



Statement of Case from CPRE Protect Kent and the Maidstone Joint Parishes Group

APPEALS BY GALLAGHER PROPERTIES LTD, AUTOMOTIVE PROPERTIES LTD AND SCARAB

PINS REF: APP/U2235/A/14/2224036 and APP/U2235/A/14/2229271

PROPOSALS:

Hybrid planning application (part outline-part detailed) for re-grading of site to form development platforms including the creation of new bunds and batters; the development of a new industrial estate comprising up to 56,000m² of B1 office/light industrial, B2 general industrial and B8 storage and distribution uses; ancillary cafe and crèche facilities; creation of a new access to the A20; new internal access roads; parking, internal drainage, structural landscaping and the diversion of the existing public footpath, with access to be determined and appearance, landscaping, layout and scale reserved for subsequent approval. Detailed permission sought for the erection of a new warehouse building (23,533m²) and associated offices (4,145m²) with access, service yard, parking and landscaping.

AND

Hybrid planning application (part outline/part detailed) for re-grading of the site to form development platforms including the creation of new bunds and batters; the development of a new industrial estate comprising up to 45,528m² of B1 light industrial, B2 general industrial and B8 storage and distribution uses with ancillary offices; ancillary cafe and crèche facilities; creation of a new access to the A20; new internal access roads; parking, internal drainage, structural landscaping and the diversion of the existing public footpath. Detailed permission sought for erection of new warehouse building (21,990m²) and associated offices (2,995m²) with access, service yard, parking and landscaping.

LOCATION: Land south of A20/M20 Link Road Roundabout (Waterside Park), Maidstone, Kent

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

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Introduction

1. CPRE Protect Kent and the Maidstone Joint Parishes Group (JPG) have been granted Rule 6(6) status under the Inquiries Procedure Rules.
2. CPRE Kent is the Kent Branch of the Campaign to Protect Rural England which is part of the national CPRE charity. Throughout Kent we represent 2,783 individual members, 189 Parish Councils and 40 local amenity groups and civic societies.
3. The JPG is a consortium of 16 local parish councils north and east of the Maidstone urban area. The member parishes are Boughton Malherbe, Boughton Monchelsea, Broomfield and Kingswood, Detling, Downswood, East Sutton, Harrietsham, Headcorn, Hollingbourne, Langley, Leeds, Otham, Stockbury, Sutton Valence, Thurnham and Ulcombe. Collectively the parish councils represent approximately 22,000 residents in this rural part of Maidstone Borough.
4. Both CPRE Protect Kent and the JPG lodged objections to both planning applications stating a wide range of concerns with the proposed development and its impact on the local area. At the heart of our objections is the impact of the proposed development on the landscape, especially the setting of the Kent Downs Area of Outstanding Natural Beauty (AONB), and concerns with the economic case presented by the applicants. As a Rule 6 Party it is not our intention to duplicate the evidence of Maidstone Borough Council and the Rule 6 Party comprising Kent County Council, Natural England and the Kent Downs AONB Unit on these matters, but we reserve the right to cross examine the appellant's witnesses on these matters as we consider appropriate. We will be seeking to liaise with Maidstone Borough Council and the other Rule 6 Party as far as possible in formulating evidence to the Inquiry. Our evidence to the inquiry, therefore, will focus on other concerns to the local communities that will be directly affected by the development if it were to go ahead.
5. It is our position that the two development proposals are not significantly different from one another – indeed this is implicit in the fact that the second application was submitted under the 'free go' rules. Consequently, the planning issues relating to them are the same, as are their impacts on the local area. This is reflected in the fact that both applications have been refused by Maidstone Borough Council for exactly the same reason. Our Statement of Case, therefore, relates to both appeals.

Details of Case

6. At the Inquiry we will provide witnesses that will present evidence in regard to:
 - General planning considerations, other than landscape impact and economic need as explained above. We will seek to explain why the development proposed in this location is unsustainable and inappropriate. In so doing we will seek to highlight national and local planning policy considerations as they relate to development in the open countryside and the loss of high quality agricultural land, amongst other considerations. We will also explain why in considering these planning applications, which are essentially being justified on the basis of the need for new premises for

the two named companies, it is inappropriate to consider the need for new employment land generally in Maidstone Borough. This is despite the fact that there is no guarantee that either of the two companies will actually occupy the site. We will explain that this would be premature to, and would pre-empt decisions that should be made through, the formal local plan process and could result in setting a precedent for further development along the A20/M20 corridor between the site and the Maidstone urban area. Consequently, we will explain that the applications should be determined solely on the basis of prevailing planning policies.

- Impact on local communities and quality of life. We will highlight the specific concerns that the local communities have with the proposed development. This will include concerns in regard to increased traffic, noise, light and air pollution, all of which will impact on the quality of life of those that live in and enjoy this attractive area of countryside. We will also highlight particular concerns relating to those using the public rights of way network, including the proposed diversion of the footpath, which will also impact on people's enjoyment of the countryside as a result of the urbanising of the countryside which these applications represent.
- Risk to pollution of an important water supply and the River Len. We will highlight the risk of contamination of an important public water supply source and other surface and groundwater abstractions in the vicinity, arising from the accidental discharge of fuel oil and other stored chemicals and hazardous substances. We will also highlight similar risks to pollution of the River Len.
- Impact on heritage assets. Our evidence will highlight the potential impact to the setting of registered historic assets close to the site, most importantly the setting of the grade 1 listed Leeds Castle.
- Risks to rural tourism. We will explain that an important facet of the rural economy is tourism derived from visitors staying in and exploring the countryside, as well as those that come to enjoy local attractions such as Leeds Castle. The Kent Downs, with the North Downs Way and the historically important Pilgrims Way, are particularly important in this regard. We will explain that visitors enjoying this area of attractive countryside make a significant contribution to the local economy and help to support local businesses. The introduction of such a major development into this intrinsically rural environment runs the risk of undermining rural tourism.
- Minerals. We will highlight concerns about the scale of the proposed mineral extraction and the impacts specifically arising from this element of the development, especially in regard to traffic movements.

Documents

7. Having reviewed the list of documents submitted by the appellant (Appendix A to their statement of case of August 2014) we do not currently envisage that we will submit any further documents. However, should other documents come to light as witness statements are being prepared we will provide copies as soon as we are able.