

Planning Committee (MBC)
Maidstone Borough Council

Dear Councillors,

Re: 20/501773/FULL | Erection of 187 dwellings, together with associated works for Access, Parking, Infrastructure, Open Space, Earthworks, Surface Water Drainage Systems and Landscaping. | Land Off Oakapple Lane Barming Maidstone Kent

Give Peas a Chance (GPAC) is a constituted group, set up by local residents to ensure that the area of Barming does not change from its current setting, to a built-up urban area. We are also concerned that the safety and lifestyle of residents and visitors, both old and new, are not put at risk and existing services (including the Hermitage Lane corridor) are not oversubscribed now or in the future.

We have examined the plans (referenced above) and are well versed in the site and surrounding area. We wish to make you aware of a number of objections that we have with regard to the proposed development of 187 (plus 118 Tonbridge and Malling Borough Council (TMBC)) dwellings on open space (known as the Pea Field) off Oakapple Lane.

As a group of residents representing the Barming community living on Rede Wood Road, Broomshaw Road, Oakapple Lane, Orchard Fields and adjoining roads, we are of the view that the proposed development will have a serious impact on our standard of living.

Whilst we appreciate that the council is following due process, and have already dealt with a complaint from GPAC¹, we do feel the need to raise the issue in this document that we are extremely unhappy with the insensitivity of the timing of the application and the way the council have handled it. In the National Planning Policy Framework (NPPF)² it states “Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”, and we feel that by the timing of the application and the way that some works have already started without any real community involvement, that the applicant has not fulfilled the policy. We also held a meeting soon after the public exhibition by the applicants agents, January 2020, and it was noted by those of us who attended that the information given to residents varied as to who you spoke to or what time of the day you went³. We also appreciate whilst the information boards were due to go on-line the following day, some residents wanted to take pictures of these to allow them to make informed discussions after the event. Some were allowed, but some were told they could not. We do not agree that this public exhibition could be seen as effective. We will not discuss the responses to the applicants answers to the public questions, as we feel that most of the issues will be discussed and objected to in the following documents.

We are also concerned that in much of the application documentation^{4 5}, there is mention of a simultaneous outlying application being made to TMBC. From our investigation this has not happened and leads us to conclude that the application to MBC has been made to take advantage of the COVID-19 restrictions. If this is not the case, can we ask if MBC has asked the applicant why representation has not been made to TMBC and for this reply to be put on the portal. We note that in the Planning Statement that a copy of the alleged TMBC application will be sent to MBC. As there are no documents relating to this on the portal, we assume the applicant is incorrect. We also believe

¹ Email letter to council re COVID 19

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf Para 128

³ GPAC meeting notes 03/02/2020 (Available on request)

⁴ Transport_Assessment_Appendices_A-E-4886569 2.1.3

⁵ Planning_Statement-4886564 1.3

that TMBC have suspended work on their Local Plan⁶, until the COVID-19 restrictions are lifted to allow true democratic process to resume. As the LEAP is within the TMBC area⁷, we consider that outline permission as a minimum should at least be made now to TMBC with this part of the application added, or the LEAP moved to the MBC side of the development. With loss of green land, new amenities will be required for MBC residents.

We are also very concerned with the tone of the applications⁸, and the actions of the applicant. Whilst this is in the local plan, this does not mean that the application should automatically be accepted wholly. There are documented cases where local plans have been found to be incorrect⁹, and therefore each application should be reviewed individually. We disagree with the comment in the Planning Statement¹⁰:

“This Planning Statement concludes that the proposed development accords fully with the recently adopted Maidstone Local Plan (2017) and should be approved without delay – in accordance with the Framework (Para 11c).”

As the local plan has effectively been changed by recent applications, one of which being the use of Oakapple Lane as secondary access to the developments in this area (H1(3/4)), before application can be approved, the planning committee must seek further clarification on many points from the applicant. GPAC feels that this warrants the application being deferred whilst the applicant prepares this information. On the matter of the local plan and previous planning applications, it is noted that the applicant will be applying for planning permission to amend the emergency access from the Stable Field development¹¹. This application should be put before the committee before application 20/501773 is put forward. Therefore application 20/501773 must be deferred or declined.

The applicant mentions that the development will help meet each LPA's 5-yr supply of housing¹². We would like to draw your attention to MBC's Housing Land Supply Paper 2019¹³, including a table by MBC showing the five-year numbers as at 2019¹⁴, both indicating that MBC is currently running at a surplus of new builds. We have been made aware that national government will be reviewing these targets, however at this time it is clear that Maidstone needs no new housing. However, looking at similar reports from TMBC¹⁵, the situation for them seems to be different. GPAC feels that MBC residents should not have to “pay” for TMBC to reach their target, which this development will do.

The works already taking place, are considered by local residents to be heavy handed, and do not seem to be in keeping with the promised works/timescale. We are also concerned that the works are already leading to a breakdown of the biodiversity of the area. The NPPF¹⁶, gives guidelines for planning committees, stating that plans and decisions should contribute to and enhance natural and local environment. Specific examples are given as to how ecology and biodiversity can be protected and improved, including both animals and flora, and therefore any work completed on these should be put to the planning committee before works take place. We note in the application¹⁷, that vegetation clearing work will not take place or will with sensitivity, during bird nesting season. During the works currently happening, fences have been erected in close proximity of the noted bird nesting areas, and some minor clearing has been completed. GPAC requests confirmation that any works during nesting season¹⁸, are accompanied by a report, which is viewable by the public.

⁶ Transport_Assessment_Appendices_A-E-4886569 2.1.2

⁷ Landscape_and_Visual_Assessment-4886502 5.2

⁸ DESIGN AND ACCESS STATEMENT -4886567 1.4

⁹ <https://www.saffronwaldenreporter.co.uk/news/more-than-18-000-new-homes-rejected-as-local-plan-found-unsound-1-6478928>

¹⁰ Planning_Statement-4886564 1.9

¹¹ Planning_Statement-4886564 4.14

¹² Planning_Statement-4886564 1.12

¹³ http://www.maidstone.gov.uk/__data/assets/pdf_file/0004/144967/Housing-Land-Supply-Paper-1-April-2019.pdf

¹⁴ http://www.maidstone.gov.uk/__data/assets/pdf_file/0007/99466/Five-Year-Housing-Supply-1-April-2019.pdf

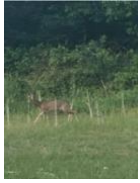
¹⁵ https://www.tmbc.gov.uk/__data/assets/pdf_file/0003/926760/Housing_Land_Supply_Position_2018-19_Final.pdf

¹⁶

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

¹⁷ Ecological_Impact_Assessment-4886541 5.6

¹⁸ Ecological_Impact_Assessment-4886541 5.88



We are also concerned that none of the reports have included any information about large mammals being present (except badgers). We have many pieces of anecdotal evidence of deer being present on the Pea Field. However, we assume due to the works being carried out there, we have a clear picture of a deer taken on Longsole Way. This means that deer are now being pushed further toward Hermitage Lane and other busy roads. We find it totally irresponsible of the ecology teams involved in the reports that no mention has been made and by extension, no mitigation for the protection of deer.

The application¹⁹ indicates the possible numbers of hedgehogs and their use of the field. In the 10-year plan²⁰ of the action website “Hedgehog Street”, it is mentioned that the breakup of land either by road or development will impact on hedgehog population numbers. Whilst we note the mitigation provided in the report²¹, we also note the comment²², “Garden habitats are also likely to provide some foraging resources, dependent upon residents’ activities.” With an increase in human population, GPAC feels that any mitigation would either be physically blocked, hedgehogs killed by pets, etc. Therefore, this important population area will be removed, affecting numbers in both Kent and Nationally.

To allow councillors to review our objections objectively, we have broken them into separate documents. However, there are several points which we feel we need to raise with the planning committee, separately.

One of our objections, which we are struggling to fit into the restrictive list of matters provided in the planning letter sent to residents, is the risk to the two protected woodlands^{23 24 25}. The Pea Field in its current state is a perfect barrier between the “urban” (or village environment to residents) area and the woodlands. The obvious comparison to this, would be Bluebell Wood, which MBC, NAAG and residents lost part of to developers²⁶. Our concern is the closer to the wood’s development gets, the more at risk they are.

We are also very concerned that there are still some important surveys that are required²⁷, before final plans and works can take place. This will mean that the Planning Committee, if approval is given, will be making a decision with “their eye’s closed”. GPAC asks that any decision on planning is deferred until all preparation reports are completed, and the site is deemed to be safe and viable.

Whilst we are concerned with the prospective development and closeness of the quarry, we feel we cannot comment on many aspects of its operations, as GPAC members were either living in Barming at the time or moved in after license was approved. However, we feel that the planning committee should question if the sound mitigation the quarry has to perform as part of the latest license, was for existing residents at the time or included future developments? If not for future developments, then the applicant should pay the cost for any increase in mitigation.

For the benefit of councillors who are not used to the Hermitage Lane area, there is only one restaurant²⁸, which is the Taj. This property is also mentioned in mitigation plans for the Tonbridge Road junction. We would also like to point out that Orchard Fields is not complete, or we believe fully occupied²⁹. At least one property needs building and there is the possibility of other properties needing final works. The emergency access road also needs to be completed. Bovis have suspended all work during COVID-19.

¹⁹ Ecological_Impact_Assessment-48865414.57 to 4.59

²⁰ <https://www.hedgehogstreet.org/wp-content/uploads/2018/02/Hedgehog-10-year-strategy-master-document-v5.pdf> Page 6

²¹ Ecological_Impact_Assessment-4886541 Table page 40

²² Ecological_Impact_Assessment-48865415.84

²³ Landscape_and_Visual_Assessment-4886502 4.25

²⁴ DESIGN AND ACCESS STATEMENT -4886567

²⁵ DESIGN AND ACCESS STATEMENT -48865672.14

²⁶ <https://www.kentonline.co.uk/maidstone/news/six-year-fight-to-save-woodland-ends-in-defeat-194462/>

²⁷ Flood_Risk_Assessment__1_of_2-4886499 3.11

²⁸ Transport_Assessment-4886544 4.2.2

²⁹ Noise_and_Vibration_Assessment-4886505 1.1.3

Sink Hole Risk

Whilst we appreciate that flooding is a low risk in this area, the possibility of sink holes is of a high risk. The science behind this is mentioned in the Flood Risk Assessment³⁰ and the Environmental Desk-Study³¹, both of which look at the British Geological Survey map. This indicates that in the Barming area, due to the various formations, there are fissures/cracks (Gulls) in the Ragstone Beds, these affect the underground water flow leading to ground instability.

The mitigation for surface water management, mentions the use of boreholes and that the key to testing and location of such is to avoid any Gulls³². We do not feel that this report adequately explains how further Gull formation in both the development and the wider area will be avoided, and request that a report from the geotechnical consultant is uploaded onto the portal explaining to residents how the creation (increased risk) of sink holes is to be mitigated in the whole Barming area. We are concerned of the statement in section 3.3, "A failure of a basin's lining would potentially allow percolation of significant volumes of water across a relatively focused area and increase the risk of washout." This indicates that without adequate set-up and management, that it will not only be the development at risk, but the wider Barming area.

As mentioned, a full geotechnical investigation has not been completed³³, and to ensure that the Barming area is not put at further risk this must be completed before the application goes to the planning committee. This will ensure that the application follows the NPPF³⁴, "preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of... land instability". We are also intrigued by the report table³⁵, in which the agents for the applicant indicate that despite the BGS stating that there is a low risk for collapsible ground, the risk level should, due to presence of Gulls and known collapses, be raised to very high. This table also notes the presence of mining activity in the area, leading to the possibility of shafts.

We should not have to list the complete history of pot / sink holes that the Barming population have had to suffer, as MBC should be fully aware of these, but here are a few examples:

- Tonbridge Road, 28th May 2018
- Orchard Fields Estate, (New Bovis development) 11th May 2018
- Broomshaw Road, 1st April 2018

We do note that it is quite ironic, that part of the Topographical Survey³⁶, could not be completed due to the presence of an existing sink hole.

Affordable Housing

Whilst we do appreciate the need for affordable housing, we are concerned with the number that MBC are planning to build. As this plan is effectively across two borough councils, what measures are in place to ensure that MBC residents are given priority access to all of the affordable homes on the development³⁷. Anecdotal evidence shows that in the Orchard Field estate (which is part of the wider conglomeration of this new development), residents in at least shared ownership are from outside MBC area. Whilst we do appreciate that people can move in from any area to the proposed development, it is being marketed as helping MBCs housing problem.

The reference provided is from a professional blog³⁸, it does indicate that housing problems in the Maidstone area may not as bad as we are led to believe. We do appreciate that young residents will have problems getting on the property ladder, but we do not believe that these would be made

³⁰ Flood_Risk_Assessment__1_of_2-4886499 1.8

³¹ Environmental_Desk-Study_V4-4886568 6.1

³² Flood_Risk_Assessment__1_of_2-4886499 3.1/2/3

³³ Flood_Risk_Assessment__1_of_2-4886499 4.2

³⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf 170 e

³⁵ Environmental_Desk-Study_V4-4886568 6.5

³⁶ Flood_Risk_Assessment__1_of_2-4886499 page 17

³⁷ Transport_Assessment_Appendices_A-E-4886569 3.1.1

³⁸ <http://www.seekershomes.co.uk/blog/51-maidstone-council-house-waiting-list-drops-by-82-0-since-2011>

immediately available to just these MBC residents. We have also looked at Shelter data for the Maidstone Area^{39,40}, and from a peak of households on MBC waiting list in 2011 of 3,442, in 2018 this was 618. A lot of good work has been done, but there is a risk as mentioned above that these new homes will be for those outside of the borough.

Traffic, Transport & Facilities

There is mention of several Section (S) 106 monies set aside for junction improvement⁴¹. GPAC believes that this is not an adequate argument to allow further development in the MBC area. A quick internet search found several articles and Freedom of Information requests (FOIs) showing the amount of unspent s106 monies⁴², and as a group we will be planning an FOI to both MBC and TMBC to see how much s106 is currently sitting with them, unspent on road projects at this point in time.

We have never seen any discussion about the improvement of rail services from Barming, resulting from the increase in housing development on the Hermitage Lane corridor. In fact, Barming Station appears once in the MBC transport strategy⁴³ and this is only to improve access. Whilst we appreciate that there is an attempt to increase services to MBC area, this station will become busier, and not the rural connection it currently is. Another issue that could occur if the development goes ahead is unauthorised parking for those using the train station, as the car park there is expensive to use and runs the risk of becoming oversubscribed.

Apart from the LEAP in the TMBC plan, the development is not bringing any new facilities to the area but will be draining on what is already here⁴⁴. The Design and Access Statement mentions a health centre, this is incorrect as there are 2 GP surgeries within walking distance, both suffering from overcapacity and delays in providing appointments to patients.

We disagree with the statement in the Transport Assessment⁴⁵, that the speed limit on the B2246 is 40MPH, we believe it to be 30MPH. This glaring discrepancy does lead one to question the validity of the report. Whilst there is the possibility of errors in our document, we are professionals in other fields and volunteers, not professional traffic surveyors.

Loss of Countryside Status & Wildlife

It is noted in the Landscape and Visual Assessment Document ⁴⁶, that the Maidstone Borough Landscape Character Assessment 19, has some long views of a section of the North Downs. These are important for local residents, and there is a danger of this development taking those views away. During this COVID-19 crisis, local residents of the Barming area are relying on areas such as this to have a break from homes and for some, workplaces. We do not agree with the statement in 3.1.17 that the sensitivity is "low". We also note in this report that the area is and has (3.25/3.27):

- "Attractive"
- "strong woodland belts" which "provide good habitat and ecological connectivity"
- "A converted water tower" which "provides a local landmark."
- "Public rights of way following (sic) the eastern and southern boundaries although informal paths across the area indicate that it is used as a local amenity area."

³⁹

https://england.shelter.org.uk/professional_resources/housing_databank/results?area_selection=29UH&data_selection=A11%2CA1%2CA3%2CA2%2CA4%2CA6%2CA12%2CA13%2CA9%2CA7%2CB4%2CB3%2CB5%2CB6%2CB7%2CB8%2CB2%2CB1%2CB9%2CC12%2CC10%2CC7%2CC3%2CC8%2CC4%2CC9%2CC5%2CC1%2CC6%2CC2%2CC11%2CCD3%2CCD4%2CCD5%2CCD2&selected_min=2009&selected_max=2019

⁴⁰ GPAC document of Shelter data

⁴¹ Transport_Assessment_Appendices_A-E-4886569 5.3.17

⁴² <https://www.propertyweek.com/insight/the-great-section-106-and-cil-scandal/5104449.article>

⁴³ http://www.maidstone.gov.uk/__data/assets/pdf_file/0008/164672/Integrated-Transport-Strategy-2011-31-September-2016.pdf

⁴⁴ DESIGN AND ACCESS STATEMENT -4886567 2.29

⁴⁵ Transport_Assessment-4886544 3.6.1

⁴⁶ Landscape_and_Visual_Assessment-4886502 3.1.7

With regards to the last statement, if this area is to be taken away from residents then MBC has to provide an adequate replacement, within walking distance. We do not consider the amount and distribution of the green space within the proposed development to be an adequate replacement.

We are confused by the statement⁴⁷ “The works within the quarry are also audible from across the Site, interrupting the tranquillity of the area.” If this is true, then is this a good place to build housing? To counteract this statement, the Noise and Vibration report ⁴⁸ indicates that above the working day noise, that distant birdsong could be heard.

The current PROWS⁴⁹ (footpaths/bridleways), are in danger of becoming no more than pathways and connections, within an urban area thereby losing their countryside appeal. Also, we have to point out that the current works at writing, have reduced their capacity meaning that COVID 19 restrictions are not possible. There is also the risk that as this area becomes more urbanised, fly tipping/littering in these areas will increase. The views from these PROWS will be compromised, despite the application stating the views are obscured by hedgerows, any views from them once development is complete will be of housing and not green area. The statement by the developer that new footways will be added⁵⁰ is misleading at best, as these connections are already there as noted in many parts of the application. Formalising access to this area should really have been a priority of MBC, and as in “normal” times and especially during the COVID-19 crisis, this open area is a godsend to residents providing access for walkers/joggers/families/cyclists and not just dog walkers as mentioned in this report.

We also note that three of the PROWs are crossed by the through road, which will make them dangerous and taking their countryside status away.

It is of no surprise that various forms of wildlife were found in this area⁵¹, as they have been found on other developments and the cemetery on Oakapple lane. The reduction in viable habitat will reduce the possibility of wildlife staying in the area, putting further land around this area at risk. For all wildlife mitigation GPAC would like answered who polices the mitigation?

Strategic Gap Policy (CP5)

GPAC are very concerned with the “combining’ of MBC and TMBC, with TMBC being heavily reliant on MBC services. The change in the SGP⁵², only seems to be mentioned once in this application, and we hope that MBC planning committee members will view this application as it should be, with a connection of TMBC residents connecting to MBC services. We demand total transparency in this matter by both borough councils as to how this is going to be managed.

We are concerned with the statement, “it is not considered that the proposed, allocated development of the Site will harm the purposes of the strategic gap policy, namely, to maintain the separate identities of settlements”⁵³. The two sites will be connected by one road, and for the TMBC residents to leave the development they have to exit via MBC. We also note a difference in dwellings per HA for both developments, and differences in the number of affordable housing.

We thank the committee for taking the time for reading our objections to this planning application and would welcome any comments from them.

Yours sincerely,

Kris Jones (Co-Chair), Helen Rutter (Co-Chair), Sarah Jones, Suzanne Sturrock, Emma Jones, Michael Ridout, Deborah Malthouse

Give Peas a Chance Committee

⁴⁷ Landscape_and_Visual_Assessment-4886502 3.29

⁴⁸ Noise_and_Vibration_Assessment-4886505 4.1.12

⁴⁹ Landscape_and_Visual_Assessment-4886502 3.35 and 5.8

⁵⁰ Landscape_and_Visual_Assessment-4886502

⁵¹ DESIGN AND ACCESS STATEMENT -4886567 2.18

⁵² Landscape_and_Visual_Assessment-4886502 3.30

⁵³ Landscape_and_Visual_Assessment-4886502 5.34