

Save Our Heath Lands

Dear Members of the Strategic Planning & Infrastructure Committee

We write to you ahead of your Committee meeting next Monday evening and the discussion of the emerging Preferred Spatial Plan Strategy which is proposed for consultation in December.

Over the last 12 months, SOHL has raised serious concerns with the Lenham Heath garden community proposition put forward by MBC. We continue to believe that the project is unsustainable, unviable and undeliverable and this is validated by the Stantec Maidstone Garden Communities Assessment and the more recently published LUC Sustainability Appraisal for the Spatial Strategy options.

We are therefore extremely concerned and disappointed with the contents of the proposed Regulation 18b Preferred Approach that has been published.

There are many aspects of the Heathlands option which are unknown or unpublished. Both Stantec and LUC have raised considerable concern with the Heathlands option and in the case of the Sustainability Appraisal, have deemed it the least best garden community option across the range of sustainability objectives. It is therefore surprising to find it as one of the two preferred garden communities to take forward.

Heathlands has the highest risk of failure and its inclusion is now for the Council to explain why it has opted to adopt such a high-risk strategy.

We have summarised below and provided more detail in the attached document titled '*Heathlands Garden Community, Lenham Heath: Unsustainable, undeliverable and unviable*' the basis on which we make our case. We urge you to strongly consider the evidence we present. We also draw your attention to the independent transport assessment which we have also attached for your consideration.

Transport – The transport infrastructure required to support 4,000+ houses and associated commercial occupiers is simply not in place and can only be provided feasibly with a motorway junction early on in the development. In the absence of MBC providing the transport assessment undertaken for the scheme, SOHL and Lenham's residents have commissioned independent transport consultants to review the proposal. Their findings are conclusive; the site is located in an inherently unsustainable location with regards to access to necessary employment, goods, services, and sustainable modes of transport. The proposed sustainable transport strategy is considered inadequate to overcome these deficiencies.

Landownership – We have repeatedly tried to communicate to MBC the complexity of the landownership in the Heathlands site in the absence of the promoter being open and honest with members. A significant proportion of small landowners are not on board with the scheme and are in fact demanding that their land is removed from the scheme. Principal landowners who have withdrawn from the proposal have had their landholdings formally removed and the scheme redrawn. It is inconsistent and inequitable for the promoter to fail in its duty to accept the wishes of individuals. All landowners who do not wish to be included should have their land removed. Without exception. Removing those who have requested removal in the recent legal

undertaking sent to the LDF team, would see up to 1,000 homes removed from phase 1 of the scheme, the critical part to support your emerging Local Plan.

Location – The location is unsustainable. MBC's own expert planning reports highlight the key factors that have shaped Maidstone over many decades. Housing is Urban Focused (as per the Strategic Housing Market Appraisal) and the Local Economy is also predominantly Urban Focused (Economic Development Needs Study). By pursuing a Garden Community at Lenham Heath, you will not be following the market, it is an isolated rural location.

Economic – The promoter has given very little regard to how the scheme will be self-sustaining. The current stated mix of industrial, office and retail content has not been properly appraised. Furthermore, the Sustainability Appraisals make an assumption of 1 job for every house which assumes employment growth of 4-5,000 new jobs. The promoter is currently making provision for 625 jobs in the scheme and 200 of which will be managed workspace for remote workers. If the local economy is inadequate, there will be nothing to keep future residents within the development. Outward commutes will predominate and the promoters 'fine words' will come to nothing. From an economic perspective failure cannot be permitted as the consequences will undermine the principles and the outcome will be a disaster.

Viability – In the absence of the scheme's financial appraisal being published, SOHL have produced their own financial model to understand costs and income better using well informed figures for the scheme. The numbers simply don't stack up. Most appropriately summarised by your own advisors (Stantec) - 'The scheme is only marginally viable' and 'A small increase in costs would quickly render the scheme unviable'. We know that there are many unknown factors that are yet to be fully determined and costed. The promoter has failed to establish all the facts and we have witnessed a procession of issues that have appeared on a regular basis which cast much of the project into doubt. The Mineral site at Chapel Field West, the Sewage Treatment Works location, nitrate pollution to name but a few. And there is an ever increasing list of stakeholders who are yet to be fully engaged. If your advisors state that its hardly viable now, then its inevitable that it will be significantly unviable very soon.

Significant constraints –

Control of the Planning System – All along we have heard that these actions are justified on the basis of maintaining control of the planning system. We do understand that failing to deliver a Local Plan risks a loss of control. But if that is indeed the case, why pursue a Garden Community proposal that contains by far and away the highest risk? Surely, schemes such as Heathlands are most likely to fail and then this council will really start to lose control. If you don't believe us, then please read your own Stantec report.

Community Engagement – Be under no illusion that the local engagement in no way meets any expected criteria. It's generally accepted that promoters can demonstrate that they can gain some traction at an early stage to bring local communities some way towards accepting new development. That is not the case in this instance. For some reason, this promoter believes that it can turn local opinion in its favour on the basis of an iterative approach. Please remember that we represent those local people and this promoter has taken exactly the opposite approach.

Them and Us – Communities are multi-faceted and are what makes a place. The promoter's actions fail to understand any kind of notion with regards to people and places. In fact the proposal has really only served to divide the community rather than keep it together. The Promoter has failed to explore how its ambitions can be assimilated into to the area. There has been no regard to everybody. Only a minority. Mere homeowners who have nothing that the promoter requires, have been ignored. But they are expected to live with this 'cloud' for potentially 20/30 years with only the pitiful assurance that 'buffering' will be the solution. These actions divide the community and are intolerable especially when the proposer is in fact the Borough Council.

Lenham Neighbourhood Plan – We object to the Borough Council's insistence that 'In the case where there is a conflict, emerging neighbourhood plans will need to be in general conformity with the strategic policies of Maidstone's adopted Local Plan and then also with the strategic policies contained in the LPR once adopted.' (para 2,29). This is a misrepresentation and an unwarranted dismissal of established principles and the views of local people. Lenham's Neighbourhood Plan is a material consideration now following the Inspector's approval and in the absence of the delayed referendum due to the pandemic. The Neighbourhood Plan makes provision for considerable development on the edge of the existing settlement. It equally seeks to protect existing countryside through an explicit policy. The inspector of the Lenham Neighbourhood Plan remarked how well thought through it was and make reference that the countryside needed to be protected (CP1). This has been ignored currently by the Local Planning team.

We question whether the promoter(s) have visited the proposed site as it appears that the masterplan overlooks a number of significant constraints. The site has a Sewerage Treatment Works at the centre of the proposal, a minerals site which will render a huge area of land unavailable until at least 2050, as well as nitrate pollution in the River Stour which Natural England is highlighting as a significant issue. Furthermore, the Lenham Heath quarry is not being restored to an acceptable standard to accommodate new development and the site contains a number of Grade II listed buildings, key archaeological sites, high air pollution due to the proximity of the motorway junction, and significant flooding risk. The Council's own sustainability report highlights these key constraints which appear to be ignored by the promoter and the Local Planning Authority.

We hope you take seriously our concerns and ask officers to go back and review the preferred Local Plan approach.

Kind regards

SOHL Committee