

Madam,

In October 2009 we came together for Public Inquiry into a road/rail interchange in an area close to this site. This was known as the Kent International Gateway, or KIG for short. We spent 12 weeks arguing over the application at a cost of approximately £3m. The Inspector on that occasion, Mr Phillipson, worked at pace in order to get his decision to the Secretary of State. Many of the decisions the Inspector made are still the same today and I am somewhat amazed that the appellants seem to suggest that this application is not in the same area at all.

Maidstone Council were delayed in formulating their Local Plan, as quite naturally, they needed to await the decision of the Secretary of State as a development of this magnitude would have had a significant effect on their strategy. However their progress has been very slow and this has encouraged speculative development. It now appears that this could be considered a deliberate ploy by developers to stop Maidstone creating an up-to-date Local Plan as there is another application already submitted. This is a major weakness in the planning system which allows developers to keep submitting applications in the hope that eventually one will be allowed, at a considerable cost to the ratepayers of Maidstone and Kent. This application, whilst smaller in scale than the previous KIG proposal, is of similar strategic importance and will similarly pre-determine important decisions that should properly be made through the local plan process. It raises very similar planning issues.

In his conclusions, Mr Phillipson stated "The area is adjacent to the site is within the Kent Downs AONB. Whilst the AONB would not be directly affected by the proposals, I conclude that the proposal would cause significant harm to its setting." What has changed?

Another quote: "I conclude that the proposal would constitute a major encroachment into the open countryside and its appearance would be alien to that of the neighbouring settlements. As such I conclude that it would cause substantial harm to the setting of the Kent Downs AONB." What has changed?

"It would conflict with the Local Plan which indicates that priority will be given to the landscape over other planning considerations in the Special Landscape Areas." What has changed? The argument will be promoted that the Local Plan is out of date but there is no up-to-date Local Plan because of the continuous applications being submitted by developers, one after another. Is this deliberate?

The Kent Branch of the Campaign to Protect Rural England exists to promote the beauty, tranquillity and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country.

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Again Mr Phillipson - "Notwithstanding my above conclusions on visual impact, the evidence is that the upper parts of (one of the units) would be visible. They would be of a scale much larger than anything found locally." So what has changed? One important area - these buildings would be between 15 and 17 metres high, depending on which of the two applications is consulted Even full grown trees, and it would take time for this to be achieved, and in full leaf, would not hide the buildings.

Another quote: "A large area of countryside would be lost to development, the form and appearance of which would be alien to that of the neighbouring settlements. It would cause substantial harm to the setting of the Kent Downs AONB and would seriously damage the attractiveness and amenity value of the (bridleways and) footpaths that cross the site. Again - what has changed?

Local residents, luckily some of the most persistent and determined people are at a loss as to why yet another application has been submitted and yet another inquiry, at considerable cost to ratepayers.

And is there a need? We are told by the appellants that the only site in the area is at Waterside Park but his assertion stretches credulity. ADL are no longer interested in this site so the two applications could be considered to be incorrect and should be re-submitted. It is dishonest to continue with an application where the original reason was a need for two Maidstone companies to have a joint site. One has to assume that ADL has found alternative accommodation and will move out shortly. Surely this would provide space for Scarab at their Marden site, fulfilling all their requirements as stated by the appellants. If not, far more space at the level required by Scarab is available both within and closely outside the Maidstone Borough boundary.

But why does any new site have to be within Maidstone Borough? There are plenty of sites some metres outside the administrative boundary which are already, or are earmarked as land for industrial development. The applicants are attempting to prove that the land must be in the Maidstone Borough administrative boundary and on a greenfield site, surely an unsupportable claim.

In any case Maidstone have yet to complete their local plan so to assume that all the relative sites have been considered is premature and unreasonable. This inquiry is not and should not be a substitute for the Local Plan Examination in Public, or for the detailed site assessment work that must support the local plan process.

Apart from other factors, the NPPF contains a clear message that there is a duty to co-operate between Local Authorities. This includes items such as housing, offices, warehouse development and industrial use. This is a sensible action to take as otherwise there would be random development along Local Authority boundaries. Where development is proposed Kent County Council is expected to supply infrastructure at considerable cost and yet there has been no evidence of a duty to co-operate.

Another problem is one of precedent. If this application were to be allowed it would open the doors for a flood of applications in the area around Junction 8. Indeed one is waiting in

the wings. Some Maidstone councillors were of the opinion that if one application were to be allowed then the remainder of the area could be protected. This is far from the case and the opposite is more likely, as confirmed by Maidstone's senior planning officer.

At the KIG appeal the decision letter of the secretary of State concluded "The Secretary of State agrees with the Inspector's reasoning and conclusions, as set out at IR18.29 – 18.52, regarding the impact of the proposed development on the countryside, Special Landscape Area and the AONB. He agrees that the majority of the appeal site is attractive open countryside and that, whilst the noise of the M20 / HS1 is a negative feature of the area, the site nonetheless has a strongly rural character and atmosphere (IR18.31). He further agrees that, overall, the proposal would cause substantial harm to the open countryside character and appearance of the site and would be in conflict with relevant development plan policies (IR18.34). The Secretary of State agrees with the Inspector's conclusion that the appearance and scale of the development would be alien and out of character with the countryside and the existing built-form of neighbouring settlements, and that it would cause substantial harm to the setting of the AONB (IR18.45). Given the importance and value of the open countryside which currently forms the appeal site and of the AONB which adjoins it, and given the harm the proposal would cause to them, the Secretary of State agrees that substantial weight should be given to these matters in the determination of the appeal (IR18.52)."

The countryside of the appeal site is not dissimilar to that of the KIG site, and indeed is even more remote from the Maidstone urban area.

If this application were to be allowed there would be a damaging loss of Grade 2 agricultural land. The government has made it clear that as this is "best and most versatile agricultural land" it should be preserved. If development on a greenfield site is essential then poorer quality land should be used as stated in the NPPF. There will be an ever increasing need for "best and most versatile" land for the growing of food, for which there will be an ever increasing demand as the effects of climate change increase the need for home grown food. The appellant totally ignores this need and professes that as there is an economic need this should take precedence. This is not only short-sighted but irresponsible in the long term.

The NPPF promotes sustainable development, but in so doing it seeks to give equal weighting to social, environmental and economic considerations. In his letter of 27 March 2015 to the Chief Executive of the Planning Inspectorate, the Planning Minister underlined this point to stress that full account must be given to environmental as well as the economic and social dimensions of development proposals. Consideration of this proposal, therefore, should not be skewed towards the economic arguments.-

We submit that this proposed development is unsustainable. One of the tests of sustainability is the ease of access for people working on the site. This site will be some considerable distance from the town centre, it is beyond walking distance of a railway station, there is poor provision for walking and cycling and there is one bus per hour. This would entail employees using private transport in order to get to work – hardly sustainable.

Another burden local people have to bear is the deteriorating air quality. Rochester is said to be the 4th most polluted area in the country and Maidstone is second to it in Kent. As traffic has increased on the M20 so has the incidence of respiratory illnesses. With further diesel HGVs being attracted to the site, this will only exacerbate the situation and respiratory diseases will inevitably increase. The country is already failing to secure compliance in certain zones with the limits for nitrogen dioxide levels, mostly produced by diesel engines, as set by European Law. Under a judgement of the Supreme Court dated 29th April 2015, the court unanimously ordered the government to submit new air quality plans to the European Commission no later than 31st December 2015. The intense HGV movements in this area over several years will not improve the situation or assist the government to comply with the ruling.

I now turn to water. Kent is the most stressed county for water in England. Already the demand exceeds the supply and only a relatively short period of drought results in a hosepipe ban and the start of drought precautions.

Water companies have a legal obligation to supply water for any development and so are constrained never to be entirely honest over the water supply. It is therefore very important that anything to do with our water supply in Kent needs to be carefully safeguarded. We are concerned that the accidental discharge of fuel oils or other hazardous substances from this site could go undetected and could not be effectively controlled or mitigated, and could put at risk a significant groundwater resource. The question of the Environment Agency is not will it be all right but can they guarantee it will be all right. This I suspect they will be unable to do.

There is, then, the possible detrimental effect on what is probably the most important tourist asset in Kent. Junction 8 is an important gateway to Leeds Castle. It is important for both tourists from the UK and abroad. At present it is reasonably easy and attractive way to the castle. What is likely to happen is that tourists will have to pass a massive industrial area to get to the castle. Other countries do not expect visitors to drive through an industrial site to reach a tourist attraction and neither should we. Its setting will be compromised.

Then there is the problem of the extra traffic not only during the construction stage – very large HGVs, several per hour, belching fumes including nitrogen dioxide and causing congestion, especially when there are hold-ups on the M20 such as Operation Stack. This could cause a serious diminution of the number of tourists who would like to visit the castle which in turn could affect loss of local jobs. What would be the point of preserving jobs for Scarab while destroying local businesses?

Finally, let us consider the effect of the development on the countryside and especially those who wish to use it for recreation. The footpath which at present crosses the site would be diverted round the perimeter so lengthening the route. In addition they would be passing an industrial estate where no matter what camouflage is used, it will be very imposing with 15-17m high buildings close by. On one side of the altered footpath there would be a minimum of a two metre wire fence which for security reasons would be topped with strong lighting and CCTV; hardly a pleasant walk in the country.

It is vital that we preserve these recreational footpaths which provide an opportunity for improving health and wellbeing. This is a popular area for walkers because of the wonderful views that they are able to access, not only of the countryside but also of the attractive heritage assets.

This is a very attractive area close to a world-renowned castle and an area of outstanding natural beauty. It is a very important asset to people living in the area and in the county and the country. It should be preserved at all costs. If we allow sites like this to be converted into massive industrial areas then will any part of the Garden of England be safe?

I urge you to reject this appeal and preserve this beautiful and treasured landscape.

Richard Knox-Johnston
CPRE Kent
6th May 2015