



**MINUTES OF THE EXTRA ORDINARY PARISH COUNCIL MEETING HELD ON  
TUESDAY 17<sup>TH</sup> OCTOBER 2023 AT THE ALLENS, ALBION ROAD, MARDEN  
COMMENCING AT 7.30PM**

**075/23 PRESENT**

Cllrs Adam, Boswell, Gibson, Newton, Rabot, Robertson, Summersgill, Tippen (in the Chair) and Turner. The Clerk, Deputy Clerk. Borough Cllr Russell and 34 members of the public were also in attendance.

**076/23 APOLOGIES FOR ABSENCE**

Cllrs Besant and Stevens gave their apologies.

**077/23 COUNCILLOR INFORMATION**

**Declaration of Interest**

There were no declarations of interest

**Changes to Register of Interest**

There were no changes to Cllrs Register of Interest

**Granting of Dispensation**

There were no requests for dispensation.

**078/23 MINUTES OF THE PREVIOUS MEETING**

The Chairman proposed that the minutes of the Parish Council meeting held on 10<sup>th</sup> October 2023 are deferred until the next meeting on 14<sup>th</sup> November.

**079/23 IDENTIFICATION OF ITEMS INVOLVING PUBLIC SPEAKING**

All in attendance for the planning application at item 080/23/

The meeting was adjourned for the following items:

**PUBLIC FORUM**

Comments were raised from the floor by those present. These can be viewed in Appendix A.

The meeting was reconvened at 8.04pm for Cllrs to discuss item 080/23.

**080/23 PLANNING APPLICATION**

**23/504068/OUT – Land East of Albion Road and Copper Lane, Marden**

Outline application with some matters reserved (access only sought) for the removal of 2 former agricultural sheds and erection of up to 117 dwellings and associate infrastructure including partial footways on Albion Road.

After listening to all residents' comments Cllrs discussed this application (see Appendix B).

Following a detailed discussion, the Chairman asked Cllrs to vote as to whether to approve or refuse: Approve: 0 / Refuse: 9. After the unanimous vote Cllrs recommended refusal. The full response can be seen at Appendix C.

The comments from Marden PC would be submitted to Maidstone Borough Council along with the letters for Regulation 18b (Appendix D) and Regulation 19 (Appendix E) and accompanying tables.

There being no further business the meeting was closed at 20.53pm

Signed:

Cllr Kate Tippen, Chairman, Marden Parish Council

Date: 14<sup>th</sup> November 2023 / 01622 832305 / [clerk@mardenkent-pc.gov.uk](mailto:clerk@mardenkent-pc.gov.uk)

## Appendix A

**Residents' Comments:****23/504068/OUT – Land East of Albion Road and Copper Lane, Marden**

**Outline application with some matters reserved (access only sought) for the removal of 2 former agricultural sheds and erection of up to 117 dwellings and associate infrastructure including partial footways on Albion Road.**

Ill-conceived development; traffic implications to Marden village are dramatic; the site would produce 117 dwellings with a long walk to village and station; minimum of 150 cars of estate in and out of the access road on Albion Road. Narrow road and dangerous junctions at Plain Road (blind junction) and Seymour Road; parking restrictions would be required. Sewage, water pressure in Russet Grove is very poor.

CR: will sit on planning committee and will vote on this application. The Local Plan is not yet adopted so village envelope has not been extended in the current Local Plan. As it stands now should not be considered. Developer may sell onto another developer. Not much to comment on as outline but water/sewage is very relevant.

Rydon consulted locally – feedback was for bungalow and affordable housing. What does Marden want from future development – more social housing and those requiring dwellings with disabled provision. Marden has an aging population and not a single bungalow has been built for many years.

When sports club was developed resident downstream of Russett Grove – although some things were mitigated against but ground is still saturated and has become worse at Stone Pit properties – has not been dealt with. Flooding issues will be moved further down. Water pressure very low. Concern over the wildlife in Copper Lane including Turtle Doves which nest in a lot of the hedgerows in the area. The Biodiversity report did not outline this.

Development is of quite a large concern and used to farm area and there are foundations of an old barn underneath the proposal to build a new pond, drainage is a major concern. Copper Lane has been devastated in recent years from extreme flooding over and above its natural level. Pipe under Copper Lane by the pond which runs into an unmanaged ditch with flows eventually to the River Beult which now floods on a regular basis. There is a natural spring at the top of the Russet Grove and a small pipe which runs into the pond by Copper Lane and a culvert was put in under the road. Drainage a problem and the proposed development is going to add to the increased amount of surface water; Sewage station/pumping station is at the end of Oakleigh's garden – what is the planned direction of the proposal development.

Resident received a letter regarding the consultation period which is due to end on 18th October. No planning notice has been erected so the consultation period has been extended. Strongly against the development, outside the village envelope. The proposed boundary includes the area of land owned by other residents. Situated in the lower weald area and would be seen from a distance. Traffic calming measures are indicated on the plan with white lines indicating the edge of the road – Marden is a rural village.

Marden Neighbourhood Plan 2017 reported that sewage was a problem along with Marden Medical Centre needed investment, school is currently full. Suggestion of travelling to Maidstone by bus, travelling to other schools (local being Staplehurst), P26 pond is in resident's drive and is not a pond but a puddle/flooding. In SP5 "no development on green areas". Resident asked that MPC request it goes to MBC Planning Committee and not under delegated powers. 2.5 height buildings still too high.

Overriding concern, along with flooding and sewage, is road safety issue. Copper Lane is listed as an emergency exit which not sure this will remain. No response on website from KCC Highways –

would be beneficial for an Officer to actually come to the site to see how dangerous the access road is. No amount of pavements will mitigate this. Need to put pressure on KCC Highways.

Speed of traffic on Albion Road is high at the moment – area is unsafe for walking to the development. Feel this site is not a sensible location for the amount of dwellings proposed.

CR: Already called in to Committee.

Totally agree with everything that has been said. Average number of vehicles per dwelling will be 2 at least – congestion will be horrendous especially during construction along with pollution (example of traffic lights at Church Green in the last week).

## Appendix B

**Councillors Comments:**

**23/504068/OUT – Land East of Albion Road and Copper Lane, Marden**  
**Outline application with some matters reserved (access only sought) for the removal of 2 former agricultural sheds and erection of up to 117 dwellings and associate infrastructure including partial footways on Albion Road.**

RA – informed meeting MPC cannot make the final decision – will be MBC.

RA: Broadly speaking agree with most that has been said by residents – reflects the comments made by MPC when site was first put forward. Flooding, water pressure, traffic flow hasn't gone away. Lack of a single footway to link the village – applicant is proposing to use the PROW KM281 opposite which is not suitable for anyone let alone those with pushchairs/wheelchairs. Wished MPC to reflect comments raised by residents.

AR: Nothing to add.

AB: Access not suitable, lack of footways to village, using PROW takes longer to get to centre of the village than if there was a footway enabling people to walk along Albion Road. Quoted NPPF paragraphs 111 and 112. Asked Cllrs to quote this on the response.

AT: Reiterate that this is a site within the emerging local plan and, in principle, the Inspector has no issues about it. Concern over access and agreed with AB regarding NPPF paragraphs 111 and 112. All comments from Regulation 19 response nothing has changed as far as AT is concerned.

TG: Walked PROW with family and dogs, growth is rapid during summer months, mud during winter months – just not feasible.

JR: Reiterate our concerns previously made at Regulation 19.

IN: Nothing to add – all comments very valid. Over the last 5 years water has flowed across the road in Copper Lane from ditch to ditch. A development should not exacerbate an existing problem.

MS: Relevant points on biodiversity. Ground water issues – design has acknowledged that not enough data has been received and seem to be making decisions without the data. Air quality – MBC Environmental Health has already stated that an Air Quality assessment is required. This should also be an assessment on the village as well as Maidstone Town Centre.

Marden Wildlife has volunteered to give all their data and knowledge to the developer's representative which has not yet been taken up. The Ecological Study in the application is well out of date. It is hoped that KCC Ecological Department will respond.

Protection of Rural England mention biodiversity and mitigation for lack of habitat.

KT: Main concern is pedestrian access – by using PROW, although it is a safe access to the village, is not feasible especially for pushchair/wheelchair users. Documents state that Albion Road is a safe shared space – survey was undertaken in July 2023 when we had sunlight and dry verges. No consideration for what the road is like in Winter months with the road being wet and verges muddy. No where safe to stand/walk if vehicles are passing especially lorries/buses. PROW is narrow in places, cannot be lit and fencing/hedging either side. Fails to prioritise pedestrians in accordance with NPPF paragraph 112.

RA: Briefed the meeting that although MPC strongly opposes this application it is possible that this application may be approved by MBC. MPC should therefore look at what conditions should be placed on the decision: sewage, flooding, access etc.

AT: A lot of the comments raised will be for reserved matters. In principle, a resident spoke about affordable housing – urge Cllrs that if application is approved Cllrs would want to see this definitely at 40% of which affordable housing should be in perpetuity.

In principle, very disappointed in the overall design of this application and no linking of travel or connectivity onto the Russet Grove site for pedestrians/cyclists. Design of buildings in question will be in the reserved matters but wished Cllrs to consider maximum 2 storey dwellings. Policy NE1, NE2 and In1.

TG: Appreciate outline but the density of the site exceeds any reference made in the Marden NP with a lot of dwellings crammed in top right hand corner with not enough green space.

RA: Details in documents does state 2 storey dwellings and bungalows. Need to ensure that the mix of dwellings includes bungalows.

AT: Look at a more detailed response regarding Cat 1, 2 and 3 housing.

## Appendix C

**Marden Parish Council Response to Maidstone Borough Council:****23/504068/OUT – Land East of Albion Road and Copper Lane, Marden****Outline application with some matters reserved (access only sought) for the removal of 2 former agricultural sheds and erection of up to 117 dwellings and associate infrastructure including partial footways on Albion Road.**

Cllrs recognise that this is an allocated site in the emerging Local Plan, which may or may not be adopted but they have severe reservations about this planning application in the context of the existing Local Plan and the emerging Local Plan. For the following reasons:

- In terms of the existing Local Plan the site sits outside the settlement boundary so is not compliant with MBC Local Plan Policy SP17 Development in the Open Countryside. The density of the proposed housing (117 units, more than the 113 units identified for site LPRSA295 in the emerging Local Plan) should be avoided on the edge of the village location and a reduction of units per hectare should be considered if MBC is minded to approve.
- There is a fundamental flaw regarding public footpath KM281 as the principal route for pedestrians between the proposed development and the facilities in the village centre, although it is unlit and therefore almost all users will consider it unsafe in the hours of darkness. Even if the majority is surfaced (as suggested in Appendix I of the applicant's Transport Assessment), it will be unsuitable for wheelchair and pushchair users as the first section west of Albion Road will remain gravelled. Paragraph 6.27 of the applicant's Planning Statement claims that *"the footpath enhancement work includes footway widening of Public Footpath KM281, to provide a 1.2-1.5m wide footway."* However, Appendix I of the Transport Assessment makes clear that this is reliant on the hedge vegetation being cut back, and seasonal growth will inevitably result in a lesser width for much of the year. Furthermore, any width less than 1.5 m will be insufficient for pedestrians to pass any pushchairs or wheelchairs coming in the opposite direction (refer to Figure 6.18 of the Manual for Streets). The Department for Transport's 'Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure' is therefore based on a minimum footway width of 2.0 m, with an absolute minimum of 1.5 m. As such, KM281 could only ever act as a secondary route for pedestrians, and then during daylight hours only.
- The applicant suggests that it is safe for pedestrians to walk along Albion Road, where there will be no footway, and paragraph 7.3.29 of the Transport Assessment claims that pedestrians may wish to *"take refuge in the verge along the side of the Albion Road carriageway"* to avoid oncoming traffic. This is a wholly inappropriate basis to plan pedestrian access to and from a major housing development in the 2020s, especially for wheelchair and pushchair users. Paragraph 7.3.24 of the Transport Assessment rightly notes the Manual for Streets Guidance about shared streets being likely to work well *"where the volume of motor traffic is below 100 vehicles per hour."* However, this needs to be compared with paragraph 7.3.21 which states: *"The future traffic flows (2028 with development) along Albion Road (between the site access and Seymour Drive) is around 232 – 261 vehicles in a weekday peak hour."* The access problem thus speaks for itself because Albion Road will have to be the principal route for pedestrians between the proposed development and the facilities in the village centre (whether the applicant likes it or not) due to the problems with footpath KM281. The missing footway along Albion Road thus must be provided to an acceptable standard to meet the Manual for Streets / Inclusive Mobility guidance and capable of passing a road safety audit should MBC be minded to approve.
- There is also a lack of connectivity into the neighbouring development at Russet Grove and through to the Stanley Road / South Road / Howland Road area, highlighted as an important consideration at the applicant's information events in July 2022.

- The lack of permeability to the site for walking/cycling is contrary to NPPF paragraphs 111 and 112 (see below), MNP In2 Sustainable Travel and In3 Traffic Generation.
- NPPF Paragraph 111 – *‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.’*
- NPPF Paragraph 112 – *‘Within this context applications for development should: (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second, as far as possible, to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; (c) create places that are safe, secure and attractive, which minimise the scope for conflicts between pedestrians, cycles and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; (d) allow for the efficient delivery of goods, and access by service and emergency vehicles, and (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.’*
- The proposed development will not only generate a significant amount of additional traffic but also movement of heavy construction vehicles during the build period along the narrow roads and lanes and is contrary to NPPF paragraph 113 *‘All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.’*
- KCC Highways has not yet commented but there are severe concerns about the proposed access, the suggested improvements to Albion Road and the Thorn Road/ Albion Road/Plain Road junction which is blind and dangerous for motorists and pedestrians, NB: At the MBC Examination stage in May, Kent Highways questioned the access in Albion Road where it is likely that many of the vehicle trips associated with the development will route to and from the northern section of Albion Road. This route commonly features on-street parking which reduces the available carriageway width and prevents continuous two-way traffic flow. Additional vehicle movements would be expected to increase vehicle conflicts and delays in the absence of mitigation.
- There are severe concerns over surface water management, water supply and sewerage as well as electricity supply already being under great strain throughout the village and this proposed development must not exacerbate these issues. The application has not demonstrated conformity to MNP Policies NE1 Surface Water Management, NE2 Water Quality and In1 Water Supply and Sewerage and the provision of sustainable drainage solutions is essential prior to the application being approved.
- In the emerging Maidstone Local Plan Main Modification 6 it quotes *‘Developers and MBC will work proactively with the sewerage service provider to ensure that any necessary upgrades to wastewater treatment works and/or sewer network resulting from new development are identified early to ensure that performance of wastewater infrastructure is not diminished by the connection of new development. Additionally, ‘Developers will be expected to provide or contribute towards additional requirement being provided to an agreed delivery programme.’*
- Whilst it is stated by the applicant in the Planning Statement that there could be a biodiversity net gain of 27.7% in habitats and 59.3% in hedgerows, the biodiversity information is inadequate and out of date. Therefore, an Ecological Impact Assessment should be provided with a wider scope

and focus on the likely negative impacts the site will have on the existing biodiversity both on the site and in the adjacent area as per the main modification to the emerging Maidstone Local Plan identified by the Planning Inspector.

- The frequent surface water flooding of Copper Lane eastwards from the junction with Thorn Road, passing the proposed emergency and pedestrian / cycle access, was described to the applicant's representatives at the information events held in July 2022. This is illustrated on page 14 of the representation from Mr Edward Thomas dated 14 October 2023. Paragraph 7.2.16 of the Flood Risk Assessment claims that *"Elevated surface water flood risk is identified in highways at distance from the site. However, these are not considered likely to preclude access/egress from the site."* This is clearly misleading, and no measures are proposed by the applicant to ensure the safe and effective use of the proposed emergency and pedestrian / cycle access during periods of heavy rain that occur at least annually (and not just during extreme weather conditions).
- Sub-section 12.3 of the Flood Risk Assessment also notes: *"Potential for shallow groundwater has been identified during site investigation works. The results obtained to-date are inconclusive and further ground water investigation is recommended to assess the potential for groundwater to impact the site and drainage solutions. Notwithstanding the above, it is considered likely that mitigation will be possible."* This is too vague for a robust Flood Risk Assessment, especially because it is not possible to attenuate groundwater flows should these be found to exacerbate the elevated risk of surface water flooding at the lower (Copper Lane) end of the site.

Should the Council be minded to approve, MPC would wish to see mitigation to all the above through conditions and Section 106 planning obligations.

MPC notes the commitment in the applicant's Planning Statement that the proportion of affordable housing will be 40% (i.e. 47 homes). In addition, MPC expects that a high proportion of this affordable housing should be allocated to local needs housing; and the provision of housing for older residents (Policy In6 of Marden NP) and disabled residents. MPC therefore welcomes paragraph 6.22 of the Planning Statement: *"The proposed scheme provides a mix of terraced, semi-detached and detached dwellings, including bungalows which can cater for older people and disabled households."* Consideration should also be given to the provision of 'First Homes' for local people or an alternative housing ownership product.

Marden Parish Council's Regulation 18b and 19 responses to the draft Local Plan regarding this site is attached which also took into account design, layout, residential amenity, landscape, ecology and open space.

## Appendix D

**Marden Parish Council Previous Response to Regulation 18b on sites LPRSA295 and LPRSA314**

**23/504068/OUT – Land East of Albion Road and Copper Lane, Marden**

**Outline application with some matters reserved (access only sought) for the removal of 2 former agricultural sheds and erection of up to 117 dwellings and associate infrastructure including partial footways on Albion Road.**

Strategic Planning  
Maidstone Borough Council  
Maidstone House  
King Street  
Maidstone  
ME15 6JQ

Also sent to:  
Borough Councillors David Burton and Annabelle Blackmore  
Helen Grant MP  
County Cllr Eric Hotson

17<sup>th</sup> December 2020

Dear Sir / Madam,

Marden Parish Council is pleased to respond to Maidstone Borough Council's Local Plan Review: Regulation 18b Preferred Approaches Consultation 2020.

**Detailed Site Allocation Policies LPRSA295 – Land North of Copper Lane / LPRSA314 – Land East of Albion Road**

The Parish Council does not agree that the adjacent Sites 295 (Land North of Copper Lane) and 314 (Land East of Albion Road) should be taken forward for housing development as part of the 'Preferred Approaches' consultation for the reasons summarised below.

1) Poor pedestrian connectivity to the village

- There are limited pedestrian links to Marden, with no footways on the east side of Albion Road south of Seymour Drive or south of Jewell Grove on the west side.
- There are no public footpaths across either of the sites and the minor roads in the vicinity are narrow and unlit. Footpath KM281 on the opposite side of Albion Road from Site 314, linking with the 'Windsor Meadow' development, is unsurfaced and very narrow between high hedges.
- For site 295, Copper Lane is a single-track country lane with no prospect of a footway to link to Thorn Road or Howland Road, and no footways on Thorn Road, Albion Road or Howland Road in the vicinity of the site.

2) Significant impacts of vehicular access into and out of the site and around the village

- The capacity of Albion Road is heavily constrained by on-street parking, and under the 'Access to Public Transportation & Services' assessment in the Strategic Land Availability Assessment (SLAA) it is stated that the *"required mitigation measures unfeasible due to the requirement for 3rd party land, or the requirement to remove existing resident parking (with no apparent alternative) [in] order to achieve suitable*

*road widths.*” Both sites are then described in the borough council’s own words as *“unsuitable on access grounds.”*

- For traffic heading to or from the Maidstone, Staplehurst or Yalding directions, there would be significant impacts from additional traffic at the Albion Road / High Street / Howland Road T-junction, at the High Street / B2079 Maidstone Road T-junction and the length of B2079 within the village envelope used for on-street parking which are already frequently congested.
- The A229 to the north of Linton and into Maidstone is also inadequate and already heavily congested, and constraints mean that the planned improvements to the Wheatsheaf roundabout and Linton Crossroads are unlikely to be sufficient to accommodate the additional traffic over the longer term.
- Road connections to the west of Marden to amongst others Paddock Wood, Tonbridge, Tunbridge Wells and Kings Hill are along narrow, minor country roads. Road connections to the east of Staplehurst towards Headcorn and Ashford are equally poor. Connectivity to the motorway and trunk road network, in whichever direction, is slow and poor along country lanes.

### 3) Visual impact of the development on the countryside

- Site 314 is on an elevated position and visible on the skyline across the open fields (depending on season) from Copper Lane, Thorn Road and Marden Thorn, which means that any development will have the potential for harmful impact on the surrounding countryside.
- Site 295 is on an elevated, sloping, position and visible across the open fields for some miles, especially in a wide arc stretching from the southeast to the west, which means that any development could not realistically be screened and therefore will inevitably have a harmful impact on the surrounding countryside. Even were it feasible, any widening of Copper Lane for Site 295 would result in a significant loss of mature trees, established hedgerows, ditches and numerous ponds on either side, resulting in fundamental impacts to its character and distinctiveness as a ‘quiet lane’.

### 4) Environmental and biodiversity impacts

Residents have reported evidence of Birds of Conservation Concern 4 (BoCC 4) red listed species (yellowhammers, woodpeckers, and fieldfares) on both sites. For Site 295, Natural England survey records show great crested newts present in the Copper Lane area, and under the ‘Ecology (including ponds)’ assessment in the SLAA for Site 314, it is also recorded that the rough grassland/scrub area may provide suitable habitat for reptiles.

### 5) Not in conformity with the Marden Neighbourhood Plan

Housing development on both sites would be variously inconsistent with aspects of Marden Neighbourhood Plan (MNP) policies NE3, NE4, NE5, BE1, In1, In2, In3, In4, A1, A3, A4, E1 and E2. Site 295 would also be inconsistent with MNP policy NE1 due to surface water flood risks including on the site, Copper Lane, Howland Road and Thorn Road.

### 6) Poor sustainable transport connectivity with Maidstone and the surrounding area

- For Site 314, there is a very limited daytime bus service along Albion Road, with no buses on Sundays.
- For Site 295, there is no bus service along Copper Lane, Howland Road or Thorn Road.
- For both sites, under the ‘Access to Public Transportation & Services’ assessment in the SLAA, the required mitigation measures are described as *“unfeasible due to insufficient site scale to achieve increased bus service regularity, even when considered collectively with adjacent sites”*. Both sites are then described in the borough council’s own words as *“unsuitable on sustainability grounds.”*

7) Limited local employment opportunities

There are limited local employment opportunities in Marden, and as noted above both car and public transport options for those seeking to work in Maidstone are likely to remain poor. Some employment opportunities may exist in Tonbridge, Tunbridge Wells or Ashford, but commuting to London by train is likely to be the only choice for many.

8) Lack of capacity on the railway

- Marden railway station is on the Kent Coast route between Tonbridge and Ashford. Direct services are available to Charing Cross (and also Cannon Street at peak times) but – leaving aside the current coronavirus restrictions – these are already at or near ‘standing room only’ during peak hours with no possibility to extend or run more frequent trains because the line and station capacity limits have been reached.
- Other large-scale housing developments in Staplehurst, Headcorn, Ashford and East Kent will also be putting increasing pressure on train capacity in future years.
- Marden station already has severe parking problems in a very constrained area, and as noted above, there are limited pedestrian links from either site to Marden station.

9) Sewerage, water and electrical supply concerns

- The sewerage system in Marden was already under great strain, even before the recently completed housing developments and those currently being completed. Frequent problems occur at the Roughlands pumping station which connects the village with the Horsmonden wastewater treatment works. The existing sewer network also surcharges during periods of heavy rainfall, causing significant health concerns. All these problems would be exacerbated by any further large-scale housing development.
- South East Water has an ongoing programme to renew and strengthen its existing network, but it is not clear whether this will offer the capacity to deal with the individual and cumulative impacts of additional large-scale housing developments.
- Marden also experiences frequent power cuts during thunderstorms due to weaknesses in the existing electrical supply network.

10) Detailed comments on each site

Further details are given in Annexes A (Site 295) and B (Site 314), and attention is also drawn to the detailed objections to housing development on both sites submitted to the committee by concerned local residents.

11) Proposed conditions

The Parish Council also wishes to comment on the proposed conditions for these two sites put forward in draft policies LPRSA295 and LPRSA314.

- Widening Copper Lane is not feasible without irreversible harm to its character and setting in the landscape, as noted in point 3) above. It is a narrow, single track country lane, with ditches and ponds on both sides of the road.
- It is not feasible for Copper Lane to be used as a bus route for the reasons noted in 3) and 6) above plus, at the northern end, it joins Howland Road which is also unsuitable as a bus route due to the road constraints at Rose & Crown Cottages.
- Widening surrounding roads is not feasible because:
  - Thorn Road and Plain Road are country lanes, with ditches and hedgerows and private land on either side. It would not be cost effective to purchase the land required to widen these roads.
  - Albion Road is residential with private land on both sides of the road. It would not be cost effective to purchase land required to widen this road.
- The capacity of Albion Road is heavily constrained by on-street parking. The removal of resident parking in Albion Road will only add to congestion in other parts the village as those residents do not have off-road parking, as noted in point 2) above.

## 12) Sustainability Appraisal

Marden Parish Council comments as follows in respect of Sites 295 and 314 contained in the 'Interim Sustainability Appraisal of Maidstone Local Plan Review – Regulation 18b Consultation' report:

- i) Under SA objective 2: Services & Facilities, it is noted that both sites are distant from the nearest secondary school and average commuting distances from these locations are high. With the nearest secondary schools being located in Maidstone, Paddock Wood, Tonbridge and Tunbridge Wells, and as noted under point 7) above commuting to London by train is likely to be the only choice for many, this is certainly true, and to the extent that the assessment should probably be '--' overall when compared with other locations in the borough with significantly shorter travel distances.
- ii) Under SA objective 3: Community; it is stated that "Minor positive effects are expected from both site-specific allocation policies because of the requirement... for landscaping to soften views from surrounding areas", but this does not appear to be a valid ground for consideration under this heading and thus the assessment should probably be '0' overall.
- iii) Under SA objective 4: Health; Site 295 is not located any closer to existing open space or the public rights of way network than Site 314, and in both cases, this is not offset by provisions in the site-specific allocation policies to the extent that the assessment should be higher than '0' overall.
- iv) Under SA objective 7: Sustainable Travel; the '+' assessment for both sites is disputed because:
  - a) pedestrian links to the village centre and station are poor and difficult to improve;
  - b) there are no cycle-friendly routes in the vicinity;
  - c) existing bus services are limited during weekdays and non-existent in the evening and on Sundays / bank holidays and any suggested improvements may never materialise;
  - d) existing peak train services are essentially full to capacity already.

*NB – Points b) to d) also apply to Marden as a whole under Policy SP6(d).*
- v) Under SA objective 12: Flooding; the assessment of '-' for Site 295 is too high because it ignores the effects of surface water flooding on the proposed vehicular access route via Copper Lane and should be reduced to '--'.
- vi) Under SA objective 13: Climate Change; the assessment should probably be '--' overall as for SA objective 2.
- vii) Under SA objective 14: Biodiversity, the assessment for Site 295 should be reduced to '--' and that for Site 314 to '-' for the reasons given in point 4) above.
- viii) Under SA objective 16: Landscape; the assessment values in Table 6.11 do not align with the descriptions in paragraph 6.170, with the former being considered more accurate for the reasons given in point 3) above.

## 13) Conclusions

Detailed Site Allocation Policies LPRSA295 (covering Site 295) and LPRSA314 (Site 314) should not be included in MBC's Preferred Approaches document for the reasons given above.

### **'Garden Communities' Site 309 – Land North of Marden**

The Parish Council welcomes the omission of Site 309 (Land North of Marden) from the 'garden communities' options to be taken forward under the Borough Council's 'Preferred Approaches' consultation.

For the record, Site 309 was considered to be unsustainable and unsuitable for development for the wide range of reasons set out in Annex C including:

- 1) The development offers no benefits to the existing community
- 2) Lack of cohesion with the existing community due to severance caused by the railway line

- 3) Principle of a ‘garden community’ – demonstrably neither an extension to the urban area of Maidstone or a new settlement separate from an existing village
- 4) Not in conformity with the Marden Neighbourhood Plan
- 5) Severe environmental and biodiversity impacts
- 6) Poor sustainable transport connectivity with Maidstone and the surrounding area
- 7) Limited local employment opportunities
- 8) Traffic impacts from access into and out of the site, through and around the village, and further afield
- 9) Lack of capacity on the railway
- 10) Overwhelming lack of community support for the proposal

### **Other housing, employment and mixed-use sites**

The Parish Council supports the Borough Council’s acceptance of the conclusions of the SLAA that the other proposed housing, employment and mixed-use sites in Marden should not be taken forward as part of the ‘Preferred Approaches’ consultation.

### **Existing Local Plan Policy EMP1(2) - South of Claygate, Pattenden Lane, Marden**

The Marden Neighbourhood Plan recognises the importance of sustaining a vibrant business economy and seeks to promote business interests where compatible with other policies in the plan. This accords with the aims of the National Planning Policy Framework (NPPF) that seeks to enable the sustainable growth and expansion of rural businesses, the development and diversification of agriculture and other rural businesses and enable sustainable rural tourism and leisure that respects the character of the countryside.

The Parish Council therefore looks forward to suitable proposals being submitted under existing Local Plan Policy EMP1(2) - South of Claygate, Pattenden Lane, Marden in the Plan Period, provided that they are also consistent with MNP policy E1 and other relevant NPPF, Borough and Neighbourhood Plan policies.

### **Spatial Strategy, Spatial Strategic Policies and Policies Map**

The Parish Council raises a number of comments and suggestions on the proposed Spatial Strategy, spatial strategic policies and policies map in Annex D attached, and particular attention is drawn to the following.

- i) Policies LPRSA295 (covering Site 295) and LPRSA314 (Site 314) should not be referenced in policy SP6(d) (formerly SP9) – see above.
- ii) In point 4) a) of policy SP6(d), the railway station enhancements should be specifically noted as additional car parking and step-free access to the ‘down’ platform as indicated on page 35 of the Marden Neighbourhood Plan
- iii) In point 4) of policy SP6(d), an extra ‘key infrastructure requirement’ “*e) Measures to reduce, manage and mitigate river, surface water and sewer flooding*” should be added. In addition to more frequent and severe river flooding, a significant worsening of surface water and/or sewer flooding from individual and combined events has been experienced across the parish in recent years. Any new development – of whatever size – in Marden therefore must take specific account of river, surface water and sewer flooding and contribute appropriately to the funding of the infrastructure measures required to reduce, manage and mitigate such events.
- iv) In respect of policy SP6(d), it noted that the ‘HRS Screening Report’ states in Appendix C that “this policy will result in the development of 145 new homes alongside 1000 new homes as part of the Neighbourhood Plan” in error. This reproduces the Policy SP6(c) text for Lenham and should instead read “this policy will result in the development of 113 new homes.”

- v) Should policy SP9 (formerly SP17) be adopted, a review of the extent of the Low Weald landscape of local value should be undertaken because the local landscape character areas '44 Staplehurst Low Weald', '45 Sherenden Wooded Hills' and '57 Teise Valley', as defined in the 'Maidstone Landscape Character Assessment' (2013), are all rightly placed in the 'Conserve' category and thus require additional protection as part of an extended definition.
- vi) In point 4) of policy SP13(a) (formerly ID1), it should be made much clearer that the indicative list of priorities for Section 106 developer contributions can be varied to include specific infrastructure measures required to support policies SP1 to SP10 (e.g. measures required to support an amended policy SP6(d) to reduce river, surface water and sewer flooding in Marden).
- vii) Additionally, should policy SP13(a) be adopted, a review of the Infrastructure Delivery Plan should be undertaken to ensure that the priorities for Community Infrastructure Levy payments also align with these priorities (as varied to support policies such as SP6(d), etc.).
- viii) Should policy SP15 (formerly DM1) be adopted, the further action on page 19 of the Marden Neighbourhood Plan (MNP) a Conservation Area Appraisal and Management Plan for Marden should be undertaken by MBC in light of the National Planning Policy Framework, latest Historic England guidance, etc.
- ix) In respect of the policies map, the following further actions on pages 36, 42 and 43 of the Marden Neighbourhood Plan should be completed as part of the Local Plan Review:
  - To modify the map to encompass the major Highwood Green housing development given planning permission in 2012 and completed in 2017 within the settlement boundary.
  - To modify the map to encompass the light industrial/vehicle repair site at the western most part of the Pattenden Lane industrial/commercial area within the economic development area.
  - To modify the map to show the Church Green part of the Marden district centre.
  - To modify the map to extend the High Street part of the Marden district centre south east to include the Village Club, Stanleys Garage and Marden Tandoori.

### **Development Management Policies**

The Parish Council raises a number of comments and suggestions on the proposed development management policies in Annex E.

### **Additional comment**

The Parish Council notes that there is an error on pages 255 and 266 – Policies LPRSA066 - Land East of Lodge Rd and LPRSA114 – Land at Home Farm should be listed under a 'Staplehurst Site Allocations' heading as they are not located in the parish of Marden.

Yours sincerely

**Alison Hooker**  
**Clerk to Marden Parish Council**

### **Marden Parish Council Previous Response to Regulation 19 on site LPRSA295**

#### **23/504068/OUT – Land East of Albion Road and Copper Lane, Marden**

**Outline application with some matters reserved (access only sought) for the removal of 2 former agricultural sheds and erection of up to 117 dwellings and associate infrastructure including partial footways on Albion Road.**

Maidstone Borough Council  
Local Plan Review - Regulation 19  
10<sup>th</sup> December 2021

Dear Sir/Madam

#### **Maidstone Borough Council Local Plan Review Regulation 19**

Marden Parish Council has reviewed Regulation 19 documents for Maidstone Borough Council Local Plan Review and supports the spatial strategy and believes the plan is sound and legally compliant.

The Parish Council wishes to make the following comments which are summarised below and explained in more detail on the attached document.

#### **LPRSA295 – Land North of Copper Lane and Albion Road**

Marden Parish Council continues to have concerns about site LPRSA295 Land at Copper Lane and Albion Road Marden, for the reasons laid out in the Regulation 18b submission, see attached.

The Parish Council acknowledges that conditions have been applied in the Draft Local Plan to mitigate some of the risks identified in the Parish Council's Regulation 18b submission and have identified further conditions they would like to see applied should this site be included in the approved Local Plan.

#### **Design and layout**

- To avoid a detrimental impact on the skyline from Copper Lane and surrounding countryside and to maintain the sensitive boundaries to the south no building should be higher than 2 storeys.

#### **Landscape and ecology**

- Landscaping throughout the site should reflect the whole site, not just the sensitive southern boundary
- The layout of the site along all the boundaries should avoid a regimented layout and respect the local character and residential amenity of neighbouring properties and along the sensitive boundaries
- The design of the site should pay special attention to artificial lighting systems to reduce visual intrusion from the countryside and the negative impacts on wildlife

#### **Access, Highways and Transportation**

- Safe pedestrian connections to the site along Albion Road, Copper Lane and to link with KM281 needs to be in place before development commences.
- Safe cycling connections to the site along Albion Road and Copper Lane also ought to be in place before development commences.

#### **Open space**

- The Marden Infrastructure Spend Plan identifies key deficiencies in the open space of Marden. (See page 4 of accompanying Annex)

**LPRSP6(E) Marden**

The Parish Council would like to see the following added to the conditions to Policy LPRSP6(E)

Point 2:

- LPRGT1(9) should read LPRGT1(6)

Point 4:**Key infrastructure requirements for Marden****(4)(a)**

- The Marden Infrastructure Spend Plan [MPC Infrastructure Spend Plan - Marden Parish Council - Marden Parish Council, Marden, Tonbridge \(mardenkent-pc.gov.uk\)](https://www.mardenkent-pc.gov.uk); and the Marden Highways Improvement Plan [MPC Highways Improvement Plan - Marden Parish Council - Marden Parish Council, Marden, Tonbridge \(mardenkent-pc.gov.uk\)](https://www.mardenkent-pc.gov.uk) identify key deficiencies in the infrastructure and highway network around Marden.
- The Parish Council is very concerned about flooding and wishes to see conditions applied to mitigate river, surface water and sewer flooding.
- Improvements to cycle access as well as pedestrian access should be included.
- The loss of pubs and restaurants should be resisted as well as local shops, community facilities and green space.

**Policy LPRSP10(A) – Housing Mix**

- Development should include a sustainable mixed community of affordable housing, local needs housing, housing for the ageing population, Gypsy and Traveller provision and market housing.
- All types of housing developments should meet the optional technical standard of M4(2) and M4(3).

**Policy LPRSP13 – Infrastructure Delivery**

- All references to transport should be updated to read sustainable transport.

**Policies map**

Several errors and omissions have been found, which need to be corrected.

Yours faithfully

**Alison Hooker**

**Clerk to Marden Parish Council**

cc. Borough Councillor Blackmore, Borough Councillor Burton, Borough Councillor Russell, County Councillor Parfitt-Reid and Helen Grant MP.