

**MAIDSTONE BOROUGH LOCAL PLAN EXAMINATION
WRITTEN SUBMISSION BY CPRE KENT &
MAIDSTONE DISTRICT COMMITTEE OF CPRE KENT**

SESSION 1A - LEGAL & PROCEDURAL MATTERS

Issue (ii) - Whether the Local Planning Authority and other relevant persons has complied with the Duty to Cooperate?

Qn1.4 As the west Kent Local Plans remain at an early stage without defined housing targets, should this issue lead to a request to accommodate additional housing can it be left to the first review of the Maidstone Borough Local Plan?

Yes.

The effect of the decision to leave the European Union, and the form that this will take, and its impact on the economy, including housebuilding, household formation and international immigration may result in differing assumptions for ONS population projections and household projections, in both the West Kent Districts and Maidstone Borough. Given this significant change that could result in reduced demand for housing it would therefore be appropriate to leave this to the first review of the Maidstone Borough Local Plan.

Economic Development and Employment

Qn1.6 Has MBC sought information from the adjoining Boroughs as to their own employment land supply positions?

The Maidstone District Committee of CPRE Kent have been unable to find evidence that the Borough Council has consulted with adjoining local planning authorities about their own employment land supply positions.

In our response to the Regulation 19 consultation on Policy EMP1(5) Woodcut Farm we encouraged the Council to liaise with Tonbridge and Malling Borough Council on whether there were opportunities for vacant employment sites in the Medway Gap area which have good transport links to Maidstone to make provision towards Maidstone's employment land requirements. There is no evidence that any discussions took place.

Strategic Infrastructure

Qn1.8 Does lack of agreement to date between MBC and KCC (and HE) on some transport issues qualify as a failure in the duty to cooperate given the history of engagement set out in the DtC Compliance Statement?

The Localism Act 2011 and amendments to the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities and county councils to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation. Whilst this is not a duty to agree local planning authorities should make every effort before they submit their local plan for examination.

The Planning Practice Guidance at the section on reference 'What constitutes effective cooperation under the duty to cooperate?' (ID: 9-011-20140306) states that 'Local planning authorities should bear in mind that effective cooperation is likely to require sustained joint working with concrete actions and outcomes.'

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At the section on 'Does the duty to cooperate in two tier local planning authority areas?' (ID 9-014-20140306) makes clear that 'Close cooperation between district and county councils in two tier local planning authority areas will be critical to ensure that both tiers are effective when planning for strategic matters such as .. transport .. .'

The Integrated Transport Strategy has been in preparation for many years and the latest version submitted with the Local Plan for examination is only a draft version and at that stage was not agreed by the County Council.

Given that there has not been agreement between the Councils on transport and the important inter-relationship that transport has with land-use planning it is difficult to know if there are the necessary concrete actions and outcomes as required. We are also concerned that there has not been the close co-operation required to ensure both Councils are effective when planning for strategic matters.

Cross Border Strategic Gaps and Landscape Designations

Qn1.9 Has there been cross border co-operation in the review of such designations?

We are unsure whether the Borough Council has consulted with the Environment Agency regarding the South East River Basin District and the River Stour, or that the findings of the Environment Agency / defra River Basin Management Plan South East River Basin District document published December 2009 have been taken into account.

Issue (iv) What regard should be had to the current and emerging Local Transport Plans

Qn1.14 Has the preparation of the Local Plan had regard to the current Local Transport Plan 3?

The Local Transport Plan was for the period 2011-2016. The section on Maidstone is in paragraphs 8.41-8.61. Paragraph 8.45 refers to the Council preparing a LDF Core Strategy and a resolving to consult in summer 2011 on a housing option of 10,800 to 2026 , and a target of 10,000 jobs 2008-2026.

Relevant paragraphs from the Transport Plan are:

'8.47 KCC is currently working with Maidstone Borough Council on a draft integrated transport strategy for the borough to complement the LDF Core Strategy. This will be subject to public consultation alongside the Core Strategy in summer 2011.

'8.48 The Maidstone Transport Strategy, and hence the County Council's Integrated Transport Programme for 2011-2016, will be driven by the desire to preserve and enhance the accessibility of Maidstone town centre by sustainable means. The proposed level of development will be underpinned by a package containing a number of traffic management measures including the enhanced provision and priority of bus services through the Maidstone Quality Bus Partnership involving the County and Borough Councils along with the town's principal bus operator, Arriva. These priorities will drive scheme delivery irrespective of the future development scenario, with the detail and phasing dependent on the specific sites that come forward through the LDF.'

Given that the housing target for the Regulation 19 Plan is 18,560 dwellings and 7,933 jobs it is difficult to know whether the Local Plan has regard to Local Transport Plan 3.

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Qn1.15 What regard should be had to the emerging Local Transport Plan 4 which is expected to be adopted after the examination hearings but before the submission of the Inspector's Report?

Local Transport Plan 4 is 'Delivering Growth without Gridlock 2016-2031'. The draft for consultation opened on 8 August 2016 and closes on 30 October 2016. The section on Maidstone

'The constrained nature of the town centre has contributed to peak period congestion and the designation of the wider urban area as an Air Quality Management Area. A scheme to relieve congestion at the Bridges Gyratory is currently being implemented, although continued traffic growth on other parts of the network is expected to result in worsening delays for road users. These pressures are most evident on the congested A229 and A274 corridors in south and south eastern Maidstone and on the A20 corridor in north western Maidstone.

'...

'Bus services within the urban area are largely focused around serving the town centre and hospital. Many outlying suburban and rural communities are afforded a more limited level of service that does not provide a convenient travel option for many potential users.'

A number of transport priorities are set out in the local transport plan (LTP4). Given that the Integrated Transport Strategy, at submission stage, was not agreed by the County Council it is difficult to understand whether the schemes set out in LTP4 are sufficient.

See also our response to question 1.8 above.