



The Bearsted & Thurnham Society



The Residents' Association for the Civil Parishes of Bearsted and Thurnham

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Dear Mr Jolly

PLANNING APPLICATION 14/504795/FULL FOR 50 HOUSES: LAND TO THE EAST OF CROSS KEYS, BEARSTED

1. This is the second planning application in the last twelve months to erect houses on this land. The latest application is, in the view of the Society, no more acceptable than the first. This letter sets out the Society's objections.
2. Prior to these there were four other applications to obtain planning permission to build houses on this land: in 1982, 1986 and twice in 2011.
3. The first of the applications in 2011 was withdrawn by the applicant. The other three were refused either by the Maidstone Borough Council or, on appeal, by the Planning Inspectorate.
4. All were refused on grounds that the development of the land represented an encroachment into open countryside and an unacceptable impact on Sutton Street and the adjacent area in terms of landscape character.
5. The grounds for refusal of the second application in 2011 by Maidstone Borough Council deserve repeating because they go to the heart of the matter.

"The development is considered to be contrary to PPS7 and Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 in that the dwelling would constitute additional sporadic development in the countryside and erode the open space between the existing dwellings. The development is therefore unacceptable in principle."

6. In the submission to the appeal inquiry the Borough Council reiterated its position regarding development of this area in the following terms:

“The application site is located outside the urban area, in a Special Landscape Area and by definition the open countryside. New residential development is unacceptable in principle unless there are other determining factors or policies which can justify such development. Policy ENV28 restricts new development within the countryside unless it falls within one of five categories. In this instance the proposed dwelling does not fall within one of these categories. The reason behind the policy is to protect the countryside for its own sake in terms of character and encroachment from development. The character of the countryside in this location and the Special Landscape Area are important considerations in the acceptability of this scheme.

The dwelling is neither a replacement for, or conversion of an existing building; nor is it proposed to support an agricultural, forestry or other rural worker and it is therefore considered that the proposed development would result in residential development within the open countryside for which there is no justification.. Guidance contained in the NPPF considers new residential development is best located within the existing settlement and urban areas and as such the proposed development is contrary to central government advice and the development plan.”

7. It is important to remember that this application was for one dwelling. If one dwelling was unacceptable then it follows that 50 should be out of the question.

8. Given what the applicants say about the decision of the Planning Inspector in that case it is important that her reasons for refusal should also be set out.

“The proposal would be a cramped form of development that would encroach into the countryside and adversely affect the distinctive character of Sutton Street. I therefore conclude that the proposed development would be harmful to the character and appearance of the countryside, contrary to saved policies ENV28 and ENV34 of the Local Plan, which seek to protect the countryside and distinctive character of the Special Landscape Area.....

It would also be detrimental to the living conditions of occupiers of adjoining dwellings.”

9. In their submission the applicants lay considerable emphasis on the need for more housing and carefully select parts of the National Planning Policy Framework (NPPF) that appear to support their application. However, as Paul Crick, Director of Environment and Planning Division, Kent County Council, in his letter of 8 December, points out:

“The presumption in favour of development is only satisfied where the impacts of that development do not ‘significantly and demonstrably outweigh the benefits’ of any such proposal.” [emphasis added]

10. Mr Crick then goes on to consider the impact of the development on the landscape and the encroachment into the countryside. He points to those parts of the NPPF that tell against granting planning permission, and the saved policies of the Maidstone Borough Council (especially ENV22, ENV28 and ENV34) that reveal specific failings of the application when set against long-standing policy directions. **The Society strongly supports the arguments set out in Mr Crick’s letter and his conclusion that planning permission should be refused.**

Green and Blue Infrastructure Strategy

11. Since the Planning Inspector’s last decision the Council has published its green and blue infrastructure strategy. The opening paragraph states that:

“Green and blue infrastructure is the green space and water environment essential to the quality of our lives and ecosystem. It is referred to as ‘infrastructure’ as it is as important as other types of infrastructure such as roads, schools and hospitals. It is taken to mean all green space and water of public and natural value.” [emphasis added]

12. Amongst the benefits the strategy can bring are promoting a distinctive townscape and landscape and achieving a quality environment. All this, as the Borough Council acknowledge, is entirely consistent with paragraphs 73-77 and 109-118 of the NPPF which encourages the creation and enhancement of a network of open spaces and natural habitats and the protection of existing areas of open space and landscapes.

13. Far from being, as the developers suggest, a natural piece of infill, the land forms a key part of the setting of Sutton Street (Bearsted’s oldest street) and an important break between areas of development that is essential to the rural aspect of this part of the village. Development of this site would over turn current policies and create an urban sprawl in this part of the village that would be wholly detrimental to its appearance and setting.

Impact of the development on schools

14. The applicants include a lengthy section (pages 90-91) on the provision of new school places. They take the view that any failure to provide adequate capacity in educational facilities to meet the *“limited impact”* of the proposed development (or, by implication, any other development) is entirely the fault of Kent County Council and their research and planning. The developers, it seems, have no responsibilities in this other than providing a certain amount of money towards that provision. It would appear that demand should be allowed to expand exponentially irrespective of its impact on supply.

15. This is an extraordinary position to take. One might as well argue that the rise in diabetes and weight related illnesses is entirely the fault of the NHS for failing to provide enough resources, clinics, gastric band operations or other forms of treatment, and that the problems are in no way related to individual eating habits or life styles.

16. The planning and provision of school places is a difficult and often lengthy process. New places cannot be conjured out of thin air. Schools in Bearsted, for example, are on sites where provision cannot be expanded – Hollingbourne is the same – and new sites are not readily available. Nor is it a question of accommodating simply *“the limited impact of this development”*. Kent County Council has to consider the impact of **all development**. Just down the road from Waterside Park at Barty Farm over 100 new houses are proposed, and new applications are coming forward all the time from all over the county’s area.

17. The knock-on effect of this scale of new development on school places can be dramatic, especially on the ability of parents to secure the schools of their choice. A recent freedom of information request established that in the period 2009-14 the number of children who failed to obtain their first choice at Thurnham Infant School, Madginford Infant/Junior School and St John’s School, Grove Green, was **341**. A further **271** failed to secure their second and third choices.

17. During that period **90** appeals took place of which only **7** were successful – a success rate of **6.3%**. **In 2014 no appeals were successful.**

18. Children who failed to obtain a place at any of their nominated schools were primarily allocated places at St Paul’s (**63**) Bell Wood (**42**), Park Way (**32**), Loose (**32**), East Borough (**24**), Molehill Copse (**20**) and Senacre (**16**). Children were also sent as far away as new Ash Green, Cranbrook, Coxheath, East Farleigh, Kingswood, Harrietsham, Sutton Valance and Allington with all the consequences on parental time, increased traffic and pollution.

19. A headlong dash for increased housing provision without the necessary infrastructure being provided in step does not constitute sustainable development.

Sustainable Drainage Systems (SUDS)

20. Much time has been spent on how to deal with the flooding issues to which the site is subject. The current proposals rely heavily, though not exclusively, on SUDS. The Society is concerned that there is currently no legal requirement on any one statutory organisation to take responsibility for their upkeep and repair once installed.

21. This concern is enhanced by large number of articles in the professional press and elsewhere that point to SUDS being far from a perfect solution. The following extracts from an article in the Builder & Engineer explain some of the concerns:

“To the outside observer, SUDS have few flaws. Easy to access surface features that will manage water run-off from all types of development providing benefits to the community, attenuating run-off to reduce flooding and managing pollution by treating run off and trapping silts. But, as usual, nothing comes without a cost – or in the case of SUDS, many costs if not managed properly in the design stage.

Ascertaining an accurate lifetime cost for any SUDS system can be a tricky business. The construction, clearance and material elements of SUDS are easily quantifiable and, at face value, can in some cases be a cheaper option than traditional drainage systems. However, the uncertainty over the design lives of SUDS means that predicting and planning for any system’s failure causes significant difficulties, particularly for the adopting authority.

When SUDS fail it is a long road to recovery. And, of course, how easy SUDS long term management is, also depends on their design. All schemes will mitigate received waters, but how well? Has appropriate consideration been given to extreme weather? In the age of climate change, has the design considered prolonged wet weather or fierce storms?

Often the consequences of SUDS failure does not have an immediate impact on the site generating the run off so perhaps the incentive for a more expensive quality design isn’t always there. Those adopting authorities that have had to deal with a legacy of poor SUDS design and the resulting offsite pollution will know that when SUDS fail, it is a long road to recovery.”

22. In the light of this concern and others we would ask the Borough Council to satisfy itself beyond doubt that what is proposed here is credible and of the highest standard, and that the issue of which authority will take responsibility for their upkeep and repair is established before consideration is given to the application.

Other shortcomings

23. Amongst the other shortcomings in the application are:

- Base data on which traffic forecasting is undertaken is more than 8 years old and therefore out of date. The volume of traffic generated will be much greater than suggested with consequential impact on The Street and adjoining roads that are already heavily trafficked.
- Measurements to assess the level of ground water were taken in June – the driest part of the year. Measurements need to be taken throughout the year in order to establish true levels.
- The measurements used to support the sustainability part of the applicant’s submission are questionable. They appear to be taken from the corner of the site

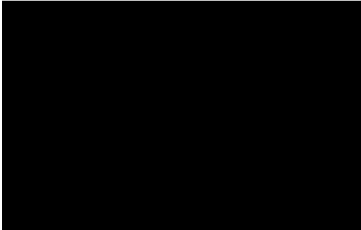
nearest to The Street at a point where there are no houses. A reasonable measure would have been from the centre or far end of the proposed development.

- It is suggested that the post office is within 550 metres of the site. The applicants appear to be unaware that the post office at Bearsted green closed in 2004, almost exactly a decade ago.
- They also appear unaware that there is not and never has been a post office at Madginford.
- Maidstone town centre is variously stated as being 3.8kms from the site in paragraph 9.1.1 and 2.2kms in paragraph 9.1.2.
- The Eclipse Business Park is said to be 2kms distant although it is further away than the Newnham Court Shopping complex which is said to be 2.7kms from Roundwell Park.

Conclusion

24. Though significantly altered from the previous application, there are no essential differences that make the proposals more acceptable. It is the Society's view that the proposals represent an intrusion into open countryside, and a loss of valuable green space essential to the character and setting of Sutton Street and the surrounding area. For these and all the other reasons set out above the Society asks that planning permission should be refused.

Yours sincerely



p.p. Caroline Vanhecke