

226 – Land North of Staplehurst – P J Burke Properties - Factual Errors within the Proposal and Site Constraints which prove it to be Unsuitable for Development.

This proposal seems to be mainly speculative with little information about the detailed proposal. There are however some serious errors within the submitted information and some information that has been omitted from the submitted documents. Please find further detail regarding this below.

We notice that the submission date of this proposal is after the village marched on the 18th May 2019 and the proposal goes to some length to make sure that it is known that it is for 1,800 houses on land north of Staplehurst. This is to separate it off from the villages' activities. However, the land is mainly based within the parish of Marden and the petition that was signed by 3,000 people objected to the creation of a garden village in or around Marden.

We therefore request that this factual information, along with the record of the March for Marden whereby 1903 people marched through the village to demonstrate the strength of feeling against a garden community proposal, and the petition be taken as the view of Marden Planning Opposition Group to this submission for site 226 land north of Staplehurst.

Submission Form

Section 3: Suitability

25. Policy Constraints The water from the sites drains directly through a main watercourse to the SSSI River Beult which is only ~ 0.4km away from the site. The applicant has not ticked Sites of Special Scientific Interest. This is however despite the River Beult being mentioned as an ecological constraint in the ecological constraints and opportunities document in the submission.

25. Heritage There is no mention of the Grade II listed Home Farm House that is located right next to the employment/education area on the indicative masterplan.

26. Drainage As the water from the site drains directly through a main watercourse to the SSSI River Beult and the land is extremely liable to flooding, with watercourses right through the site it would seem that some information should have been highlighted in this section.

26. Contamination/pollution We believe there to have been an old farm tip on this site and have lodged an FOI with the Environment Agency to gather the detail. We will of course forward this in due course. The applicant has not mentioned this in their submission forms.

26. Public Rights of Way There are two public rights of way that traverse the site KM 266 and KM 289 yet the submission has not ticked this box or highlighted them.

26. Hedgerows This has not been ticked on the submission form, despite section 1.2.1 of the Ecological Constraints and Opportunities Assessment document mentioning 'a number of hedgerows are associated with the field boundaries, with several mature and semi-mature trees present.'

27. Flood Risk The indicative area where the infant and primary school and day nursery is located on the plans is in the Flood Risk Zone 3 area. This is the highest-level flood zone and the site floods. Please see the map included. Flood risk zone 3 is 'an area with high probability of flooding' also described by the Environment Agency as 'land assessed as having a 1:100 or greater annual probability of river flooding.'

We are surprised to see that this proposal has not included a flood risk assessment for the site. The advice from the Environment Agency on development in a flood risk area is to;

‘Contact the following organisations for information about flood risk in your area:

- Environment Agency
- Internal Drainage Board
- your lead local flood authority - contact your local council to find out who this is
- Contact your local planning authority or check the planning section of their website for their strategic flood risk assessment if one has been adopted as part of the local plan. Refer to the strategic flood risk assessment in your own flood risk assessment.

Check if your development is within 20 metres (m) of a main river. Ask the Environment Agency for advice if it is. ‘

The proposed development site is only ~0.4km away from the SSSI River Beult and it is an error that a flood risk assessment has not been submitted for this site within the proposal documents.

27. Ecology The site has been managed under Higher Level Stewardship which is an agri-environmental scheme that this submission fails to mention. Further detail can be found below when referencing the Ecological Constraints and Opportunities Document.

Section 6: Additional Information

The Site It mentions that the site is ‘3.3km from the centre of Staplehurst and 6.3km south of Maidstone. It is 4.6km from Marden.’ In reality the site is 2.8km from Marden as the crow flies and 3.7km from Marden along the road network.

The submission states that ‘it is an area that the Environment Agency believes is ‘at risk’ to flooding.’ The site is partially located in Flood Risk zone 3 – the Environment Agency’s definition of flood risk zone 3 is ‘an area with high probability of flooding’ also described by the Environment Agency as ‘land assessed as having a 1:100 or greater annual probability of river flooding.’ We note that no advice on the views of development on this site has been sought from the Environment Agency at this time.

The Proposed Garden Community

The submission makes reference to the site functioning ‘relatively standalone’. This term needs clarification as during the construction phase of the site it will be wholly dependent on the resources of Marden and Staplehurst and the submission later makes reference to the use of the proposed supermarket at Staplehurst.

Housing

The density range of 30 to 45 units per hectare is quoted. This is a high density for a greenfield site which will be viewed from a wide area owing to its uninterrupted flat countryside location. The usual density is 26 homes per hectare on greenfield – less than the minimum density of dwellings required by previous planning policy (30 homes per hectare), and even brownfield sites are only being developed at 40 homes per hectare [Source CPRE].

Education/Healthcare/Community Facilities

It is clear from the submission that no preliminary discussions have been held with any of the relevant authorities at this time. The continued references made to the Staplehurst Neighbourhood Plan belie the fact that the majority of the land (and most of the housing allocation) within this submission is in the Marden Parish.

Possible Extension

The submission seeks to show potential extension to the west of the site. We have accurate information from both landowners to the west of the site (one is ourselves) that there will be no potential for future extension(s) to this site. Both landowners have written to the Borough Council on this matter to confirm this fact.

Ecological Constraints and Opportunities Document

2.2.1 The desk study referenced gaining background information from the Kent and Medway Biological Records Centre. The RSPB hold more detailed and recent information with regard to this site and the locality which will not have been able to be accessed from this source.

3.2.3 states that 'the arable fields and semi-improved grassland are of only minor ecological interest within the immediate area'. This would seem to contradict the agri-environmental scheme that this land is in.

5.2.2 Broadleaved woodland standing advice for ancient woodland is that a buffer zone of 15m from the edge of these features is maintained. The masterplan included within the submission does not show any of these buffer zones being in place.

5.2.9 There is mention of the re-creation of traditional orchards on the site. Fairly intensive work and management is required for the re-creation of traditional orchards namely pruning and mowing between the trees, yet no provision is mentioned for how this will be achieved.

Plan EC02 There are no buffer zones of 15m shown around most of the ancient woodland areas on or next to the site.

The ecological report makes no mention of the fact that this entire site has been in an agri-environmental scheme agreement for over 15 years. This site land is part of a Higher Level agri-environmental scheme agreement which is authorised under the Rural Payments Agency (formally by Natural England) and the governments' department of environment, food and rural affairs. The Higher-Level scheme is a competitive scheme and only land designated for wildlife and environmental importance can be included in this scheme.

Natural England's' own guidance states; 'Higher Level Stewardship (HLS), which will be combined with ELS, aims to deliver significant environmental benefits in high priority situations and areas.'

Land North of Staplehurst A New Self-Contained Garden Community Document

The development site is called 'Land North of Staplehurst' despite the majority of the site falling into the parish of Marden. The Staplehurst Neighbourhood Plan is referenced throughout the document.

4. The Site The submission mentions that 'apart from the pockets of ancient woodland there are no other policy constraints affecting the site.' There is no mention made of the SSSI River Beult which is located some 0.4km from the north of the site and the fact that the drainage ditches from the site flow directly to the River. There is also no mention of the Flood Risk zone 3 which covers the eastern side of the site.

Page 8 The proposed cycle route to Maidstone appears to travel north but on further inspection appears to deviate off of the paved road known as Chart Hill Road and follow a dirt path which is not even designated on the KCC maps as a footpath. This path is unsuitable as a cycle route. Even the alternative cycle route shown as a red dotted line on the plan takes you up an incredibly steep lane then on turning east leads you on to an uneven designated footpath. In reality, the most frequently used paved route from the proposed development (avoiding the busy A229) to Maidstone is actually up the incline towards Chart Sutton which takes you up Chart Hill Road which is a road with numerous sharp blind bends and a gradient of 13%!!

Page 9 Although the site appraisal shows photos of trees and hedgerows it fails to show and identify the three ancient woodlands that are actually on the proposed site and the fourth which borders the site.

Conclusion

This site is unsuitable for development for many reasons but namely because part of the site is in the floodplain, there is ancient woodland present on the site, and the site drainage and indeed the flood ditches on the site drain directly to the SSSI River Beult meaning that the source pathway receptor model would represent a high risk of contamination to the River Beult. No mitigation measures would be able to be put into place to adequately control this risk of contaminated surface water run-off or flood water run-off entering the River Beult.

The so-called land north of Staplehurst proposal constitutes nothing more than an opportunistic uncontrolled car-dependent ribbon development scheme.