



By the Community, for the Community

12 February 2019

Mr Mark Fewster

Planning Department

Tonbridge & Malling Borough Council

ME19 4LZ

Outline Planning Application – Heath Farm East Malling - 18/03032/OAEA

I am writing to set out the views of the East Malling Conservation Group concerning this application, as follows:

Summary

The East Malling Conservation Group strongly opposes this planning application. The proposal is self-evidently in conflict with TMBC's current and future planning policy and would be damaging to the interests of the East Malling community and other adjacent communities.

This site is NOT “adjacent to Kings Hill”

Before setting out the reasons for our objection to this proposal, it is necessary to correct mis-statements contained in the application. The Design and Access Statement forming part of the application states that the site is “*adjacent to the settlement of Kings Hill*”. As can be seen from the attached map, this is not true. As the crow flies, the site is about 600 yards over three fields to the very nearest part of Kings Hill and approximately a mile and a half on foot or bicycle to the central area. The return trip by car between the site and the Waitrose supermarket at Kings Hill is over nine miles.

It appears that the application is attempted to be presented as being for an extension of Kings Hill in order to obscure the fact that this is not a sustainable location (see below). This is, at best, disingenuous and it is quite clearly factually incorrect.

We object to this proposal on three principal grounds, as follows:

1. The Proposed Development does not constitute Sustainable Development

The applicant seeks to invoke the NPPF's presumption in favour of sustainable development as justification for over-ruling the current TMBC Development Plan to grant this application. It is therefore an important question as to whether the proposed development would be sustainable. Such a planning judgement requires the Planning Authority to consider the balance of the economic, social and environmental factors involved. EMCG strongly holds that the serious long term environmental and social harm that this development would cause must lead to the judgement that the development would not be sustainable.

From an environmental dimension, the development is plainly (contrary to what is claimed in the Application) in an unsustainable location:

The site is in East Malling and Larkfield parish but is isolated, being about 1.6 miles from the nearest shop in East Malling, 2 miles from the nearest supermarket in Larkfield, and 2.6 miles from the Waitrose supermarket in Kings Hill. Car or taxi (or delivery van) is the only feasible means of obtaining provisions from these locations.

The application places much emphasis on facilities and amenities at Kings Hill. But these are of little relevance given that there is no direct road or public transport link from the site to Kings Hill. Vehicular access to Kings Hill would require a journey of 8 or 9 miles and would place additional stress on the northbound and southbound routes through East Malling and Watlingbury which are already operating well beyond capacity at peak times (see the traffic planning evidence submitted with the Reg 19 Local Plan) and significantly impacting on quality of life for the inhabitants of East Malling village.

The shortest vehicular route from the application site to the Kings Hill shops, schools and other amenities involves driving through the two of East Malling's conservation areas, through Chapel Street (20mph) /High Street (20mph) /Mill Street (much of which are effectively single lane due to on-street parking), through two sections of single lane road with priority / give way signs, and using the West Malling station approach road as a through route. (see further comments about traffic below).

The lack of any adequate road connection via East Malling or Watlingbury to the main trunk routes means that the site does not meet the NPPF's sustainable transport requirement that the site can "*accommodate the efficient delivery of goods and supplies*". There is nothing "*efficient*" about having yet more vans and lorries through East Malling Village Centre or the Watlingbury crossroads.

Figure 5.12A in the Site Access Plan shows a proposed “*foot/cycle access route to site 5.5 from sports access. Proposed route to be 3.7 metres wide (min)*”, and the Transport Statement at 4.7.2 states that “*..more importantly the wide range of facilities in Kings Hill... can all be reached via the proposed foot / cycleway set out earlier in this report*”

This access route to the “*wide range of facilities in Kings Hill*” is over a mile and a half in length – a round trip of more than three miles. This might be a pleasant walk or cycle ride in good weather in daylight, when time is not important, but wholly inadequate as a normal means of access for young families, the elderly or the disabled, for the weekly shop, school attendance, visits to the medical centre and so on.

Note: This is not to suggest that direct vehicular access should ever be allowed between the site and Kings Hill, since this would contravene a long-standing and vital planning commitment to prevent the wider Kings Hill site from being able to access Wateringbury Road. Indeed EMCG is very gravely concerned that the proposed access route is to be “*3.7m wide (min)*”. This looks suspiciously like a Trojan horse for an eventual vehicular through route from Kings Hill to Wateringbury Road, something which would have truly catastrophic consequences for East Malling.

There are some rather misleading statements in the applicant’s Transport Statement which might suggest that the site is in a sustainable location when it is not:

- 4.3.1 states that “... Wateringbury Road... is a single carriageway with one lane in each direction...”. This is incorrect. Wateringbury Road is in fact limited to just a single lane (with the right of way for southbound vehicles) at a point approximately half way between the application site and East Malling.
- 4.4.1 and 4.4.2 state that “*The site is easily accessible by public transport which provides access to surrounding towns...*” and “... . *the nearest railway station to the site is East Malling Station.... There are footways with intermittent gaps between the site and East Malling Train station*”. This might suggest that pedestrian access to the station is easy. It is not. The “*intermittent gaps*” in the footways make the walk difficult and treacherous even in good weather and daylight. Moreover the road has to be crossed at one point to remain on the footway and there is a long, dark and lonely stretch north of the Sweets Lane Junction with overhanging trees. Especially during the hours of darkness this is an unpleasant, in parts hazardous, walk.
- 4.5.2 refers to the bus stop “900m south of the site”. A similar problem applies to pedestrian access over this route, since it has almost no footways. Moreover there is only one bus per day in each direction – so it does not provide a viable transport option for access to schools and work.

Similar issues apply to the so-called “local” amenities in East Malling Village and Wateringbury. The only practical means of access from the site to both of these (very limited) sets of amenities is by private car or taxi. Access on foot or bicycle would involve interacting with potentially dangerous traffic and would in each case involve climbing a steep hill on the return leg of the journey.

In summary, as far as access to amenities and facilities at Kings Hill is concerned, this site cannot claim to be an integral part of Kings Hill, to which it is not, and will not, be connected by road. This is therefore quite clearly an unsustainable location from a transport point of view and this planning consent should be refused on this single ground alone.

2. The Application is in fundamental conflict with the TMBC Development Plan

The application site is located in an area designated as countryside in TMBC’s current Development Plan. Core Policy CP14 therefore applies, and restricts development to circumstances where nine very specific and tightly-defined conditions are met. This planning application does not come close to meeting any of the conditions required to be met by CP14 and therefore must be refused.

Furthermore, the draft new Local Plan carries great weight as a material consideration against the Application. The application site is located within the Green Belt extension defined in the new Local Plan for the express purpose of ensuring that the settlements of East Malling, Kings Hill and West Malling do not merge into each other. This Green Belt extension has the overwhelming support of the public and elected members of TMBC. To grant permission for this development would be quite inconsistent with this crucial element of the new Local Plan and would significantly undermine the aims and objectives of the Green Belt extension.

Housing Supply: The applicant is seeking to over-rule the current TMBC development plan (which prohibits this proposed development on the basis that TMBC is currently unable to demonstrate a 5 year supply of deliverable housing sites - and that therefore the NPPF presumption in favour of sustainable development should apply. For the reasons set out above, EMCG considers that this proposal quite clearly does not constitute sustainable development (see below) and accordingly this “presumption” does not apply.

We also note that even if the “presumption” were to be applied, it is clear that to grant permission for this application would have no impact on the current housing shortfall in the Borough. This is because the new Local Plan not only demonstrates an adequate supply of housing sites through to 2031, but it also “backfills” the current shortfall of housing land. This application is for outline planning permission only and the applicant states that any construction would not begin until (at least) 2022, by which time housing

on sites identified in the new local plan will be coming on stream. So granting this application would not resolve any interim shortfall of housing sites.

In summary, to grant consent for this application would be inconsistent with the current Local Plan and would undermine and frustrate the new Local Plan in its final stage of implementation as regards its Green Belt designation and as regards its carefully planned housing land locations. Granting consent would have no relevant impact on the current (temporary) housing supply shortfall. These factors must mean that the new Local Plan should carry very great weight as a material consideration against granting permission for this planning application.

3. Traffic Assessment

EMCG has the following comments on the applicant's assessment regarding vehicular traffic,

The applicant states at 8.1.4 as regards the junction at the King and Queen in East Malling that *"As the flows from the site are minimal.... impact will be negligible"* and at 8.1.5 as regards the Watringbury crossroads *"The small number of trips would not discernibly worsen the situation"*. EMCG strongly disputes this.

As a rough estimate, since 2010 the number of dwellings (including static caravans used all year round) located on or adjacent to the straight 1km long "rural" section of Watringbury Road between the Sweets Lane crossroads and North Pole Road has increased over six-fold, from about 20 to about 130. Each time more dwellings have been approved, the TMBC Officer's report has either ignored the traffic impact entirely or indicated that the increased traffic *"is not a level which would result in harm to the wider highway network"*.

We now have an application to build 40 houses (though the applicant's EIA Scoping Report says "65"), and yet again the applicant (for example at 9.1.6) states *"There would be negligible traffic impact, either in capacity or safety arising from the development proposals"*.

EMCG strongly challenges this assertion. The pictures overleaf show traffic from the direction of the proposed site towards East Malling Village on a typical morning rush hour in November 2018 (in daylight and good weather).



The current levels of traffic are already having a serious impact on the East Malling Conservation Areas and on its residents. To add the traffic from 40 (or 65?) more houses located directly on this route would be unacceptable and unsustainable.

Conclusion

Tonbridge and Malling Borough Council will hopefully be aware that EMCG strives generally to take a balanced and constructive approach to local planning applications . The Group's broad objective is to try to steer development in a constructive way that meets future needs whilst conserving the village and its environs as an agreeable place for current and future residents to live in.

We are not NIMBYs and it is a matter of record that we seldom totally oppose a proposed development. In this instance, however, we are strongly of the view that this planning application is completely unacceptable both *per se* and because nearly filling in the last “jigsaw piece” between Kings Hill and Wateringbury Road would set a very damaging precedent threatening the long standing commitment to maintaining the separation of East Malling from Kings Hill and the valuable rural character of East Malling Heath. The bottom line is that this proposal is for the wrong development in the wrong place at the wrong time and should be refused.

Yours sincerely,

Francois Gordon

Chairman EMCG