sheer scale and the extent of the proposed development should be considered in assessing the effects that are ‘not significant’ are minor or negligible effects. Despite views being limited, we contend that the proposals impact on the wider setting of the Castle and having an adverse effect is contrary to the objectives of **Local Policy DM 10**.

#### Impact on a Tourism Asset

The Borough Council actively supports the concept and practice of sustainable tourism. The Local Plan seeks *inter alia* to maintain and enhance existing tourist uses and facilities where these are in accord with environmental policies and contribute to the local economy. Therefore, any proposals that result in loss of visitor number to the Castle or loss of income directly to the Castle or other tourism businesses would conflict with the Councils objectives for tourism in the borough. We contend that the proposals fail to protect an existing tourism asset and are contrary to the Boroughs aspirations to enhance tourist uses.

The perception of those visiting Leeds Castle is one of a heritage asset within the Kent Countryside. The rural nature of the surroundings and the route to the Castle are therefore intrinsically linked to the perception of the Castle. The majority of visitors arrive via Junction 8 with the proposed industrial site being fully visible. We contend that this would detract significantly from the visitor experience. How a visitor perceives a place is clearly an individual and subjective opinion but a negative perception of the route and surrounding landscape to the Castle would form part of the experience. The effect being declining visitors impacting on both the Castle and other local business reliant on tourism.

#### Impact of the Appeal decisions on Land at Waterside Park, M20 Junction 8, Maidstone

Both appeals for development at Waterside Park were dismissed and a copy of the appeal decision is attached to this letter for ease of reference. There are several significant points that the Inspector raises that are relevant to the decision on this current proposal. At paragraph 6 of the Inspector’s Decision Letter the importance of Leeds

Castle as a Grade 1 listed building is recognised and also the associated Grade II\* Registered Park and Garden. When assessing Landscape Character, the Inspector refers to the importance of longer views from the North Downs Way, the Pilgrims Way and other areas within the ANOB. Paragraphs 25 to 33 assess the impact and key comments that are relevant to the consideration of this current application are as follows:

Paragraph 25 refers to development narrowing an important visual gap in the landscape and this *“would prove disruptive and seriously harmful to the character of the wider landscape”*.

Paragraphs 26 and 27 refer to the camouflage of the building and the earthworks to lower the ground levels. The Inspector considers this mitigation for the damage that would be caused and that with the changing seasons it would make it very *“... difficult to camouflage the buildings to any great extent.”* The earthworks were also considered detrimental, as it would lead to an obvious manmade landscape that *“... would contrast unfavourably with the gently rolling hills leading towards the scarp of the North Downs and would permanently change the topography of the landform.”*

Paragraphs 28 to 33 consider the impact on the AONB and concludes that the proposed development would have a high impact on the rural character and in particular, walkers using the public rights of way.

Paragraphs 38 to 45 refer directly to Heritage and raise significant issues that should be considered by the Council prior to determining the current application. The Inspector confirms the appeal site can be clearly seen from the Registered Park and states at Paragraph 40:

*“The intrusion of substantial industrial development into an otherwise well-preserved setting seems to me to be particularly harmful. Whilst this harm to the setting might be experienced only from a narrow field of view, it would nevertheless detract from the largely unspoilt and tranquil scenery in which the castle is experienced and which has historically surrounded it. The castle has, up to now, been fortunate in retaining this setting and the intrusion of modern development into this particular view would, I consider, diminish the significance of the heritage assets.”*

Later on in the appeal decision, the Inspector refers to the “balancing act” that is required in relation to need and other material planning considerations and at paragraph 86 states *“The proposals would mean a loss of designated countryside to development and harm to landscape character and visual amenity. They would also cause harm to the setting of heritage assets, which is an important factor weighing against the grant of planning permission, as set out in the LBCA Act.”*


Paragraph 92 continues *“...Considerable environmental harm would result from the loss of this area of countryside to development through the combined impact on the landscape setting of the AONB and the heritage assets. The developments would fail to protect the setting of the AONB and therefore also conflict with the aims of Section 85 of the Countryside and Rights of Way Act 2000.”*

In conclusion at paragraph 97 the Inspector states *“Therefore neither of the proposals amount to sustainable development as defined in the Framework, due to the extent that they would conflict with the environmental policies contained within it, particularly in relation to the impact on the landscape character and the setting of the heritage assets. I therefore conclude that planning permission should not be granted for either scheme.”*

Conclusion

We believe that the current proposal would cause significant harm to Leeds Castle and the Registered Park and grounds for the reasons stated above and therefore raise objection to the application. The issues raised by the Inspector in the recent appeal decision are relevant to the determination of this current application and we hope the Council will take these matters seriously. I would be grateful if you would keep me informed of any amendments or additional information that is submitted in regarding this application and when any committee date has been agreed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lisa Skinner', with a horizontal line underneath.

Lisa Skinner  
Director

For and on behalf of WYG