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BY EMAIL: [neighbourhoodplanning@maidstone.gov.uk](mailto:neighbourhoodplanning@maidstone.gov.uk)

Dear Madam or Sir,

## **REPRESENTATIONS TO THE LENHAM NEIGHBOURHOOD PLAN REGULATION 16 CONSULTATION SUBMISSION VERSION**

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This letter is submitted on behalf of Russell and Russell Roofing Ltd, a longstanding local business with land interests in Lenham that are relevant to the Neighbourhood Plan, including one of the Strategic Housing Delivery Sites identified in the Plan. As one of the Strategic Site landowners, the company has been a member of the Lenham Infrastructure Delivery Group for the Neighbourhood Plan through the formation of the Neighbourhood Plan to date.

### **Relevant Background**

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The company has two sites of relevance to the Lenham Neighbourhood Plan.

#### Old Goods Yard Site

The first site is identified in the Neighbourhood Plan as the Old Goods Yard site, with the Plan noting that a residential development for approximately 65 dwellings was allowed on appeal in August 2015. Following the grant of outline planning permission, Reserved Matters were approved on 24 May 2019 for 72 dwellings, including a policy compliant 40% affordable housing.

At the time the Reserved Matters was determined, the Neighbourhood Plan was still being formulated and accordingly, Maidstone Borough Council determined the application primarily against the policies of the adopted Maidstone Local Plan, with the Neighbourhood Plan policies given very limited weight. Whilst there was no certainty of further development in the vicinity at the time the reserved matters scheme was approved, the authority were cognisant of the future potential for further development in the general location, with the Regulation 14 version of the Neighbourhood Plan identifying that a proportion of the 1,000 dwellings assigned to Lenham in the Local Plan should be delivered to the south of the railway line. Accordingly, a layout was agreed for a self-contained scheme with a 5.5m wide spine road to service the 72 dwellings subject of the application, but with a layout that potentially enabled the spine road to continue in westerly and southerly directions in the future. The authority were also mindful that the design could serve as a precedent or at least a comparable for further residential development in the locality in the future. Accordingly, Maidstone Borough Council sought high levels of design quality and a commitment to high quality building materials and features. Russell and Russell Roofing Ltd were happy to agree to these provisions.

Given the date of the Reserved Matters approval, the planning permission must be implemented by 24 May 2021. Accordingly, Russell and Russell Roofing are at an advanced stage of discussions with a leading South East of England housebuilder that has a proven track record in delivering high quality

residential development. It is expected that by the time the Neighbourhood Plan reaches Local Examination, the housebuilder will have acquired the Old Goods Yard site and will be seeking to clear relevant conditions so as to commence on site forthwith.

#### Strategic Housing Delivery Site 4 (SHDS 4) – Land West of Headcorn Road and South of the Old Goods Yard

SHDS 4 adjoins the Old Goods Yard Scheme and is expected to be accessed via the spine road that was approved through the Old Goods Yard Scheme. The land is identified in the Neighbourhood Plan for approximately 110 dwellings.

Given the high likelihood of a proven, high quality housebuilder commencing development of 72 dwellings on the Old Goods Yard site before May 2021, Russell and Russell Roofing Ltd prepared and submitted a detailed planning application for 54 dwellings on the western half of SHDS 4 in October 2019 (application ref: MA/19/505281), with the aspiration that planning permission could be granted and the scheme could be developed out at the same time as the Old Goods Yard development, potentially as one housing scheme by a single housebuilder. During the planning application process, the scheme has been amended to 50 dwellings to address consultee comments and all objections have been satisfactorily resolved at the time of writing. It is hoped and expected that the scheme will be granted planning permission by the time of commencement of the Local Examination.

The current scheme has been brought forward against the backdrop of an adopted Maidstone Local Plan and an emerging Lenham Neighbourhood Plan. The scheme has tried to be consistent with both policy documents and has used the policies and allocations to guide and inform the scheme. It has therefore sought to respond to the site characteristics in a positive way, striving to secure sustainable development, whilst responding to the development position both as committed today and also as envisaged in the future. Accordingly, the layout has been designed on the basis of there being no certainty of further residential development being delivered beyond the site, but reflecting the high potential for further development in light of the Regulation 16 Neighbourhood Plan strategy. The scheme is considered to be broadly consistent with the indicative Masterplan for Lenham contained in the Neighbourhood Plan.

An extended road layout emanating from the Old Goods Yard development has underpinned the development strategy. This will create a self-contained residential development, at least initially, that utilises the consented spine road for the Old Goods Yard development, but widens the road to 6.1m in width and provides a continuous 3metre wide footpath on the northern side of the road to maximise the attractiveness of walking and cycling to the centre of Lenham, whilst enabling a bus service to potentially be operated along the route of the road in the future. The layout has also been designed in such a way that the spine road could be extended in westerly and southerly directions in the future. In discussions with Maidstone Borough Council on the application, the authority has again been cognisant that the design quality could serve as a precedent or at least a comparable for further residential development to the south of the railway. Accordingly, very high levels of design quality have been secured, with an additional commitment to high quality building materials and features. Russell and Russell Roofing Ltd have been happy to agree to these provisions.

Should planning permission be granted for the current application, Russell and Russell Roofing Ltd would aspire to deliver the remainder of Site 4 for residential development and in way that is consistent with Development Plan policies at District and Neighbourhood level.

#### **Lenham Neighbourhood Plan Policies**

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Russell and Russell Roofing Ltd has engaged with Lenham Parish Council over a number of years in connection with the preparation of the Neighbourhood Plan and the company's planning applications that have been brought forward during this period. The company has attended every Infrastructure Delivery Group meeting and notes that over this period, there has been occasional disagreement between parties concerning allocations, infrastructure and development principles. This resulted in an iterative process of policy formulation, with no party likely to have a Plan exactly as they would have wanted it originally. In many respects, this is the nature and essence of plan making.

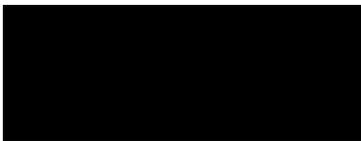
Russell and Russell Roofing Ltd has always wanted both a good outcome for Lenham and a satisfactory outcome for the company, especially given the challenges involved with having to relocate their business away from the settlement. There are aspects of the Plan that the company does not agree with, but having witnessed first-hand the effort and the struggle made to get to this point, the company does not want its concerns with the Plan to prevent the Neighbourhood Plan from being found sound.

One aspect of Policy SHDS4 that Russell and Russell Roofing does harbour concerns with is the open space management requirement, which requires the open space to be transferred to Maidstone Borough Council or Lenham Parish Council together with a commuted sum for ongoing maintenance. It is understood that housebuilders with Strategic Sites identified in the Neighbourhood Plan are concerned about the mechanics of the policy in terms of future maintenance liabilities and commitments to residents. Furthermore, it is understood that there is no interest from Maidstone Borough Council to manage the open space, and therefore the policy as currently drafted would create a monopoly for Lenham Parish Council and stifle competition, which runs contrary to the aims of the planning system. Russell and Russell Roofing Ltd is concerned that a housebuilder for its land will have similar concerns to the existing housebuilders with land interests at Lenham and therefore consider that the policy should be amended to replace "Maidstone Borough Council" with "a private management company" in order to provide necessary flexibility and competition.

Russell and Russell Ltd otherwise supports the allocation of Site 4 and has no objections to the wider Plan's policies. The company aspires to deliver the remainder of its landholding early within the Neighbourhood Plan period and would seek to engage with both Maidstone Borough Council and Lenham Parish Council to bring forward a scheme over the rest of the allocation that is consistent with the adopted/emerging Maidstone Local Plan and the emerging/adopted Lenham Neighbourhood Plan.

Russell and Russell Roofing Ltd wishes to reserve its right to appear at the local examination.

Yours sincerely,



James Waterhouse  
DIRECTOR