



Objections to the Sevenoaks - Draft Local Plan 2015 – 2035

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on behalf of Hartley Parish Council

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INTRODUCTION

This objection focuses specifically on the potential allocation of sites MX52 and MX53 in Hartley Parish for mixed use development (including 800 houses), but addresses the whole procedure by which these sites are currently being promoted as suitable and necessary for housing. It is noted that these sites are being promoted as a pair of sites, and that the Draft Local Plan (DLP) site appraisal has categorized these as yellow, ie sites to be included but subject to the need for further information. It is respectfully suggested that the information lacking will demonstrate that the site is unsuitable for development and should not continue forward into the next stage of the Plan.

This objection criticises the approach taken by the DLP at a number of levels, the details of which are set out below.

For ease, these are laid out under the following headings:-

1. The Overall Strategy (failures and inconsistencies)
2. Brownfield Sites (not sufficiently considered)
3. Exceptional Circumstances – Have these been demonstrated?
4. Specific Reasons to reject the development of MX52 and MX53
5. Harm to the Green Belt and Landscape.
6. Summary of key points

1. **OVERALL STRATEGY**

- 1.1 The NPPF advises that changes to the boundaries of the Green Belt should only be made through the preparation and updating of local plans, only where exceptional circumstances are fully evidenced and justified, and then through strategic policies. Before concluding that exceptional circumstances exist, the strategic plan making authority should be able to demonstrate that it has examined all other reasonable options for meeting its identified need for development.
- 1.2 The NPPF further advises that the supply of a large number of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns (paragraph 72).
- 1.3 In this case the Draft Local Plan (DLP) sets out 'A Balanced Strategy for Sustainable Growth in a Constrained District' (its Strategy for Growth) in chapter 1. Para 1.12 (page 23) of the DLP sets out a simple hierarchy, which it suggests stems from the Issues and Options consultation last year. In brief this is to:-
- i) focus growth in existing settlements including at higher density;
 - ii) to redevelop previously developed land (brownfield sites)
 - iii) to develop greenfield sites in 'exceptional circumstances' where infrastructure is being proposed which will address infrastructure deficiencies in the area
- 1.4 This hierarchy fails to consider, at a strategic level, whether there are exceptional circumstances to justify changes to the Green Belt and, in

placing this test at a local level, fails to consider other options available for meeting the need for additional land (in the Green Belt) for development. It fails to consider, for example, whether new development would be better accommodated within a new 'Garden Town' or 'Garden Village' or as one or more 'urban extensions' to the main towns within the district. These decisions, which should be made at a strategic level, are not included or considered within the plan, notwithstanding that placing development in such locations would be potentially more sustainable than scattering development across a greater number of more rural sites. The main towns within the district (as set out) have better transport and communications, a wider range of employment opportunities, and wider range of infrastructure, so are generally far more sustainable to accommodate development.

- 1.5 It is a potentially greater concern that the potential alternative of allocating new development to a new settlement (garden village or garden town) appears to have never been put forward as an option for public consideration. The Public Consultation on the 'Local Plan Issues and Options in July 2017' set out 5 approaches to the delivery of land for new housing which are summarised on page 25 of the DLP. These options correctly identify the promotion of a large urban extension or new settlement, as one option for providing the housing land that is needed, referred to as 'Approach 4'. Sadly, this approach is considered very briefly in two paragraphs, (at 6.22 and 6.23) which effectively dismiss the idea of a new settlement based on a decision taken for 'Swanley Garden Village' the year previously, and then advises that other options for development of large sites in the Green Belt are not part of the preferred strategy and will therefore only be considered individually through the SHELAA. Hence, it appears that the LPA has ignored the advice of paragraph 72 (of the NPPF) and ruled out the option of a Garden Village/Town, based on objections to one possible site.

It appears that no other possible sites for such a settlement have been formally considered, and that the public have not been invited to comment on this option, as a solution to providing housing within the District, during any stage of the formal consultation process.

1.6 Objection - The hierarchy set out in paragraph 1.12 (DLP) fails to consider whether development would be best accommodated within a new settlement or as a large urban extension to an existing town (in accordance with the NPPF).

1.7 Notwithstanding this omission, it is noted that the adopted Core Strategy (2011) focuses on providing sustainable development with Policy LO1 requiring development to be focused upon existing settlements, with a specific focus on Sevenoaks, followed by Swanley, Edenbridge and then New Ash Green, Otford and Westerham.

1.8 This approach is followed in the 'Local Plan 2015-2035 Settlement Hierarchy' (April 2018) which identifies the major settlements within the borough as Sevenoaks, Swanley, Edenbridge, and Westerham, and advises that:-

"The over-arching aims of the Core Strategy's Spatial Vision promote sustainable development within the District in the plan period, up to 2026", including the commitment "to locate development in sustainable locations on previously developed land, ensuring that the main focus for major developments is in Sevenoaks, Swanley and Edenbridge. (ADMP paragraph. 1.5)"

1.9 On this basis all sites within or adjacent to the four major settlements should take precedence before more rural sites, and it might be expected that the emphasis in paragraph 1.2 of the DLP, to "i) focus growth in existing settlements including at higher density;" would focus on these settlements.

- 1.10 The table following para 1.4 (of the DLP) describes the priorities for the 4 towns within the District, namely Sevenoaks, Swanley, Edenbridge, and Westerham. Whilst the table identifies sites in the Green Belt on the edge of each of these settlements, the asterisk denotes that these sites may or may not be selected if there are not 'exceptional circumstances' for each site. Paragraph 1.14 (DLP) endorses that only those sites that will provide infrastructure for which there is an evidenced need will be selected. It is respectfully suggested that this approach is contrary to the advice above from the Core Strategy and ADMP, and is otherwise flawed, in that all such sites on the edge of major settlements should be selected and progress before sites in less sustainable locations are selected. Indeed, additional land on the edge of these settlements should potentially be identified, as a formal urban extension, whether or not there is a need for additional infrastructure, simply to ensure that the majority of new housing is provided in or close to those settlements that are most sustainable and able to accommodate it.
- 1.11 The details shown in the Table following paragraph 1.17 (DLP) appear not to follow this goal of sustainability, suggesting that just 670 houses will be built on the outskirts of Sevenoaks, 3250 around Swanley, 1295 around Edenbridge, and just 600 around Westerham. In contrast it is suggested that the Green Belt around the two lower tier settlements of Fawkham/Hartley and Halstead/Pratts Bottom, should each accommodate 800 new homes. This is at odds with the idea of providing homes in the more sustainable locations, and is considered in more detail in relation to Hartley/Fawkham in Section 4 below.
- 1.12 Objection -The hierarchy set out in paragraph 1.12 (DLP) and guidance on the choice of sites in paragraph 1.14 (DLP) fails to focus**

development on the larger towns of Sevenoaks District, and on those locations that are most sustainable.

- 1.13 The choice of greenfield sites as set out in option iii) above should clearly identify that sites in the rural parts of the borough will only be selected once all sites in more sustainable locations, such as on the edge of the main towns, have been exhausted.
- 1.14 It is further noted at this stage that the DLP refers to discussions with other authorities in relation to the 'Duty to Co-operate'. The Parish Council understand that the Leader of Dartford Council has expressed concerns for the quantity of housing proposed in Sevenoaks. As these discussions have not yet concluded, on whether any of the homes needed might be provided in adjacent authorities, no land should be accepted for release from the Green Belt until there is certainty that this cannot happen.

2.0 BROWNFIELD SITES

2.1 The strategy in para 1.12 (ii) correctly focusses on brownfield sites. However, whilst the appendices submitted do include a review of some sites within the urban areas there is no apparent review of some categories of brownfield land that might otherwise be suitable for housing. There is no evidence that the plan has actively considered the alternative use of older employment sites or land allocated for employment but not yet brought forward. The following are simply examples to illustrate what has not been considered:-

Site HO83 (appendix 2a- p23) is a site of 0.46 ha that is rejected, the site has an office and car parking on it simply because the site is allocated as an employment (office) site. There is no detailed explanation as to why residential would not be an alternative use.

Site HO270 (appendix 2a -p44) is rejected for housing, notwithstanding that it is a brownfield site within the urban area and being promoted by the landowner. One purpose of restricting land within the Green Belt is to encourage the development of such sites.

2.2 In contrast, it is welcomed that land at New Ash Green comprising the village shopping centre is proposed for development (in the ADMG). The PC is aware that this site comprises a mix of retail and other uses, including some residential, but that the majority of retail units are vacant and with very few properties at first floor level occupied. Hence the redevelopment of the site would improve facilities as well as provide new homes. This approach should be adopted more widely, and evidenced in the plan.

2.3 The PC notes in particular that several sites, identified as ‘brownfield sites’ around Hartley in earlier submissions have not been carried forward into the DLP. Whilst the Parish Council is unable to comment in detail on these locations, the inclusion of several smaller sites could potentially allow for a modest level of development around Hartley, without the major loss of land from the Green Belt as currently proposed. A more proportionate level of development would have less adverse impact on the village.

Sites identified previously:

A.	Chapelwood Enterprise Park	15 to 20 housing units
B.	Grosvenor Church Road	18 to 25 housing units
C	Land rear of Olinda, Ash Road	27 to 37 housing units
D	Heathwood, Castle Hill	Unsatisfactory
E	Park House, Church Road	7 to 10 housing units

2.4 As these are brownfield sites these should be redeveloped before development is allowed on greenfield sites within the Green Belt.

2.5 **Objection - The Plan lacks evidence that the LPA has actively sought to seek out and to review brownfield sites, with a view to considering these could be better utilised to provide land for residential purposes, having specific regard to the sustainability of many older employment and other sites around the district.**

3.0 EXCEPTIONAL CIRCUMSTANCES

- 3.1 Paragraph 136 of the NPPF advises that Green Belt Boundaries should only be altered where exceptional circumstances are ‘fully evidenced and justified’. Hence, do these actually exist?
- 3.2 Para 1.10 of the DLP clarifies that national policy does not define exceptional circumstances, so SDC is working to its own definition, which is largely where new development will meet ‘evidenced infrastructure deficiencies in the (local) area’. In my view, this is a very generous test, compared to how this phrase is normally interpreted, but the following section addresses such circumstances as defined in the DLP.
- 3.3 It is to be noted that having set out what the ‘test’ for exceptional circumstances will be, nowhere in the Plan or in the background documents do officers actually set out the ‘evidence’ of infrastructure deficiencies, or include the responses from professional consultees, such as a highway, drainage, educational or health authorities, to show where those bodies consider there is an ‘evidenced need’ for improvements to infrastructure, and that this is of such a scale as to create ‘exceptional circumstances’ sufficient to allow for development in the Green Belt.. Instead, the only evidence provided appears to be the submissions made by those promoting various sites. The LPA appear not to have considered any objective evidence of infrastructure needs, in each of its settlements, other than when told by developers that this exists. If correct, this is a haphazard and unreliable way of establishing the priorities for new development.

3.4 In the absence of properly identified, quantified, and endorsed need, there cannot be 'exceptional circumstances' or other justification for development in the Green Belt.

3.5 Objection -The DLP lacks any formal review of the evidence to identify the infrastructure that might be deficient in each of its settlements, or consideration of the minimum development that might be necessary to address any deficiencies.

The evidence claimed (for Hartley)

3.6 Notwithstanding this lack of evidence by the LPA, the Parish Council has considered the claims made by the promoters in relation to sites MX52 and MX53, and comment on this 'evidence' as follows.

3.7 The Table on page 29 of the DLP advises that the Social and community Infrastructure proposed for sites MX52, MX53, HO162, and HO169, 'as stated by the promoter' is

For Corinthians:

- A Retirement village – specialist elderly care accommodation.
- Satellite health centre,
- Improved sports provision including 4G pitch, golf course, indoor facilities,
- Replacement primary school and Special Educational Needs (SEN) school,
- Employment floorspace, incubator and start up.
- Accessibility and Vehicle/cycle links,
- Self Build Plots,

For Banckside :-

- Country park including pedestrian/cycle links to Longfield Station, childrens' play area, outdoor gym, woodland trails and café,
- Relief road to improve Castle Hill.

3.8 The provision of these facilities, in combination, is advocated by the LPA as the 'exceptional circumstances' to justify 800 homes in the Green Belt. It is of note that the material provided by DHA (as agent for the site promoter) does not claim that any of this infrastructure is essential for the existing parish or village of Hartley. Instead the promoter advises;-

"We believe this site is located within a sustainable location, adjoining the existing settlements, outside the AONB which has a good level of services and infrastructure. What is also of note is that this proposal would allow for the enhancement of this existing provision and also a number of additional community benefits, which would not otherwise come forward as a result of the other or disbursed development."(my underlining)

3.9 If this is true, then even the promoter's own analysis does not seek to identify 'evidence' of deficiencies in infrastructure sufficient to establish 'exceptional circumstances' for which this development should proceed.

3.10 Notwithstanding that the promoter refers to a 'good level of services and infrastructure', and does not identify 'exceptional circumstances', it is appropriate to consider whether the infrastructure listed on page 29 is significantly deficient, and whether the works proposed do meet the test for 'exceptional circumstances' either nationally or as set out by the District Council.

A Retirement Village/elderly care accommodation

- 3.11 Chapter 5 of the DLP sets out the Council's approach to providing Housing choices and discusses specifically the Mix of housing required, its size and type (including options for the elderly), micro homes, and self-build. The proposed delivery of both market and affordable housing is addressed in Policy 8, which sets out the mix of housing required, and indicates that new housing specifically designed for older people will be supported in sustainable locations and close to services, facilities and transport links. The policy is not unusual, but specifically does not identify a need for new accommodation for the elderly to be 'supported' by other new housing in the Green Belt. The policy anticipates that schemes for elderly accommodation will come forward alongside other housing schemes.
- 3.12 Paragraphs 5.28-5.32 of the DLP discuss the specific issues surrounding the delivery of housing in rural areas, including housing for older people. These paragraphs explain that such provision may be made as rural exception sites, and the requirements for this are set out in Policy 10. Whilst the policy identifies that 'on rare occasions proposals may include an element of market housing to facilitate delivery' there is no suggestion in the policy that such housing needs to be supported by large amounts of new housing in the Green Belt, or that this constitutes 'exceptional circumstances' for a large new settlement in the Green Belt. None of the criteria identified in the policy have been met. In addition, if such housing is required, the location proposed is inappropriate, given the relatively isolated location, remote from the village.

A satellite health centre

- 3.13 Here the clue is in the description, namely that the health centre proposed will be a 'satellite' to existing facilities. Hence, this facility will not serve the

needs of the existing settlement, but of the new housing that is proposed. As such, it cannot provide the 'exceptional circumstances', required.

- 3.14 Attention is drawn to the Statement that was recently issued by the Jubilee Medical Practice (currently serving the area), as currently displayed on the Practice web site (see Appendix A). This advises that if 800 additional houses were to be built in the area, then there will be a need for additional health provision, as it is unlikely that the existing Jubilee surgery, and other practices, would have the necessary capacity. This does not identify a current critical need for additional health infrastructure that can only be met by the development of 800 new homes, but instead that it would be the provision of these homes that would itself lead to the need for additional health provision.

Improved Sports Provision

- 3.15 Many of the facilities at Corinthian currently exist, and are already available to the public in the area (subject as appropriate to membership). Hence it is unclear how the development proposed will substantially improve access to these facilities. For a rural parish there is already a good range of facilities available and any improvements proposed do not meet an identified local need or provide exceptional circumstances for development that would not otherwise be permitted.

Replacement primary school and SEN school,

- 3.16 It is unclear from the DLP what facilities would be provided, but the material provided by the site promoter advises on page 25 that the proposals would involve a new 3 form entry Primary School, Nursery and SEN Academy, together with parking/drop off facilities. It is unclear from the submission how this will be provided, specifically the timing, whether the plot will simply

be provided as a serviced plot, available for the school to build on, or whether the developer will build out and furnish both the school and academy and then provide these (freehold or rent free) to both establishments. In the absence of such clarification the benefits cannot be fully assessed.

- 3.17 Attention is drawn to the e mail in Appendix B, setting out the views of the Area Education Officer. This advises:-

“Within the Draft Local Plan the developer and the Leigh Academies Trust propose to relocate Milestone Academy and Hartley Primary Academy onto a single site. the current status quo of primary provision and extant housing is balanced and sustainable, with only a small surplus; so any additional demand created must come with developer funding to provide additional school places. --- Kent CC holds the freehold of both sites and there should not be an expectation that any realised funds would be diverted to support this proposal because any change in provision would be entirely as a result of new housing.”

- 3.18 In simple terms, it appears that the current school provision includes a small surplus in capacity, but that it is solely the number of new houses proposed that will generate a need for additional school facilities. If there is no existing need for school spaces then the Council’s criteria for ‘exceptional circumstances’ do not exist. The response from the education officer reinforces concerns that unless the development proposed will provide a fully built and fully equipped school(s) then it is unclear how these facilities will afford to operate in the absence of (additional) funding from the education office.

- 3.19 It is an additional concern that the proposal to move the Milestone Academy to this site is also a waste of resources, given that the PC understand that this was recently refurbished at a cost of several million pounds to the LEA.

It is unlikely that this funding would have been approved if it had been perceived at the time that there was a critical need for new educational resources in the village. This need for new infrastructure does not exist.

Employment floorspace, incubator and start up.

3.20 I am unable to identify anywhere within the background papers any details that indicate that there is a particular shortage of employment land within the local area, and hence this provision appears to do no more than to provide additional floorspace commensurate with the additional housing population. It does not address 'evidenced infrastructure deficiencies'.

3.21 In addition, it is noted that the proposed layout of housing on the site replaces existing employment land with housing, without detailing the areas that will be lost, such that the total provision of employment floorspace will be less than it appears from the drawing.

Accessibility and Vehicle/cycle links,

3.22 The promoters' vision for Hartley identifies two specific improvements to accessibility, namely improved vehicular access to sports facilities (Corinthian) and new/improved footways across the proposed new country park and other areas that are currently farmland. The new relief road for Castle Hill is considered separately below.

3.23 Whilst it is accepted that a new link road from Ash Road will provide a more direct link to sports facilities, the benefits of this will be limited. Similarly, improvements to footpaths may be welcomed, but potential gains in accessibility needs to be balanced against any diminution in the recreational and tranquil value of these due to large swathes of farmland (through which these pass) that will now be developed and built upon.

3.24 These works do not meet 'evidenced infrastructure deficiencies'.

Self-Build Plots,

3.25 Whilst it is acknowledged that there is both national and local support for self-build plots, these can and should (potentially) be provided wherever new housing is taking place, and this provision is addressed by policy 8 of the DLP. The inclusion of such units here has no specific relationship with Hartley and does not meet an evidenced infrastructure deficiency within the Parish.

Country park incl pedestrian/cycle links to Longfield Station, childrens play area, outdoor gym, woodland trails and café,

3.26 There is no identified need for any of these facilities, the primary purpose for which is to meet the needs of the additional housing.

Relief road to improve Castle Hill.

3.27 It is widely accepted and acknowledged within the parish that Castle Hill is narrow and unsuitable for two way vehicular traffic, and that any additional traffic should be discouraged. However, the proposed new road will, primarily, serve the new development proposed, with no certainty that this will reduce, or not make worse the traffic that will use Castle Hill. Hence whilst Castle Hill is a potential infrastructure deficiency, the development proposed may or may not address this. However, in a wider context, the 800 new houses proposed, together with other facilities proposed, will substantially increase vehicular usage of all the rural roads proximate to the site, with a a net diminution in the capacity of these roads. These comments are explained in more detail in section 4 below.

- 3.28 Objection - Having looked at each of the benefits put forward by the promoters, it is my view and that of the PC that these do not generally address existing infrastructure deficiencies within the settlement so do not meet the District Councils test for 'exceptional circumstances', in the absence of which development in the Green Belt is unacceptable. This is especially so in relation to site MX53, where only the proposed relief road can be considered as an improvement to infrastructure, and this may or may not bring any benefits. It is relevant that the proposer for the site advises that Hartley already has a good level of services and infrastructure.**
- 3.29 In addition to not meeting the test for exceptional circumstances, the development proposed will be harmful to the local area and raise a number of reasons for rejection. These are considered in Section 4 below.

4.0 SPECIFIC REASONS TO REJECT DEVELOPMENT OF SITES MX 52 AND MX 53.

4.1 In addition to the concerns expressed above that the development proposed will not provide a broad list of infrastructure that is needed by Hartley, so as to justify the 'exceptional circumstances' for development in the Green Belt, there are the following specific objections to the scale of development proposed.

- Traffic and Local Roads
- Loss of facilities
- Visual Impact on the countryside
- Harm to the Green Belt

Traffic and Local Roads

4.2 The development proposed is situated to the west of the village and accessed from both Ash Road (the main road through the village) and Fawkham Road (to the west). The latter continues southwards as Valley Road. There are significant concerns about the impact of development on both roads, each for different reasons.

Ash Road

4.3 The Parish Council has been very concerned about the volumes of traffic using Ash Road for some time, so recently purchased a traffic counter so that traffic flows can be monitored accurately. This is shared between Hartley and New Ash Green (to the south). However, a survey by Kent County Council in January 2017 recorded 98,000 cars using Ash Road

(adjacent to Parkfield) in the space of one week. This is an exceedingly high number of vehicles to pass along the main street of a village. The development proposed to the west of the village will, inevitably lead to a further significant increase in traffic due to:-

- The occupants of the new developments connecting eastwards to Hartley, through one of the proposed access points, and then driving north or south along Ash Road.
- Existing villagers who currently walk or cycle to facilities in the village, or who use existing public transport, who will in the future need to use a car to access 'new facilities' within the new development, including specifically new school and health facilities. The relocation of these outside the village will inevitably lead to additional journeys that are not currently necessary.
- Additional traffic brought into the village by any expansion in facilities such as schools. In particular it is noted that the Milestone Academy currently attracts pupils from a very wide radius (possibly 50 miles), such that any expansion may bring traffic in from even further afield. Given the specialist form of education, this involves very high teacher numbers, and most pupils to be delivered and collected by car.,

4.4 Ash Road is the main route for both vehicles and pedestrians through the village, with many of the village shops and facilities situated on the road frontage. As these facilities are on both sides of the road, then many of the pedestrian users need to cross the road to support and make use of these facilities. This can already be difficult due to the current vehicle flows in each direction, but will get even more difficult if there are more cars. In a survey undertaken on the 9th February the Parish Council recorded 1115 vehicles

during the morning rush hour (7.15am – 8.15am), an average of one vehicle every 3.22 seconds, and that during this same hour there were 50 pedestrians (14 adults, 36 school children) seeking to cross the road.

- 4.5 Traffic volumes mean that people with frontage access (most of the properties) often have long delays accessing and exiting their properties, especially when leaving. This includes access and egress to the library.
- 4.6 In addition to the function of Ash Road as a distributor between local services, this is also a shortcut/main route southwards to the M26. To the north the route takes heavy traffic towards the Dartford Crossing, the A2 and the Bluewater Shopping Centre. Notwithstanding the issues above that arise within the village itself, to the south of New Ash Green there are several sections of road that are narrower and in some places a single car width, with a need to use driveways or locally wider sections of road for cars to pass. Any increase in traffic volumes will increase the frequency of vehicles meeting in these sections, and decrease the opportunities for cars to proceed (with no opposing traffic).

Fawkham Road/Valley Road

- 4.7 This road is best described as 'rural', passing mainly between fields and bounded in many places by hedgerows, and sometimes sunken slightly below the land levels on one or both sides. It varies in width but is, in many places, narrow. There are existing difficulties with the existing flows of traffic along the road, with significant issues of congestion if one or more of the other roads in the area are blocked by traffic, causing this to be used as a rural rat-run. These difficulties are such that very little locally generated

traffic will choose to use the very poor conditions in Valley Road and most will converge onto Ash Road to avoid doing so.

- 4.8 It is noted that the proposer of sites MX52 and MX53 claims that this road is adequate for the traffic that will arise from these proposed developments, claiming that the road is generally 5.5m in width. This is rejected. Appendix C is a study undertaken by local residents showing the roadway at various points along its length, demonstrating its unsuitability for existing levels of traffic, never mind increases that the development of sites MX52 and MX53 would cause.
- 4.9 In addition to the concerns over the geometry and capacity of the road, it is noted that there is a lack of any formal drainage to the carriageway surface (no kerbs and associated drainage channels or SWS). Consequently, as the road runs along the valley bottom, at times of heavy rain it is not uncommon for sections to flood, and sometimes become impassable. Vehicles using the road in such conditions cause additional damage to both the road itself, and to the roadsides. Additional development on the valley side above this road will lead to additional vehicles and to additional surface water run-off, leading to increased flooding and times when the road is blocked.
- 4.10 Notwithstanding the varying width of the road along its length, there is a notable and specific pinch point at its northern end, where the road passes under the railway line, normally requiring vehicles to pass in one direction at a time. At busy times cars already back up on either side. Any increase in the use of Fawkham Road will add to traffic pressures at this point.
- 4.11 As a rural road there is no footway on either side of the road and any pedestrians choosing to walk this way need to avoid cars and, where possible, step off the carriageway. New dwellings proximate to the road will

increase the prospect of pedestrians, causing inconvenience to drivers and potential risks to the pedestrians themselves.

- 4.12 Some of these issues, in relation to Fawkham Road, could potentially be addressed if the road was widened, with drainage and a footway added. However, these improvements would need to extend over a considerable length of the road, extending into Valley Road, and far beyond the land controlled by the promoter. No such improvements are proposed.
- 4.13 Whilst it is noted that the proposer of sites MX52 and MX53 suggests that the new development will relieve traffic on Castle Hill Road, in reality drivers will select between routes and whichever may seem least congested on a particular day. Hence, there is the possibility that the number of new houses proposed will actually add to the traffic on Castle Hill (and other minor roads in the area), causing greater difficulties for existing residents and for those businesses that may rely on this, such as Steephill School. The PC is aware that the Head of the school has written independently, emphasising the difficulties that will be caused to that school.

Loss of Facilities

- 4.14 The proposal can only succeed under the strategy outlined in the DLP if the development provides 'exceptional circumstances', by providing facilities and infrastructure that are essential to the existing needs of the village. Whilst this claim is rejected, it is relevant to consider briefly the impact if the infrastructure proposed occurs.
- 4.15 The proposal involves moving two local schools to a new site within area MX52. Hartley Primary School, an Academy, is currently situated at the end of Round Ash Way, a short distance from the main core of the village and

with good pedestrian footways on both sides. It is, for those that choose, a safe and short walk to school from the main core of the village. The proposed new site for the school will be located away from the core of the village. For most this will involve a drive out of the village on Ash Road, before turning into the new development site and descending the hill to the school. It will be far less accessible on foot to current pupils living within the village, due to both the greater distance and the gradients of the road to it. Hence, this move would be in direct conflict of the Governments policy to encourage children to walk to school, and to lessen traffic congestion.

- 4.16 Milestone SEN school. - This is located on the northern edge of New Ash Green and I understand serves a much wider catchment (possibly 50 miles). The relocation of the school is unlikely to have a significant impact on Hartley, although it is relevant that whilst the existing school is on a bus route, this is unlikely to be the case for the new school, so there may be some increase in cars through the villages. However, it is the Parish Council's understanding that there has been a very large investment in the school in recent years, which would appear to be 'wasted' if the facilities that have been improved are then demolished.
- 4.17 The development proposed includes a satellite health centre which, it would appear, will mainly provide for new residents. However, there is concern if any of the facilities or clinics from the existing surgery were to be transferred to this new site, given that the new facility will not be on a bus route and so less accessible to existing residents in the village. Equally, unless there is a proportionate increase in staffing, any doctors or nursing staff moving to staff this site may reduce surgery times available to existing patients.

Visual Impact on the Countryside

- 4.18 Sites MX52 and MX53 are both sited to the west of the village, and on sloping ground facing west.

MX53

- 4.19 In terms of Site MX53 most of the development proposed will be situated either on a hill top, or on steeply sloping land. The existing urban boundary is defined by the rear boundaries of properties on Banckside and by the roadway of Downs Valley, both of which sit below the crest of the hill to the west. (See photos 1 and 2 – Appendix D)]
- 4.20 This western boundary of development (north of Castle Hill) is illustrated in photographs 3 and 8 (see Appendix D), which show the distinct line of the existing urban area that sits below the height of the field to the west (which is in the Green Belt). Hence, the Green Belt has a sharp edge with the urban area. Photo 3 is taken from the SW looking back at this edge and illustrates the diminutive impact of dwellings within the village. As the land drops away steeply to the west, this impact diminishes significantly the further west the viewpoint. Photo 10 shows the view from Fawkham Road, (at the bottom of the hill), from which the village is entirely hidden.
- 4.21 The development proposed in MX53 would sit to the west of this boundary. The officers assessment for HO163/MX53 indicates that this site of 6.07ha could accommodate between 141 and 188 residential units, all of which would be above the height of existing dwellings and prominently located on this hill top/hillside (see photo 8).
- 4.22 The developers' proposals for this northern site suggests that development would not stop on the hilltop but extend down the valley side to Fawkham Road. However, the officers' assessment for site HO169/MX53, for 22.8ha

of land, suggests that this larger site is unsuitable for large scale development, due to the western part being very open and with an attractive landscape character on the valley side.

- 4.23 Whilst the PC support the assessment by officers that the part of the site, which is the side to this valley, is an important and attractive area of landscape that should not be developed, it is strongly suggested that this importance to the landscape does not stop where the ground levels out, but includes the top of the slope and the higher ground, which currently provides a visual screen to houses within the village boundary (on Bankside and Downs Valley road). Photos 6-8 show views over this area and its visual prominence in relation to the existing urban boundary. The impact of development here would be particularly prominent to recreational users of this part of the Green Belt, given that this area is criss-crossed by a number of public footpaths, and that there is additional access to woodlands on both sides (north and south) of the proposed development (see photo7).
- 4.24 It is strongly suggested that the concerns raised by officers in appraising site HO169/MX53 in Appendix 2d to the SHELAA, leading to the view that the site is unsuitable for development, apply equally to the smaller site HO163.

MX52

- 4.25 This site is detached from the settlement of Hartley and situated on the valley side to the south and west of the village. A large part of the site is currently in recreational use, part in formal playing pitches and sports facilities, and some of these would be retained or improved. Large parts of the remainder would be developed for housing and other uses, with most of this situated

on the sloping ground to the south of Hartley and on the valley floor adjacent to Valley Road.

4.26 It is notable that the appraisal of this site undertaken for the SHELAA in 2017-2018 (see Appendix 2c to DLP) concluded that site HO162/MX52 was unsuitable for residential development with relevant factors including:-

- A)- that the site is isolated and not connected to a settlement;
- B)- it is not possible to see how the site could be integrated into Hartley;
- C)- the site is unsuitable for this scale of development given its rural location, encroachment into the countryside and loss of sports facilities.

Whilst the details now put forward retain many of the sports facilities, the other criticisms remain equally valid.

4.27 Notwithstanding the criticisms and conclusions in the SHELAA the DLP Site Appraisal does now include this site within its yellow category, as potentially suitable subject to further information. However, it is noted and emphasised that this appraisal:-

- gives no consideration to the impact of development on the lower part of the site on the ancient church of St Mary's
- scores the site as RED in relation to its harm caused to the Green Belt;
- scores the site as RED in relation to its proximity to the local centre (Hartley), and to local schools and health facilities.

4.28 The appraisal in category 5 (yellow) identifies the possible reasons for its inclusion as being:-

- a) the provision of infrastructure and
- b) the sites assessment as a poorer part of the Green Belt.

4.29 The 'value that should be attached to the infrastructure proposed has already been considered in Section 3 of this Objection with the conclusion that most of this is only needed to serve the dwellings within the development itself. That the provision of new infrastructure should be considered decisive in the appraisal (as compared to the SHELAA) is additionally questionable here given that the appraisal itself identifies the site's isolation from Hartley, and the difficulty of integrating the facilities with the village. The provision of facilities in an isolated and badly integrated location have limited value, and cannot provide the 'exceptional circumstances' needed to justify development within the Green Belt. Consequently, the site should be rejected based on the assessment already undertaken in the SHELAA by officers. The value of the Green Belt is examined in the Section 5 (below).

4.30 In paragraph 1.2 (of this objection) reference was made to the advice in paragraph 72 of the NPPF, that the provision of houses can sometimes best be achieved by new settlements or significant extensions to existing villages and towns. Section 1 discusses the strategy for where such development should be located. However, paragraph 72 continues and advises that all such sites should be well located and designed and supported by the necessary infrastructure and facilities. It is clear from the analysis above that this infrastructure is not included and that the development proposed would not deliver housing and other facilities in a sustainable way.

4.31 Objection - Far from addressing the infrastructure needs of Hartley, the development proposed will create significant additional problems for Hartley and surrounding villages, especially due to traffic on roads that

are unsuitable for this purpose, and may lead to a reduced accessibility to services for many local residents. The proposal will spread far beyond the current boundaries of the village, be poorly integrated, and cause significant harm to the rural landscape.

5.0 GREEN BELT AND LANDSCAPE.

- 5.1 The strategy put forward in the DLP allows for new development in exceptional circumstances. These circumstances do not exist, for the reasons set out above. Hence, there should be a policy objection to the principle of development as proposed. However, in addition to this objection in principle, there is an additional objection based on the actual harm to the Green Belt, and to the landscape in general, if development is allowed here. Hence this section considers the impact of the potential development of MX52 and MX53 on the Green Belt having regard to the 5 purposes for the Green Belt (as set out in the paragraph 134 of the NPPF):-
- 5.2 To place this in context, it is noted and supported that the assessment of sites undertaken by officers as part of the ‘Sustainability Appraisal’ gave both sites MX52 and MX53 a score of RED in relation to the sites location within the Green Belt, ie that this was a strong constraint against development being allowed. However, the site ‘Deliverability Assessment’, to the DLP places both sites in the Yellow Category and, in relation to the Green Belt. In making this changed recommendation the latter refers to both sites as forming part of Area RA27 (from the Green Belt Assessment in 2017 (GBA)), which is referred to as “weak performing Green Belt”.
- 5.3 First it should be noted that the SW boundary of Site MX52 extends beyond the boundary of site RA27, so is not included in the area discussed as weak.

It is therefore incorrect of officers to not give this part of the site its full merit as an area of Green Belt. The developer's proposals for the site show this part of the site as an area proposed for retirement housing, which is clearly inappropriate in the Green Belt, as originally set out in the Sustainability Appraisal.

- 5.4 Secondly it should be noted that the GBA did not recommend the deletion of these sites from the Green Belt, but simply identified these as areas that are “distinct areas of Green Belt which are relatively small in scale, possessing semi-urban characteristics and located adjacent to or even enclosed within urban areas, thus performing little or no role in preventing the outward sprawl of large built-up areas, the coalescence of settlements or encroachment into the countryside.” (extract from section 10, conclusions). The recommended areas are identified for further consideration in relation to the purposes of the NPPF.
- 5.5 Notwithstanding the recommendation that Area RA 27 should be given further consideration, there is no evidence on the LPA website that this has been given. Instead, the move from a score of RED in the Sustainability Appraisal to YELLOW in the Deliverability Assessment, relies entirely on the initial recommendations of the GBA.
- 5.6 Given the absence of a more detailed assessment, it is appropriate to consider the development proposed for sites MX52 and MX53 in relation to the statutory purposes of the Green Belt, as recommended by the GBA, having regard to the comments of that original assessment (see pages 104 and 105 in chapter 5 of the document).

The Green Belt Assessment 2017 (GBA)

5.7 The recommendations of the GBA in relation to parcel RA27 are set out on pages 104 and 105 in chapter 5 of the document. This advises:-

5.7.1 In relation to the wider area (81) that includes RA27

“The wider parcel meets the NPPF purposes strongly, in particular by maintaining the essential gaps between Hartley, New Ash Green, and Horton Kirby (Purpose 2). The parcel also prevents encroachment into open countryside (Purpose 3) and, in the immediate vicinity of New Ash Green, makes a minor contribution protecting the wider setting of the historic settlement (Purpose 4).”

5.7.2 In relation to RA27

“However, a broad sub-area in the north-east of the Parcel at the edge of Hartley (RA27) may score less strongly against the purposes if considered alone. This area has been subject to some encroachment, including residential and light industrial development along Fawkham Road, Valley Road, and Castle Hill, and sports facilities in the south of the area. Although much of the area has an open character, there are a number of urbanising influences that diminish its rural character. Additionally, the area has a strong sense of enclosure and limited connectivity to the countryside further west as a result of local topography (Purpose 3). It is noted that the area plays a lesser role in preventing the coalescence of settlements, as Horton Kirby is a substantial distance to the west (Purpose 2), and the area does not form part of the rural area around the settlement of New Ash Green (Purpose 4). “

It is recommended that this area “may score weakly” and could be considered further.

Evaluation of the two sites in relation to the Purposes of the Green Belt.

Purpose 1 -To check the unrestricted sprawl of large built up areas,

- 5.8 The methodology used in the GBA does not regard the planned expansion of a settlement as an 'unrestricted sprawl'. Following this approach, many of the criticisms that might arise under this heading are dealt with under Purpose 3 below.
- 5.9 However, whilst parts of the development proposed at MX53 might be considered to be the planned expansion of the settlement westward, site MX52 has a much 'looser' association with the settlement and might reasonably be considered as the sprawl of the settlement westward.

Purpose 2- To prevent neighbouring towns from merging into each other

- 5.10 It is noted with interest that the GBA advises that the wider area around RA27 (area 81) 'meets the NPPF purposes strongly, in particular by maintaining the essential gaps between Hartley, New Ash Green, and Horton Kirby' but suggests that parcel RA27 'plays a lesser role in preventing the coalescence of settlements, as Horton Kirby is a substantial distance to the west'.
- 5.11 Settlements within Kent, and indeed the wider Green Belt, are not laid out on a geometric pattern, resulting in some being situated close together, others more distant. The Green Belt, as established, does not seek a 'minimum distance' or to makes these gaps uniform, but to protect the spaces between settlements so that the traveller is aware of leaving one and arriving at another, with a distinctive break (of various distances) between.

If a large volume of development arises in the gap between two settlements, then those settlements will become less distinct geographically and appear closer.

- 5.12 It is acknowledged that the Green Belt to the west of Hartley occupies a wide swathe of countryside, and a considerable gap between Hartley and any settlement to the west (Horton Kirby). Hence, the development proposed will not lead directly to Hartley merging with any other large settlement. However, this is true of very large areas of the metropolitan Green Belt, and does not provide justification for removing the protection that the Green Belt offers. Each incursion, though small, reduces the separation between urban areas, diminishing the importance of keeping these separate. Whilst the GBA advises (correctly) that there are other geographical features to form this gap, this is true of many situations, that are correctly protected by the Green Belt. It should however, be noted that development of the scale proposed will close most of the gap between Hartley and the hamlet of Fawkham. It is understood that the Parish of Fawkham is concerned about being effectively swamped by this new development.
- 5.13 Notwithstanding this situation in relation to Horton Kirby, the development proposed at MX52 extends a considerable distance to the south of Hartley, and takes its access from significantly south of the settlement boundary. Much of the development proposed, including the access road, lies within the relatively narrow gap between Hartley and New Ash Green. This is not considered or assessed by the GBA. To the extent that this mass of new development will close the gap visually with New Ash Green, and the new access proposed will add to the existing straggle of development along Ash Road, this will effective lead to the visual closing of the two settlements.

Purpose 3 - To assist in safeguarding the countryside from encroachment,

- 5.14 Both schemes would encroach into the countryside by introducing built development over large areas, and much of this being open countryside, that currently provides the setting to the village. Much of that development would be visible over a wider area, thereby encroaching visually far beyond the site itself.
- 5.15 Hartley does comprise a large village in the countryside and hence a built-up area in the context of the Green Belt. The boundary of the Green Belt wraps around the existing envelope of the village (see Proposals map to the Local Plan). To the north this urban area is contiguous with the urban area of Longfield.
- 5.16 This western boundary of the village is relatively tightly defined, as can be seen on the proposals map to the Local Plan and especially so to the north of Castle Hill, where it is made up of the backs of properties on Banckside and the roadway of Downs Valley. Both these roadways are situated below the height of the adjacent fields (to the west) adding to the visual separation between the two. These fields rise to a crest to the west of the village, before dropping steeply towards Fawkham and Valley Roads.
- 5.17 The development proposed in MX53 would sit to the west of this boundary, and illustrates a wide swathe of houses located along the ridgeline of this field. Unlike the existing dwellings, these would dominate the skyline and be visible over a large distance to the west. The appraisal by officers suggests that the smaller of the two sites proposed (housing site HO163) would include 141-188 residential units along this hilltop. Such development represented a significant extension of the urban area westwards, the visual impact of which would extend far further than the physical extent of the

dwellings. This would contribute significantly to the extension of the built-up area into the countryside to the west, all of which is currently in arable use.

5.18 The development proposed in MX52 is only contiguous with the urban boundary in places so is significantly more detached from the settlement boundary of Hartley. Much of the development proposed is centred around existing sports facilities that are a satellite recreational activity detached from the village. As such, this part of the development occupies a larger area of what is currently countryside and Green Belt. Most of this land is sloping, and currently occupied as farmland or as a golf course and other recreational uses. Development as proposed would retain some of the recreational uses, but involve building over much of the remainder, occupying much of the valley side. A large swathe of sloping countryside would be transformed from rural activities to one that was largely built up and urban.

5.19 It is noted that the GBA comments that ‘the area has a strong sense of enclosure and limited connectivity to the countryside further west as a result of local topography’ as potential reason to diminish its value to the Green Belt. This would be true for any river valley or area enclosed by woodlands. It implies that any area of countryside that is not open and visible over many miles is less important than one that is.

5.20 This is an important area of countryside around Hartley, is an important visual surround to the village and a source of both formal and informal recreation. The development proposed would remove all of these assets.

To preserve the setting and special character of historic towns

- 5.21 It is acknowledged that Hartley is not an historic town with an important historic footprint or setting. However, on a more local level, the church of St Mary's is a listed building (parts) believed to be 1000 years old and the area around this a Conservation Area. The illustrative layout for area MX 53 proposes new development abutting the conservation area and close to the church, over land that currently provides an open, spacious and tranquil setting to both. The development of land, adjacent to the church and on the hillside above, will impact on views out from the conservation area and, depending on the development itself, potentially on important views into the Conservation Area.
- 5.22 In addition, Fawkham Road, passes through the CA, alongside the church. It seems likely that works to improve or to 'urbanise' this road, including providing a new access to serve development, will have a significant and negative impact on both the CA and the LB. Whilst the character of this valley is, in the main, rural, this will change with the introduction of houses, and other development.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 5.23 This purpose seeks to prioritise development of urban land by preventing development on the Green Belt, ie by removing this as an alternative. Clearly the proposed development of both sites, with almost 75ha of development in the Green Belt and not on urban land, will not meet this purpose.

Overall

- 5.24 It is clear from the above that the Green Belt to the west of Hartley does continue to fulfill a useful purpose and that overall the development proposed would be contrary to many of the purposes that this seeks to protect. It is noted that the recommendations of the DLP to propose development here, are based in part on a (mistaken) belief that necessary infrastructure will be provided, partly on the recommendations of the GBA that further consideration be given to parcel RA27. In this context it is helpful to look at chapter 7 of the GBA and the summary of findings. Paragraph 7.1.27 advises that the overall landscape sensitivity of this area is moderate (compared to some other areas), but that in landscape and visual terms any release for development should focus on more visually contained areas (such as the former quarry and industrial area south of Fawkham) and should also seek to restore and re-connect field patterns, should not breach ridgelines, and that a buffer should be maintained to the church and conservation area at Baldwins Green. The scale of development proposed far exceeds this recommendation.
- 5.25 Objection – The development proposed will mean significant harm to the Green Belt to the west and south-west of Hartley, contrary to many of its statutory purposes. Whilst the GBA has identified Area RA27 as less important than others, this Assessment does not support the scale and extent of development as now proposed. There is no justification for this degree of harm.**

6.0 SUMMARY/CONCLUSION

- 6.1 The overall strategy adopted, as set out in paragraph 1.12, fails to consider several options for growth, including those of locating development within a Garden Village or Garden Town, or as one or more significant urban extensions. In focusing on deficiencies in infrastructure at a local level, the Plan fails to prioritise sites in the more sustainable locations, namely around the major towns of the District. These locations should be the focus for development, before considering land around smaller villages.
- 6.2 Whilst the preferred approach does favour brownfield sites, there is no evidence that there has been a systematic search for brownfield land, or an evaluation of whether some sites in use or allocated for employment or other purposes would not be more effectively used for residential purposes. Hence some sites with potential capacity may have been overlooked or rejected inappropriately.
- 6.3 The preferred approach, to allow development of greenfield sites in the Green Belt where that development proposes new infrastructure, to address existing deficiencies, (the local definition of 'exceptional circumstances') sets the bar too low to meet the test intended in the NPPF. This approach effectively allows the development of any site where infrastructure is currently lacking, as evidenced by the claims now being made to justify sites MX52 and MX53.
- 6.4 More importantly, having set the bar low the DLP lacks any evidence that officers have systematically assessed the infrastructure needs of all the towns and large villages, focusing on the larger settlements, and seeking evidence from service providers of what those needs are or are not. With regard to Hartley, in particular, officers appear to give weight to the claimed need for new educational and medical facilities, that is not supported by the

appropriate providers of these services. In reality, the infrastructure proposed arises almost entirely to meet the needs of the new development and new population. This does not amount to 'exceptional circumstances'

- 6.5 Notwithstanding the lack of exceptional circumstances, the development proposed at MX52 and MX53 will have significant adverse effects on local infrastructure and specifically on the capacity of local roads, adding to the dangers and inconvenience of users of Ash Road, and overloading and causing environmental damage to Fawkham Road/Valley Road and other smaller roads in the locality.
- 6.6 The suggestion that the Green Belt to the west and south-west of Hartley is not important is rejected. The development of site MX53 will have a significant adverse effect on this local landscape, due to this cresting the local hillside to the west of the village, spoiling the current openness and rural charm of this valley. In addition, the development of MX52, which is significantly detached from the village, will add to the sprawl of development to the south-west, and visibly diminish the gap between Hartley and New Ash Green. It is wrong to suggest that this will not be harmful to the purposes of the Green Belt, or that this is supported by the Green Belt Assessment. Overall the development will bring few benefits to Hartley, will bring many disbenefits, and in creating difficulties for many roads in the locality will be harmful to both Hartley and to the adjoining villages of Fawkham, Longfield, and New Ash Green.
- 6.7 The District Council is respectfully requested to review the allocation of land to the west of Hartley and to delete proposed sites MX52 and MX53 from the plan.