

Appendix 1 – Lenham Parish Council Technical Assessment of the Heathlands SPD

As the Inspector wasn't satisfied that there was the level of detail before him during the review of the Maidstone Local Plan (LPR), for either the proposed garden settlements at Heathlands nor Lidsing, to just agree that the strategic policies for these two sites were sound (a low bar test) he caveated his acceptance with the need for Supplementary Planning Documents (SPDs).

Even if the Inspector had not insisted on SPDs and master planning for missing detail they are useful tools in providing a role inter alia in supporting decision making. They are a material consideration and they can provide a useful guide to both developers, stakeholders and the public as to what the developer's expectations are in terms of good quality development by providing detail to the policy.

In short, Maidstone Borough Council (MBC) as local planning authority through the SPD can control the quality of development but it is clear that this opportunity has either been missed or avoided and, in this instance, MBC is just performing the role of applicant.

This response will analyse whether the SPD does provide detailed guidance on what would be acceptable development at Heathlands.

Major issues raised by the inspector or in the National Planning Policy Framework (NPPF) are:

1. **Design Approach**
2. **Transport Assessment**
3. **Infrastructure Delivery and Phasing**
4. **Employment / Commercial**
5. **Viability**

1. **DESIGN APPROACH**

The NPPF has a focus on design quality and strongly advocates the use of design codes. Detailed advice on design codes was published in 2020 – model design coding and is strongly advocated in the National Design Guide.

However, policy LPRSP4(A) of the LPR makes no mention of the need for a design code. The draft SPD does only reference the national design guidance and model design code guidance and, moreover, relegates this important stage to the outline application whereby the developer, MBC/ Homes England, will submit their own design code supporting the parameter plans with their own planning application. In other words, the SPD does **not interpret / contextualise** national design policy.

We have the following criticisms of this approach:

- The design appraisal should have been undertaken from the outset by MBC and at least a skeletal design code contained in policy LPRSP4(A)
- 5000 homes is the number given for the allocation but, in design terms, how was it established this number is appropriate?
- When was a preliminary layout showing 5000 homes superimposed on a constraints and opportunities plan and shared with the Stakeholder Steering Group (SSG)?
- What consideration was given to choosing different ways of measuring densities e.g. habitable rooms per hectare and the use of figure ground plans to assess the extent of built coverage, for example, garages will not be counted in density calculations but have a significant impact on the layout and general feel of a place.

None of this is referenced or explained.

The LPR contains a policy on densities (LPRHOU5) but this is not a strategic policy and so was not examined by the Inspector (there is no mention of this policy in his final report as is normal with non-strategic policies).

However, it makes no sense in design terms in that those densities in garden communities i.e. open countryside are higher 40 dwellings per hectare (DPH) than within or adjacent to a rural service centre such as Lenham.

The design rationale is not given in the policy text and, in fact there is little if any rationale at all, so we question how / by what rationale this figure was reached other than to fit the stated number of dwellings into the remaining space available.

Policy LPRHOU5 states “*All new housing will be developed at a density that is consistent with achieving **good design** and does **not compromise the distinctive character** of the area in which it is situated.*” (our emphasis in bold)

It is promulgated that an average density of 40DPH is not good design in that it is out of character in this open countryside, surrounded by arable fields and only a small amount of sporadic and rather isolated buildings. There is certainly no concentration of natural or historic development, so we question how an average density of 10DPH above even central Lenham can be regarded as in character and context.

This detailed justification is one of the fundamentals that one would expect to be set out in a design code, whereby there would be detailed contextual analysis using net density comparisons with the site compared to other open countryside within Lenham Parish and within the village of Lenham itself and also analysing built coverage using figure ground plans (a garage is a building having an impact on the character of an area but is not counted in the way MBC calculates density).

It is considered that the SPD stage was a further opportunity to provide contextual design analysis that could have fed through into a basic design code setting out contextually based design parameters but the SPD has, avoided this and moved that decision to the outline application stage whereby MBC/Homes England will set the design code as a take it or leave it *fait accompli*.

This is “anti-place shaping” in that, through this SPD, MBC and its delivery partner Homes England, seek not to shape the design of any future planning application but allow the developer free rein to suggest what will be financially do-able. This suggests the lowest common denominator will prevail.

There is a ‘design framework’ that purports to be a preliminary design code for the purposes of the SPD, but it contains no analysis. For example, ‘landscape led’ is a term used numerous times but there is a lack of detail to understand what this means in terms of how this high principle will impact on layout.

As an example, with an allocated site on the northern side of the Old Ashford Road in the 2017 Local Plan, a vista was set out within the allocation map and within the policy requiring a vista of the Lenham Cross (a registered War Memorial) on the scarp slope of the North Downs but there is nothing in the ‘design framework’.

Secondly, by way of example, much is made of a 350m deep no development zone but no indication of the length is given, and it also seems crude for a development of this scale to seek to screen views of the North Downs but it is all very unclear and reads as a series of ‘sound bites’ and “boxes ticked”.

One therefore must question whether there is any genuine design input and the parish council is unaware of any in house design expertise at MBC (or how this was determined if “bought in through consultants”). The heritage assets are just described in terms of listings and showing their locations. There is nothing about how these are viewed as constraints and opportunities, in terms of their contributions to life in the wider area.

2. TRANSPORT ASSESSMENT

Following on directly from the Inspector’s report, criterion LPRSP4(A) sets out what the Inspector required to find the plan sound (our emphasis in bold):

*‘g. The **Supplementary Planning Document** will include a **detailed Transport Assessment** prepared as per an **agreed scope** with **Kent County Council and National Highways**, taking into account:*

- i. The impact of the development on **all surrounding road corridors** and junctions as identified and agreed with Kent County Council, with a particular **focus on the potential impacts** on the A20 corridor east and west of the site.*
- ii. **Specific mitigation** measures to improve junction performance and highway safety, and how such mitigation will be secured (either implemented directly through S278 or funding).*
- iii. **The timing and trigger points for mitigation** measures to be determined in accordance with Monitor and Manage Strategy to avoid potentially severe impacts on the highway network.*
- iv. **Proportion of vehicle movements** acknowledging the prospects for internal trips, sustainable transport measures, and the **certainty of the new rail station.**’*

The response to this issue, that is the requirement for a ‘detailed transport assessment’, is very similar to that of the response to the need for a design code in that the matter is, in many respects, side stepped and left again to the outline planning application stage where MBC will be both applicant and decision maker.

Firstly, no transport assessment is contained within the SPD or appended. The PPG defines Transport Assessments as:

- An Assessment should evaluate the transport impacts of the proposed development and ensure that Heathlands can be accessed sustainably. This involves analysis of existing conditions, quantifying the development’s likely impact on the existing network, and propose mitigation measures to improve safety and accessibility, especially for walking, cycling and public transport. This is all set out in detail in government guidance entitled ‘Travel Plans, Transport Assessments and Statements’ (published March 2014).

However, no Transport Assessment (TA) is to be found as an appendix to the SPD. It is contained in another separate section on the website, and we are sure that this was uploaded after the formal consultation period commenced.

As a general point, it is 555 pages of mainly technical information and we feel that MBC, as a local planning authority, should have been more transparent and set out a summary in plain English and included this within the documents available at the consultation. That it was not appears to be a deliberate decision. Given that the Transport Assessment is dated late September, we are of the view that it has been written, in effect, as A separate documents to that of the SPD.

Transport Annex and Transport Assessment

As a general point, it reads as if the above documents have not fed into the draft SPD and there is not even a high-level analysis of the transport assessment made in the Cabinet Report which was approved ahead of the public consultation.

Another concern is paragraph 6 with the 'leave it to the Outline Planning Application' (OPA) mantra firmly embedded in both documents but the transport annexe states:

6. Further work will be completed at the Outline Planning Application (OPA) stage, at which time there will be greater certainty around the phasing and location of land uses within the Development which will allow for a more detailed assessment to be undertaken. The future OPA TA will build on the work set out within the SPD TA, and it is noted that the scope of the SPD TA does not unnecessarily limit the scope or methodology for the OPA TA.
23. The junctions along A20, the roads to the north and to the south of the Site, and routes through Lenham will be considered in greater detail as part of a comprehensive impact assessment within the TA that accompanies the OPA.

As well as numerous references to the OPA, there are many references to the 'monitor and manage strategy' which will again be left to the OPA.

As stated above, theoretically, there should be a clear separation between MBC as applicant, policy and decision maker but in the OPA these will all morph into one.

Important detail should be clearly set out in the SPD to control development.

So, one questions what actual detail is within the 'SPD TA'?

There are some off-site improvements listed:

- A20 ACTIVE TRAVEL ROUTE: this is referred to in the 'preliminaries' in the phasing criterion of policy LPRSP4(A) to be delivered prior to 2031. However, the footway/cycleway proposed is only on the southern side and it is shown in rather schematic detail. No public highway demarcation is delineated so it is assumed that it is all within the public highway being all verge or some carriageway.
- Moreover, the detail (within the Transport Assessment) not presented is in relation to a delivery timeline nor of cost. This is a constant theme throughout the document.

It is surprising that there is no timeline or costings for this work as the allocation policy states that it will be in place by 2031, so we question where the report by KCC is for authorising these works.

- OLD ASHFORD ROAD: '46. A new 2m wide footway **could** also be provided on the **southern** side of Old Ashford Road'. However, the paragraph continues with '*It is noted that there is a proposal for a footway/cycleway along part of Old Ashford Road from A20 to the start of the existing footway as part of planning application 19/504724 (still to be determined). That proposal for a shared footway/cycleway would be located behind the hedgerow within private land. Should that application not proceed, there may be an opportunity for Heathlands to consider provision of a footway, subject to there being sufficient highway land available.*'

As a reference Application reference 19/504724 which is in outline form and the applicant is a land promoter, was deferred by the Council's Planning Committee in September 2025 for several fundamental reasons and so this reference is no more than a passive statement.

- PUBLIC RIGHTS OF WAY (PROW) NETWORK ENHANCEMENTS: nothing in terms of timelines or costs, not even a high-level specification of what these improvements ‘could’ be.
- BUSES: the pattern continues with next to no detail. Although in relation to the ‘potential’ secondary school bus it is admitted that (paragraph 61):
*“Delivery of a bus strategy that takes account of travel to secondary schools prior to the opening of the new school on Site **will be part of the OPA**”.*

So, again, nothing committed in the SPD just left to the OPA.

Much is made of “mobility hubs” but very little detail if any and the same pattern:

- *“72. **Some** of the facilities that **could** be provided at Heathlands include” (Transport Annex):*

So, no assertive detail rather passive open-ended references.

The provision of two roundabouts on the A20 is a ‘given’ as a result of MBC agreeing with the Inspector’s report but again the same pattern:

- *“The detailed design of the roundabouts will be considered further at the **OPA stage**” (para 74) and “77. The **OPA TA** will set out a confirmed access **strategy** for the Development which will establish the location, size and form of all access points”.*

We would expect a strategy to be in a planning policy or at least the SPD but it is being kicked down into the outline planning application and, in our view, will quietly be dropped as time and recall move forward.

No detail is given of what will be reserved for future consideration but normally means of access is not a reserved matter, and so the access detail may well be left to the OPA stage including the possibility of southern accesses whereby the Transport Assessment document is vague on but explicitly leaves to the OPA stage. This is major detail being left out of the SPD and the two new A20 roundabouts would be on the very edge of the National Landscape.

Also, no explicit consideration appears to have been given to the potential need for an Environmental Impact Assessment, it certainly doesn’t figure on the flow diagram despite the size of the proposal and the numerous sensitive areas that it will impact on and the neighbouring communities it will impact.

At least there is consistency on the lack of detail on design:

- *“79. More **details** around streets including widths and cross-sections will be set out in **future Design Codes** which will help to ensure the quality of the transport infrastructure delivered across the Development.”*

Again, we are concerned that this will quietly be dropped as time erodes memory of what was supposed to happen, and financial imperatives take over.

Development Impact:

A20 Junctions:

- *“85. The highway junctions included within the scope of the SPD TA have been subject to an updated assessment including a detailed capacity modelling exercise.”*

There is detail within the Transport Assessment with modelling work undertaken but the mitigation is conceptual with no timeframes nor costings. Again, in the Transport Annex:

- *“86. It is acknowledged that the final mitigation schemes and solutions will be subject to further review and refinement via **the OPA process...**”*

And again:

- *“88. The proposed Site access roundabouts onto A20 have been reviewed in the context of the updated vehicle trip assessment and the previous designs remain appropriate. Design evolution testing has demonstrated that a smaller roundabout at the western and eastern accesses **may still** provide sufficient capacity and network resilience, however this will be reviewed further at the **OPA stage**. A **high-level** design of potential access points to the south of the Site (onto Forstal Road and Lenham Heath Road) has also been shown to be suitable as to accommodate the level of traffic currently forecast to route to the south. The impact of Development traffic on the rural road network has been demonstrated at a high level and will be reviewed further at the **OPA stage** as part of the updated **strategic** modelling exercise.”*
- *“98. The following items are anticipated to be required through the legal agreements, however the specific mechanism for delivery will be discussed in more detail within the **OPA stage** of discussions.”*

The pattern continues with **Mitigation**:

- *“97. It is **expected** that there will be a requirement to provide mitigation and improvements across the transport network, some of which will be secured through the **S106 Agreement and some through planning conditions**.*
- *“98. The following items are anticipated to be required through the legal agreements, however the specific mechanism for delivery will be discussed in more detail within the of **OPA stage discussions**.”*

Much is made in terms of referencing the Monitor and Manage Strategy but once again:

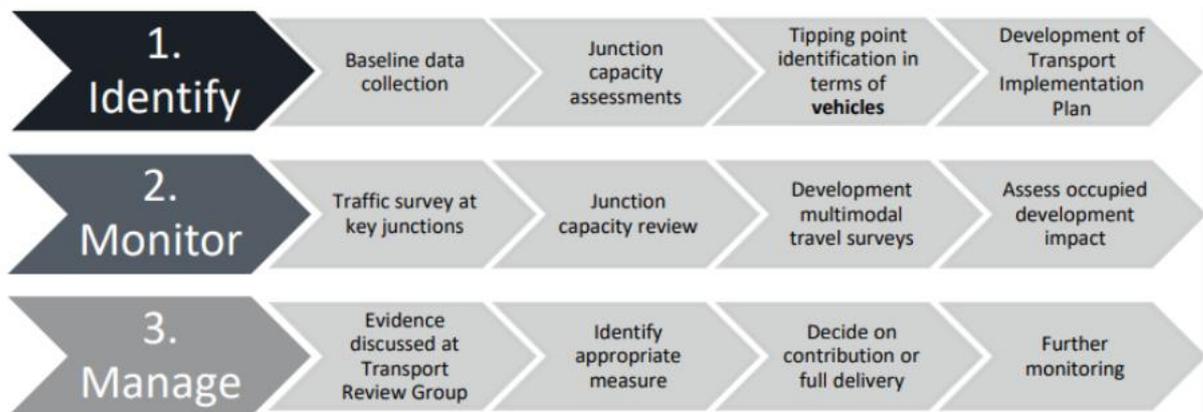
- *“102. It is proposed to implement the Monitor and Manage Strategy for considering the transport impacts of the Development at several key junctions to be agreed within the **OPA once the assessment process has been completed with new strategic modelling**”*

To understand this reference, one has to read the Transport Assessment in full. The MLTM has a base year of 2019 which is considered by WSP to be out of date.

The new Kent Transport Model will not be available until Spring 2026, and this is one of the reasons why a request to pause the SPD process was made so that the up-to-date transport modelling would have fed into the SPD.

Also, of concern is:

- *“104. Monitoring of the traffic impact of the development would be completed through various surveys and assessments. Figure 9 demonstrates the broad process of a Monitor and Manage Strategy, and it is anticipated that the **‘identify’ stage would be completed as part of the OPA**.*



As can be seen from the diagram above the first stage of the Monitor and Manage Strategy is the 'Identify' stage but this hasn't even been done and is again left to the OPA.

In conclusion it is considered that the Transport Annex fails to provide any significant detail and one may expect this to be picked up in the Transport Assessment, but this is explicitly left to the outline planning application stage:

- *"112. The SPD TA provides an assessment of the impact of the Development which is proportionate to the stage of the planning process, building on the work completed within the EiP TIA. A **detailed TA including updated strategic modelling is required** to support a future OPA. The **detailed requirements for the scope of the OPA TA** are set out to ensure that the assessments expected to be completed are secured through the SPD process."*

And

- *"113. Whilst the SPD TA has **started** to consider a **vision-led approach** to potential trip generation, **it has not been possible** to embed a holistic vision-led analysis **whilst the masterplan for the Development is still at such an early stage**. At the **OPA stage** there will be greater **certainty** around the **phasing and location of land uses** within the Development which will allow for a **more detailed assessment** to be undertaken"*
- *"114. The MLTM has a base year of 2019, which is beyond that considered acceptable in best practice for a fully calibrated transport model. **The Kent Transport Model is being updated to a more recent base year**. It is yet to be available for development management purposes; however it is anticipated to be ready by **Spring 2026**. The model could therefore be used to inform the **updated strategic modelling exercise required to support the OPA TA**, which will provide a **much more detailed understanding of potential impacts related to the Development**. **Should the model completion be delayed, therefore affecting the timescales for the OPA, an alternative methodology can be discussed and agreed with KCC and NH.**"*

Furthermore (lifted from the transport assessment):

Table 2 – Items for inclusion in the OPA TA

OPA TA
Scoping to include...
<ul style="list-style-type: none">• Early engagement with KCC, NH, Active Travel England (ATE), and local bus operators.• Scope of traffic surveys to be agreed with KCC/NH.• Scope of OPA TA to be agreed with KCC/NH with reference to the updated strategic modelling (potential to use the updated Kent Transport Model - anticipated to be ready Spring 2026).• Detailed scoping exercise to be completed in conjunction with KCC/NH and ahead of the strategic modelling update.
Planning Policy and Guidance to include...
<ul style="list-style-type: none">• To be prepared in line with KCC's TA &TP guidance (2025).• Updated policy review following that established within the SPD TA to reflect all current policy, including DfT Circular 01/2022 and NPPF.
Baseline Conditions to include...
<ul style="list-style-type: none">• Detailed consideration of existing active travel opportunities including ATE compliant active travel audits.• Collection of traffic survey data to enable calibrated and validated junction models.• Detailed assessment of baseline for other surrounding routes including relevant sections/junctions of the SRN and also rural roads to the north and south, to be informed by traffic volume/speed surveys, safety

It is clear therefore that the SPD should not have been written in draft form until the results of the updated traffic model were known but clearly there is a rush to get the SPD adopted by whatever means possible to meet some (as yet) unknown timeframe.

The Transport Assessment is a very long and comprehensive document but it is unclear to the lay person as to how much it differs from that previously submitted at Examination. It does go into some detail on recent major applications although a number of these would have been pre-Examination and, secondly, and, moreover, how much is being left to the OPA stage.

What *is* clear is that:

- a. There are no timescales for delivery,
- b. There are no costings,
- c. The delivery of the railway station is not tackled to provide any certainty of delivery or estimates of construction cost (which the landowners will bear) or running costs (with no assessment of who will support those),
- d. There are numerous caveats concerning leaving detail to:
 - The OPA (lack of clarity on whether access would be a reserved matter and the environmental impact assessment)
 - The Monitoring and Management Strategy
 - S106S and S278 but these are just legal mechanisms
 - The fact that the 2019 Maidstone Traffic Model is out of date and correctly stating that further work should wait until the new model comes in stream in Spring 2026.

Now turning back to the policy itself:

- “...***an agreed scope with Kent County Council and National Highways...***” :

As stated above there is no correspondence within any appendix to this effect and so it is unclear when written agreement was reached and, moreover, whether it was conditional / unconditional or was subject to caveats and, crucially, what evidence was in front of these two organisations when the scope was agreed (if indeed it was).

The Transport Assessment makes numerous references to weekly meetings with KCC and National Highways (NH) but no examples of agendas or action notes are given nor who attended these meetings, whether there were any outcomes of these important weekly meetings reported to councillors at MBC and KCC?

- i. “***The impact of the development on all surrounding road corridors and junctions as identified and agreed with Kent County Council, with a particular focus on the potential impacts on the A20 corridor east and west of the site;***”:

We would strongly argue that there is no evidence of any detailed analysis of any impact feeding into the SPD. The draft SPD recognises this in the section entitled ‘8.1 Transport Assessment Process: The following is lifted direct from the SPD consultation document -

- 8.1.6. The following set of transport related analysis and information will be required as part of preparing planning applications based on a ‘vision & validate’ approach, which will be reviewed as the Garden Settlement is built out utilising a Monitor & Manage Strategy:
 - a. Active travel strategy and site wide Travel Plan.
 - b. Public transport strategy.
 - c. Vehicle access strategy.
 - d. Highway Modelling Assumptions and results for reasonable scenarios as agreed with the Highways Authorities.
 - e. Road Safety appraisals as required by KCC Highways and National Highways, including development of approved Road Safety Audit briefs and assessments where required
 - f. Mitigation strategy including measures with preliminary designs and associated modelling.

However, while the stand-alone Transport Assessment does tick some of these boxes, as mentioned above, is heavily caveated and contains no timelines nor costings.

- **ii. Specific mitigation measures to improve junction performance and highway safety, and how such mitigation will be secured (either implemented directly through s278 or funding):** this has all been covered above. There is detailed analysis available in terms of a quantification of junction performance within the Transport Assessment but the mitigation is conceptual and so no specific improvement measures are tabled at this point either in the TA and definitely not within the SPD. This detail is left to either an outline application or reserved matters.
- **iii. The timing and trigger points for mitigation measures to be determined in accordance with Monitor and Manage Strategy to avoid potential severe impacts on the highway network:** given that criterion ii has not been robustly met it follows that this criterion has not been met either. There are multiple references to the Monitor and Manage Strategy in the Transport Assessment but no tangible distilling of what this phrase amounts to in terms of clear trigger points and timelines.
- **iv. Proportion of vehicle movements acknowledging the prospects for internal trips, sustainable transport measures, and the certainty of the new railway station:** for the reasons outlined under criterion ii and set out in full earlier, this criterion has not been met. In relation to the provision of buses it is interesting to note that Simon Jones of KCC wrote to your officer Karen Britton on 19 March 2024 (just before MBC adopted the LPR) continuing to object on the basis inter alia of the trigger for bus provision being moved back from 629 homes to 1310 homes as there are/were understandable concerns that this is a very high number of homes when changing habits i.e. moving from the private car to bus travel needs to be embedded at the outset

Nothing seems to have changed in response to KCC. There is little mention of the delivery of a railway station including no timelines for the submission of a business plan nor the submission of a planning application nor any costings.

In short, it is our strong view that criterion (g) of the allocation policy has not been met, rather lip service has been paid to MBC's explicit requirement in its own Local Plan.

The Transport Assessment is a long and comprehensive document, but it reads as a stand-alone and heavily caveated document, not one which has been specifically created to reference the complexities of a development the size of the proposed one at Heathlands.

Junctions 8 and 9 of the M20

The Inspector stated (paragraph 125) that *"As submitted the policy is very broad in relation to potential impacts on the M20 and ineffective. As such I recommend additional detailed content requiring further assessment, for both junctions 8 and 9 as part of any subsequent SPD process and detailed Transport Assessment and for National Highways and KCC to be co-operatively engaged in this work"*.

This detailed work is contained in the stand-alone Transport assessment. However, this document is heavily caveated and lacks critical information around costings and timelines and it's direct reference to the proposed development at Heathlands.

3 INFRASTRUCTURE DELIVERY AND PHASING

The big-ticket items here include the new railway station, an additional Wastewater Treatment Works or improvements to that existing and a host of junction improvements together with new education facilities etc.

1. Waste Water Treatment Works (WWTW)

The allocation policy requires either a new WWTW with a cordon sanitaire due to odour or the improvement of the existing WWTW so that nutrient neutrality is effectively dealt with. However, no detail is provided so we are no further forward in that no indication of a decision on improvement of existing or new is indicated nor is a cordon sanitaire defined in terms of a calibrated area.

Southern Water operate the existing WWTW and are currently in the Asset Management Period (AMP) April 2025 to March 2030, AMP8. In their business plan 2025-30 there is no mention of any improvement work to the Lenham WWTW, and the SPD does not refer to any engagement with Southern Water and so it is assumed that a new WWTW is planned with another water utility company operating and, moreover, delivering it.

There is no record of any correspondence with any water utility company and so currently the issue of nutrient neutrality remains as there is no planned mitigation in place and therefore the statutory Habitats Regulations Assessment is not met.

Generally, the issue of nutrient neutrality is not tackled. Both Ashford and Canterbury Councils now have well-defined off-site credit schemes, but MBC has nothing and it would appear that the only solution to this issue is to either build a new WWTW, modify that existing but there is no significant detail on either, meaning the remaining option will be to “tanker away” all waste generated by the site – an environmental *faux-pas* of the highest order.

2. Railway station

This has been covered above. However, it is important to note that the Inspector had to evaluate the Sustainability Appraisal that accompanied the version of the LPR that was submitted for Examination and the chief reason for a high score was down to the deliverability of the railway station. However, there is still no evidence of deliverability not even an embryonic business case. A reasonable expectation would be for the SPD to contain some detail, for example:

- An embryonic business case that has been the foundation of preliminary discussions with Network Rail although the Department of Transport is the responsible body. It is concerning that no recorded preliminary discussions have taken place given that Great British Railways (GBR) are likely to take over both the role of Network Rail and the train operating companies.
- While nothing has been published, we are aware of officer comments regarding the funding of the “delivery” of the station through land receipts (i.e. the landowners will foot the bill) what is missing is the critical evidence of a support for the operating costs for whatever timeframe Network Rail will require that, and where those funds will come from.
- At the time of the Examination, MBC gave evidence that the cost of a train station would be £13M although the cost of the new railway station at Thanet Parkway was £38M - this was designed for high-speed trains but, even so, there is a great disparity in costs. Even if the cost estimate included in current documents is accurate, with cost inflation still running relatively high, the overall cost must have increased significantly putting at further risk the whole viability of Heathlands for 5000 homes.

- No timelines are given for applying for planning permission for the new station nor submitting a business case etc
- Often the provision of a new train station means closing existing station(s) and there is local anxiety over this but there is no evidence to assuage the fears of residents in both Lenham and Charing that a new station so close to two existing would not result in any closure(s). The response to this remains ambiguous, at best, so communities are left needing to plan for the worst outcome

3. Education facilities

The Inspector's report refers to the need for the provision of primary school education totalling 7 forms across the site and, secondly, a sixth form college and these requirements are faithfully set out in criteria 5b and 5c of the policy.

However, the familiar pattern is repeated of no record of correspondence with KCC Education but of more concern is paragraph 6.9.13 "It is assumed that any primary school will provide 2-form entry as a minimum, subject to detailed assessments of need, and as agreed with Kent County Council. The timing of land availability for primary schools will be managed through s106 agreement(s).

Figure 13 shows inter alia 3 primary schools so one would assume this would total 6 forms of entry, but the delivery of these schools is left unpopulated. It is often the case with new housing estates that schools do not actually get delivered and the 'safeguarded' land is sold off for more housing.

Moreover, all schools (particularly the 6th form college) will need parking provision and also playing fields and a distance kept between such facilities and housing, but this is not mentioned in the SPD and so it is wholly unclear as to whether or not adequate land is being made available. As usual there are no costings or timelines and s106 agreements between MBC and KCC are only referred to. In short, the SPD provides next to no further information / detail beyond that set out in the policy.

There is no written evidence of any collaboration with KCC Education.

4 EMPLOYMENT / COMMERCIAL

In paragraph 118 of his report, the Inspector states that *"One of the key tenets of garden communities is creating a level of self-containment, including in relation to employment opportunities....I accept 5,000 jobs in a location untested by the market would be challenging but there is a reasonable prospect that significant jobs could be created. The latest evidence points to this being predominantly in the light industrial sector and some specialist sectors (food production and life sciences)...."*

There is far less detail in criterion 4 of the allocation policy in terms of types of employment.

Section 6.10 of the draft SPD covers employment

6.10.2. The Heathlands Garden Settlement will help to ensure that new high- quality workspace and facilities are provided to accommodate both existing and new local businesses. LPR Policy LPRSP4(A) sets out that the Heathlands Garden Settlement should seek to provide for 5,000 new jobs and a minimum of 14 hectares of dedicated new employment land. It is anticipated that new jobs will be created across the Garden Settlement through the following:

- On site retail, leisure and community facilities, mainly within the District and Local Centres.
- Flexible, multi-occupancy office space primarily for local businesses. This could include a higher proportion of innovation/ enterprise spaces to support start-up and growing businesses.
- Smaller scale industrial space primarily related to maker spaces and workshops for Small & Medium Sized Enterprises.
- An appropriate allowance for homeworking.

If we now examine these proposed employment uses:

- Office space : ‘innovation centres’ in Kent are predominantly heavily subsidised by councils such as that near Junction 7 of the M20 but moreover, junctions 7 and 8 of the M20 have failed as office locations and it is of note that the MBC’s approval of its own application opposite County Hall was supposed to be mixed use but will be entirely residential. Maidstone is simply not an office location.
- District and Local Centres: it is unclear as to what the employment offer will be here apart from small retail and hospitality which are “stage critical” now and will require significant future investment so this is more of a hope than reality.
- Homeworking: one suspects this will be the real job offer. However, as the Inspector pointed out, **there is no net gain in jobs here** and is not in line with MBC’s own garden city principles basically any large housing estate will have residents who choose to work from home particularly those employed in the public sector.

It is noted that there has been no soft market testing and no detail in the SPD so again no further forward in terms of detail.

5.VIABILITY

As mentioned above, the Inspector was working to low bars in terms of quality of evidence before him when examining the LPR. However, in paragraph 135 he states that *“The viability surplus is modest and as the viability update acknowledges, any moderate movement of 5% increase in costs or decreases in sales values would present a viability risk”* and *“The overall viability of Heathlands is slender and that is a matter that needs to be closely followed”*.

Therefore, one would reasonably expect there to be some detail on viability especially given that construction costs have risen by well over 5% since the beginning of 2024 and house prices have declined in the southeast. However, this important detail is absent in the SPD.

Throughout the SPD there are no costings of anything despite the fact that build / construction costs have gone up significantly since the Examination and house prices in the southeast of England have not kept pace with the increased costs making margins increasingly thinner.

CONCLUSION

The essential purpose of an SPD is to provide detail pursuant to a Development Plan Document (DPD). It is considered that the allocation policy itself is more diluted than the Inspector would require.

However, the SPD has provided very little if any to the allocation policy and, in parts, it seems to be rowing back on key issues, in particular, transport modelling and mitigation, justification for high densities, a design code of any type, viability etc.

It remains our considered opinion this SPD is not fit for purpose, the process through which it was created was rushed and the outcome predictably woolly with too much detail left unresolved, suggesting that whatever is eventually delivered will be of the lowest possible standard.

There is nothing in this document which enhances the aspirations of the current communities that will have to live alongside this new town as it emerges and swallows up the valuable countryside and sucks up existing resources because the “promised” services have either been dropped or quietly side-lined.

This is, and always has been, the wrong development in the wrong place. The current attempt to normalise it has misfired.