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David Burton
Chair, Strategic Planning Committee
Maidstone Borough Council

9 December 2019

Dear Mr Burton

Call for Sites Submission 309, Strategic Expansion of Marden

I wrote to object to this scheme when the news first broke of the possibility of it happening. At that time, the submission documents were not available for us to comment on, I now write after perusing them in detail.

1 General

Before commenting in detail, we do have concerns which are widely felt in Marden by residents threatened by this development which touch on the applicant's planning consultants. There is a disquiet at the very close working relationship between DHA planning and the Borough's planning department, and a perception that any scheme put forward by this firm tends to get nodded through. This seems unhealthy, and it will be hard to convince the population of Marden that this is not the case should this scheme go forward.

We also question the integrity of DHA planning's reports, packed as they are with arguments based on planning law and technical detail, when they fail to mention the SSSI to the north of the scheme, the River Beult (please also see below under Landscape Report). It is a well-known fact that the river has this designation (and is shown on downloadable maps), and it is clearly referenced in the Corylus ecological report that forms part of this submission, and which DHA planning themselves commissioned. This report states (at 3.13) 'The site lies within 2km south of the River Beult and lies within its IRZ' [Impact Risk Zone]. Yet no mention is made in DHA's report, which only mentions Marden Meadows SSSI. Is this because the same applicant [Firmin] is also applying on Call for Sites 284, Wares Farm Linton, where DHA states (at 7.8) that site 284 'Does not lie within close proximity to any SSSI' and which site certainly does lie in close proximity to an SSSI. The site is just over 100m from the River Beult, and a drainage ditch emptying into the river and extending down the eastern side of this site is clearly marked on the Ordnance Survey map. It is surely inconceivable that DHA planning, with their very strong local links and expertise are not fully aware of this designation of the river and constraints imposed by this designation?

There is distaste and real fury at the casual way that the applicant's planning consultant suggests that a strong point in favour of the scheme is that the principal landowner of the scheme [the Firmin family] controls all the land with road frontage that approaches the scheme from the north, so any infrastructure changes to the access roads can be achieved without fuss. It does rather remind one of the old days when Capability Brown could remove an untidy peasant village from his scheme if it upset his client's view. Or perhaps the modern equivalent might be Nicolae Ceausescu, who demolished inefficient villages and forced residents into tower block suburbs. A little extreme, perhaps, but there is disgust at the disdain with which the applicant landowner

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views the current occupants of the village, their lifestyles and aspirations. He can just brush our concerns out of the way and make things tidy for the council and the developers.

The above two paragraphs may appear a little strong, and not confined to planning issues, but what is highly relevant is that one of the abiding principles of a Garden Village is engagement with the local community. The only engagement that this scheme has generated in the community is a strong unity in opposition to it, (close to 2000 people turned out to march against it this year) and this will persist in spite of all the proposed sweeteners in terms of 'improvements' to our community which will allegedly result from this scheme. Given the timescale suggested by the applicant's submission, MBC would deliver us up to 18 years of misery, disruption and chaos, as we watch the degradation of everything that most of us hold dear. We all know this and are strongly and irrevocably opposed to this proposed injustice to us to be perpetrated by 3 greedy landowners seeking to enrich themselves at their own community's expense.

We neither want, nor need, the supposed 'benefits' to the community suggested by the applicants and the developer. We don't want anything that will result in all these houses and turn us from a village into a suburb of Maidstone. This is not 'Land north of Marden' that the development is occupying, this is Marden itself, and is part of our community. We are not a 'rural service centre', we are a parish which has a village at the heart of it, and scattered hamlets and countryside surrounding it. All of this area, up to the parish boundaries in any direction, is Marden, and not some vacuum waiting to be filled.

2 Traffic

It is hard to improve on the excellent work in MPOG's initial 'technical document' which has been previously submitted in opposition to this scheme. Living in Marden makes travel anywhere else in the world hard. We have few buses (nearest bus stop a mile away from us here) we have a good train service that is greatly oversubscribed at peak times and with no chance of enhancement (a track manager with Network Rail has told me that it is impossible to run more trains at peak times as they cannot draw any more power from the grid). Travel is by car and this is hard. It can take anything from 20 minutes to an hour to reach Maidstone. Travel to Paddock Wood and Tonbridge/ Tunbridge Wells is along congested and indirect country lanes. To reach the M20 means a battle with the Maidstone traffic, or a fight through Yalding and the 7 mile lane, or trying to negotiate through Langley and Leeds. To reach the A21 means battling through Goudhurst or Horsmonden. Even getting through Marden at school times can be a struggle. How can you expect us to cope with more traffic? The suggested solutions on the applicant's documents are laughable to anyone who lives here.

3 Flooding and Surface Water Management

It is well-known and well-documented that Marden has a history of problems relating to flooding by both surface water and foul water, or a combination of both when systems fail, as they have done many times over many years.

It is difficult for planners adequately to judge the effects of this development on the surrounding flooding risk for the area, as Marden's surface water management plan (SWMP) [JBA Consulting, February 2017] does not show on its map of watercourses the network of large ditches that run through the majority of the site. Only the ditch that drains the part of the site to the east of Maidstone Road is shown. This is a notorious ditch which regularly floods both Battle Lane and



Summerhill Road where it crosses these roads. This ditch becomes a tributary stream of the River Beult, entering the river at Hertsfield Bridges, the part of the river that overflows before any other part of the Beult in this stretch. This part of the Beult accepts a lot of the surface water over a large area of Marden and Staplehurst, as the Overbridge Stream enters the river just upstream (this stream and its associated ditches drains the east of Marden and the west of Staplehurst, including the well-known local flooding blackspots of Howland Road in Marden and Clapper Lane in Staplehurst.) Given that the applicant has shown houses on the scheme right up to the boundary with the land next to it, and through which this water must drain due to the site's topography, any mitigation of this risk of surface water runoff will not work. The applicant is not able to extend into this next door land to mitigate this, as the land belongs to me and is not available for this scheme. Indeed, should the scheme go forward, and the scheme cause flooding of my land, it will be a matter which I will pursue, having put the planners and applicants on notice of its likelihood.

The site to the west of Maidstone Road slopes down towards both the centre of the village and also Underlyn Lane. The applicant has suggested that the existing ditches will be retained and enhanced to make a SUDS, and that the site will drain at the same rate as the existing green fields. This is not reassuring, even if true, as the site is waterlogged at its western extremity even now when it is a greenfield site. There is no possibility of water soaking away from this site in winter (as some SUDS in other areas can rely on to a degree) when the soil is at field capacity. There would have to be a large area of retention basins if the site is not to make the flood risk in Tilden Lane a lot worse, and possibly into Underlyn Lane itself, especially if the ditches are widened on site, as the scheme suggests, as the water will not easily move on from the outfalls across Underlyn Lane. Please also see Marden's SWMP page 13 section 3.41 which has an updated flood map for surface water flooding for the area. This shows a large part of the proposed site having a 0.1% to 1% risk of flooding over a significant area of the site, but with small areas of a 3.33% risk of flooding. This is a significantly greater risk than in the main village.

Much is made in the plan of having permeable pavements etc to avoid excessive water runoff. However, one must assume the roofs of the site will not be permeable? So a 2000 house-plus-shops-plus-schools etc etc must increase the runoff from the site.

I would draw your attention to one of the concluding paragraphs in the Marden SWMP which well represents the drainage situation locally: 'The majority of flood events are in the winter months and this therefore suggests that the Marden Drain catchments are also sensitive to short intense rainfall events due to the underlying impermeable geology and urbanised impervious areas.....Some of the flood events are as a direct result of sewer or surface water flooding and would therefore most likely be due to short intense rainfall events; therefore these events may not always be observed in the Main Rivers.' Also, 'Therefore flooding within Marden may be as a result of the inability to discharge excess surface water during Main River flood events.'

From this we can conclude that (1) Marden's topography and clay soil make surface water flooding likely in Marden (2) Sometimes this is because the rivers are too full to accommodate the water from Marden so it backs up (3) Sometimes though, it's simply because it's just too much rain falling on flattish clay soil, and this is frequently polluted when sewage systems locally also can't cope and (4) If there is a chance of localised flooding contaminated with sewage, this will pollute



the River Beult, a SSSI. Any potential flooding on the Beult is a big problem, as its relatively slow flow rate makes any pollution incident take longer to recover from.

Another Garden Village principle is that the settlement should be future proofed for climate change. Given the issues with the surface water now, and how the settlement would make this much worse, climate change would surely make this scheme (and other local properties) more and more prone to flooding.

4 Landscape Report

Jim Dixon, writing in the Times newspaper on 1 June of this year said 'Kent's Weald has a different feel from much of England. Here, a close-knit pattern of small, irregular fields are surrounded by tall and thick hedges and parcels of ancient woodland. Field patterns stretch back beyond the high point of Georgian land enclosure, whose geometric fields cover most of England. In our archaic land, the age of fields extends back to an era 900 years ago when the trendy new Norman kings held sway.' He adds 'Through successive farming, social and industrial revolutions over centuries, this land of thick hedges, odd-shaped fields and secret rivers has survived as northwest Europe's most intact medieval landscape. If it were made of stone, hewn and laid by unknown stonemasons, we would venerate its age and craftsmanship, much as we do the great cathedral at Canterbury. Yet on our watch, in just a few years, great harm has been done to a precious thing. The housebuilders' tails are up after some lean times and they are on the lookout for ground.....' Also 'A few dozen acres, nicely screened by tall hedges, with access to good roads and fast rail links to London are in demand.' Exactly, although we don't even have the good roads.

We don't recognise the site and our landscape when portrayed through the disingenuous and weirdly Sussex-centric landscape report submitted by the applicants. I think therefore that their proposed summary and proposals to enhance our beautiful Wealden countryside by the insertion of thousands of houses should be dismissed out of hand.

The report concludes with the statement at 15.31, Why Marden, 'The Land north of Marden is one of the few areas of the borough that are not constrained by environmental designations, either in terms of landscape quality or flooding.' This is patently untrue. 'Land north of Marden' as an area (as opposed to a title of a proposed large housing estate) includes the River Beult.

It is the case that Marden is not in an AONB, but there are very valid reasons why it should be valued highly in landscape terms. It has several key assets: It has 2 (and not one as stated by the applicants, somewhat misleadingly) SSSIs: Marden Meadows towards the south, and the river Beult, which forms the whole of the northern boundary. In addition to this, it has probably the widest and probably largest area of ancient semi-natural woodland of the Low Weald in the borough. Most of Maidstone's ancient woodland is concentrated towards the north, and around the Downs, where it is more valued and protected. It also has a different character as the soil and topography is completely different. Marden's contribution to the ancient woodland stock is unusual and vulnerable. Also in Marden is a sizeable LWS, which connects the SSSI of Marden Meadows to the ancient woodland areas of both land to the east of Battle Lane (part of the LWS, and directly adjoining Marden Meadows) and the much larger ancient woodland of Bridgehurst Wood. Any development, however well buffered Bridgehurst Woods may be from it [and the



proposed measures are extremely scant] is highly likely to be severely detrimental to this important landscape. It should be cherished by the borough, rather than dismissed as unimportant. What is also true is that the very designation of AONB on other parts of the borough means that the Low Weald landscape has been overlooked, and eaten into over the years. It is possible that this proposed development would be the beginning of the end of our unique landscape, which, once lost, can never be recreated, however wonderfully these Sussex-loving 'experts' fabricate their Frankenmarden in its place. Another key asset to the landscape present at Marden is the very large number of oasthouses in the parish, the bulk of them dating from the latter half of the nineteenth century. In Phyllis Highwood's book 'A Wealden Village: Marden', she stated that there were 63 oasthouses in total in the parish. This figure was based on a survey of the parish's oasthouses carried out by Robert Highwood in the 1980's, some of the data from this is stored in the Marden Heritage centre. It is hard to believe that any parish anywhere in the country could exceed this figure. Both national and local character area documents [see below] reference the numbers of oasts as being an important characteristic of this area.

Much reference is made by the applicants of 2 documents: Natural England's NCA no 121: The Low Weald, and the Low Weald Fruit Belt Character Area document published by Kent County Council. Both have been quoted. The Low Weald Fruit Belt document is particularly unhelpful as it is quoted thus: 'The roadsides are intermittently characterised by tall well-managed poplar windbreaks, but are replaced locally by dark gloomy conifers..' We question whether the writer has indeed visited Marden, as we can only think of one stand of such a windbreak locally, which the owner, a noted local conservationist, has as a bird asset. He has many other hedgerows which are not conifers, and also providing differing bird habitats. As former fruitgrowers, we can state that there was a brief phase of such windbreaks being planted in Kent to shelter orchards back in the 1970's, they were found to be ineffective in this role, and those that didn't blow over in the 1987 hurricane have been mostly removed. We don't remember that Marden had any more of these hedgerows than anywhere else in the area – as most have disappeared years ago, it's hard to remember where they were. This is therefore spurious and with no relevance to Marden and the proposed scheme. Or maybe it is worse than this: the applicants are seeking to make the landscape seem worthless and therefore up for grabs for development.

Again, the Low Weald NCA 121 Report has been very subjectively quoted in this Landscape Report by the applicant. It quotes that there are 'small areas of heathland particularly associated with commons such as Ditchling and Chailey.....' It is 42 miles from Marden to Ditchling by car, and 35 miles to Chailey. Why is this quoted in the report, and not something that better represents the landscape that is at risk via this shockingly insensitive scheme? Out of a 60 page document, a few paragraphs have been selected, and they seem to relate more to Sussex than to Kent eg: '.....use of flint is notable in the south towards the South Downs...' - these are probably about 35 miles from Marden, or '..local use of distinctive Horsham slabs as a roofing material...' Horsham is 58 miles from Marden, and I'm not sure I've ever seen a Horsham slab. Or 'Land use is predominantly agricultural but with urban influences, particularly around Gatwick, Horley and Crawley.' These places are respectively 45 miles, 47 miles and 50 miles from Marden. So here, I would agree. It is predominantly rural and agricultural around Marden, and the urban areas of the Low Weald are miles away near Gatwick, so have little relevance to Marden, which is rural in character.

There are plenty of passages in the NCA report that are more typical of Marden than what has actually been quoted. Passages such as 'Field boundaries of hedgerows and shaws [remnant strips



of cleared woodland] enclosing small, irregular fields and linking into small and scattered linear settlements along roadsides... Rural lanes and tracks with wide grass verges and ditches' It is hard to take a photograph of any land in the rural Marden hinterland without including hedgerows, shaws, and trees, most typically large mature oak trees. The scenery is of big skies and oak trees. Our views are up to the hills, not down from them. The report further states 'The Low Weald boasts an intricate mix of woodlands, much of it ancient, including extensive broadleaved oak.....' This is clearly borne out in Marden. There is a large area of ancient woodland in Marden, most of it to the south of the main village, but there are vestiges and traces throughout, and there are landscape connections to these woods by means of large oak shaws and single mature oaks in hedgerows. In particular, and very close to the proposed scheme, lies Bridgehurst Wood, which is a rare and significant parcel of ancient woodland in the Low Weald itself. There are further, bigger parcels of ancient woodland just south of this wood further south in Marden, but the soil, planting and character of these woods, equally special, are different. There is Bridgehurst, a mainly oak wood with an understorey of hazel and occasional chequer and holly trees, but as you come further south in the ancient woods in Marden, it becomes progressively closer to being more typical of the High Weald, with more birch and chestnut, and fewer oaks.

This leads us to Maidstone's own document, which has not been cited in the landscape document for the site. This is Maidstone's own 'A Revision of the Ancient Woodland Inventory for Maidstone Borough, Kent 2010-12' In it, it states 'The revised Ancient Woodland Inventory will assist Maidstone Borough Council's planners in making decisions about development.....thus ensuring that the effects of any development proposals on ancient woodlands can be properly assessed and considered.' Also the report 'will help identify threats to this resource.' It also states that 'The Low Weald, whilst not heavily wooded in this borough, holds many small semi-natural woods which are key to the character of this landscape. Many of the woodlands in all of these areas are field shaws, belts of trees, or woodlands less than 2ha in size.'

Again according to Maidstone's own document, Maidstone is 18th out of 67 boroughs in SE England in the area of ancient woodland retained, which covers about 7% of the borough. This scheme puts the viability of a sizeable chunk of this (Bridgehurst Woods) under threat as a viable wildlife resource, as increasing urbanisation is bound to lead to greater disturbance of wildlife species by greater public access, streetlighting and other urban fringe threats. The belt of trees part of the proposed site mentioned in the report is a significant one, and typifies the shaws that are common in this area, and must contribute to wildlife connectivity. Development this close to this important woodland risks 'sterilising' it by stripping it of the important and vulnerable wildlife that has been a part of the woodland for hundreds of years, and which is harmed by disturbance.

It is very hard to know where to draw the line in finding fault with this report, apart from its obsession with conifer hedgerows and constant reminders about Sussex. Perhaps one should mention (at 6.15) that there will be 'creation of large areas of green infrastructure to the north and the north-east ...' There already is a large green infrastructure to the north and the north-east. Did they not spot it, or were they thinking of Sussex at the time? And anyway, 'green infrastructure' is not the same as ancient woodland, which is irreplaceable.

It was also highly convenient that any possible views of the site from Linton were prevented by a convenient heat haze on the day the photo [photoview 2] was taken. Lucky, or what?



But the most baffling parts of the report are the statements that 'There will be no views of the proposals when walking in a direction away from the site boundary.' And 'There will be no adverse effect on the visual amenity of highway users travelling in a direction away from the site boundary.' So if you have your back to the scheme you won't see it? What else should we do? Close our eyes?

5 Financial

As a neighbouring landowner to the scheme, I would like to know what the arrangement will be for managing the considerable amount of land not being built on, particularly in the early years of the scheme. When the scheme is complete, there is a considerable acreage of land that is described as amenity land, and this is portrayed as being an asset of the community. However, who pays the costs of managing this land, and how will it be managed? Will this be managed by the people who have bought into the scheme? Is it the wider community via our Council Tax? If this is the owners of properties of the scheme via service charges, it seems that the first few phases of the settlement will have an enormous bill for managing this community land. There is nothing in the prospectus that discusses this. Does the council know? There is a very long period on this scheme between start and final completion. What happens to this so-called amenity land in the mean time? Does it slowly decline, or will the current owners continue to manage it in the knowledge that it is not worth maintaining land to their best ability as they will be handing it over to the developers?

6 Amenity Land

This is portrayed as being part of the scheme, and a benefit to the community. However, exactly what does this mean in terms of freedom for further creeping development? It seems likely that once the agricultural designation is removed from this land, it becomes up for grabs for opportunistic development and infill. What is an amenity? A park, a skate park, a supermarket?

Also, the dream that is being spun by the sponsors of this development is that this amenity land is supposed to be an asset in perpetuity for the community. At the same time, one of the principles of a Garden Village in the Maidstone prospectus is that these developments are 'sustainable scale' and should have 'capacity for future growth'? Is this so-called amenity land merely a land bank for the next phase of concreting over our village? If not, where is the 'capacity for future growth' please?

7 Ecological

The applicants have seen fit only to submit a partial conservation report, perhaps hoping that most people will see the front page of it and not bother to read further. This 'will this do' mentality of submitting a lot of low quality documents written by differing consultants to pad out a weak case for a development may fool some people, but not those who know the area well. Where is the rest of the report, and map showing where all the land and trees are, instead of some of it?

It is hard to over-estimate the catastrophic effect of this development on Bridgehurst Wood, an important ancient wood (see paragraph on landscape). Although the report suggests that the site overall has a 'medium' potential for bats, Bridgehurst Wood has been described thus '.....a good number of trees would be highly suitable given the structure and age of the woodland.' Also 'High potential for bats'. It also has high potential for GCN and 'is considered optimal dormouse habitat'



This dormouse habitat extends to the wider site by hedgerow H20. The dha masterplan has houses right up to and adjoining hedge H20 – what price the dormice then? Even with a small buffer of some newly planted trees, it seems unlikely that dormice would continue to thrive on what is effectively a housing estate. The Corylus report suggests that the woodland and hedge H20 should be surveyed properly and in detail to see if there are actually dormice present. It seems to me to be impossible to make a decision on whether houses can be built as close as this to a site that possibly has dormice or rare bats (or both) without having this information. Has this survey work been carried out by the applicant? If so, what were the results of this survey?

Despite the matter of fact tone of the conservation report, it is clear that by allowing this scheme to go forward, it will have a devastating impact on what is an important wildlife resource. At its heart is Bridgehurst Wood, and it is clear that, despite that intensively farmed areas, the extensive hedgerow, tree and pond network [16 ponds in all] contribute greatly to wildlife too. Although the potential for rare species has been assessed and no in-depth monitoring done when this report was completed, there was still a very impressive number of rare bird species spotted during the one day that the survey was carried out in July 2018. The surveyors found 33 bird species, including 8 RSPB red-listed species: house sparrow, linnet, nightingale, skylark, song thrush, spotted flycatcher, turtledove and yellowhammer. This surely proves beyond all doubt that this is an important landscape that is threatened by this housing estate.

The potent combination of the Marden Meadows SSSI, plus LWS where Kent Wildlife Trust recorded 2421 green winged orchids in 2019 (a plant of semi-improved grassland) plus ancient woodland with really exciting potential for bats, dormice and GCN all connected with each other and further connected with the surrounding countryside via the hedge networks - all of this directly next door to the proposed site- means that this development will damage biodiversity in the surrounding area. Disturbance over a great many years, construction damage, lighting and people and pets living so close to the site in large numbers could wipe out any interesting wildlife forever in the ancient woodland. In addition to this, the great work carried out by Peter Hall and others on the western side of the site (as recorded in Ray Morris's statement of opposition to the scheme, already submitted to you) means that the village envelope is surrounded by a lot of conservation work yielding exciting species gains, this too is threatened.

Given the above, this development fails in one of the essentials of the principles of the Garden Village as set out in Maidstone's prospectus under 'H Green Space' where it states that a scheme '...considers opportunities to deliver environmental gains such as biodiversity net gain and enhancements to natural capital.' This scheme delivers no net gains, and certainly offers nothing in return for great environmental harm to the wider area.

Again in the Garden village prospectus from Maidstone 'Development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains.' All green space is not the same – a new planting in a housing development is no substitute for ancient woodland, nor a 'community orchard' a substitute for semi-improved or unimproved grassland. Ground nesting birds are unlikely to thrive in an area with so much disturbance. Again in the prospectus 'Generous amounts of green space, landscaping, trees and hedgerows are integrated into the design of the development with the purposes of achieving biodiversity net gain.....' Again, how can this be the case?



8 Garden Village anomalies

Garden villages should also be 'at a scale which supports the necessary infrastructure to allow the community to function self-sufficiently on a day to day basis...' But this scheme is predicated on being grafted onto an existing 'service centre' ie the real village of Marden, and for Frankenmarden to use the train station which is already over-subscribed by Marden residents. How is this 'self-sufficiently on a day to day basis'? Even citing Pattenden Lane as a source of local jobs is disingenuous, as there are currently plenty of Marden residents available for working in these units, the biggest of which (Firmin and Claygate warehouses) are used principally for storage, which is not an employment-dense activity.

Finally, Garden communities don't appear to be a sustainable way to go in terms of housing need. They are expensive in terms of gulping down good farmland, and eating into wildlife habitats. Based on this example, they reduce, rather than enhance, biodiversity. Again, based on this example, they don't reduce congestion on our road and rail networks. A huge area is threatened by the gain of only 2000 homes, and it appears that some of the justification for this is Marden's perceived good transport links (we have a station). Indeed, this seems to be the only justification other than the fact that DHA's wealthy client has land available to throw into the scheme in Marden. So the intention seems to be that most of the people living in the new scheme will be commuters. Bicycle commuting to Maidstone is pure fantasy, proposed bus improvements seem unlikely to help. Ultimately, of those who don't catch the train to London, most will commute by car. How is this sustainable?

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