

Further representation of Jones Homes (Southern) Ltd and the Ambrose Family

We refer to our earlier representations made on the Lenham Neighbourhood Plan (LNP) and to the representations made by Maidstone Borough Council regarding the provision of a new road link to serve allocated land to the south of the A20.

Our first representation made it clear that we supported the draft LNP and its proposals, comprising the strategic land allocations and supporting infrastructure. We were therefore surprised at the content of the MBC representation which suggested that the sites allocated in the plan may not be deliverable without a delivery mechanism and timetable. MBC also indicated the need for a Memorandum of Understanding or Equalization Agreement in order for clarity on the delivery of the sites.

We have given careful consideration on the matters raised and consider that the MBC requirements go beyond what can be considered reasonable given the circumstances of the case. The LNP makes it clear that the only site which requires the new access to the A20 via a southern access road is the residual allocation on site 5 now that permission has been granted for 136 dwellings to be accessed from Ham Lane. This leaves 224 dwellings requiring the new road link. As it currently stands the LNP allocations on the remaining sites can still be delivered via the existing road network.

This leaves the responsibility for the delivery of the 224 dwellings in the hands of 2 landowners/developers and the issue of whether these houses are deliverable is really a very simple one. The 2 parties have to agree terms on four matters which are:

- i) The extent of the land required giving access to site 5 and its impact on the loss of amenity space from the JHS approved development on the corner of Ham Lane which will need to be replaced on the adjoining land holding.
- ii) The impact on the SuDS drainage serving the JHS development which will need to be remediated if it is affected by the new road link. This also may require additional land held by the owner of site 5.
- iii) The availability and value of the land required by site 5 when taking into account the development it is serving.
- iv) The availability of land in a suitable location to remediate items i) and ii) above

With regards to items i, ii, and iv these matters can only be satisfactorily addressed by the owner/developer of site 5. As regards to the availability of the land required for the access, we have made it clear that there is a willingness to make it available provided that all other matters are satisfactorily addressed.

As regards the value of the land, once the nature of the proposed development is known, there is a tested procedure for establishing the value of the land required which both parties are aware of. For this we are guided by the party requiring the land. In these circumstances, if both parties express a willingness to proceed by way of negotiation, which we are confirming in this response, there can be little doubt on the deliverability of the site.

In consequence we believe that the MBC requirement set out in their response for a Memorandum of Understanding or Equalization Agreement is excessive and not required.

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