

**Letter sent to Sevenoaks District Council Planners expressing questions and concerns of both Westerham Town Council and District Councillors about Which Way Westerham proposals**

9<sup>th</sup> April 2018

Dear Hannah, Richard and Cllr Piper

**Case for Exceptional Circumstances - Which Way Westerham**

As one of the District Councillors representing Westerham and Crockham Hill ward, I am writing to put before you formally the concerns and questions we both have about the scheme proposed by Which Way Westerham.

We have discussed these issues with Westerham Town Council who share these views.

**Data**

Bearing in mind the importance of having confidence in both the reliability and validity of data on which decisions will be made, we are reassured that the data put forward by the developer as evidence of need (much of which we cannot recognise) will be subject to external challenge and review.

**Timescales**

The timescale for rigorous assessment of the exceptional circumstances case is compressed: the final date for submission of documents for exceptional circumstances cases was 23<sup>rd</sup> March; District Councillors are to be briefed on the sites being put forward for development in their areas on 19<sup>th</sup> April. We would like to be reassured that the full SHELAA and Sustainability assessments (as set out in NPPF and SDC documents) will have been completed in that timescale.

As the Consultation on the Draft Local Plan is now likely to be delayed until the summer months (after the 12 July Cabinet meeting), we would like reassurance that the consultation will be extended beyond the summer holiday period to allow meaningful consultation on this important subject.

**Exceptional circumstances**

The proposed development is entirely within the Green Belt and large portions of it in the Area of Outstanding Natural Beauty. It is for SDC, us as Councillors advised by Officers, to determine whether or not the relief road and the housing is an appropriate development and whether the mitigation proposed is adequate to compensate for the loss of Green Belt.

We have noted that the areas for proposed development were all assessed as 'strongly performing' (one area as moderately performing) in the Green Belt Assessment commissioned from Arup by SDC as part of the evidence base for the Local Plan. Additionally, the SHELAA assessments carried out in April 2017 on those areas put forward at the first 'call for sites' (HO233, HO 236, EM14) and which now form part of the WWW proposals, considered the areas as 'unsuitable for development' for reasons of AONB, access, encroachment into the countryside and within a Flood Zone.

We do not understand how these assessments could change.

The two major components of the exceptional circumstances case are a relief road and 600 housing units

## Housing

Within the timescale of the Local Plan (2015 – 2035) Westerham is already anticipating the probability of some 300 additional housing units comprising:

- 156 identified in SDC's Issues and Options document (P76): 76 completions and permissions, 32 maximising supply and 48 from brownfield sites.
- Experience indicates that some 10 additional units per annum are realisable through judicial infill and/or change of use. Over the 20 years of the Plan this would realise some 150-200 units.
- The above figures do not include any further sites suitable for development which may have been put forward during the continuing call for sites
- **The addition of the 600 units proposed by WWW would thus result in a total housing increase of 900 – 1000 units in Westerham between 2015 and 2035.**

## The 'relief road':

The evidence for the need for this road is unclear and appears to be almost entirely based on projected Air Quality. There is no evidence of need from KCC. The proposal takes no account of the effect of a relief road on the towns and villages to the east or west of Westerham including on the existing issues in Brasted, Sundridge and Riverhead and we would like to know how this will be assessed.

It should be noted that in the vote in autumn 2017, only 9 Westerham residents stated that a relief road was needed.

We are especially concerned that:

- There is no mention in the WWW proposal of the large infill works needed at Covers Farm before any road could be built between the Croydon Road and the A25 to the west.
- Nor is there mention of the expected time frame for Squerryes Estate to submit a planning application to KCC for the infill of Covers Farm and get a decision. Without a planning consent to infill Covers Farm to the levels proposed, WWW is unable to deliver a relief road. Without this and a full engineering survey (including the infilled ground) it is hard to see how WWW can provide a time frame for delivery or full cost of the relief road. Both of us attended a site meeting with Henry Warde and his engineering consultant in August 2017 and understood the infill to be both an essential precursor to any road building and a large and time consuming job in itself. KCC have stated, 'The proposed relief road/bypass cannot be considered in isolation as it is inextricably linked with the restoration of Covers Farm and the proposal to build some 600 residential properties' (KCC January 2018)
- We cannot see an assessment of how a relief road running parallel to the M25 alongside a section which already has some of the highest levels of toxic gases in the country, (higher than EU permitted levels for nitrogen dioxide)(News sites November 2015) will affect air quality. We are especially concerned about the air quality effect on Churchill School whose playing fields both roads would pass) and we like to know how this is to be assessed.

- Highways England are on record as saying :  
*'There are currently no concerns about the stability of the M25 embankment in this area.....(and we) are not pressing for the work to be done but we have asked, as you can see from our response dated 26 July 2017, to be kept informed of how the proposals are developing and to be included in stakeholder meetings where this will be discussed. There has been one meeting, to date, between Highways England and Squerreys Estate representatives and the reinstatement work required at the northern most pit was discussed in general terms. No notes of the meeting have been produced. If and when a planning application is submitted Highways England will be consulted and would expect to see an appropriate assessment of the effects of the proposals. Any proposed work close to our network which may undermine the M25 carriageways or impact on the safety of road users will require agreement/approval from Highways England specialists'. (Highways England to WTC 16 March 2018)*

## Proposed mitigation

This appears to be:

- **Establishment of new Common Land:** we cannot believe that the redesignation of existing Greenbelt land as “commons” is in itself sufficient mitigation: the only detail given is the granting of public access  
 All other proposals are very general and state, "25.2 ha of Common Land in three extensions, each accompanied by significant landscape and environmental works to restore the landscape character..." Without a full environmental assessment of the lost biodiversity of the developments and detailed plans to replace and improve this, the exceptional circumstances cannot be justified.  
 The Ecological Assessment submitted as part of the case is a preliminary one and states *'given that the proposals are at an early stage a full assessment of the mitigation/compensation required has not been possible.'*
- **Environmental enhancements and an environmental screen for M 25:** we are concerned that with the high degree of emphasis on the creation of wetlands, there is no mention of any discussion with the Environment Agency, especially in the light of the history of flooding in the area. Neither is there any mention of the effect of the proposed works on the water table of the designated Ancient Woodlands. Without this detail it is hard to determine if an exceptional circumstances case could be justified.
- **Community benefits:** we have in mind the criterion that benefit should be for the existing community. Those claimed appear to be ill-defined, uncostered and in some cases undeliverable.  
**School:** in the absence of greater detail of the improvements proposed and the amount of cost provision made, we do not see how their deliverability can be judged. We understand that the school's view on WWW is neutral.  
**Surgery:** similarly in the absence of more detail and amount of cost provision, we do not see how deliverability can be assessed. Neither the Surgery nor the Clinical Commissioning Group have yet supported the proposal. It should be noted that the current surgery and the extension to it were purpose built to the then current NHS standards. The surgery is aware that there is room for expansion (up to 40% increase) together with additional parking spaces, on the current site. This would avoid the inevitable loss of the Market Square pharmacy should the surgery move to a distant site.  
**Recreational facilities:** again these are undefined. It should be noted that Westerham

already has an extensive facility in King George's Field, managed by Westerham Town Council on behalf of Fields in Trust. Consultation with the community on future facilities for KGF took place some time ago, and the improvements are being made incrementally as funding is secured.

**Town centre improvements:** these are not within the gift of WWW, nor indeed have we seen evidence of any meaningful discussion or consultation with WTC, whose participation would be key. These proposals must thus be viewed as undeliverable.

**Employment space:** is proposed, but with no proposal as to the possible type of occupants. It is unclear what type of employers would be attracted to the site put forward. Deliverability must be in question.

## **Financial issues**

Deliverability of any of these proposals is dependent on adequate costs and financial provision being made. We cannot see where any of this detail, and especially the costs of WWW's proposed infrastructure improvements, is set out.

WWW proposes a Section 106 settlement rather than CIL. There is no visibility of what is intended to be covered by such an agreement.

We do not currently understand how these queries are to be resolved, and indeed whether they can be resolved in time for a robust judgement on whether or not the WWW proposals can be included in the forthcoming draft Local Plan.

I look forward to hearing your response,

*Diana*

Cllr Diana Esler