

**Session 5B 12<sup>TH</sup> October. Qn5.13: Given the amount and location of development that is already committed (on the Sutton Road) what would be the marginal impacts in these regards of the developments that have not yet been granted planning permission?**  
**Responder: Cheryl Taylor Maggio, Chairman, Langley Parish Council, [taylormaggio@btopenworld.com](mailto:taylormaggio@btopenworld.com) Tel.01622862962**

The Inspector has asked about “marginal impacts”. Unfortunately, when a service or system is near, at or over-capacity, a marginal (in the sense of “small”) extra load can have extremely disproportionate effects, with dramatic adverse impact on the usability of the service or system. That applies to transport / road infrastructure, medical facilities, schools etc. Therefore the marginal impact of developments that have not yet been approved could be far greater than their size relative to already permitted developments. In this location, roads and other infrastructure are already inadequate and we believe that recently permitted developments are not, in fact, sustainable and that any new, “marginal” ones will have an accumulating, “exponential” adverse impact on already struggling facilities. They are most certainly not “marginal” in the sense of small or insignificant!

**As the situation has moved on since the Regulation 19 Consultation regarding the Sutton Road sites, we have added an urgent update for The Inspector on these sites that have recently been granted planning permission (July 2016) and the marginal impacts of these developments. The update follows the section below, which relates to the marginal impacts from the Local Plan sites at the same location.**

#### **Policy HI (10) South of Sutton Road, Maidstone and Policy SP17 The Countryside**

The Parish Council strongly objects to the allocation of any residential development at this location for the following reasons:

- (i) Further development in addition to the 900 dwellings recently permitted on the Sutton Road at Langley Park West and Imperial Park and under construction at this location would result in coalescence of Maidstone with the 600-year old rural village of Langley.
- (ii) The proposed development has harmful impacts on several heritage assets including Rumwood Court, a Grade II Elizabethan Manor, Langley Park Farm Cottages, Langley Park House, Langley Park Farm and The Oast.
- (iii) Cumulatively with the 900 dwellings recently permitted on the Sutton Road, the proposed allocation of a further 965 dwellings north of Sutton Road (sites HI(7), HI(8) and HI(9), some 800 dwellings on this site would make the total of 2665 new dwellings at the South East Maidstone Strategic Housing Allocation. Such an allocation would impact harmfully on:
  - highway capacity
  - physical infrastructure capacity; and
  - the capacity of the local communities to accommodate any further growth

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- (iv) Inadequate social infrastructure including schools, particularly secondary schools, and medical facilities to support such a major and unprecedented level of urban growth. A shortage of GPs, has led to waiting times of 2 weeks+ for appointments. The ambulance service has up to 90 minute response times to emergency calls; nearest emergency department at Pembury Hospital being a 40 minute drive on congested roads from Langley.
- (v) Contrary to the material contained in the Report to Committee, the eastern portion Of the housing allocation, in particular, is highly visible in the countryside. Residential development at this Greenfield location would be highly intrusive and would cause severe harm to the setting of Langley Church, a prominent and important feature in the local landscape. The Parish Council notes the revisions to Policy SP17 contained in the Local Plan, especially Policy SP17(6) which designates Landscapes of Local Value. The Parish Council objects to the omission of any Landscape and Local Value notation from Langley Parish. The Parish Council wishes to see an extension of the Len Valley area of Landscape of Local Value to include areas 30-1 to 30-9 (inclusive) from the Landscape Character Area assessment.
- (vi) The proposed allocation of a further 800 dwellings south of Sutton Road is being pursued despite receipt of a cogent formal objection made by KCC as local highway authority. That objection was based on Paragraph 32 of the National Planning Policy Framework (NPPF) (letter of 13<sup>th</sup> August 2015 refers) and is supported by a well-documented transportation study.

The site is very remote from any train station. Accessibility to a train station is a key criteria used to assess accessibility in the Sustainability Appraisal work undertaken to support the Local Plan. The local highway network is **not** capable of dealing with a further 2665 new dwellings at the South East Maidstone Strategic Housing Allocation on the Sutton Road. The Parish Council support the KCC objection to the proposal to concentrate urban development at SE Maidstone, which goes against the Borough Council's avowed strategy of dispersal.

## **Policy (H1(9) Bicknor Farm, Sutton Road, Otham and Langley**

**The Parish Council objects to the allocation of any residential development at this location for the following reasons:**

### **1. PROTECTION OF THE PARKLAND SETTING OF RUMWOOD COURT**

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The Maidstone Borough Local Plan (Regulation 19) Consultation Draft, 2016 (MBLP) contains proposals for the development of 335 dwellings on 9.6 hectares of land at Bicknor Farm, Sutton Road in policy H1 (9). MBLP (policy H1(9) contains a number of development criteria which are to be met for planning permission to be granted. The first of these criteria (H1(9)(1) states:-

**“An undeveloped section of land will be retained on the eastern part of the site to protect the parkland setting of Rumwood Court.”**

The MBLP proposals for Bicknor Farm show an area of land of between 100-250 metres in extent to the east of the site as an undeveloped buffer zone to protect the parkland setting of Rumwood Court. We feel that it fails to secure the protection of this parkland setting as the proposals only show a very narrow landscaped strip along the eastern boundary which is totally inadequate. Access roads reach from the development to the boundary of the landscaped strip at no less than 3 different locations.

## **2. AGRICULTURAL LAND QUALITY**

The site is predominantly grade 3 (a) agricultural land. Such land is defined in the National Planning Policy Framework NPPF (page 50) as ‘Best and Most Versatile’. NPPF (para 112) requires Local Planning Authorities to take account of the economic and other benefits of the best and most versatile agricultural land. It states:

**“Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality”.**

An agricultural impact statement should be provided which shows that the requirement of NPPF (paragraph 112) has been demonstrated and that areas of poorer quality land are used in preference for that of higher quality has been met.

**3. CUMULATIVE TRAFFIC IMPACTS** The objections below also apply to other Sutton Road sites, including H1 (10) , H1 (9), H1 (8) and H1 (7) in Langley and Otham.

**“Committed developments will be taken into account with the capacity assessments included in the TA and agreed with KCC during scoping discussions”.**

The Integrated Transport Strategy fails to address the cumulative impact along the A274 Sutton Road, Maidstone and outer villages and is not supported by KCC.

(vii) Cumulatively with the 900 dwellings recently permitted on the Sutton Road, the proposed allocation of a further 965 dwellings north of Sutton Road (sites HI(7),

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HI(8) and HI(9), some 335 dwellings on this site would make the total of 2665 new dwellings at the South East Maidstone Strategic Housing Allocation. Such an allocation would impact harmfully on:

- highway capacity
- physical infrastructure capacity; and
- the capacity of the local communities to accommodate any further growth

(viii) Inadequate social infrastructure including primary and secondary schools and medical facilities exist to support such a major and unprecedented level of urban growth.

Residential development at this Greenfield location would be highly intrusive in the countryside and impact on several heritage assets including Rumwood Court, a Grade II Elizabethan Manor. The Parish Council notes the revisions to Policy SP17 contained in the Local Plan, especially Policy SP17(6) which designates Landscapes of Local Value. The Parish Council objects to the omission of any Landscape and Local Value notation from Langley Parish. (see comment above)

(ix) The proposed allocation of a further 335 dwellings south of Sutton Road is being pursued despite receipt of a cogent formal objection made by KCC as local highway authority. That objection was based on Paragraph 32 of the National Planning Policy Framework (NPPF) (letter of 13<sup>th</sup> August 2015 refers) and is supported by a well-documented transportation study.

The site is very remote from any train station. Accessibility to a train station is a key criteria used to assess accessibility in the Sustainability Appraisal work undertaken to support the Local Plan. .

Whichever area is selected for housing (which the Parish Council hopes it is not) the Parish council would wish to see the balance of the site transferred to a newly formed Langley Amenity Trust to serve as a landscaped buffer zone between urban Maidstone and rural Langley.

### **Proposed new open space allocations**

Langley Parish Council supports the identification of suitable open space/buffer zones to help to mitigate the impacts of housing allocations, where these have to be made. The Parish Council believes that these open spaces can best be managed through the establishment of local Amenity Trusts and therefore objects to the “Proposed new open space allocations”

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section of the draft Local Plan because it does not explicitly state that such Amenity Trusts are supported. The Parish Council believes that the “Proposed new open space allocations” section of the plan should be amended to read as follows:-

**“Proposed new open space allocations.**

**8.1 To support the appropriate delivery of the key strategic locations identified for growth in the local plan, the council identified suitable sites to secure the provision of strategic natural and semi-natural open space *and buffer zones to help to mitigate the impact of the development and to meet and/or contribute towards the open space standards set out in Policy DM11. As part of its commitment to Localism, where appropriate, the Borough Council will encourage the establishment of local Amenity Trusts in order to assist in the establishment and long term management of open spaces.*”**

The Policy reference to the following sites:

3. Langley Park Sutton Road, Boughton Monchelsea and Langley.
4. Bicknor Farm, Sutton Road, Otham and Langley.
5. South of Sutton Road, Langley and Boughton Monchelsea.

Should all contain an explicit reference that they are:

**“Suitable for implementation and management by a local Amenity Trust.”**

## **Urgent update for The Inspector on the Sutton Road sites:**

**The decision to grant planning permission to the Sutton Road housing sites by MBC in July 2016 flies in the face of fierce local opposition. The Sutton Road sites are currently the subject of a Call In to The Secretary of State by MP Helen Whately and by lawyers representing the CPRE (Maidstone). We currently await a decision. Explanation is given below:**

### **Re. Application Sutton Road South, Langley 15/509015/OUT**

This application site, in the Local Plan as H1 10, was approved by MBC’s Planning Committee in July 2016 with the help of its legal department who issued ‘yellow papers’ at the meeting that, we understand, instructed Committee Members to vote in favour of the application as it was already a Local Plan Site. Other Local Plan sites in Langley and Otham, including Bicknor Farm, Langley, were also passed at Planning Committee in July 2016.

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Outline permission for the Sutton Road South (previously H1 10) site was granted for 837 dwellings, together with business and retail developments, and extends two miles along Sutton Road from Park Wood to St. Mary's Church. It is a third larger than the corresponding H1 10 site in the draft Local Plan and does NOT include a rural buffer agreed by Members at a Council Meeting in August 2015 and consulted on at Regulation 19 of the Local Plan. At that meeting Langley Parish Council was advised to form a Trust to hold the land, which has involved considerable expense for our Parish, who have since been advised that the developer has refused to allow a buffer zone for transfer into its Amenity Trust.

Without that buffer zone, this application would result in the coalescence of urban Maidstone with rural Langley. The eastern end of this site falls within the Southern Anti-Coalescence Belt, contrary to Policy ENV32. **Avoidance of such coalescence was recently endorsed by The Secretary of State regarding a site in Boughton Lane.**

With the development on the Sutton Road already under construction, this site, Bicknor Farm and other nearby sites would amount to around 2,600 new homes on Sutton Road, which is the size of a small town, but without required infrastructure or the benefit of town planning design. According to KCC it would have a huge cumulative impact on south Maidstone roads. The contrary, and favourable, traffic evidence brought forward by the Borough ignores traffic impact a little distance away from the sites and just defies common sense.

Traffic will be at gridlock. Any new road/Leeds/Langley bypass will not solve Maidstone's problems, as it will only bring more development and redirect even more traffic to the south of our Borough. More widely, where are all the hospital beds, doctors and school places for the thousands of new residents going to come from? Infrastructure is a problem for the **current** population, without the adverse impact of yet more development.

What's point of the Local Plan process, if large sites are granted permission before the Inspector makes his objective, evidence-based decision? What does it say to current residents, who respond to Local Plan consultation, but then see comments generally ignored and planning applications put forward before the Inspector has had a chance to consider their comments? **Members were asked, in effect, to circumvent the Inspector's role.** Putting sites, especially large sites, forward for approval at this time is premature and is perhaps indicative of a **lack of confidence** on behalf of Maidstone Borough Planners that the Inspector will find in their favour.

Despite the promised mitigation measures, this site will lead to untold traffic chaos in South Maidstone and will destroy precious countryside. It would erode separation between

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settlements which has been a priority for our Borough. **It is unsustainable.** The Langley/Otham area can take no more development. Other more sustainable locations along the A20 towards Ashford, which has a relatively new and underused road system, have been identified and should be considered.

Objections by Langley PC and neighbouring Parishes and representations by Parish Leaders and Parish Groups, the CPRE and Maidstone MP, Helen Whately, were all ignored by MBC when instructing Committee Members to vote in favour of these site. **We strongly urge the Inspector to watch the web casts of these meetings available on the MBC website.**

**Reasons provided by Langley PC to MBC for refusal Planning Application Sutton Road South 15/509015/OUT:**

1. This site for 837 houses is unacceptable in transportation terms and despite the mitigation measures proposed the development would have a severe impact on the already chronic traffic congestion on the highway network, especially at the Wheatsheaf junction. The proposal is therefore contrary to the provisions of the National Planning Policy Framework (March 2012).
2. The application site is remote from any railway station and despite the mitigation measures proposed it will not be possible to provide sustainable high quality public transport facilities at such a traffic congested location. The proposed development is therefore contrary to the golden thread of the National Planning Policy Framework (March 2012), which has a presumption in favour of sustainable development.
3. Maidstone currently has a five-year supply of housing land and the housing land supply situation will shortly be examined at the forthcoming Local Plan Inquiry into the Maidstone Borough Local Plan (2016) so there is no need to grant planning permission before the Inquiry. The decision should be left to The Inspector, after due consideration of all the evidence.
4. The proposal is highly intrusive in an area of attractive landscape and is therefore contrary to Policy ENV 28 which forms the statutory development plan and which states that planning permission will not be given for development which harms the character and appearance of the countryside.
5. The proposed development would lead to further coalescence between the urban area of Maidstone and Langley, a rural village dating from the Domesday Book, and as such the proposal is contrary to Policy ENV 32 of the Maidstone

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Borough-Wide Local Plan (2000) which forms part of the statutory development plan and which states that development which significantly extends the defined urban area or the built up extent of any settlement will not be permitted.

6. The proposed housing development will be highly visible from the Parish Church of Saint Mary, Langley which is a Grade II\* Listed Building and the proposal would therefore cause significant harm to the setting of the heritage asset.

**Reasons provided for refusal of Bicknor Farm site application number 14/506264/FULL:**

Site for 271 dwellings on 10.8 hectares (ha) of land at Bicknor Farm to the north of Sutton Road on land which includes land within Langley Parish, granted planning permission by MBC in July 2016., Of the 10.8 hectares, 5.9 hectares is Grade 1 agricultural quality and 2.0 hectares is Grade 2. Some 7.9 hectares or 73% of the site is therefore best and most versatile land.

1. The proposal is unacceptable in transportation terms and despite the mitigation measures proposed the development would have a severe impact on the already chronic traffic congestion on the highway network
2. The application site is remote from any railway station and despite the mitigation measures proposed it will not be possible to provide sustainable high quality public transport facilities at such a congested location.
4. The proposal is highly intrusive in an area of attractive landscape and is therefore contrary to Policy ENV 28 of the Maidstone Borough-Wide Local Plan (2000) which forms the statutory development plan and which states that planning permission will not be given for development which harms the character and appearance of the countryside.
5. The development would involve the loss of 5.9 hectares of Grade 1 Agricultural Land and 2.0 hectares of Grade 2 Agricultural Land. There is no convincing evidence that there has been any attempt to seek to use areas of poorer quality land in preference to that of higher quality.

Cheryl Taylor Maggio



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