



**MINUTES OF THE EXTRA ORDINARY PARISH COUNCIL MEETING HELD ON
TUESDAY 17TH MAY 2022 AT MARDEN CONGREGATIONAL CHAPEL, WEST
END, MARDEN COMMENCING AT 7.30PM**

018/22 PRESENT

Cllrs Adam, Barker, Besant, Boswell, Burton, Gibson, Newton, Robertson and Turner. The Clerk, 10 members of the public and a representative from DHA Planning were also in attendance.

019/22 APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Stevens and Tippen.

020/22 COUNCILLOR INFORMATION

Declaration of Interest

Cllr Besant declared an interest on item 023/22 as he had worked with DHA Planning (the agent) in the past on a professional level, although not the individuals working on the development for discussion and has no relationship with the developer.

Changes to Register of Interest

No changes to Cllrs Registers of Interest

Granting of Dispensation

No granting of dispensation was requested.

021/22 MINUTES OF THE PREVIOUS MEETING

It was agreed that the minutes of the Parish Council meeting held on 10th May 2022 would be deferred to the Full Council Meeting on 14th June 2022.

022/22 IDENTIFICATION OF ITEMS INVOLVING PUBLIC SPEAKING

No member of the public wished to comment

The meeting to be adjourned for the following item:

PUBLIC FORUM

Members of the public were given the opportunity to comment on item 023/22. No one wished to pass comment at this time.

The meeting was reconvened for the remainder of the agenda.

023/22 PLANNING APPLICATION

22/501275/FULL – Land at Maidstone Road, Marden

Erection of 39 bungalows for the over 55's, a communal hub, communal garden, footpath link to the cricket and hockey club and associated access and landscaping

Principle of location:

No access to the site without a vehicle; From details within the planning statement Cllrs noted that there is a new footway proposed from the south of the site to Maidstone Road. However, this is not secured as the intended route has not yet been agreed through planning application 21/500398 (Land adjacent to Highfield House). Currently there is no pedestrian footway along Maidstone Road from the proposed road access of the development through to the village.

If application 21/500398 is approved after appeal pedestrians would be required to share the road access to the new development with vehicles as the footway goes along the line of the

proposed access road. No application has been made to make the route a Public Right of Way (PROW) so residents would currently have no right to use the path even if it were installed. Cllrs also noted that the width of proposed footway (1.2m) is too narrow and is unlit – pedestrians may feel insecure walking this route after dark and would present a problem for wheelchair users and the infirm and restricted mobility.

The footpath would not be safe (or feel safe) for over 55s, particularly the elderly, to use after dusk, being narrow, with no escape route (from crime or fear of crime), encouraging driving. The route may be appropriate as a new PROW route but is not an appropriate route for the only means of pedestrian access to a development.

If application 21/500398 does not receive planning permission, there would obviously not be a direct pedestrian access to the centre of the village, or leave the site at all, as no pedestrian route is proposed north of the first dwelling proposed, thus not reducing car dependency.

Cllrs agreed that if a footway was able to be installed residents with mobility issues would still need to use vehicles to gain access to the village.

The footway over the railway bridge in Maidstone Road is narrow and therefore not be wide enough for wheelchair access.

Cllrs agreed that this was a departure from the Maidstone Borough Council current Local Plan and the Local Plan Review. It was also a development outside of the village envelope and within the open countryside:

Cllrs resolved that the location was contrary to Maidstone Borough Council Local Plan Policy SP17 and Marden Neighbourhood Plan Policies BE1 Local Character, BE2 Residential Amenity, In2 Sustainable Travel and In6 Housing for Older People.

Traffic Generation:

Cllrs noted that the developers proposed to request a reduction to 30mph along the stretch of Maidstone Road but Cllrs raised concerns that there could still be an increase in traffic collisions. Vehicles would leave the proposed site on to the busy Maidstone Road used by HGV's (*travelling north*) to access Pattenden Lane with two blind bends in close proximity, thus increasing a hazard risk to pedestrians and other users.

Cllrs noted that currently the only way into and out of the site was by car, as the footway link to Maidstone Road to the south/west of the site does not have permission, does not exist, is not part of this application and is not a PROW. No pedestrian link at all is proposed out to the north of the site. There would be, by necessity, a high reliance on cars to perform even short journeys.

Bus stops and the railway station are of a distance where residents would use cars rather than walk. No new bus stops are proposed.

Design:

On viewing the plans Cllrs noted that not all dwellings proposed were bungalows with some properties being two storey with dormer windows. Cllrs noted that the roof height of the bungalows were excessively high. No objection was raised to other design elements.

The majority of the site includes no footways outside dwellings (Plots 10-28) – shared surfaces are inappropriate on such a large scale and where over 55s (the target market) would be in conflict with traffic. Notwithstanding the safety implications, this would discourage the infirm from walking, and encourage car dependency even further. On-street parking, where it occurred, would mean residents would have to walk in the middle of a road.

Amenity:

This location for over 55's is not ideal due to the close proximity of the sports ground with noise and light pollution. Cllrs agreed that there would be potential harm to the residents' amenity with the existing sports facility.

No noise report has been submitted to take into account the hockey pitches – the rear gardens of plots facing the hockey pitches appear to be less than 8m in depth, with no substantial landscaping between the gardens and hockey pitches either existing or proposed – noise would be unfettered. This is likely to result in conflict between the two uses.

Equally, no assessment of the impact of lighting of the amenity of residents has been submitted. Flood lights from the hockey pitches would no doubt be a source of conflict and would be detrimental in the long term to the viability of the hockey club and damaging to residential amenity.

Marden Medical Centre is currently struggling with the increase in patients from the new developments including the proposed site in Copper Lane which is in the Local Plan Review. Resolved that the amenities were contrary to Marden Neighbourhood Plan Policies A4 Healthcare Facilities and BE2 Residential Amenity.

Affordable Housing:

Eight units are provided on this site to meet the 20% criteria for affordable housing as set out in the MBC Local Plan. However, Maidstone Borough Council Local Plan states development should be within Rural Service Centres and this development is outside of the village envelope.

Drainage:

Cllrs noted that some drainage runs off the site towards Bridgehurst Woods (Ancient Woodland) and through to Marden Meadows.

Biodiversity:

There is no evidence within the application of a biodiversity net gain. A resident informed the meeting that there is a very biodiverse corridor close to the site leading to Bridgehurst Woods. The Ecological Report recommends surveys need to be undertaken before planning permission is sought and there is no evidence that this has been done. The Ecological Report shows evidence of protected species such as bats, red listed birds (yellowhammers), reptiles (slow worms, grass snakes), invertebrates (12 species), amphibians and small mammals. A tree planting scheme for the proposed development has not been undertaken. The agent reported that all the trees on the western and southern boundaries would be retained and would look at improving the net gain.

Cllrs resolved that the biodiversity was not in conformity with Marden Neighbourhood Plan Policies NE3 Landscape Integration, NE4 Biodiversity & Habitats and NE5 Landscape Planting.

Landscape:

A substantial planting strip would be needed on the eastern boundary due to the close proximity of the existing sports facility.

Other:

Not warden assisted but community facility could be made available for medical staff to attend for certain medical treatments.

After completion a management company would be employed to maintain the site.

Pedestrian route within the site is a shared surface with vehicles and residents' visitors could park in this area.

A question was asked about the energy efficiency of the site – Cllr Turner reported that if a building control application is not submitted by 15th June 2022 the applicant will need to adhere to new regulations regarding energy efficiency.

Exact materials have not yet been agreed but would include clay tiled roofing and red brick. Buildings are built to building regulations as far as the agent is aware and reported that this type of development is a departure for the developer.

On a positive point the site layout is well thought out with adequate parking for the residents - although consideration should be given on the shared driveways to ensure that there is enough space for disabled access.

Page 24 of the Planning Statement states that PROW KM274 (reads as KM247 on documents) runs from the south-eastern corner of the site towards Howland Road – this is not the case as it leads from Howland Road to Maidstone Road on the eastern boundary of the sports facility.

Resolution

After a long discussion Cllrs unanimously voted for refusal of this application and wished the Clerk, on responding, to provide all the above comments and the non-conformity of Local Plan and Neighbourhood Plan policies. If MBC are minded to approve, Cllrs wished this to be called into MBC Planning Committee.

Following the vote for refusal the Chairman asked Cllrs for any considerations/conditions if MBC are minded to approve, with Cllrs agreeing the following:

A condition/legal agreement should be made to see a formal footway within the site and not a shared surface with vehicles, or an amended scheme submitted prior to determination to include one;

A condition to be included that, before any work commences, the link from Maidstone Road to the development is in place together with the onward link towards the sports facility and to join the PROWs;

Stronger biodiversity and landscaping enhancement on boundary treatment on Eastern and Western sides of the development;

That a condition be installed requiring a Biodiversity Net Gain.

A noise report and lighting impact assessment to be undertaken, specifically when sports activities were taking place and when the club house was in use for night time hire. A plan to also be included as to how to mitigate the noise and light pollution from the sports facility for residents.

The Ecology Reports and assessments highlighted as required “prior to submission of an application” should be undertaken.

The single storey (not those allocated for affordable housing) should be built to Category M4(3).

Cllrs reserved the right to comment further on receipt of further reports and/or further information.

There being no further business the meeting closed at 8.38pm

Date: 14th June 2022

Signed:

Cllr Kate Tippen, Chairman
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