



15/12/2025

## **RE: Heathlands Garden Settlement SPD Consultation**

Dear Sirs,

I am a local resident with a keen interest in the development proposals at Heathlands. First, I wanted to provide general feedback on the SPD consultation overall. In particular, the SPD in the current form :

1. doesn't confirm or clarify the Masterplan for the proposed development. Providing detailed comments on this 'high level' SPD therefore feels a waste of time as the issues and approaches that need to be addressed, can't be.
2. doesn't provide strong or clear policy wording. It includes phrases such as "if possible" or "should aim to" throughout the document. This includes must do or necessary approaches to things like Nutrient Neutrality or Wastewater infrastructure. The SPD needs to be strong to achieve the vision of a 'sustainable garden community' and is simply unacceptable in the current form as loop-holes would be easily exploited by developers.
3. doesn't present how the viability of Heathlands Garden settlement will be demonstrated prior to phase 1 construction or other infrastructure improvements. Critical issues such as the deliverability of the new railway station, wastewater treatment within a nutrient neutrality capacity, transport infrastructure, water supply infrastructure, have all been ignored.

### **SECTION A: Background**

#### **Absence of water cycle studies for planning sustainable growth**

The National Planning Policy Framework states that strategic policies in development plan documents should make 'sufficient provision' for infrastructure for:

- water supply
- wastewater
- flood risk and coastal change management

The SPD hasn't adequately reinforced the LPR policies to ensure that the objectives and requirements of Heathlands development. There are some major omissions such as the clean water infrastructure improvements that would be required to support major development in a water stressed catchment, that currently relies on groundwater

abstractions locally. The water environment is already under intense stress (water supply and capacity within the infrastructure) and is affected by Nitrate pollution from local agriculture. This alongside new large scale wastewater infrastructure needs, low flows in river catchments, nutrient neutrality mitigation measures which are likely to be unviable. The Upper Great Stour is in BAD ecological Status (Water Framework Directive) and Heathlands development will only exacerbate the problems in this important river catchment.

Maidstone Borough Council (MBC) haven't got an up-to-date Water Cycle Study to inform strategic development sites such as Heathlands. **MBC therefore needs to work with the Environment Agency and the water companies to produce a comprehensive Water Cycle Study, before updating the SPD and continuing development proposals at Heathlands.** When prepared at an early stage of plan-making, water cycle studies can provide evidence that local authorities (or groups of local authorities) can use to make sure their plans are sound. It takes account of the current water infrastructure and environmental pressures in this area, enabling the risks and constraints to be understood, and a costed mitigation plan delivered to support development. Water cycle studies allow for an assessment of how strategic plans and development proposals will affect the environment.

### **Transport and Connectivity**

Transport infrastructure improvements that have been identified by the Heathlands Transport Report (WSP) with a 'monitor and manage' approach to transport infrastructure needs. The SPD should provide a means that identified infrastructure needs are deliverable, which includes ensuring that the funding, partners and relevant processes are in place to enable the delivery of infrastructure. This is not demonstrated by a 'monitor and manage' approach and 'hides' infrastructure needs to support a sustainable new-garden community. The Heathlands Transport report (WSP) is also not an appropriate evidence base to base the SPD or Masterplan, as it's based on out-of-date modelling (2019) and doesn't take into account recent or planned development along the A20 corridor. It also doesn't appropriately take into account a range of cross channel traffic management scenarios such as Operation Brock, which regularly affect traffic along the A20. The SPD needs to better define how the development will seek to better integrate the SRN with the wider road network and other transport modes to enhance connectivity, maximise opportunities to facilitate economic growth and support transport decarbonisation across the county. As it currently stands, there has been no determination of when road infrastructure is required and how it will be funded in a planned and measurable way.

## Flood Risk and Water Management

Section 3.2.16 states “Any future development of Heathlands will require further consideration of nutrient loading and operational capacity at the current WWTW, including any necessary mitigation measures.” This is simply inappropriate and doesn’t identify the critical nature of new large-scale development and the impacts on pollution on the Great Stour, and the likely mitigation measure required to ‘make development acceptable. At this stage of strategic development planning, due to the size of the Heathlands development, this is a critical issue which needs to be strategically addressed by the promoter, and can’t be left to individual phasing of development on an ad-hoc basis. There are key constraints to how it’s possible to manage pollution and nutrient loading caused by the development, including hydrological, technical, environmental and financial. These haven’t been identified within the constraints section (Section 3.3), any of which could threaten the viability of Heathlands. This needs to be assessed within a Water Cycle Strategy and Nutrient Plan for the development as a whole.

### 3.3 Constraints and Opportunities

The following areas in the SPD (extracts in red) need to be made specific and measurable, and are unacceptable in their current form:

- “Existing waterways on the site should be retained and enhanced as key features within the open space network”. This wording should be extended to say that the local watercourses (and associated surface water floodplains) should be protected from development with at least 8m byelaw margins on either side of the watercourses, in order to support the natural environment.
- “Sustainable access and movement provision” – this needs to be included within the Masterplan. It won’t work if a phased delivery of development comes forward without the strategic plan (or the obligations on developer contributions) being in place.
- “additional and/or enhanced vehicular and pedestrian cycle bridges to create a permeable layout.. across the railway lines and M20”. This also needs to be included within the Masterplan. Again, this won’t work if Phased delivery of development comes forward without the strategic plan (and obligations on developer contributions) being in place.
- “The need to accommodate either the potential expansion and improvement of the existing Waste Water Treatment Works or its relocation to a suitable part of the site”. I object to the use of the word ‘accommodate’. This suggests that it’s up to someone else (Water company?) to deal with. The above referenced ‘Water Cycle Study’ needs to inform the viability of the development and support the evidence base for specific infrastructure needs required for the whole

development. Infrastructure needs to be demonstrated to be viable and fundable before Phase 1 of the development should take place.

## **SECTION B: Vision, Objectives & Spatial Framework**

The following areas of the SPD (extracts in red) need to be improved accordingly:

- **5.3.5 - “A new rail station located at the centre of the Garden Settlement will provide direct access to the local and national rail network and will be a key connection point at the heart of the development linked to the District Centre”.** This isn’t good enough and needs to be made more specific and measurable. This is strategic infrastructure that is necessary for the Heathlands development to be viable.
- **5.3.7 - “A bus route will be provided across the Garden Settlement, with priority over other vehicles and regular bus stops within easy reach of residents.”** Again, this statement isn’t good enough and needs to be made more specific and measurable. It needs to relate to the Masterplan and Phases of development so that developers and the promoters of the development can ensure that infrastructure needs are delivered.
- **5.4.5. – “14 hectares of employment land will be included across various locations in the Garden Settlement, to provide a high-quality, flexible, modern local employment offer to support and encourage enterprise and economic activity, connecting residents to a range of job opportunities”.** I have seen no compelling assessment that the provision of employment land (in a rural area that isn’t connected to the Strategic Road Network) will deliver the quantity and diversity of businesses
- **Section 5.6 -** I am concerned about the viability of Phase 4, surrounding the existing Lenham Waste Water Treatment Works (WWTW). This area includes proposals for residential houses, a district centre and a primary school, all in close proximity to the waste water treatment works. As well as the associated impacts of bad odours affecting the new community, the area is also likely to be affected by the operation (noise) of this expanded piece of critical infrastructure, which is very difficult to relocate. This needs to be addressed in both the Masterplan and infrastructure delivery plan, prior to ANY development coming forward.
- **6.2.5. “Structural planting must be provided to mitigate visual impacts as far as possible and be implemented in a phased manner to maximise the time to enable planted areas to become established in advance of adjoining built-form being delivered.”** This needs to be included within the Masterplan and won’t work in a phased delivery approach to development, as it simply won’t be delivered sufficiently in advance of development.

- 6.2.11. “The Great Stour River corridor and the Stour Valley Walk, which extends across the site, and existing ancient woodland along the Main Line railway line (with additional buffers), together with other ecological designations, must be appropriately protected and incorporated as an integral part of the landscape network across the Garden Settlement.” This is not specific or measurable and will therefore likely be challenged when it comes to an outline or full planning application.
- 6.2.13. “As the Garden Settlement will be delivered through a number of phases, future planning applications must demonstrate how each phase and the development overall will reach the required level of Biodiversity Net Gain and avoid or mitigate harm to wildlife.” Given the size of the strategic development, in order for it to be viable and deliverable, Biodiversity Net Gain needs a strategic delivery plan by the promoters of the development. This is now a critical (legal) requirement of all new development.

## **6.2 Green Infrastructure and Landscape** Key Principles/Guidance:

- g. “Existing ancient woodlands must be protected and be off set from any proposed new development by a minimum 15-metre landscape buffer within which no buildings will be permitted. Wider buffers and linkages to other semi-natural habitats should be provided wherever possible, and can incorporate other open space typologies, landscaping and active travel corridors beyond the 15 metre zone.” The SPD should reflect government guidance which states that... “the proposal should have a buffer zone of **at least** 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic. For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree’s canopy if that area is larger than 15 times the tree’s diameter. This will create a minimum root protection area.” See this gov.uk link - [Historic environment guidance for forestry in England - GOV.UK](#)
- J. “Measures must be integrated to help provide climate resilience, such as sustainable urban drainage and locally appropriate drought tolerant planting schemes, and urban shade and cooling tree strategies in areas of high heat retention.” This wording needs to be made specific and measurable, and is unacceptable in the current form. A developer may only try and justify doing this on part of the site, rather than all of it.
- n. 20% Biodiversity Net Gain will be expected to be achieved on the Site. For phased developments it must be demonstrated how each phase will contribute to achieving net gain over time and support ecological connectivity, recognising that a site wide approach will be required. This needs to be made stronger and is

unacceptable in the current form. Given the size of the strategic development, in order for it to be viable and deliverable, Biodiversity Net Gain needs a strategic delivery plan by the promoters of the development. This is now a critical (legal) requirement of all new development.

- p. **Proposals must be informed by an appropriate scope of ecological and biodiversity surveys. Areas containing very high and high distinctiveness habitats should be avoided, retained and enhanced. New high distinctiveness habitats should be created across the site and sensitively designed into the overall green and blue infrastructure layout and long-term site management plans.** This needs to be made stronger and is unacceptable in the current form. This isn't clear about whether new high distinctiveness habitats are required for all development sites, or only those that directly impacts high distinctiveness habitats.
- t. **The long-term vision for management and stewardship of landscaped open spaces and green infrastructure must be considered from the outset and set out as part of the preparation of a Stewardship Strategy to accompany future planning applications.** This needs to be part of a coordinated strategic plan by the promoter of the development / MBC, to ensure there is no piecemeal or patchwork approach to managing publicly accessible open spaces and green infrastructure. Importantly, the cost of management and stewardship should not be directly 'offloaded' onto future residents of Heathlands (or wider), by developers entering into long-term management agreements with third parties.

### 6.3 Blue Infrastructure

- 6.3.1. **New and enhanced areas of wetlands, or alternative mitigation may be required to assist with the filtration of nitrates and phosphates arising within the upper Stour catchment, having regard to Natural England's advice regarding nutrients entering the River Stour and other relevant statutory biodiversity advice.** The wording of this needs to be made stronger and is unacceptable in the current form. This needs to be part of a coordinated strategic plan to ensure no piecemeal or patchwork approach to strategic infrastructure. The viability assessment and water cycle study first needs to evidence the strategic deliverability of critical infrastructure for the whole site – for which nutrient neutrality is a legal requirement.

#### Key Principles/Guidance:

- b. **To minimise changes to the existing topography and drainage routes of the site, existing watercourses should be retained where possible.** This wording needs to remove "where possible", to promote the natural environment and reduce the long-term environmental harm associated with moving natural watercourses.
- e. **Development proposals must demonstrate how foul water will be appropriately managed, including provision of an improved or new wastewater treatment facility.** This needs to be part of a coordinated strategic plan to ensure no

piecemeal or patchwork approach to strategic infrastructure. The viability assessment and water cycle study first needs to evidence the strategic deliverability of critical infrastructure for the whole site – for which nutrient neutrality is a legal requirement.

- f. **Improvements to the existing WWTW will be required, or if a new facility is to be provided this must be in a way that adopts up to date best practice in terms of the design and operation of such facilities including natural solutions.** This needs to be part of a coordinated strategic plan to ensure no piecemeal or patchwork approach to strategic infrastructure. The viability assessment and water cycle study first needs to evidence the strategic deliverability of critical infrastructure for the whole site – for which nutrient neutrality is a legal requirement.
- I note the omission of details regarding clean water supply treatment infrastructure in this section of the SPD. There has not been an assessment or identification of infrastructure needs to secure for a sustainable clean water from with the local water company (South East Water). This needs to be included within the SPD as well as a supporting Water Cycle Study (described above) to provide the evidence for the proposed new community.
- **6.2.11. The Great Stour River corridor and the Stour Valley Walk, which extends across the site, and existing ancient woodland along the Main Line railway line (with additional buffers), together with other ecological designations, must be appropriately protected and incorporated as an integral part of the landscape network across the Garden Settlement.** The wording of this needs to be made specific and measurable, and is unacceptable in their current form.
- **6.2.13. As the Garden Settlement will be delivered through a number of phases, future planning applications must demonstrate how each phase and the development overall will reach the required level of Biodiversity Net Gain and avoid or mitigate harm to wildlife.** The wording of this needs to be made stronger and is unacceptable in the current form. Given the large size of the strategic development (5000 properties), in order for it to be viable and deliverable, Biodiversity Net Gain needs a strategic delivery plan by the promoters of the development. This is now a critical (legal) requirement of all new development.

## 4SECTION C: Placemaking and Design Guideline

### A New Rail Station for Heathlands

6.11.12. The rail station is anticipated to be delivered in Phase 1. The delivery of the station will involve separate processes involving rail stakeholders, and must come forward alongside future stages of the planning process. I strongly object to the wording of this section, as the construction of **the new rail station needs to be secured prior to outline or full planning permission is granted for Phase 1**. The planning inspector of Maidstone Borough's Local Plan made it clear that without the new train station, Heathlands is not viable and therefore construction shouldn't start until this has been secured through the approval of a Full Business Case (**not just** a Strategic Outline Business Case or an Outline Business case), which ultimately has secured financial delivery plans through Network Rail, government and/or development.

### Highways Improvements

“6.11.22. Development proposals for the site will need to assess impacts on the highway network and identify appropriate mitigation..... “ This needs to be part of a coordinated strategic plan to ensure no piecemeal or patchwork approach to strategic infrastructure needs. An updated transport model is required, taking into account recent or planned development along the A20 corridor, which also undertakes detailed scenario testing for a range of cross channel traffic management situations such as Operation Brock, which regularly, and significantly affect traffic along the A20.

6.12.4. The Garden Settlement must be a high-quality development that addresses the climate emergency. The Garden Settlement will create energy and water efficient, sustainable buildings and places where communities can lead resilient and low carbon lifestyles, reducing the need to travel and a biodiverse landscape which incorporates carbon sequestration and natural flood management. This wording is weak, as there are no specific or measurable design codes that hold developers to account when planning and designing high quality sustainable development for Heathlands.

6.12.5. Buildings must be designed to reduce energy demand and maximise fabric energy efficiency including such measures as building orientation; high levels of insulation of roofs, floors, and walls; maximising airtightness; and using solar gain through window/ door orientation whilst avoiding overheating. This wording is weak, as there are no specific or measurable design codes that hold developers to account when planning and designing high quality sustainable development for Heathlands. It is especially not clear about what is this statement comparing 'reduction' to?

6.12.6. The Garden Settlement will generate energy from renewable sources and proposals must show how this has been optimised. Solar photovoltaic (PV) and either air or ground source heat pumps should be installed on buildings where feasible.

Natural gas for power and heating is being phased out and should not form part of the proposals. I object to the use of the “where feasible” in this section. We are in a climate emergency and developers must be clear about minimum expectations from new development in order to support the UK’s Net Zero target by 2050.

## **SECTION D: Delivery Framework**

7.1.2. The pace of development will depend on market conditions that prevail over an extended period. The Council will publish an Annual Monitoring Report which will detail unit completions on all Local Plan Review sites, including the Garden Settlement. I note that existing developments within the Lenham area (1000 by 2031) already show housing demand to be relatively weak, with a significant proportion of properties being sold to London Borough Councils as social housing. This does suggest that local demand is not able to compete and raises the question about how confident is MBC is about the viability of Heathlands to properly support local housing need, given the high infrastructure needs which need to be paid for up-front by the tax-payer/promoter. It also raises the question of whether it’s an effective use of public money. Finally, the Annual Monitoring Report needs to take into account windfall sites to properly assess the total housing needs of MBC, and the necessity and cost effectiveness of starting Heathlands.

7.2.2. The key phases and related infrastructure requirements as set out within Policy LPRSP4(A) will need to be addressed as part of preparing planning applications.

7.2.3. The LPR sets a clear phasing strategy for Heathlands Garden Settlement. This sought to align the delivery of housing and employment with provision of infrastructure. These requirements have been carried forward into this SPD.

7.2.4. Further definition of the timing, related triggers and thresholds for infrastructure will need to directly relate to detailed proposals as they emerge through pre-application stages and into planning applications.

7.2.5. Infrastructure will be secured at the appropriate time as the development comes forward through the use of planning conditions and legal agreements.

I object to the wording and inference of all of the statements above (7.2.2 to 7.2.5) which describes delivering infrastructure alongside each phase of development. This doesn’t take account of the strategically important infrastructure which is required to justify the Heathlands development in the first place. It hides the infrastructure costs up front, risks damaging the environment and may mean a costly ‘tax-payer’ funded approach to meeting housing allocations in an unsustainable location in rural Kent. There is every possibility with this approach (7.2.2 to 7.2.5) that delivery of the required infrastructure becomes so expensive or impractical that Heathlands is proven to be

unviable. This is why it's really important to undertake a viability assessment now, prior to development coming forward.

## **Conclusions**

I am very concerned that MBC have already committed too much time and tax-payer money for the Heathlands development, which is ultimately unsustainable and unviable. This SPD along with the Maidstone Borough Local Plan (and supporting documents) are hiding the true costs of the enabling the infrastructure by putting the onus on others, such as Network Rail, National Highways, Kent County Council, Southern Water and South East Water to deliver (and pay for) the critical infrastructure to support and justify the Heathlands Garden Community. The SPD is also trying to hide these infrastructure needs (and costs) by breaking up the Heathlands development into phases, and effectively supporting a 'monitor and manage' approach to meeting infrastructure needs. In this way, before anyone that realises what's happened, Phase 1 of the development has already been established (physically) and the infrastructure and environmental impacts would have to be dealt with retrospectively, at significant cost to the taxpayer.

For Heathlands, the government's green-book treasury rules need to be followed to deliver value for money for the public purse. MBC needs to define the Masterplan for the development (as a whole) and Homes England need to cost out the total infrastructure requirements (including transport, connections, ecological improvements, water supply, waste water treatment, Biodiversity Net Gain, etc.) to ensure its value for money.

The Heathlands development is strongly objected to locally across Lenham and surrounding areas. Heathlands is an unsustainable location for a new garden town and the approach taken by MBC is not taking an evidence lead approach to development and best use of tax-payer money.

Heathlands development plans should be put on pause to enable viability assessments to be undertaken to properly quantify the significant infrastructure needs of the proposed development as a whole. MBC and Homes England needs to evidence value for money for the taxpayer as well as the public interest in pursuing Heathlands, given all of the constraints and costs it faces.

Yours Sincerely,

Richard Westcott