

Representations on the Maidstone Borough Local Plan Review Regulation 19 Consultation Draft 2021 on behalf of Yalding Parish Council

1 INTRODUCTION

- 1.1** Graham Simpkin Planning has been instructed by Yalding Parish Council to review the Pre-submission (Regulation 19) Maidstone Borough Local Plan Review 2021 (hereinafter referred to as the Local Plan) and its associated evidence base as it relates to Yalding Parish and to consider whether the Local Plan is legally compliant and meets the test of soundness. In particular we have been asked to focus on the proposed Policy LPRSA248 (Land north of Kenward Road, Yalding) allocation.
- 1.2** The Parish are aware that any representations at this stage should relate to matters of compliance with legal and procedural requirements and the soundness of the Local Plan, as these are the matters that will be examined.

2 Legal Compliance

- 2.1** The Local Plan appears to have been prepared in line with the adopted Local Development Scheme amended and adopted in July 2021 and the adopted Statement of Community Involvement (2020).

Duty to cooperate

- 2.2** The Parish Council whilst not wishing to comment generally on the Duty to Cooperate test for the Plan as a whole, have concerns about the lack of engagement and cooperation at a Parish level as it relates to Yalding.
- 2.3** Yalding Parish Council are extremely concerned about the lack of engagement by the Borough Council in respect of the proposed allocation of the Kenward Road site that has been brought forward in this Regulation 19 Consultation for the Local Plan Review.
- 2.4** The Parish have of course been aware that landowners have sought to promote the land for development for some time. Land either side of Kenward Road was put forward (and subsequently rejected) as part of the SHELAA which formed part of the evidence base prior to the adoption of the current Maidstone Borough Local Plan 2017.
- 2.5** Clearly the Parish Council were also aware that the site had been re-submitted (via a different promoter) as a potentially available when the Council undertook a 'Call for sites' exercise in 2019. Indeed, an initial exploratory meeting was held with and at the request of the site promoters with the Parish Council at the time. No further discussion has taken place with the site promoter since then, although it is recognised that the Covid pandemic has been a factor in this. The Parish have sought (unsuccessfully) to engage with the promoter as Covid restrictions have eased.

- 2.6 At the Regulation 18(b) (Preferred Approaches) consultation carried out by the Borough Council in December 2020, the Kenward Road site was then earmarked for allocation as can be seen in Policy SP7D Yalding and Policy LPRSA248. (Copies attached at **Appendix One**). At this stage it was clear from the proposed Policies Map that the proposed Kenward Road allocation was restricted to the land to the north of Kenward Road, although the wording of the policy itself did not actually reflect this. The Parish Council submitted representations objecting to the proposed allocation of the land at Kenward Road in particular (**Appendix Two**). The objections made clear the Parish Council's concerns regarding highway impact in particular.
- 2.7 Since that time there has been no further contact or engagement with the Parish Council by the Borough Council regarding the site and its potential allocation as a development site.
- 2.8 It therefore came as somewhat of an unwelcome surprise to the Parish Council that between the publication of the proposed Regulation 19 Consultation Draft (prior to its consideration by the Borough Council's Strategic Planning and Infrastructure Committee (4 October 2021) and subsequently Full Council on 6 October 2021) and the launch of the Regulation 19 Consultation on 29 October 2021, that the Policies relating to the proposed Kenward Road site had been substantially altered including the plan associated with Policy LPRSP7(D):Yalding. The published policy for the Consultation also contains a number of inaccuracies and omissions in its text, which are referred to later in this submission.
- 2.9 No warning was given to or contact made with the Parish Council in respect of this change.

Sustainability Appraisal (SA)

- 2.10 The Parish Council do not wish to specifically comment on the comprehensiveness or assumptions and findings of the SA preferring to leave that for the examining Inspector to determine.

3 Soundness

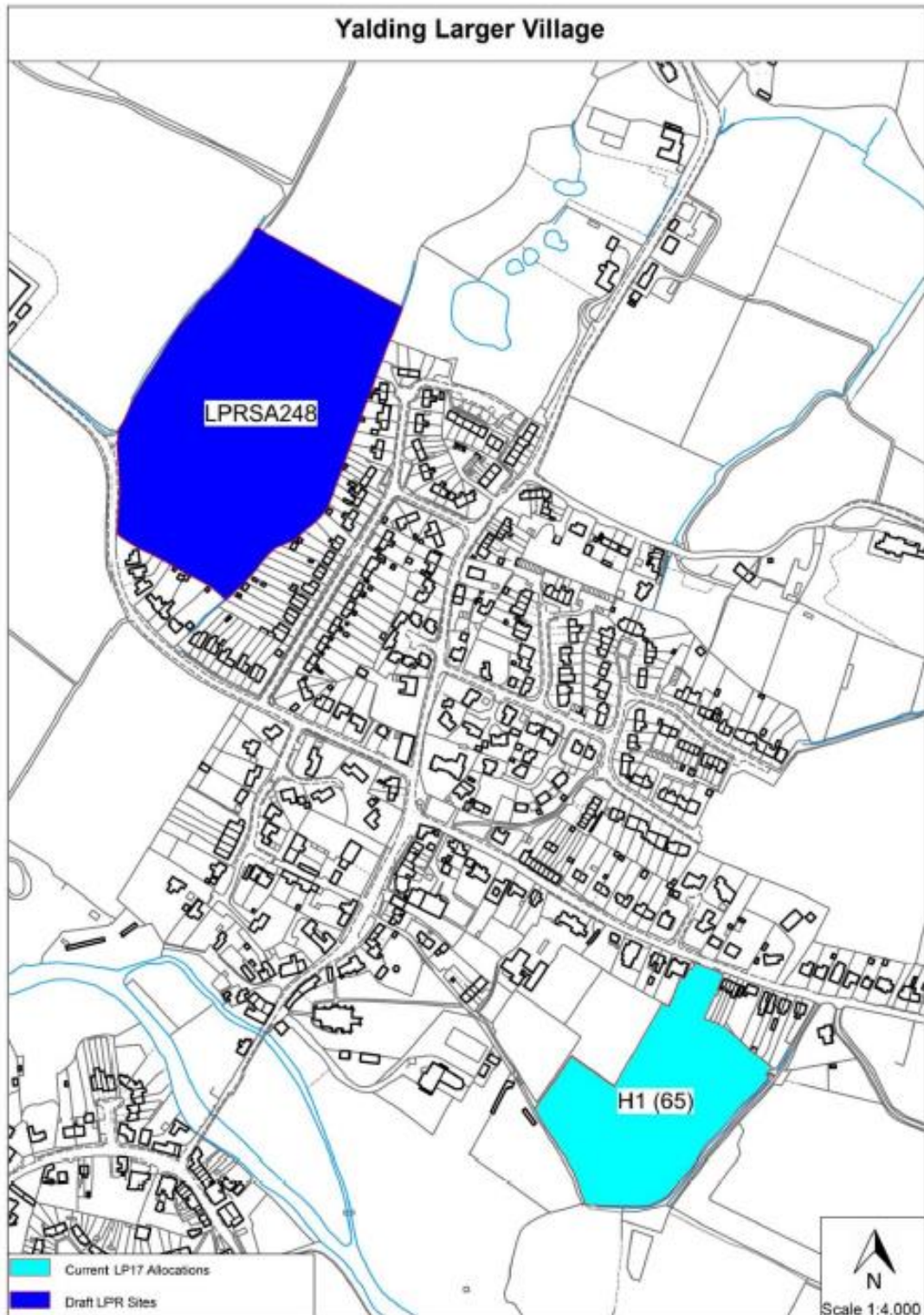
- 3.1 Yalding Parish Council's comments have been considered in the light of and are based on the four tests of soundness.
- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

- 3.2 Yalding Parish Council consider that the Plan as far as it relates to the proposed allocation of the site at Kenward Road is neither Positively Prepared nor Justified.
- 3.3 Before commenting further on the Kenward Road site we would firstly question why the allocated site H1(65) at Vicarage Road remains in the Plan as a proposed allocation. The development has now been completed and fully occupied for substantially more than 12 months. Its retention as an allocated site is causing much confusion locally amongst residents of Yalding.
- 3.4 In addition no reference is made in the plan to the completed development at Mount Avenue/Blunden Lane which has result in an additional 30 dwellings over and above the 2017 Local Plan allocation, and which has led to an unplanned additional impact on local service provision and demand.
- 3.5 Turning to the Kenward Road site, the proposed site allocation policy leaves many questions unanswered not least arising from the significant changes between consideration by the Strategic Planning & Infrastructure Committee/Council and its formal publication for this consultation.
- 3.6 The policies relative to Yalding as published and considered by Committee/Full Council were as follows.

POLICY LPRSP7(D) – YALDING

At the larger village of Yalding, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy LPRSP7, approximately 65 new dwellings will be delivered on site H1(65), and 100 on LPRSA248.
- 2) Key infrastructure requirements for Yalding include:
 - a) Improvements to highway and transportation infrastructure will be made in accordance with individual site criteria set out in policy H1(65) and LPRSA248. Key schemes include improvements to pedestrian access; and
 - b) Improvements to health infrastructure including extension and/or improvements at Yalding GP Practice.
 - c) Improvements to open space which improve overall quality, and address forecast deficits of in 0.4Ha play, and 1.7Ha sports space.
- 3) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy LPRSP11c.



Yalding Site Allocations

POLICY LPRSA248 - LAND NORTH OF KENWARD ROAD, YALDING

Land to the north and south of Kenward Road totalling 9.1 ha is included as a draft allocation for the development of approximately 100 dwellings at an average density of 30 dwellings per hectare. The following conditions are considered appropriate to be met before development is permitted.

Design and Layout

- The development shall provide approximately 100 dwellings north of Kenward Road at a density not exceeding 30 dph.
- Approximately 25 dwelling shall be provided south of Kenward Road in a manner that enables the rounding off of the adjacent residential areas at a similar density.
- The remainder of the land south of Kenward Road shall be laid out as a new community open space.
- The development shall be subject to a single masterplan which demonstrates phasing of both built development and open spaces.
- Both housing development areas will be informed by an LVIA and incorporate boundary landscaping.
- Design of the site will need to ensure neighbouring resident's amenity is protected.

Landscape / Ecology

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Development will be subject to a site-wide strategy to incorporate an appropriate level of biodiversity net gain in accordance with national and local policy.
- Public access to areas designated primarily as habitat in any landscape masterplan would normally be limited to maintenance purposes.
- Balancing ponds and swales shall not be counted towards on-site semi/natural open space needs unless it can be demonstrated that they provide appropriate and undisturbed ecological habitat.
- All landscaping to be principally native planting
- The proposed open spaces and new habitat shall be the subject of a delivery strategy and long-term management plan
- Balancing ponds and swales shall not be counted towards on-site semi/natural open space needs unless it can be demonstrated that they provide appropriate and undisturbed ecological habitat.
- Existing tree/hedgerow margins should be retained / enhanced in order to provide the opportunity for biodiversity habitat creation / enhancement.
- The development proposals shall be designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application

Access, Highways and Transportation

- Access points to both sites shall provide junction and sight lines designed to appropriate capacity and safety standards
- Both site access points shall incorporate appropriate pedestrian crossing points to Kenward Road
- The southern site shall enable appropriate access to the adjacent agricultural holding in a manner that does not adversely impact upon the amenity and safety of residents and users of the open

space

- The southern site shall provide parking for users of the open space in a manner that does not adversely affect the amenity of the surrounding area.
- Replacement provision shall also be provided for any loss of on-street residential parking.
- The development shall deliver appropriate traffic speed management measures to North Street

Flood Risk/Drainage

- The site should be designed to ensure that it has a positive impact on the River Beult catchment, and does not worsen local flood risks on Mote Road
- The only vehicular access to the site is through Flood Zone 3. Any development will be dependent upon acceptable flood safety measures being agreed with the EA.

Open Space

- The provision of open space shall have regard to Policy SP13(B) & INF1.
- The proposed open spaces across both sites and new biodiversity areas shall be the subject of a delivery strategy and long-term management plan.
- The residential parcel north of Kenward Road shall incorporate both green amenity and play space in a location that is safe for children and well supervised, plus elements of semi natural informal open space.
- The land south of Kenward Road shall provide public open space in the form of approximately:
 - 0.4ha of community allotments / growing area
 - 1.4 ha of new Riverside landscape / habitat
 - 2.0 ha of informal open space
 - 0.5ha of recreational open space

Utilities Infrastructure

- The Applicant to demonstrate that adequate connections to the nearest points of the network are achievable and that adequate capacity exists / can be created for all utilities.
- Where there may be limited capacity in the utility network, the occupation of the development will be phased to align with the delivery of infrastructure.

3.7 The plan at page 95 clearly does not include any land on the southern side of Kenward Road.

3.8 Policy LPRSA248 is badly and confusingly drafted and contains a number of errors.

- The proposed allocation refers to Land North of Kenward Road but includes land to its south and is therefore inaccurate.
- The headline for the policy refers to 100 dwellings north and south of Kenward Road.
- Later criteria in Design and Layout refer to 100 dwellings north of Kenward Road and 25 south of Kenward Road....a total of 125 dwellings.
- A small point, but one which nevertheless shows the lack of consistency and accuracy in drafting the policy, there is more than one resident that adjoins the site. *'Design of the site will need to ensure neighbouring resident's amenity is protected.'*
- The Landscape and Ecology criteria contain repeated requirements relating to balancing ponds and Swales.
- In Access and Transportation reference is made to North Street not in the Parish.

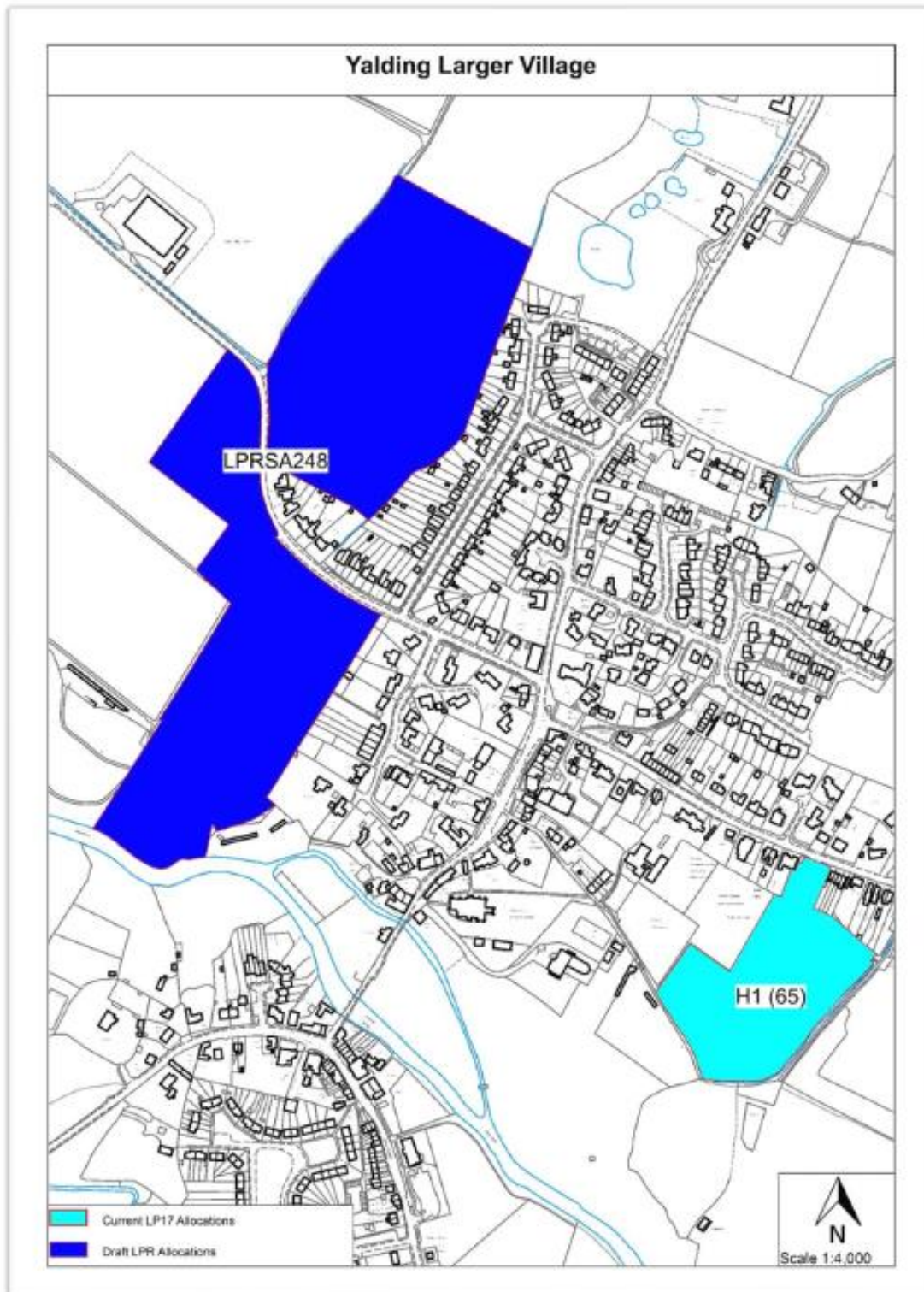
- In Flood Risk and Drainage reference is made to development not worsening local flood risks on Mote Road, not in the Parish.
- The last criteria in the Flood Risk and Drainage section is plainly wrong; access is not only available through Flood Zone 3.
- Open Space criteria include a requirement for the provision of allotments when there has been no consultation with the Parish Council as to whether there is a need/demand for this additional provision.

3.9 The relevant policies in the version of the plan published for the consultation are as follows:

POLICY LPRSP7(D) – YALDING

At the larger village of Yalding, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy LPRSP7, approximately 65 new dwellings will be delivered on site H1(65), and 100 on LPRSA248.
- 2) Key infrastructure requirements for Yalding include:
 - a) Improvements to highway and transportation infrastructure will be made in accordance with individual site criteria set out in policy H1(65) and LPRSA248. Key schemes include improvements to pedestrian access; and
 - b) Improvements to health infrastructure including extension and/or improvements at Yalding GP Practice.
 - c) Improvements to open space which improve overall quality, and address forecast deficits of in 0.4Ha play, and 1.7Ha sports space.
- 3) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy LPRSP11c.



Yalding Site Allocations

POLICY LPRSA248 - LAND NORTH OF KENWARD ROAD, YALDING

Land to the north and south of Kenward Road totalling 9.1 ha is included as a draft allocation for the development of approximately 100 dwellings at an average density of 30 dwellings per hectare. The following conditions are considered appropriate to be met before development is permitted.

Design and Layout

- The development shall provide approximately 100 dwellings north and south of Kenward Road at a density not exceeding 30 dph, in a manner that enables the rounding off of the adjacent residential areas at a similar density.
- The remainder of the land south of Kenward Road shall be laid out as a new community open space.
- The development shall be subject to a single masterplan which demonstrates phasing of both built development and open spaces.
- Both housing development areas will be informed by an LVIA and incorporate boundary landscaping.
- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Site design and layout shall be informed by a local historic impact assessment.

Landscape/Ecology

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/flora.
- Development will be subject to a site-wide strategy to incorporate an appropriate level of biodiversity net gain in accordance with national and local policy.
- Public access to areas designated primarily as habitat in any landscape masterplan would normally be limited to maintenance purposes.
- Balancing ponds and swales shall not be counted towards on-site semi/natural open space needs unless it can be demonstrated that they provide appropriate and undisturbed ecological habitat.
- All landscaping to be principally native planting.
- The proposed open spaces and new habitat shall be the subject of a delivery strategy and long-term management plan.
- Balancing ponds and swales shall not be counted towards on-site semi/natural open space needs unless it can be demonstrated that they provide appropriate and undisturbed ecological habitat.
- Existing tree/hedgerow margins should be retained/enhanced in order to provide the opportunity for biodiversity habitat creation/enhancement.
- The development proposals shall be designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.

Access, Highways and Transportation

- Access points to both sites shall provide junction and sight lines designed to appropriate capacity and safety standards.
- Both site access points shall incorporate appropriate pedestrian crossing points to Kenward Road.
- The southern site shall enable appropriate access to the adjacent agricultural holding in a manner that does not adversely impact upon the amenity and safety of residents and users of the open

space.

- The southern site shall provide parking for users of the open space in a manner that does not adversely affect the amenity of the surrounding area.
- Replacement provision shall also be provided for any loss of on-street residential parking.
- The development shall deliver appropriate traffic speed management measures to North Street.

Flood Risk/Drainage

- The site should be designed to ensure that it has a positive impact on the River Beult catchment, and does not worsen local flood risks on Mote Road.
- The only vehicular access to the site is through Flood Zone 3. Any development will be dependent upon acceptable flood safety measures being agreed with the EA.

Open Space

- The provision of open space shall have regard to Policy SP13(B) & INF1.
- The proposed open spaces across both sites and new biodiversity areas shall be the subject of a delivery strategy and long-term management plan.
- The residential parcel north of Kenward Road shall incorporate both green amenity and play space in a location that is safe for children and well supervised, plus elements of semi natural informal open space.
- The land south of Kenward Road shall provide public open space in the form of approximately:
 - 0.4ha of community allotments/growing area
 - ha of new Riverside landscape/habitat
 - ha of informal open space
 - 0.5ha of recreational open space

Utilities Infrastructure

- The Applicant to demonstrate that adequate connections to the nearest points of the network are achievable and that adequate capacity exists/can be created for all utilities.
- Where there may be limited capacity in the utility network, the occupation of the development will be phased to align with the delivery of infrastructure.

3.10 The most noticeable change is that the plan attached to Policy LPRS7(D) has significantly changed and includes land to the south of Kenward Road. Council did not consider this when it agreed to put forward the plan for consultation.

3.11 With respect to policy LPRSA248;

- Again, the proposed allocation still refers to Land North of Kenward Road but includes land to its south and is therefore inaccurate.
- However, the policy is clearer on the overall numbers across the site as a whole which is welcomed. But as now drafted the policy is now unclear as to how many houses might be erected on the land south of Kenward Road.

- Again, a small point, but one which nevertheless shows the continuing lack of consistency and accuracy in drafting the policy, there is more than one resident that adjoins the site. *'Design of the site will need to ensure neighbouring resident's amenity is protected.'*
 - The policy criteria in respect of balancing ponds and swales remains duplicated.
 - The policy still refers to North Street.
 - The policy also still refers to Mote Road in the Flood Risk and Drainage criteria.
 - The last criteria in the Flood Risk and Drainage section remains plainly wrong, access is not only available through Flood Zone 3.
 - With regards to Open Space the policy no longer sets a requirement for all the categories of open space provision.
- 3.12** While Policy LPRS7(D) advises that 1.7ha of sports play and 0.4ha of play space are sought within the village, there has been no liaison or discussion with the Parish Council regarding the location of this or any attempt to ascertain whether the Parish Council have any on-going projects to enhance play or sports-pitch provision in the village. Similarly with regard to the required provision of allotments at the Kenward Road site. There are two existing allotment sites in the village (one north and one south of the River Beult) which have no waiting list, which indicates a lack of demand and hence need for further provision. No discussion has taken place with the Parish Council on this issue.
- 3.13** The main recreational open space area for the village with a play area and both cricket and football pitches is at The Kintons (south of Vicarage Road), requiring additional formal recreational open space provision at Kenward Road, of whatever size it may be, has no logic. The Parish is actively considering improvements to and is seeking to enlarge the land available at The Kintons to improve facilities in the village and to ensure a cohesive form of provision, which provision on the land to the south of Kenward Road would not achieve.
- 3.14** In this regard the plan is not positively prepared or justified.
- 3.15** Whilst the lack of consistency and accuracy in the plan as drafted is worrying, what is of greater concern to the Parish Council is the failure of the Borough Council to properly consider and take into account the cumulative impact of development on the proposed Kenward Road site with other committed (Yalding Enterprise Park) and completed development (Mount Avenue and Vicarage Road) on the local and wider road network and secondly the significant changes that are taking place in the immediate context of the Kenward Road site.
- 3.16** The plan has not been positively prepared or justified in relation to both of these circumstances.

Traffic and Transport

- 3.17** It is common knowledge that the road network through Yalding is severely constrained particularly in the main part of the village by the Town Bridge at the end of the High Street. During the AM and PM peaks in particular, but also at other times of the day, long queues

build-up on the High Street/Lees Road/Benover Road as vehicles wait for traffic to pass over the bridge which is only wide-enough for single-file, one-way traffic. Transport Assessment and Traffic Modelling work undertaken for the recently approved application at Yalding Enterprise Park (YEP) in Hampstead Lane has confirmed the issues with this part of the road network, particularly in the AM peak. It also recognises the limited scope for improvements due to the presence of designated Heritage Assets and the residential properties. This assessment took account of the Vicarage Road and Mount Avenue developments.

- 3.18** In considering the YEP application, KCC Highways commented as follows in their response of 10 February 2021

'A26/B2015 Watlington crossroads (Signalised junction)

The applicants' assessment confirms that the junction is currently operating over capacity in both the AM and PM peak periods, with significant queues identified on all arms of the junction. Inclusion of the traffic from the development further exacerbates those capacity issues, with the queue on the eastern Tonbridge Road arm increasing from 55 vehicles to 64 vehicles in the AM peak. The proposed development is also projected to increase the overall delay at the junction by 21.8 seconds in the AM peak and 23.4 seconds in the PM peak.

The worsening congestion at Watlington crossroads is likely to influence route choice for non-HGV journeys to/from the site by encouraging greater use of the B2010 route via West Farleigh and Yalding as an alternative to the A26 and B2015 via Watlington. This has implications on the congestion already prevalent on the B2010 at Yalding in the AM peak, which the TNN has shown is likely to worsen due to queuing and delay on Yalding Bridge emanating from the B2010 High Street/B2162 Lees Road junction (as discussed in more detail below).

B2162, Lees Road junction with B2010, High Street (priority junction)

The applicant's future year assessment confirms that in 2025 without development the junction will experience significant queues and delays the AM peak period, with a maximum queue length of 61 vehicles forecast on the High Street/Yalding Bridge arm of the junction. This is further exacerbated by the addition of the development traffic with queues anticipated to increase to 95 vehicles. However, the junction is anticipated to operate at an acceptable level in the PM peak period in 2025, even with the addition of the development traffic.

As noted above, mitigation is required in respect of the B2015/A26 route via Watlington in order to reduce the incentive for development traffic to use this junction.'

- 3.19** It is abundantly clear that there are issues with Yalding High Street and the A26/B2015 junction at the centre of Watlington even without the development of the Kenward Road site being taken into account. Development at Kenward Road will exacerbate the situation.
- 3.20** The Parish Council consider that the likely additional cumulative impact of any development at Kenward Road on the local road network is so critical that this should have been considered prior to the identification of the site as a potential allocation.

- 3.21** The Kenward Road/High Street junction has very poor sight lines that cannot be improved due to existing buildings and structures. Furthermore, it is also a junction with very tight radii that cannot be improved for the same reasons, as demonstrated by the images below which show a lorry turning onto the B2010 Yalding Hill/High Street having delivered or picked-up produce from one of the farms along Kenward Road.



In addition, the volume of traffic particularly in the AM peak is such that vehicles wanting to turn right from Kenward Road cannot do so due to queues on the High Street back from the Town Bridge, thus causing queues on Kenward Road.

- 3.22** It may of course (and almost certainly will) be asserted that not all of the traffic will seek to use the Kenward Road/High Street junction. However, the only other available alternative is using Kenward Road, (a rural lane with increasing amounts of traffic, particularly agricultural vehicles) in a northbound direction and then ultimately Bow Hill via the level crossing at Watlingbury Station and then Bow Road (B2015) which leads to the over-capacity Watlingbury crossroads junction. Traffic on Bow Road is often queued as far from the crossroads as the Bow Hill junction causing further delays to vehicles wishing to turn northwards onto Bow Road. Hunt Street, the only other available route in this direction is completely unsuitable for additional traffic due to its width and horizontal and vertical alignment.
- 3.23** The consequences of allowing additional residential development at the Kenward Road site in terms of the very real and unacceptable additional cumulative impact on what is generally acknowledged to be an existing over-stretched local network, have not, but should have been, taken into account by the Borough Council, in the decision to allocate the site. The Parish Council have consistently maintained that this is the case.

- 3.24** Proposed Policy LPRSA248 as a whole has not been justified in terms of likely adverse highway impacts and is therefore unsound.

Impact of recent development

- 3.25** Another factor that has changed since the Borough Council sought to allocate the Kenward Road site in the Regulation 18(b) Consultation draft that has been carried forward to this Pre-submission Consultation draft, are the various permissions, currently being implemented, for the considerably intensified polyhouse based agricultural production at Kenward Farm immediately to the west of the proposed allocation. These will lead to the erection of around 94,716m² of taller (pitched-roof glasshouse style rather than hooped-rounded) polytunnels with associated surface water attenuation basins and substantial land level alterations to provide level areas inside the polytunnels, that have been achieved through the cutting and filling of the landform.
- 3.26** Previous assessments of the site when it was promoted for development have recognised that the land south of Kenward Road provides a significant setting for the Yalding Conservation Area and the non-designated Heritage Assets at Oast Court particularly when viewed looking eastwards towards the village along Kenward Road.
- 3.27** It is acknowledged that this setting has now suffered in medium to longer distance views as a result of the polyhouse development taking place, as the polyhouses closest to Kenward Road are larger and taller and land raising has taken place.



Kenward Road at point where the land to north and south within LPRSA248 adjoin. (Looking East)

- 3.28** However, the field which is earmarked for development of (an unknown quantity) of new dwellings still provides an appropriate setting for the Conservation Area and Oast Court in

shorter distance views available from the bend in Kenward Road at the site boundary. The loss of this openness to further built development, in whatever form and to whatever extent, would cause harm to the setting of this part of the western edge of the village.



View from gate on Kenward Road at site's western boundary looking towards Oast Court

- 3.29** Conversely however, the Parish Council questions whether the new development at Kenward Farm should have caused the Borough Council to re-think introducing built development on the south side of Kenward Road. This is as a result of the visual impact of the polyhouses and the changed physical relationship of the Kenward Farm land to the LPRSA248 site, the intensified nature of the production and activity on this land and the therefore likely increased potential adverse impact on the residential amenity of future occupiers of the proposed allocation site as a result.



LPRSA248 site with Kenward Farm beyond. Extent of land raising shown.



View from Junction of Kenward Road and Oast Court.

- 3.30** The current development at Kenward Farm represents a substantial financial investment and is not going to be a short-lived phenomenon. In this regard and in view of the likely adverse impacts outlined above and the harm to the setting of the settlement and designated and non-designated Heritage Assets, the continued aspiration for development on the land both to the north and to the south of Kenward Road through the proposed allocation is no longer justified or positively prepared.
- 3.31** The Borough Council should in the view of the Parish Council, have carefully reviewed the proposed allocation in the light of the permissions that they have granted on Kenward Farm. There is a distinct lack of joined-up thinking on the part of the Council.
- 3.32** As a minimum, notwithstanding the Parish Council's concerns regarding the highway impact of development relating to the allocation in its entirety, no built development should take place on the land south of Kenward Road and Policy LPRSA248 should be modified to reflect this.

4 CONCLUSION

- 4.1** The Parish Council considers that the Borough Council has failed in its duty to cooperate having failed to positively engage with the Parish Council with a view to addressing its consistently expressed concerns regarding the Kenward Road Policy LPRSA248 site in particular.
- 4.2** Furthermore, whilst Policy LPRS7(D) advises that 1.7ha of sports play and 0.4ha of play space are sought within the village, there has been no liaison or discussion with the Parish Council regarding the location of this or any attempt to ascertain whether the Parish Council have any on-going projects to enhance play or sports-pitch provision in the village. Similarly with regard to the required provision of allotments at the Kenward Road site. There are two existing allotment sites in the village (one north and one south of the River Beult) which have no waiting list, which indicates a lack of demand and hence need for further provision. No discussion has taken place with the Parish Council on this issue.
- 4.3** The main recreational open space area for the village with a play area and both cricket and football pitches is located at The Kintons (south of Vicarage Road), requiring additional formal recreational open space provision at Kenward Road, of whatever size it may be, has no logic. The Parish is actively considering improvements to and is seeking to enlarge the land available at The Kintons to improve facilities in the village and to ensure a cohesive form of provision, which provision on the land to the south of Kenward Road would not achieve.
- 4.4** In this regard the Local Plan is not positively prepared or justified.
- 4.5** The Parish Council have consistently maintained that there is clear evidence that the local road network is at capacity and that conditions have deteriorated following the completion of the Vicarage Road and Mount Avenue developments. This is borne out in detailed and comprehensive Transport Assessment for the YEP application and the subsequent comments of the Highway Authority KCC Highways. The consequences of allowing additional residential development at the Kenward Road site in terms of the very real and unacceptable

further cumulative impact on what is generally acknowledged to be an existing over-stretched local network, have not, but should have been, taken into account by the Borough Council, in the decision to seek to allocate the site.

- 4.6** The Policy LPRSA248 site as a whole has not been justified in terms of likely adverse highway impacts and is therefore unsound.
- 4.7** There has been a significant and adverse change affecting the Policy LPRSA248 allocation site since the Regulation 18(b) Consultation. This is as a result of the visual impact of the polyhouses and the changed physical relationship of the Kenward Farm land to the LPRSA248 site, the intensified nature of the production and activity on this land and the therefore likely increased potential adverse impact on the residential amenity of future occupiers of the proposed allocation site as a result.
- 4.8** The Borough Council should in the view of the Parish Council, have carefully reviewed the proposed allocation in the light of the permissions that they have granted on Kenward Farm. There is a distinct lack of joined-up thinking on the part of the Council.
- 4.9** The continued aspiration for development on the land both to the north and to the south of Kenward Road through the proposed allocation is no longer justified or positively prepared.
- 4.10** As a minimum, notwithstanding the Parish Council's concerns regarding the highway impact of development relating to the allocation in its entirety, no built development should take place on the land south of Kenward Road and Policy LPRSA248 should be modified to reflect this.
- 4.11** The Borough Council should also closely review the wording and criteria of Policy LPRSA248 as drafted and correct the clear and obvious errors and inconsistencies it contains.
- 4.12** The Parish Council reserves its right to appear at or be represented at the Local Plan Examination in due course, and of course in the interim would welcome positive engagement with the Borough Council prior to the submission of the Local Plan for examination.