

LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE MEETING

Date: Tuesday 18 April 2023
Time: 9.00 am
Venue: Room 6A, Maidstone House, King Street, Maidstone

Membership: Councillor Cooper

AGENDA

Page No.

- | | |
|--|-----------|
| 1. Urgent Items | |
| 2. To consider whether any items should be taken in private due to the possible disclosure of exempt information | |
| 3. Minutes of the Meeting held on 23 January 2023 | 1 - 6 |
| 4. Minutes of the Meeting held on 20 February 2023 | 7 - 13 |
| 5. Minutes of the Meeting held on 22 February 2023 | 14 |
| 6. Reference from Planning Committee - Housing Mix Policies | 15 - 16 |
| 7. Design and Sustainability DPD Regulation 18b | 17 - 357 |
| 8. Shop Fronts Planning Guidance | 358 - 384 |
| 9. Declaration of Local Nature Reserves | 385 - 391 |

INFORMATION FOR THE PUBLIC

If you require this information in an alternative format, please call us on 01622 602899 or email committee@maidstone.gov.uk.

To find out more about the work of the Executive, please visit www.maidstone.gov.uk

Issued on 6 April 2023 Continued Over/:

Alison Broom

Alison Broom, Chief Executive

MAIDSTONE BOROUGH COUNCIL

LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

MINUTES OF THE MEETING HELD ON MONDAY 23 JANUARY 2023

Attendees:

Lead Members:	Councillor Cooper, Lead Member for Planning and Infrastructure.
Visiting Members:	Councillor English

11. URGENT ITEMS

There were no urgent items.

12. EXEMPT ITEMS

RESOLVED: That all items be taken in public, as proposed.

13. MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2022

RESOLVED: That the Minutes of the Meeting held on 21 November 2022 be approved as a correct record and signed.

14. MINUTES OF THE MEETING HELD ON 22 NOVEMBER 2022

RESOLVED: That the Minutes of the Meeting held on 22 November 2022 be approved as a correct record and signed.

15. REFERENCE FROM PLANNING COMMITTEE - DESIGN AND LONGEVITY ROBUSTNESS OF ECOLOGICAL MEASURES SOUGHT IN DEVELOPMENTS

The Lead Member stated that there would need to be further policies in place to address the matter, with the Design and Sustainability Development Plan Document likely to be the most suitable.

The Lead Member stated that there were no specific measures or time periods outlined within the reference, and that he would discuss the matter with the Head of Development Management.

RESOLVED: That

1. The Lead Member for Planning and Infrastructure consult Officers on policies surrounding the extension of the landscaping conditions; and
2. The reference be noted.

16. GOVERNANCE AND PROCEDURAL ARRANGEMENTS FOR CIL WARD SPEND

RESOLVED: That

1. Appendices A and B to the report, be agreed;
2. The principle that local ward councillors should engage with local communities directly to agree how best to spend the neighbourhood funds from their area, be agreed;
3. Ward councillors should apply directly to the Council for allocation of available local CIL funds to projects, using the application form attached as B to the report, be agreed; and
4. Such applications will be assessed by officers against the agreed funding criteria, as contained within Appendix A to the report.

(See Record of Decision)

17. DURATION OF MEETING

9:03 a.m. until 9:13 a.m.

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

Decision Made: 23 January 2023

Governance and procedural arrangements for CIL Ward spend

Issue for Decision

This report proposes the governance and procedural arrangements for spending the CIL neighbourhood portion within the non-parished areas of Maidstone Borough.

Decision Made

That

1. Appendices A and B to the report be agreed;
2. The principle that local ward councillors should engage with Local communities directly to agree how best to spend the neighbourhood funds from their area, be agreed;
3. Ward councillors should apply directly to the Council for allocation of available local CIL funds to projects, using the application form attached as B to the report; and
4. Such applications will be assessed by officers against the agreed funding criteria, as contained within Appendix A to the report.

Reasons for Decision

The report of 11 September 2018 entitled 'Maidstone Community Infrastructure Levy Administration and Governance' (*sections 1.27-1.33*) [your-councillors \(maidstone.gov.uk\)](http://www.maidstone.gov.uk), was approved at the meeting of the former Strategic Planning, Sustainability and Transport Committee. This report highlighted that where there is chargeable development within an area of a parish council, under the CIL regulations, the Council must pass the proportion of receipts on to the parish to spend, even where a parish falls within a ward. Unlike this neighbourhood portion of CIL funds passed to parish councils, non-parished areas such as wards had no prescribed processes for how CIL should be spent in areas that are not a town or parish council.

For wards which have no parishes, neither the Planning Act 2008 nor the Community Infrastructure Levy Regulations 2010 prescribe how local engagement should take place or whether neighbourhood CIL should be allocated to a particular geographic area or what projects it should be spent on within an area. The Council has the discretion as to how it allocates this money. However, it must have regard to government guidance which is contained in the CIL Planning Practice Guidance (PPG) (see - www.gov.uk/guidance/community-

[infrastructure-levy](#)). **CIL Planning Practice Guidance (updated April 2022)**

The CIL PPG states: *Communities without a parish or town council can still benefit from the neighbourhood portion. If there is no parish or town council, the charging authority will retain the levy receipts but should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding.*

Charging authorities should set out clearly and transparently their approach to engaging with neighbourhoods using their regular communication tools for example, website, newsletters, etc. The use of neighbourhood funds should therefore match priorities expressed by local communities, including priorities set out formally in neighbourhood plans.

The law does not prescribe a specific process for agreeing how the neighbourhood portion should be spent. Charging authorities should use existing community consultation and engagement processes. This should include working with any designated neighbourhood forums preparing neighbourhood plans that exist in the area, theme specific neighbourhood groups, local businesses (particularly those working on business led neighbourhood plans) and using networks that ward councillors use.

Crucially this consultation should be at the neighbourhood level. It should be proportionate to the level of levy receipts and the scale of the proposed development to which the neighbourhood funding relates. Where the charging authority retains the neighbourhood funding, they can use those funds on the wider range of spending that are open to local councils, for example CIL (Regulation 59) towards;

- *the provision, improvement, replacement, operation, or maintenance of infrastructure; or*
- *anything else that is concerned with addressing the demands that development places on an area*

In deciding what to spend the neighbourhood portion on, the charging authority and communities should consider such issues as the phasing of development, the costs of different projects (for example, a new road, a new school), the prioritisation, delivery and phasing of projects, the amount of the levy that is expected to be retained in this way and the importance of certain projects for delivering development that the area needs. Where a neighbourhood plan has been made, the charging authority and communities should consider how the neighbourhood portion can be used to deliver the infrastructure identified in the neighbourhood plan as required to address the demands of development. They should also have regard to the infrastructure needs of the wider area.

The charging authority and communities may also wish to consider appropriate linkages to the growth plans (Infrastructure Delivery Plan) for the area and how neighbourhood levy spending might support these objectives.

Proposed Governance and Process

Specific consideration needed to be given to the consultation process within unparished areas. A remote meeting was held in July 2020 with ward councillors, the Head of Development Management and the CIL Project Officer. The approach of entrusting community engagement to individual ward members was discussed. Ward councillors were keen to take an active role to spend the CIL within their

areas. This would involve local ward councillors going out to their communities to canvas opinions on projects which would benefit the community most. Ward councillors would have an important role to play using their networks and assisting the Council with the consultation process by using their usual forms of engagement with their constituents to inform a wider audience and gauge the priorities.

As most CIL chargeable development in Maidstone is built within parished areas, the CIL receipts have been considerably lower for wards. Due to this, the Council deferred the governance arrangements for the spending of the neighbourhood portion of CIL in wards to allow enough CIL receipts to accumulate.

The Council currently has available for spending a total of £122,995.34 collected from 10 wards in the Borough.

Ward CIL Collected

Boxley	£2,761.07
Bridge	£19,355.36
Detling and Thurnham	£1,135.31
East	£13,163.73
Fant	£12,923.84
High Street	£30,273.78
North	£29,643.22
Park Wood	£1,692.29
Shepway North	£10,411.96
Shepway South	£1,634.78
Total	£122,995.34

Appendix A sets out proposed guidance on engagement and governance in the application of the use of non-parished neighbourhood funds to be prioritised. The guidance proposes ward councillors preparing a CIL spending plan to draw up projects which match the priorities expressed by local communities and those projects identified in the Council's Infrastructure Delivery Plan. These would then be consulted upon, and that consultation should be proportionate with the amount of CIL received and the scale of the development to which the neighbourhood funding relates. Using Appendix B, ward councillors could then apply by application form to the Council on behalf of the project provider requesting CIL funds from their ward.

Alternatives considered and why rejected

The Council has some discretion on how the process for determining this spend is conducted, numerous alternatives and variations have been considered but the chosen option has been taken for the reasons set out above.

Background Papers

Appendix 1 for the Governance and procedural arrangements for CIL ward spend.
Appendix 2 for the Governance and procedural arrangements for CIL ward spend

I have read and approved the above decision for the reasons (including possible alternative options rejected) as set out above.

Signed: 
Lead Member for Planning and Infrastructure

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

Call-In: Should you be concerned about this decision and wish to call it in, please submit a call-in form signed by any three Members to the Proper Officer by: **5pm 1 February 2023**

MAIDSTONE BOROUGH COUNCIL

LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

MINUTES OF THE MEETING HELD ON MONDAY 20 FEBRUARY 2023

Attendees:

Lead Members:	Councillor Cooper, Lead Member for Planning and Infrastructure
----------------------	---

18. URGENT ITEMS

There were no urgent items.

19. EXEMPT ITEMS

RESOLVED: That all items be taken in public, as proposed.

20. MINUTES OF THE MEETING HELD ON 23 JANUARY 2023

RESOLVED: That the Minutes of the Meeting held on 23 January 2023 be approved as a correct record and signed.

21. WATER SUPPLY CONSULTATION

RESOLVED: That the proposed responses to the three water supply consultations at amended appendix 1 of the report be approved.

(See Record of Decision)

22. GYPSY, TRAVELLER AND TRAVELLING SHOWPEOPLE DPD – SCOPING, ISSUES AND OPTIONS (REGULATION 18A) CONSULTATION AND CALL FOR SITES EXERCISE

RESOLVED: That

1. The Gypsy, Traveller and Travelling Showpeople Development Plan Document – scoping, issues and options (Regulation 18a) with suggested amendments (**Amended Appendix 1 to the report**) is agreed for a seven-week public consultation between 28th February and 17th April 2023.
2. A targeted Call for Sites exercise takes place concurrent to the Regulation 18a consultation (**Appendices 4 and 5 to the report**).
3. The Interim Local Plan Review Director be given delegated authority to finalise the format of Gypsy, Traveller and Travelling Showpeople DPD Scoping, Issues and Options Document for presentation to the Lead Member for Planning and Infrastructure, including any minor corrections required.

(See Record of Decision)

23. DURATION OF MEETING

8.25 p.m. to 8.35 p.m.

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

Decision Made: 20 February 2023

Water Supply Consultation

Issue for Decision

This decision covers three water supply consultations. One by the regional water company alliance (Water Resource South East), and the others by the water supply utility companies that operate in the Borough (South East Water & Southern Water).

The consultations referred to in this decision include:

- Water Resources South East – Draft Best Value Regional Plan
- South East Water – Draft Water Resources Management Plan
- Southern Water - Draft Water Resources Management Plan

Decision Made

That the proposed responses to the three water supply consultations at the amended appendix 1 of the report are approved.

Reasons for Decision

1.1 There are three consultations running concurrently on water supply. These involve two water companies operating in the Borough (South East Water & Southern Water) and the south east regional alliance of water companies (Water Resource South East), which covers the Borough. The consultations run from **14 November 2022** to **20 February 2023**.

1.2 The consultations are as follows:

- Water Resources South East –Best Value Regional Plan
- South East Water –Water Resources Management Plan
- Southern Water - Water Resources Management Plan

1.3 This decision summarises the consultations. All three consultations have a standard template to collect responses.; The Council's proposed responses to each of the three consultations is attached in Amended Appendix 1.

1.4 There are two water companies that operate within Maidstone Borough providing water supply services. The companies are Southern Water and South East Water. Southern Water supplies water to north the Borough on the border with Medway. Whilst South East Water supplies water to the rest of the Borough.

1.5 Both these companies are required every 5 years to produce a water resource management plan. The aim of the plan is to maintain water supply over the timeframe 2025-2075.

1.6 A third consultation is being run by Water Resource South East (WRSE), and is the Best Value Regional Plan. WRSE is a south east regional alliance of the six operating water companies within its geographical area. WRSE is not directly involved in the provision of water supply. Like the WRMP produced by the water companies the Best Value Regional Plan produced by WRSE assesses the water needs for the region and identifies strategic solutions to the problems identified. The plan covers the same timeframe as the WRMPs and is also similarly a requirement within the water regulatory system.

1.7 It should be noted that outside of these consultations the Council has been engaging with the relevant water companies through the Local Plan Review to confirm if there is capacity for the planned growth. This engagement has taken place at the statutory consultation periods at Regulation 18 and 19, plus through the development of the Infrastructure Delivery Plan that is evidence to support the Local Plan Review. Therefore, water supply capacity has been factored into the Local Plan Review.

Alternatives considered and why rejected

3.1 Option 1: That the Lead Member for Planning & Infrastructure approve the response to the consultation as originally presented in Appendix 1 to the report. This would allow the response to be sent by the submission deadline.


3.2 Option 2: That the Lead Member for Planning & Infrastructure approve the response to the consultation as presented at Amended Appendix 1, which includes the comments of the Planning and Infrastructure Policy Advisory Committee. This would allow the response to be sent by the submission deadline.

3.3 Option 3: That the response at Appendix 1 of this report is not approved by the Lead Member for Planning & Infrastructure. However, this would mean the response would not be sent and the Council's views would not be factored in.

Appendices

Amended Appendix 1: MBC Responses to Water Supply Consultation.

I have read and approved the above decision for the reasons (including possible alternative options rejected) as set out above.

Signed: 
Lead Member for Planning and Infrastructure

Due to the urgency required to submit the consultation response by the deadline of 20 February 2023, this decision was not subject to call-in.

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

Decision Made: 20 February 2023

Gypsy, Traveller and Travelling Showpeople DPD – Scoping, Issues and Options (Regulation 18a) Consultation and Call for Sites exercise

Issue for Decision

This decision introduces the first stage (scoping, issues and options) of public consultation for the Gypsy, Traveller and Travelling Showpeople Development Plan Document (DPD). The decision explains the background to the DPD, its relationship with the Local Plan and Local Plan Review, and what the proposed public consultation is seeking to achieve. Further, the decision sets out the reasons for undertaking an additional, targeted, Call for Sites exercise alongside the public consultation.

The consultation document appended provides information on what the Local Planning Authority envisages to be the scope and key issues for the Development Plan Document, with the purpose of gathering feedback from the public and other stakeholders on its content and coverage. Also appended is a key piece of evidence underpinning the DPD – the Interim Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (known as the GTAA). This is an independently prepared interim decision which sets out the unadjusted current and future need for Gypsy, Traveller and Travelling Showpeople accommodation over the plan period. The GTAA evidence is not part of the public consultation but is published as supporting evidence as it, and its future iterations, will become a baselining document for the purposes of future work and the examination of the DPD by a government inspector. Finally, the Call for Sites guidance note and response form are also appended to this decision.

The public consultation and call for sites exercise are scheduled for seven weeks starting on 28th February 2023.

Decision Made

That

1. The Gypsy, Traveller and Travelling Showpeople Development Plan Document – scoping, issues and options (Regulation 18a) with suggested amendments (**Amended Appendix 1 to the report**) is agreed for a seven-week public consultation between 28th February and 17th April 2023.
2. A targeted Call for Sites exercise takes place concurrent to the Regulation 18a consultation (**Appendices 4 and 5 to the report**).

3. The Interim Local Plan Review Director be given delegated authority to finalise the format of Gypsy, Traveller and Travelling Showpeople DPD Scoping, Issues and Options Document for presentation to the Lead Member for Planning and Infrastructure, including any minor corrections required.

Reasons for Decision

1.1 The Council has a statutory responsibility through the National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (PPTS) to assess and plan for the housing needs of all residents in the borough, including the Gypsy, Traveller and Travelling Showpeople communities.

1.2 Section 124 of the Housing and Planning Act 2016 specifies that local housing authorities should consider the needs of people *'residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored'*. The Council is therefore committed to meeting the housing needs of the Gypsy, Traveller and Travelling Showpeople communities within the Borough, in the same way as the housing needs of the settled community are planned for in the adopted Local Plan and emerging Local Plan Review.

1.3 At the November 2021 Strategic Planning and Infrastructure committee meeting, it was agreed that the Council would produce a standalone Gypsy, Traveller and Travelling Showpeople Development Plan Document (GT DPD). The reasons for separating this workstream from the wider Local Plan Review were outlined as follows:

- A new Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) was commissioned as part of the Local Plan Review (LPR) evidence base, and survey work commenced to ascertain future needs, via a very experienced consultancy, Opinion Research Services (ORS). However, owing to nationally imposed lockdowns at the time, survey work and household interviews were suspended, and the GTAA delayed. What was evident from the work completed by consultants up to that point, was that the need for new pitches over the LPR plan period was likely to be significant.
- As part of the Local Plan Review process, a Call for Sites exercise was undertaken in 2019, allowing the submission of sites for consideration as allocations for future development. However, only 11 sites were proposed specifically for Gypsy, Traveller or Travelling Showpeople accommodation.

1.4 The early indication of the likely significant need for new pitches, combined with the relatively minimal number of potential additional sites put forward in the initial Call for Sites exercise, led the Council to conclude that the needs of Gypsy, Traveller and Travelling Showpeople could be most appropriately and comprehensively addressed through a separate development plan. This approach allows the necessary time and focus dedicated to establishing the full needs of our communities and the ability to seek to meet those needs. Further, this approach allowed the wider Local Plan Review to continue to progress in line with the published Local Development Scheme (LDS).

1.5 The GT DPD is a policy document that will seek to define a spatial approach and, if necessary, allocate new sites to meet the identified needs of the gypsy, traveller and travelling showpeople communities in the borough. It is also proposed to contain development management policies specific to the assessment of planning applications for gypsy, traveller and travelling showpeople accommodation. Once adopted, the policies in the GT DPD would supersede all 'saved' GT1 policies from the 2017 Local Plan that are also listed in Appendix 1 of the Local Plan Review.

Alternatives considered and why rejected

2.1 Option 1A: That the Maidstone Gypsy, Traveller and Travelling Showpeople DPD – Scoping, Issues and Options (Regulation 18a) consultation and Call for Sites exercise take place between 28th February 2023 and 17th April 2023.

2.2 Option 1B: That subject to modifications, the Maidstone Gypsy, Traveller and Travelling Showpeople DPD – Scoping, Issues and Options (Regulation 18a) consultation and Call for Sites exercise take place between 28th February 2023 and 17th April 2023,

2.3 Option 1C: That neither the Maidstone Gypsy, Traveller and Travelling Showpeople DPD – Scoping, Issues and Options (Regulation 18a) consultation nor the Call for Sites exercise is conducted at this time.

2.4 Option 2A: That the Interim Local Plan Review Director be given delegated authority to finalise the format of Gypsy, Traveller and Travelling Showpeople DPD Scoping, Issues and Options Document for presentation to the Lead Member for Planning and Infrastructure, including any corrections required.

2.5 Option 2B: That the Interim Local Plan Review Director is not given delegated authority to finalise the format of Gypsy, Traveller and Travelling Showpeople DPD Scoping, Issues and Options Document for presentation to the Lead Member for Planning and Infrastructure, including any corrections required.

I have read and approved the above decision for the reasons (including possible alternative options rejected) as set out above.

Signed: 

Lead Member for Planning and Infrastructure

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

Call-In: Should you be concerned about this decision and wish to call it in, please submit a call-in form signed by any three Members to the Proper Officer by: **5pm 28 February 2023**

Agenda Item 5

MAIDSTONE BOROUGH COUNCIL

LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

MINUTES OF THE MEETING HELD ON WEDNESDAY 22 FEBRUARY 2023

Attendees:

Lead Members:	Councillors Cooper, Lead Member for Planning and Infrastructure
----------------------	--

23. URGENT ITEMS

There were no urgent items.

24. EXEMPT ITEMS

RESOLVED: That all items be taken in public, as proposed.

25. MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2023

The Minutes of the Meeting Held on 20 February 2023 were unavailable to be signed at the meeting, and will roll forward to the next Lead Member for Planning and Infrastructure meeting.

26. REFORMS TO NATIONAL PLANNING POLICY

RESOLVED: That the proposed response to the consultation as at amended Appendix 1 of the decision be agreed.

27. DURATION

6.15. p.m. to 6.16 p.m.

**LEAD MEMBER FOR PLANNING
AND INFRASTRUCTURE**

18 APRIL 2023

Reference from Planning Committee – Housing Mix Policies

Timetable	
Meeting	Date
Planning Committee	23 March 2023
Lead Member for Planning and Infrastructure	18 April 2023

Wards affected	All
-----------------------	-----

Executive Summary

The Planning Committee has recommended that consideration be given to bringing forward housing mix policies within Development Plan Documents and other policy documents to ensure an appropriate housing mix throughout different areas of the Borough with relevant policies and standards to support them. This to include a more holistic approach to HMOs (Houses in Multiple Occupation), not just addressing the issues around parking, residential amenity and bins.

This reference makes the following recommendation to the Lead Member for Planning and Infrastructure:

That consideration be given to bringing forward housing mix policies within Development Plan Documents and other policy documents to ensure an appropriate housing mix throughout different areas of the Borough with relevant policies and standards to support them. This to include a more holistic approach to HMOs, not just addressing the issues around parking, residential amenity and bins.

Reference from Planning Committee – Housing Mix Policies

1. REASONS FOR RECOMMENDATION

- 1.1 At its meeting on 23 March 2023, the Planning Committee granted planning permission for the change of use of an existing dwellinghouse at Trapham Road, Maidstone into a ten-bedroom HMO including installation of solar panels, electric vehicle charging point and associated parking.
 - 1.2 Arising from consideration of the application, the Committee agreed to recommend to the Lead Member for Planning and Infrastructure that consideration be given to bringing forward housing mix policies within Development Plan Documents and other policy documents to ensure an appropriate housing mix throughout different areas of the Borough with relevant policies and standards to support them. This to include a more holistic approach to HMOs, not just addressing the issues around parking, residential amenity and bins.
 - 1.3 The Committee has already asked that the Chairman and Vice-Chairman engage with the Lead Member for Planning and Infrastructure regarding concerns about policies on HMOs and conversions in high density areas not being nuanced enough, and this is in hand.
-

2. ALTERNATIVES CONSIDERED AND WHY NOT RECOMMENDED

Not applicable.

3. REPORT APPENDICES

None.

4. BACKGROUND PAPERS

Minutes of the meeting of the Planning Committee held on 23 March 2023.

LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

18TH April 2023

Design and Sustainability DPD, Regulation 18 Preferred Approaches consultation document.

Timetable	
Meeting	Date
Planning and Infrastructure PAC	05/04/23
Lead Member on the Executive for Planning and Infrastructure	18/04/23

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Lead Member for Planning and Infrastructure
Lead Head of Service	Phil Coyne, Interim Director (Local Plan Review)/Karen Britten, Head of Spatial Planning and Economic Development
Lead Officer and Report Author	Helen Garnett, Principal Planner (Strategic Planning)
Classification	Public
Wards affected	All

Executive Summary

This report introduces the second stage Regulation 18b Design and Sustainability Development Plan Document (DPD) for public consultation. The consultation document appended provide information on what the Local Planning Authority envisages to be the draft policies for the Development Plan Document. In addition to the draft DPD, a Sustainability Appraisal has considered the impact of the policies within the document.

This report explains the background to the DPD, its relationship with the Local Plan and Local Plan Review, and what this consultation is seeking to achieve.

The public consultations on the DPD and a separate consultation on the associated Sustainability Appraisal are scheduled for six weeks starting on 28 April 2023.

Purpose of Report

To provide background to the Design and Sustainability DPD and to outline the contents of the Preferred Approaches document.

The matters covered in this report are for decision.

This report makes the following recommendations to the Lead Member on the Executive for Planning and Infrastructure:

1. That the Maidstone Design and Sustainability DPD Regulation 18 preferred Approaches document in Appendix 1 and the Sustainability Appraisal of the DPD at Appendix 2 be agreed for public consultation starting at 4.00pm on Friday 28th April to run for six weeks to 5.00pm on 12th June.
2. That the Interim Local Plan Review Director be given delegated authority to make minor graphical or presentational changes to the document prior to consideration by the Lead Member on the Executive for Planning and Infrastructure for their decision.
3. That the evidence base documents at appendix 3-5 of this report are noted

Design and Sustainability DPD, Regulation 18 Preferred Approaches consultation document.

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place • Accepting the recommendations will materially improve the Council’s ability to achieve corporate priorities. We set out the reasons other choices will be less effective in section 2 [available alternatives]. 	Phil Coyne, Interim Director (Local Plan Review)
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation(s) supports the achievement(s) of the cross cutting objectives by delivering sustainable growth.</p>	Phil Coyne, Interim Director (Local Plan Review)
Risk Management	This is the first iteration of the Design and Sustainability DPD. There is a legal requirement to undertake consultation during the Regulation 18 stage of an emerging Development Plan Document.	Phil Coyne, Interim Director (Local Plan Review)
Financial	The proposals for consultation as set out in the recommendation are all within already approved budgetary headings and so need no new funding. The impact of the proposals in the DPD, if implemented, on the Council’s own	Director of Finance, Resources and Business Improvement

	development programme will be addressed as part of the investment appraisal process.	
Staffing	We will deliver the recommendations with our current staffing.	Phil Coyne, Interim Director (Local Plan Review)
Legal	Acting on the recommendations is within the Council's powers as set out in the Planning and Compulsory Purchase Act 2004 and The Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Council will also need to comply with the Local Development Scheme and the Statement of Community Involvement.	Cheryl Parks Mid Kent Legal Service (Planning), Mid Kent Legal Services
Information Governance	The recommendations will impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. The Information Governance Team will review the processing of personal data affected and the associated documentation will be updated accordingly.	Georgia Harvey (Information Governance Officer)
Equalities	Accepting the recommendations will ensure that an inclusive approach is taken to consultation on the Design and Sustainability DPD in line with the Statement of Community Involvement. It is important that the consultation process is accessible to all communities including seldom heard groups. A separate, equalities impact assessment will be undertaken for the DPD.	Nicola Toulson, Equalities and Communities Officer
Public Health	Comments can be reviewed following the consultation but aim to improve resident health and wellbeing across the borough	Housing and Inclusion Team Leader
Crime and Disorder	The recommendations will have a potentially positive impact by reducing the potential for Crime and Disorder.	Phil Coyne, Interim Director (Local Plan Review)
Procurement	Committee to be updated once comments are received	Phil Coyne, Interim Director (Local Plan Review)

Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and align with the actions set out in the biodiversity and climate change action plan.	James Wilderspin, Biodiversity and Climate Change Manager
--	--	--

2. INTRODUCTION AND BACKGROUND

- 2.1 At its meeting in September 2021 the Strategic Planning and Infrastructure Committee agreed to undertake work to strengthen the Council’s ‘non-spatial’ planning policy framework in order to achieve higher quality and more sustainable design across the Borough, reinforce Development Management decisions, and provide a stronger defence to planning appeals. Since that resolution, the council has commissioned consultants Arup to work with officers to undertake the production of the Design and Sustainability Development Plan Document (“DPD”).
- 2.2 The DPD will form part of the Development Plan for the Borough, and will sit alongside and build upon the contents of the forthcoming Local Plan Review. The appended document explains the background to the DPD, its relationship with the Local Plan and Local Plan Review. The DPD is required to be in compliance with the National Planning Policy Framework including the tests of soundness, and will need also to comply with appropriate legal obligations such as the Duty to Cooperate. It will need to respond to, and help deliver, the relevant aspects of other associated strategies and action plans adopted by the Council, such as the Strategic Plan and Biodiversity and Climate Change Action Plan.
- 2.3 It is a non-spatial policy document, that is it does not seek to allocate new sites or define a strategic direction for growth in the borough. Rather, the policies, which will be informed by the necessary evidence base and detail required to promote policies to support the negotiation of high-quality design, greater levels of biodiversity and more sustainable development. It responds to the greater emphasis being placed at national policy level to require a higher standard of design and greater sustainability in new development.

Content and Structure of the Consultation Document

- 2.4 The Council consulted on the Regulation 18a Scoping, Themes and Issues document from October to December 2022. Feedback from that consultation has been fed into the draft policies contained within this version of the DPD.
- 2.5 The council received a range of comments on the Regulation 18a, primarily from statutory consultees and stakeholders. In addition to the formal consultation, the Council also ran a mapping exercise to enable the public to drop pins on areas of the borough and make comment about their specific likes and dislikes about the built environment. Whilst not formally part of the planning consultation, this exercise added important contextual information from which Arup could shape the DPD document.
- 2.6 During that consultation, the council also undertook a series of meetings with prescribed bodies in accordance with its obligations under the Duty to

Cooperate. This provided valuable feedback from those bodies with a particular interest in design and sustainability issues, for example Kent County Council.

2.7 Comments received at consultation were broadly supportive of the aims of the DPD, key themes to emerge from the comments related to:

- Identification of ways that the document can contribute to wider biodiversity networks that might extend beyond the borough's boundaries.
- The DPD needs to ensure sustainable and walkable communities.
- Historic environment and its context should be embedded in new development.
- New development should seek to bring benefits to existing communities.
- The need for off street parking in new development.
- Consideration of waste generation in the development phase of new build.
- The DPD should take a holistic and integrated approach to tackling climate change.
- Landscape setting in rural areas should be an important consideration for new development.

2.8 Following consideration of consultation comments received against the Regulation 18a, in addition to the emerging evidence base, in February and March 2023 a draft of this Regulation 18b document was presented for discussion across a range of stakeholders. These included the Development Management team, the Biodiversity and Climate Change Manager, Heritage Conservation officers and other council teams such as Housing and Environmental Health, the Planning Committee members, and finally an all-member workshop was held on the 08 March.

2.9 These workshops and discussions provided substantial, detailed and invaluable feedback to the consultants, and comments and suggestions made have been incorporated into the document where feasible.

2.10 Turning to the layout of the document, the DPD opens with a forward and introduction. Chapter 2 then sets out the approach to design and sustainability in Maidstone and how this is framed by national guidance and existing evidence. Chapter 3 then provides a characterisation of the places in Maidstone, from the town centre, through garden settlements, to the villages. These characterisations define the high-level setting and key features that define the character of these location, in order to inform proposals that will come forward.

2.11 Chapter 4 starts by setting sets the Overarching Design & Sustainability Principles for the borough. It then goes on to set out the specific policies contained within the DPD. These are arranged under the following headings:

- Placemaking
- Streets and Buildings
- Open Space and Nature
- Movement
- Sustainable Buildings
- Design Quality

- 2.12 Policies on Placemaking set out the requirements for the way in which new development should seek to create an environment that fosters high quality places that occupants and visitors enjoy living and working in. These policies set out overarching principles of design, in addition to addressing specific placemaking requirements of the town centre.
- 2.13 The section on Streets and Buildings addresses how buildings in new development should seek to create environments with a sense of place and which encourage, and which contribute to well-being and sustainable transport. It has policies addressing on street parking and refuse, as well as distinctiveness and streetscene.
- 2.14 Open Spaces and Nature policies concern matters of natural and built landscape, including vegetation, topography, building materials. This section contains policies that seek to set in place how development should respond to landscape and townscape characteristics.
- 2.15 Policies within the Movement section seek to align matters relating to the built environment and people/vehicle movement. It requires new development to promote social interaction and active travel through the use of route and building layout.
- 2.16 Sustainable Buildings deals with the specific design of buildings and how these can incorporate measures to reduce carbon emissions in both construction and operation. Policies in this section require buildings to be constructed in a way that adopts the fabric first approach, uses passive design, minimises waste, and makes provision for renewable energy production.
- 2.17 Finally, the Design section provides a design code at borough level for development to be considered against. These policies require new development to adopt a design-led approach. It contains specific requirements regarding how major development proposals should be masterplanned using design codes, maintenance of design quality through the lifetime of the build, incorporation of local distinctiveness, materials and overall standards. It also addresses design expectations for smaller developments.

2.18 The table below provides a list of policies contained within the draft DPD.

Chapter	Policy
Placemaking	PM1: Placemaking
Placemaking	PM2: Maidstone Town Centre
Streets and Buildings	S1: Built Form
Streets and Buildings	S2: Tall Buildings
Streets and Buildings	S3: Optimising Density
Streets and Buildings	S4: Mixed Uses and Local Centres
Streets and Buildings	S5: High Quality Public Realm and Streetscene
Streets and Buildings	S6: Off-Street Parking
Streets and Buildings	S7: On-Street Parking
Streets and Buildings	S8: Settlement Edges
Streets and Buildings	S9: Servicing layout and access
Streets and Buildings	S10: Integrating refuse and recycling storage

Open space and nature	ON1: Landscape and the Setting of Places
Open space and nature	ON2: Open Spaces
Open space and nature	ON3: Biodiversity, Geodiversity and Nature Recovery
Open space and nature	ON4: Biodiversity Net Gain
Open space and nature	ON5: Sustainable Drainage Systems (SuDs)
Open space and nature	ON6: Green Infrastructure
Open space and nature	ON7: Protection of Dark Skies
Open space and nature	ON8: Building on Sloping sites
Open space and nature	ON9: Providing External Amenity Space for All Homes
Movement	MO1: Layout and Movement
Movement	MO2: Design for All
Movement	MO3: Plan for cyclists
Sustainable Buildings	SB1: Sustainable Design and Construction
	SB2: Minimising Greenhouse Gas emissions in New Development
Sustainable Buildings	SB3: Passive Design of Buildings
Sustainable Buildings	SB3: Passive Design of Buildings
Design Quality	DQ1: Design led approach
Design Quality	DQ2: Masterplanning
Design Quality	DQ3: Form Based Design Codes
Design Quality	DQ4: Maintaining Design Quality
Design Quality	DQ5: Materials and Detailing
Design Quality	DQ6: Modern Methods of Construction
Design Quality	DQ7: Houses in Multiple Occupation
Design Quality	DQ8: Mixed Communities

Sustainability Appraisal

- 2.19 Local plans should be informed throughout their preparation by a Sustainability Appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).
- 2.20 The Sustainability Appraisal (which incorporates a Strategic Environmental Assessment) of the DPD seeks to inform and support the conclusions in the DPD at each main stage for the duration of the process.
- 2.21 The Regulation 18b Sustainability Appraisal assesses this stage of the draft plan against the Sustainability Appraisal objectives.
- 2.22 Where the sustainability of the strategy, individual policies or site allocations could be improved then the Sustainability Appraisal makes recommendations to achieve this. There is a Sustainability Appraisal consultation that is intended to run concurrently with the Regulation 18b documents consultation. The purpose of this consultation will be to seek views on the 'Sustainability Appraisal of the DPD: Regulation 18b' document. This is attached to this report as Appendix 2 of this report.

Evidence Base

- 2.23 The DPD is informed by a robust evidence base, including studies and strategies that have already been published both within the authority and elsewhere, as well as additional topic papers and an Equalities Impact Assessment.
- 2.24 The Council is no longer required to undertake Equality Impact Assessments (EqIAs). However, we do assess and analyse the effect of our policies and practices in this regard, as well as how we further the equality aims – EqIAs still provide a useful method to do this.
- 2.25 The EqIA will be undertaken throughout the production of the DPD, having particular regard to the main consultation milestones. The DPD will be assessed at each consultation stage, prior to and following public consultations to take into consideration those with protected characteristics.
- 2.26 The appended EqIA considers the impact of policies in the draft plan and consultations that have taken place so far on those with protected characteristics.
- 2.27 Two additional topic papers have informed the evidence base. The first is a technical note exploring possible approaches for the scope of policy DPD in setting requirements on Biodiversity Net Gain. The second topic paper explores possible approaches for the scope of policy in the Design and Sustainability DPD in setting requirements on climate change and sustainable buildings. These topic papers are appended to this report.
- 2.28 The evidence base documents will be published alongside the DPD so that they can be referred to.

Public Consultation

- 2.29 Public consultation is programmed to commence at 4.00pm on Friday 28th April and will run for six weeks to 5.00pm on 12th June, in accordance with Regulatory requirements and the adopted Local Development Scheme.
- 2.30 We are working closely with the Council's Communications Team to prepare for the consultation and associated publicity. The consultation arrangements will comply with the Council's adopted Statement of Community Involvement and legal requirements and will include:
- publication of Regulation 18b draft documents on Maidstone Borough Council's website, along with the evidence base documents
 - consultation portal for the submission of on-line comments
 - notifying statutory bodies, stakeholders and everyone on our consultation database
 - public notice in the local newspaper
 - press release/s
 - use of social media to publicise the consultation.
 - Copies of the documents will be placed in libraries and key council offices.

- 2.31 Following consultation and associated analysis, the Council will consider comments made and revise the DPD in preparation for consultation on the pre-submission draft (Regulation 19).
- 2.32 In summary, the Design and Sustainability DPD will help to embed the Council's commitment to achieving high quality design and sustainability in new development. This iteration of the document presents the first draft of the policies for consultation, with feedback later informing the submission draft of the DPD.
-

3. AVAILABLE OPTIONS

Recommendation 1

- 3.1 Option 1A - Proceed with consultation on the draft Regulation 18b Design and Sustainability DPD and Sustainability Appraisal starting at 4.00pm on Friday 28th April to run for six weeks to 5.00pm on 12th June. This will meet requirements of Local Development Scheme ("LDS"), and the SCI and Regulatory requirements. This is the preferred option.
- 3.2 Option 1B – Agree the consultation but request significant changes to policy components of the DPD prior to consultation starting at 4.00pm on Friday 28th April to run for six weeks to 5.00pm on 12th June. Whilst minor changes would be dealt with through an update/addendum to the document, where significant changes are proposed (for example to policy), there may be a potential delay to the process, including commencement of the consultation. This will have a knock-on effect for the LDS, meaning a new LDS would have to be produced in order to address changes. The consultation would then take place in accordance with the new timetable as approved by full council.
- 3.3 Option 1C – Do not consult
The council has committed to undertaking a consultation at this stage of the documents production by way of the LDS. Should members choose to not go ahead with the consultation, this would be contrary to the current LDS requirements. In this scenario, proposals will then need to be established for the production of this DPD which would allow engagement with relevant bodies or persons to take place at appropriate stages, in order to meet regulatory requirements. This would also require a new LDS to be created. A new SCI would also need to be produced to accommodate the changes in engagement process.

Recommendation 2:

- 3.4 Option 2A - That the Interim Local Plan Review Director be given delegated authority to finalise the format of Design and Sustainability DPD; Regulation 18b Document for presentation to the Lead Member for Planning and Infrastructure, including any corrections required. This will ensure that the consultation document is published and consulted on having been subject to a final review of typographical, grammatical and minor graphic matters.

- 3.4 Option 2B – That Members don't give members delegated authority to finalise the format. This would mean that these minor changes will need to go through a reporting process, most likely resulting in the need to delay the consultation and the production of a new LDS.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Options 1A and 2A are recommended. This will ensure that the Design and Sustainability DPD proceeds in accordance with the timetable set out in the approved LDS, and in accordance with the SCI and relevant Regulations.
-

5. RISK

- 5.1 The risks associated with these proposals, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated area within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Previous consultation held in November-December 2022, as outlined in the main body of the report. Significant feedback has also been received from internal stakeholders in the run-up to this consultation.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Following consideration by the PAC, the report will be sent to the Lead Member for Planning and Infrastructure for decision. This issue was considered by the Planning and Infrastructure Policy Advisory Committee on 5 April 2023, with the committee supporting the recommendations of this report. The Minutes of the meeting will be available to the Lead Member ahead of the meeting on the 18 April.
- 7.2 If agreed, the consultation will commence at the end of April.
- 7.3 There may be minor work, such as graphics, layout, spelling and grammatical changes required to the consultation documents, and it is intended for these will be undertaken prior to commencement of the consultation in accordance with the above recommendation.
-

8. REPORT APPENDICES

8.1 The following documents are to be published with this report and form part of the report:

- Appendix 1: Draft Design and Sustainability DPD Regulation 18b draft.
 - Appendix 2: Sustainability Appraisal of the Design and Sustainability DPD Regulation 18b draft.
 - Appendix 3: Equalities Impact Assessment of the Design and Sustainability DPD Regulation 18b draft.
 - Appendix 4: Biodiversity Net Gain Topic Paper.
 - Appendix 5: Climate Change and Sustainable Buildings Topic Paper.
-

Maidstone Design & Sustainability Plan DPD

Maidstone Borough City Council

Front cover to be updated

March 2023

Contents

Foreword

01. Introduction	7
1.1 How to Comment	8
1.2 About this Consultation	8
1.3 Purpose of the D&S DPD	9
1.4 Background of the Development Plan and the D&S DPD	10
1.5 DPD Preparation Process	12
1.6 Justification and Evidence Base	14
02. The Maidstone Design & Sustainability Approach	18
2.1 National Guidance	20
2.2 Local Context	21
2.3 The Value of Good Design	23
2.4 Maidstone's Priority Outcomes for Good Design	24
2.5 Demonstrating a Design-Led Approach to Development	26
2.6 How to use this document	28
03. Maidstone's Places	30
3.1 Approach to Characterisation of Maidstone Borough	32
3.2 Maidstone Town Centre	35
3.3 Maidstone Urban Area	40
3.4 Villages in the North Downs	44
3.5 Settlements in the Wealden Greensand	48
3.5.1 Coxheath	50
3.5.2 East Farleigh	54
3.5.3 Harrietsham	58
3.5.4 Potential Heathlands Garden Settlement	62
3.5.5 Hollingbourne	64

3.5.6 Lenham	68
3.5.7 Sutton Valence	72
3.6. Villages in the Low Weald	76
3.6.1 Yalding	78
3.6.2 Staplehurst	82
3.6.3 Marden	84
3.6.4 Headcorn	88
04. Maidstone Borough Design & Sustainability Requirements	92
4.1 Overarching Design & Sustainability Principles	94
4.2 Placemaking	98
4.2.1 Successful Placemaking Principles	98
4.2.2 New and transformed palces in the Borough of Maidstone	107
4.3 Streets and Buildings	112
4.3.1 Optimising Built Form	110
4.3.2 Tall Buildings	118
4.3.3 Optimising Density	119
4.3.4 Mixed Uses	122
4.3.5 Public Realm	124
4.3.6 Intergated parking	127
4.3.7 Settlement Edges	132
4.3.8 Refuse, Storage and Utilities	136

4.4 Open Space and Nature	138
4.4.1. Setting and Landscape	138
4.4.2 Open Space	142
4.4.3 Biodiversity and Nature	145
4.4.4 Biodiversity Net Gain	148
4.4.5 Sustainable Drainage Systems (SUDs)	151
4.4.6 Green Infrastructure	153
4.4.7 Dark Skies	157
4.4.8 Building on Sloping Sites	157
4.4.9 Provision of Amenity Space	160
4.5 Movement	162
4.5.1 Layout and Movement	164
4.5.2 Design for All	164
4.5.3 Active Travel	171
4.6 Sustainable Buildings	173
4.6.1 Sustainable Design and Construction	178
4.6.2 Minimising Greenhouse Emissions	178
4.6.3 Passive Design	183
4.7 Design Quality	188
4.7.1 Design Led Approach	192
4.7.2 Masterplanning	192
4.7.3 Design Coding	197
4.7.4 Maintaining Design Quality	200
4.7.5 Materials and Detailing	202
4.7.6 Modern Methods of Construction	204
4.7.7 House in Multiple Occupation	206
4.7.8 Creating mixed and resilient communities	208
	210

Foreword

I am again delighted to introduce the next stage of the Maidstone Design and Sustainability Development Plan Document. This is the second Regulation 18 consultation, which builds on the document consulted on in November and December 2022, and I would like to thank everybody who took the time to respond to that framework document, which has been important in shaping this next iteration.

The importance of quality design, is a topic which is gaining increased recognition, and Maidstone Borough Council is determined to place our Borough at the forefront of this. Likewise, the issue of sustainability is becoming more prominent in all facets of our lives and indeed the manner in which we conduct business, and Maidstone is equally determined to embed its commitment to sustainability as a key component of all of our policy and strategy work. This is why we have chosen to include the various ways in which we can ensure that our built environment reflects this commitment as a key tenet of this document.

It is the continued and growing importance of these topics to Maidstone's future that has led to us approaching this as part of a separate and freestanding Development Plan Document (DPD). This will sit alongside our existing Local Plan, which is currently being reviewed, and will carry the same weight as that Local Plan in terms of planning decisions, the negotiation of good design and high levels of sustainability within individual development proposals, and indeed the strength of our hand in fighting planning appeals when developers refuse to respect our Borough with the quality of development we feel it deserves.

The previous consultation on this DPD was high level, and sought feedback on some general themes and issues that were being considered for inclusion. We felt this to be important in ensuring that such a high profile document, and one which we hope will have a long shelf life in order to bring lasting and consistent benefits, reflecting the true priorities of the Borough's communities and other stakeholders.

The responses received have informed this document, which now develops our themes and issues into more detailed objectives, and expands upon the draft policies which we think will help us to ensure that our aspirations are underpinned by a robust technical approach which provides us with a high level of certainty and gives developers clear and unambiguous guidance around Maidstone's expectations of them.

Thank you again for your time, and we look forward to receiving your views.

Councillor Paul Cooper

Lead Member for Planning and Infrastructure

01. Introduction

1.1 How to Comment

We want you to help us shape the future of the borough of Maidstone. We therefore encourage and welcome your comments on the approaches to design and sustainability set out in this document. To aid efficient analysis, please use the proforma that accompanies this document on the Design and Sustainability Development Plan Document (D&S DPD) webpage (LINK). Comments that do not use the proforma will still be accepted – please submit these as per instructions on the webpage linked above or email your comments to ldf@maidstone.gov.uk.

The consultation runs from X at X and finishes on X at X.

1.2 About this Consultation

This document is the Preferred Approaches (Regulation 18b) for the Maidstone D&S DPD. It is the second public consultation on the development of this document, the first being the Scoping, Themes and Issues (Regulation 18a) document which underwent public consultation from October to December 2022.

This Regulation 18b D&S DPD builds upon the Regulation 18a document and develops the preferred approaches to key policy areas. Having considered responses and to the Regulation 18a consultation, the Preferred Approaches have been developed for the D&S DPD for the next round of public consultation.

1.3 Purpose of the D&S DPD

We are preparing this DPD because we want to ensure that all new development in the Borough is sustainable and of high-quality design. Maidstone Borough Council's Strategic Priorities recognise their role in leading and shaping the borough as it grows. The Strategic Plan identifies the importance of high-quality housing supported by the necessary infrastructure; safe, clean and green neighbourhoods; safe and desirable homes which enable good health and wellbeing; and making Maidstone a thriving place which is open for business, attractive for visitors and an enjoyable and prosperous place to live. We are therefore creating this D&S DPD to acknowledge the value and significance of ensuring good quality design and sustainability in all future development proposals.

Promoting quality design of the highest standard for new homes and neighbourhoods, workplaces, town centres and employment areas is key to preserving and enhancing the character of urban and rural areas across Maidstone Borough. Therefore, the D&S DPD will enable the Council to set a new benchmark for the quality of development in Maidstone, helping to deliver the Maidstone Strategic Plan's priorities.

Equally, the Council is committed to delivering growth in a sustainable manner and the climate change agenda has become increasingly prominent both nationally and locally. The D&S DPD should, therefore, embed design and sustainability requirements across a series of geographic scales in adopted planning policy, delivering tangible actions that reflect the Borough's declaration of a Biodiversity and Climate Emergency in 2019.

The D&S DPD will be an illustrated document that will provide residents, developers, and other stakeholders with a clear and consistent understanding of the development standards necessary to meet policy requirements in Maidstone Borough.

1.4 Background of the Development Plan and the D&S DPD

This D&S DPD is a planning policy document that makes up part of Maidstone's Development Plan. Development Plans sit at the heart of planning and set out a vision and framework for the development of the area. In Maidstone Borough, the Development Plan is formed of the Local Plan, seven adopted Neighbourhood Plans, and the Kent Minerals and Waste Local Plan.

The Maidstone Local Plan Review has been submitted to the Secretary of State for independent examination which commenced in September 2022 and is ongoing. Once formally adopted, the Local Plan Review will provide the overall strategy for the Borough along with a range of non-strategic policies, and the Neighbourhood Plans set out planning policies for the development and use of land in a local area.

Together with the other development plan documents, this DPD will be the basis for decision-making and the Council will assess planning applications against these policies, which complement the Local Plan but offer a finer grain of guidance on matters of design and sustainability (and it will provide a firmer basis for the negotiation of applications and the defence of planning appeals for approximately 15 years post-adoption).

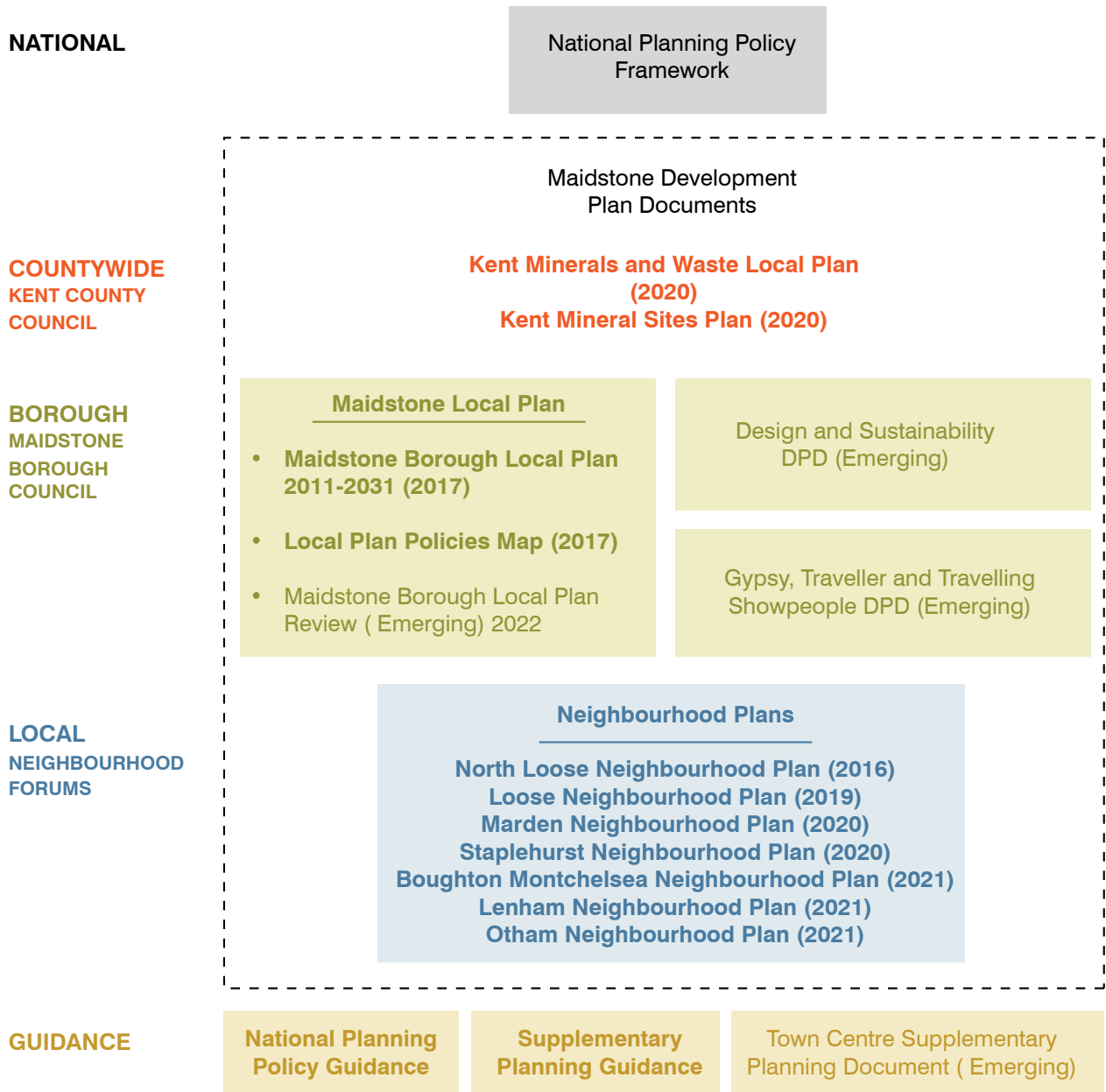


Figure 1: Planning framework diagram from 18a document.

1.5 DPD Preparation Process

Preparation of D&S DPDs follow a vigorous and extensive engagement and examination process, as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The first stage, Regulation 18, specifies that the Local Authority must notify persons of the subject of the plan and invite them to make representations about what the plan should contain. Regulation 19, the second stage, requires that before submitting a plan to the Secretary of State, the Local Authority must make the consultees notified as part of Regulation 18 aware of the places and times at which the proposed submission documents can be inspected.

In the preparation of the D&S DPD, Regulation 18 has been divided into two phases, 18a and 18b, as illustrated in the diagram below. Maidstone Borough Council has already completed Stages 1 to 3 of the D&S DPD Process for the D&S DPD and is currently soliciting public views and comments as part of the Stage 4 Regulation 18b consultation process.

The Regulation 18b Preferred Approaches Consultation expands the key issues identified in Regulation 18a into proposed policies and supporting text. At Regulation 19 – Draft for Submission, we will publish a final version of the D&S DPD and invite you to make comments on whether you consider it to be justified and compliant with all existing obligations. All comments will then be submitted to the Secretary of State along with the final D&S DPD for independent examination, likely to be in 2024.

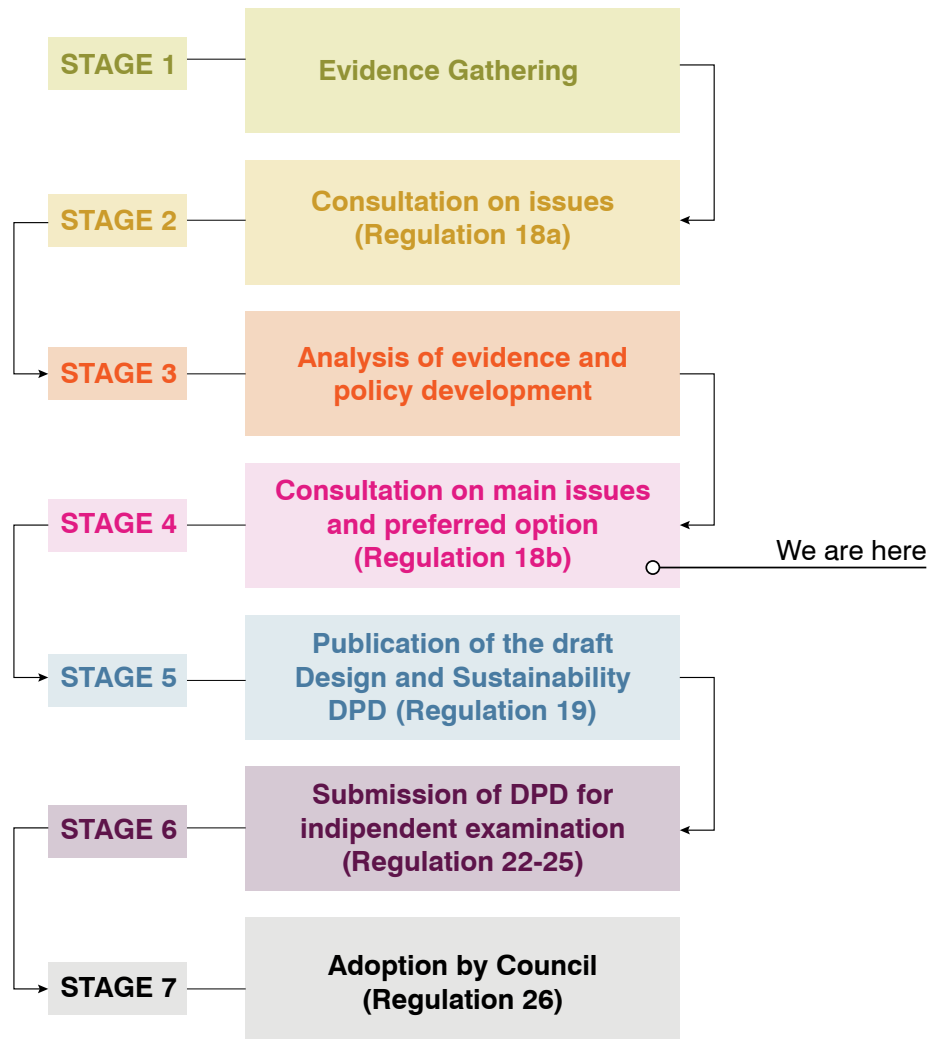


Figure 2: Flowchart diagram describing the preparation of the Design and Sustainability DPD

1.6 Justification and Evidence Base

The D&S DPD is underpinned by relevant and up to date evidence, which is proportionate to the policies concerned. Policy is also justified in terms of consistency with legislation and national policy and guidance. Overall Chapter 12 of the **National Planning Policy Framework (NPPF)**¹ paragraphs 126 -129 makes clear that all Local Planning Authorities should prepare design guides or codes consistent with the principles set out in the **National Design Guide**² and **National Model Design**³ Code , and which reflect local character and design preferences.

Design codes and guides are required to provide a framework for creating high-quality places. The NPPF also makes clear that the geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place and should allow a suitable degree of variety.

NPPF Paragraph 129 indicates that *“Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.”* This D&S DPD is produced at an area-wide scale and produced as part of the Development Plan.

Although the D&S DPD is reasonably detailed it is envisaged that further guidance in the form of Supplementary Planning Documents (SPD) or other guidance will be produced particularly for certain locations or sites such as the town centre and garden villages and that these will be linked to policy in the D&S DPD.

National Planning Practice Guidance sets out that non-strategic policies can be used to establish more local and/or detailed design principles for an area, including design requirements for site specific allocations. It suggests they can be prepared by Local Planning Authorities (or neighbourhood planning groups), and are most effective when based on appropriate evidence of the defining characteristics of the area, such as its historic, landscape and townscape character.

1. National Planning Policy Framework - Guidance - GOV.UK (www.gov.uk)

2. National Design Guide <https://www.gov.uk/government/publications/national-design-guide>

3. <https://www.gov.uk/government/consultations/national-planning-policy-framework-and-national-model-design-code-consultation-proposals/national-model-design-code-accessible-version>

In terms of evidence, paragraph 30 of the National Model Design Code suggests that Local Planning Authorities will need to have an understanding of their area informed by up to date evidence such as characterisation studies or site analyses, with input from the community, to support design coding. The National Model Design Code suggests that Local Planning Authorities may already hold this information, so it is possible that they will not need to carry out further analysis for the purpose of producing a design code.

This Regulation 18b draft D&S DPD primarily draws on a combination of existing material through desktop studies and direct surveys to complete a characterisation of the Borough which is reported in the sections below as context for design decisions. The design principles are consistent with the National Design Guide and National Model Design Code and where appropriate have been re-interpreted by a team of professional designers to have regard to Maidstone context. Material which has informed the approach includes:

- National Design Guide and National Model Design Code;
- Precedents/best practice from other authorities;
- Workshops with Maidstone Borough Council Officers across a range of disciplines and Elected Members to identify relevant design and sustainability concerns/priorities;
- Surveys of the Borough focussing on existing characteristics and areas of concern and success. These are reflected in images illustrating good and poor practice throughout the document;
- Technical topic papers on Biodiversity Net Gain and Sustainable Buildings produced in the context of the specific scope of this D&S DPD;
- Responses to the 18a Issues and Options consultation;
- Conservation area character assessments and management plans. Maidstone has 41 conservation areas to cover areas of special architectural or historic interest. Many of them have up to date appraisals and management plans⁴. These have directly informed the desk-based character study;

[4.Conservation Areas | Maidstone Borough Council](#)

- The Kent Downs AONB Management Plan 2021-2026⁵ ;
- The Landscape Character Assessment Update 2020 of the Kent Downs AONB⁶ ;
- The Kent Downs Area of Outstanding Natural Beauty Rural Street and Lanes: A design handbook, 2009⁷ ;
- Kent Design Guide 2005⁸. Produced as part of a Kent Design Initiative this creates a showcase of buildings, memorable and attractive new places that reinforce Kent's distinctive character. The Kent Design Initiative was a partnership consisting of: Kent's local authorities, developers, builders, communities and interest groups;
- Kent Landscape Assessment, October 2004;
- Various secondary sources, including the Pevsner Guide (Buildings of England series); and
- Building Better Building Beautiful Commission Report and the Government's response⁹ .

Policies suggested within the D&S DPD are also subject to viability testing as part of the Council's wider viability testing for the Local Plan and other DPDs.

5. <https://kentdowns.org.uk/landscape-management/management-plan/>

6. <https://kentdowns.org.uk/landscape-character-assessment-2020/>

7. Rural-Streets-and-Lanes-a-design-handbook.pdf (kentdowns.org.uk) <https://kentdowns.org.uk/wp-content/uploads/2018/04/Rural-Streets-and-Lanes-a-design-handbook.pdf>

8. Kent Design Guide - Kent County Council <https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/housing,-regeneration-and-planning-policies/regeneration-policies/kent-design-guide>

9. <https://www.gov.uk/government/groups/building-better-building-beautiful-commission>

Intentionally Blank

02. The Maidstone Design & Sustainability Approach

2.1 National Context

The **NPPF**¹⁰ is clear that the purpose of the planning system is to contribute to the achievement of sustainable development, which is broadly defined as: *“Meeting the needs of the present without compromising the ability of future generations to meet their own needs”*.

Paragraph 126 of the NPPF states *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*.

Paragraph 134 of the NPPF states that development that is not well designed should be refused permission, especially where it fails to reflect local design policies and Government guidance on design. Conversely, it states that significant weight will be given to development which reflects local design policies and Government guidance on design, taking into account any local design guidance and SPDs which use visual tools such as design guides and codes.

This D&S DPD is consistent with the principles set out in the **National Design Guide**¹¹ and **National Model Design Code**¹², whilst reflecting local character and design preferences. **The National Model Design Code** forms part of the Government’s planning practice guidance and is read as part of the **National Design Guide**, and alongside the planning practice guidance notes referenced in Part 3 of the National Design Guide, **Manual for Streets**¹³, and other forthcoming guidance relating to the natural and environmental characteristics of development. While this guidance is not a statement of national policy the Government recommends that the advice in the guidance is followed.

10. <https://www.gov.uk/guidance/national-planning-policy-framework>

11. <https://www.gov.uk/government/publications/national-design-guide>

12. <https://www.gov.uk/government/publications/national-model-design-code>

13. <https://www.gov.uk/government/publications/manual-for-streets>

2.2 Local Context

Maidstone Borough's Local Plan was adopted in 2017; it currently carries full weight in planning decision-making. It will be updated and replaced, in due course, by the emerging Local Plan Review (LPR) which is currently undergoing Examination by the Planning Inspectorate. The LPR establishes new policies in line with latest national policy, whilst also saving relevant policies from the 2017 Local Plan.

In their respective Spatial Objectives, both the adopted Local Plan and LPR expect high quality design of new development and to protect built, heritage, natural and landscape assets. The LPR expands these expectations by requiring that the distinctive character of the Borough's places is maintained (LPR Spatial Objective 2). It also shifts the focus from mitigating the effects of climate change to adaptation (LPR Spatial Objective 4) and highlights the need for high quality sustainable design and construction (LPR Spatial Objective 11).

On design, adopted Local Plan Policy DM1 (Principles of good design) stipulates that proposals consider accessible and permeable layouts, local, natural and historic character (supplemented by Policy DM4 on development affecting heritage assets), on-site biodiversity and geodiversity, neighbours' amenity, site topography and sustainability interventions, amongst other factors.

LPR Policy LPRSP15 (Principles of Good Design) builds on this adopted policy, requiring a modern design approach with vernacular materials (where appropriate), encourages on-site biodiversity and geodiversity protection and enhancement and adds the requirement for new streets to be tree lined, as well as maximising the provision of trees within proposals. LPR Policy LPRSP14B (The Historic Environment) also emphasizes the importance of positive planning for heritage assets, including in Neighbourhood Plans and through collaborative engagement with developers, communities and decision-makers.

On sustainability, the adopted Local Plan supports sustainably located development (in accordance with the settlement hierarchy), renewable and low carbon energy schemes subject to appropriate siting and landscape mitigation (Policy DM24), enhancement of blue-green infrastructure (Spatial Objective 7) and expansion of sustainable transport modes to improve air quality (Policy DM6). LPR Policy LPRSP14C (Climate Change) maintains these expectations.

On low carbon buildings, adopted Local Plan Policy DM2 (Sustainable design) sets specific thresholds for water, carbon and energy efficiency in new developments, using the Building Regulations optional requirements and BREEAM Very Good standards. While LPR Policy LPRQ&D1 (Sustainable design) maintains similar carbon and energy thresholds, it also promotes a 'fabric first' approach to building construction, tightens the threshold for water efficiency (reiterated by LPR Policy LPRSP14C (Climate Change)), sets an expectation for on-site renewables/ low carbon energy production and battery storage, and requires incorporation of biodiversity features into proposals.

On biodiversity, adopted Local Plan Policy DM3 includes specific requirements on protecting and enhancing the natural environment, including ecological habitats and green infrastructure, long-term maintenance and public access where appropriate. LPR Policy LPRSP14A (Natural Environment) strengthens this approach, by requiring a minimum 20% of on-site Biodiversity Net Gain for proposals.

On open space, Local Plan Policy DM19 (Publicly accessible open space and recreation) sets quantitative and qualitative standards for proposals to provide open space. LPR Policy LPRINF1 (Publicly accessible open space and recreation) maintains similar standards, adding emphasis on designing open spaces to encourage physical activity.

The Maidstone Public Realm Design Guide provides detailed guidance on public realm including parks, streetscene and street furniture. This document will be updated, and all relevant applications should take it into consideration.

2.3 The Value of Good Design

The history and culture of a nation are written in its buildings, public spaces, towns and cities. Through their design and how we live our lives in them, we recognise what is special about our society and communities. Every new building and public space is an expression of our values and aspirations. The built environment is a cultural asset. It is essential to design it well and to manage and maintain it to high standards. (CABE – Good Design)

Delivering great places to live and work benefits both people and the environment. Good design does not necessarily cost more but will deliver desirable places to live and work, places that last and retain their quality for generations. Importantly it contributes social value by producing safe and inclusive places that boost civic pride, it improves environmental sustainability by reducing emissions and enhancing biodiversity, and brings long-term benefit through the longevity and resilience of development. Good design has also been proven to positively benefit the health of the people who inhabit them – both physically and mentally.

Setting the exemplar design and sustainability standards for new developments will create a lasting legacy with a tangible benefit to the quality of life of the people who live, work and visit the Borough. High quality planning, urban design and architecture is fundamental to achieving the objectives of the NPPF and creates places that are popular and attractive – ultimately, where people want to be. A well-designed place will:

- Enhance its surroundings, through being attractive and distinctive;
- Have recognisable and well-defined streets, framed by buildings and boundaries elements that are in proportion and appropriate to their surroundings;
- Increase biodiversity and green infrastructure that contributes to wellbeing and climate adaptation and mitigation;
- Provide open spaces that are safe, social and welcome all;
- Encourage people to use active travel modes, such as walking and cycling, as well as promoting a sense of community;
- Minimise impacts on the environment and climate in terms of construction and operation; and
- Be of a quality that ensures resilience and longevity of buildings and places¹⁴.

14. Adapted from the National Design Guide, 2019 <https://www.gov.uk/government/publications/national-design-guide>

2.4 Maidstone's Priority Outcomes for Good Design

The National Planning Practice Guidance advises that planning policies may set out the design outcomes that development should pursue as well as the tools and processes that are expected to be used to embed good design. Maidstone Borough Council has identified the following priority outcomes:



Placemaking

Ensure that within Maidstone Borough we deliver attractive and distinctive places within which people want to live, work and play, creating safe and secure, lasting places and neighbourhoods where people of all ages want to spend time and which foster a sense of pride.



Streets & Buildings

Ensure that new development in Maidstone Borough is of a high quality with a legible hierarchy of distinctive, safe and easy to navigate streets and public spaces that create identity and character and which encourage sustainable movement. Both new and enhanced streets and spaces shall provide a positive setting of buildings.



Open Space and Nature

Ensure that development in Maidstone Borough takes the opportunity to integrate a network of green spaces and both green and blue infrastructure at every scale of design, and that these make a genuine, significant and lasting contribution to the creation of new habitat and net gain of biodiversity, the causes and effects of climate change, and the health and wellbeing of communities.



Movement

Ensure that Maidstone Borough is delivering a connected network of streets that prioritises journeys by active and sustainable transport modes, whilst allowing the use of streets for essential private vehicle movements. Maidstone's streets should be attractive and safe for all users with a clear and legible movement hierarchy of primary, secondary and quiet streets.



Sustainable Buildings

Ensure that new development in the Maidstone Borough is delivered with net-zero carbon, and that buildings are able to mitigate the effects and adapt to the rapidly changing climate.



Design Quality

Ensure the delivery of great buildings and landscapes that are robust and adaptable enough to stand the test of time, enhancing the Borough's identity. This includes new homes that have sufficient space to allow for a good standard of living and meeting the needs of current and future lifestyles. High quality and robust materials should be used that ensure developments have a long lifespan.

What this document can't control, but which may influence the planning and design of development proposals includes:

- Building Regulations, including, for example, standards for insulation or energy use/management;
- Retrofit and renovation where no 'development' takes place that requires planning permission;
- Agricultural practices; and
- Environmental/land management.

2.5 Demonstrating a Design-Led Approach to Development

The NPPF recognises that a design-led approach to developing proposals is key to achieving exemplar sustainable development. Maidstone Borough Council will seek evidence from applicants that they have appropriately considered their scheme in the wider context in which it sits. This D&S DPD not only sets out the policy requirements for the design and planning process, but also provides the cues that applicants should look for and respond to from the local context to ensure that new development adequately responds to its built and natural environment. In practice a design led approach is likely to be iterative, but the key stages are set out below:

a) Observe and Understand: Where/what are the built and natural features of the site, its setting, its connections and the patterns that define its context ? Describe the significance of such and the sensitivities that will need to be addressed. The National Design Guide identifies a number of considerations, any assessment should consider but not be limited to the following:

The existing pattern and form of development, for example, urban grain, layout and scale; as well as details such as appearance and materials;

- Local heritage and cultural influences;
- Landform and topography, including key views and intervisibility;
- Landscape character, biodiversity and ecology;
- Land use and function, including deficiencies;
- Networks, access and movement, including barriers and opportunities;
- Environmental conditions such as noise, air quality, flood risk and microclimate; and
- Social and economic conditions and other infrastructure provision/deficiencies.

- b) Analyse:** Why are these characteristics, patterns and sensitivities important, how do they affect the site and what is their sensitivity to change?
- c) Interpret:** How will these contextual features, characteristics or connections influence the design? Develop strategies to respond to the patterns and sensitivities of the site.
- d) Propose:** What is the framework and form of the proposed development? Illustrate the vision and structure of the proposal and demonstrate how it has been informed by, and responds to, the robust interpretation of the uniqueness of the site. Demonstrate how new development both protects and enhances positive aspects of local identity.

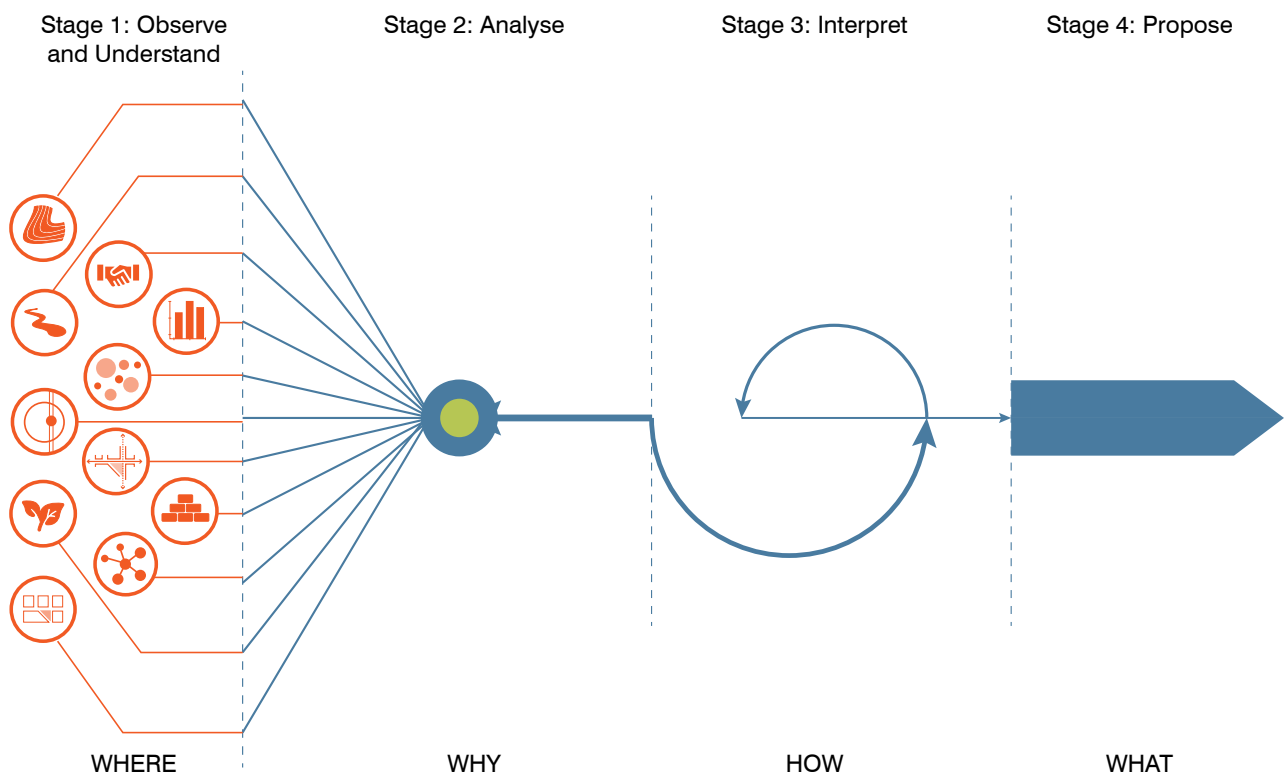


Figure 3: Diagram design methodology

2.6 How to Use This Document

This DPD has been developed to ensure that there is a place-based approach to the application of non-spatial policies to ensure that there is a consistently high quality of design throughout the Borough that relates to its varying local contexts.

In Part 3 of the document the key components and characteristics of Maidstone's places are described to provide a basis for applicants to develop their proposals, in response to the specificities of its location. This is intended to provide the key design cues and forms a baseline of information for proposals to respond to.

Part 4 sets out the requirements of development in the Borough of Maidstone and applicants should demonstrate how they have complied with all relevant policies that apply to their proposals. These requirements are (generally) non-spatial in their wording so where a policy refers to a response to local character, applicants should refer to the information in Part 3 that will inform the design development of their proposal.

In practice it is expected that through an iterative design process, and the development of Design and Access Statements, applicants will develop their own analysis of place, and demonstrate how proposals respond to this analysis. Therefore there should be a dynamic link between the characteristics in Part 3 and requirements in Part 4. The level of analysis and design iteration that accompanies a proposal should be proportionate to the scale and impact of the development.

Intentionally Blank

03. Maidstone's Places

3.1 Approach to Characterisation of Maidstone Borough

Maidstone is a diverse Borough, containing within it the vibrant County Town of Kent with its wide range of uses, surrounded by the wider urban area, as well as a network of rural settlements around which are scattered farmsteads and hamlets. It is extremely important that new development is woven into the existing fabric of a place, and integrates well with the existing streets and settlements.

The Borough's settlements vary in scale, function and prominence, as set out in the Maidstone Borough Settlement Hierarchy Study, and as such the spatial development strategy set out in the Local Plan Review distributes the majority of future housing growth in four broad types of location:

- Maidstone town centre;
- Maidstone wider urban area;
- Edge of larger rural service centres; and
- Two new Garden Settlements.

In the broadest sense, the character of the County Town of Maidstone is defined by its scale and urbanity particularly in the town centre, where its sub-regional function defines, for example, the scale of buildings, intensity of uses and associated activity. Practically, this means that you intuitively know you are in a large town as buildings and human processes have shaped all the elements in your foreground and midground experience. This urban character softens towards the edges of the urban area where development becomes lower in scale and density, with a suburban character and activity becomes lower intensity. The urban area also contains a number of natural assets, such as, for example, The Rivers Len and Medway, Mote Park and other local open spaces.

Beyond Maidstone Urban Area, the character of other settlements is defined by their relationship to the landscape and countryside beyond their edges. This has produced strong historic and cultural relationship between people and place in these areas. Practically this means that you intuitively know you are in a rural character settlement as natural features predominate in the midground of your experience, even if built features dominate the foreground of your experience. They vary from the larger villages that are defined as Rural Service Centres to smaller villages and hamlets that have no defined boundary. Each village possesses its own unique characteristics and form.

The planned edge of centre greenfield site and the new gardens settlements differ in that they do not possess existing urban characteristics but do have a strong relationship with their adjacent countryside. For these sites, new development must have regard to their transitional setting, demonstrating how development will be stitched into the adjacent development areas, whilst providing a sensitive edge to the countryside.

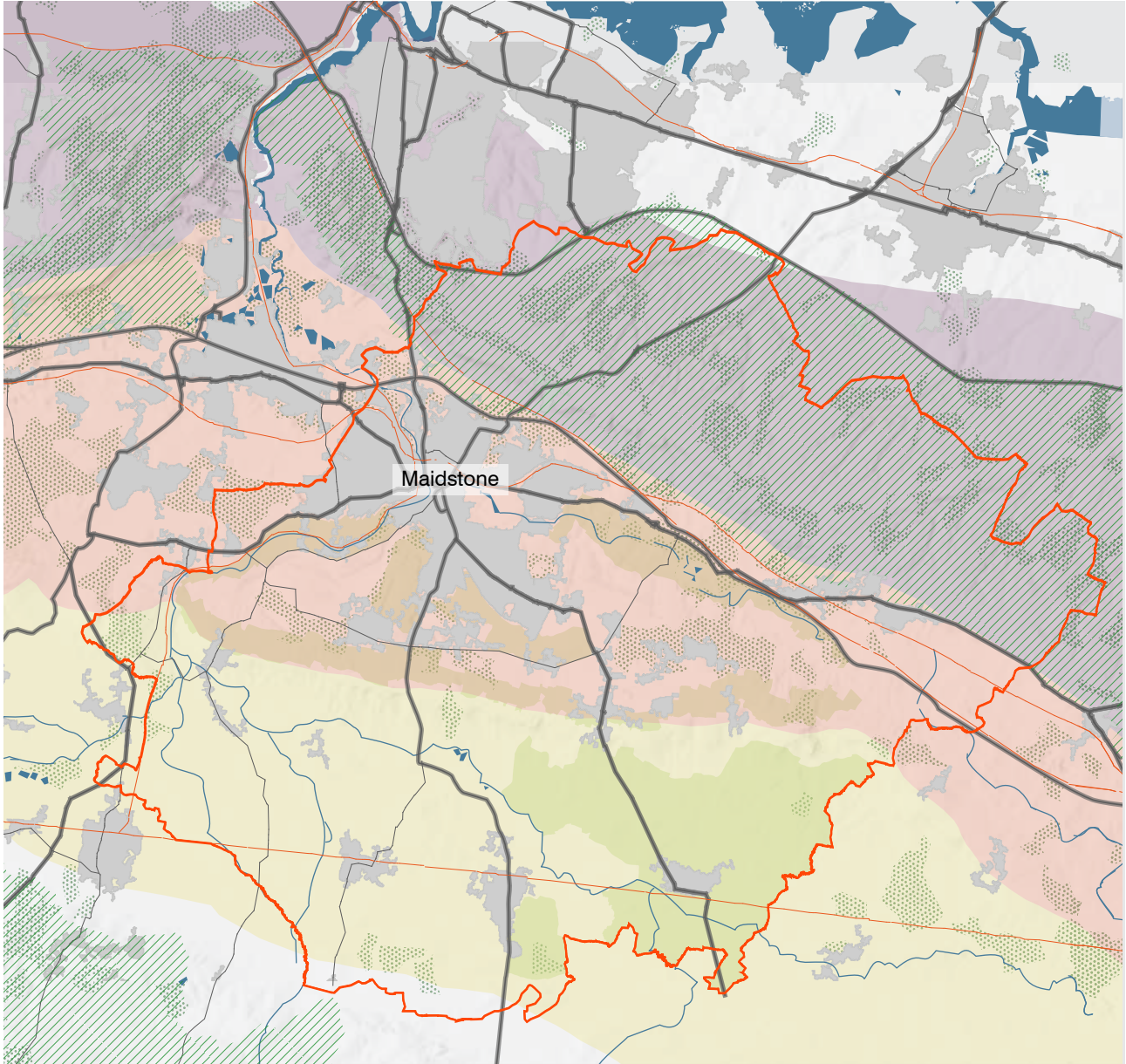
For the two planned garden settlements, the challenge is diverse. They represent an opportunity to start place-making from the very beginning, creating new places and identities, uses and connections; whilst ensuring that they are sensitively designed to take account of their wider rural setting and any existing built development that they will accommodate.

The following area characterisations describes at a high level the setting and some of the key features that define the character of these locations. Proposals that come forward, must be supported by a finer grain of contextual assessment that has regard to the particular characteristics of an individual site and its setting.

For the purpose of reviewing the settlements which lie outside of the urban area we have used the three National Landscape Character Areas as defined by Natural England, which are:

- Wealden Greensand
- North Downs
- Low Weald

These character areas do not necessarily reflect administrative or Parish boundaries, but assist in grouping villages by their key vernacular and landscape characteristics, which should form the basis of design cues when developing proposals.



- | | | |
|------------------------------|------------------------------------|-------------------------------------|
| — Major Roads and Motorways | Greenbelt | National Landscape Character Areas: |
| — Maidstone Borough Boundary | Landscape of local value | Wealden Greensands |
| — Built Up Area | Woodlands | North Downs |
| | Area of Outstanding Natural Beauty | Low Weald |

Figure 4: An overview of Maidstone Borough boundaries, Character Areas and Area of Outstanding Natural Beauty

3.2 Maidstone Town Centre

This section uses the town centre boundary as defined in Policy SP4 of the adopted Maidstone Borough Local Plan¹⁵, which the Local Plan Review does not seek to change. The limits of the town centre are broadly defined by the Maidstone East rail line and Prison / Maidstone east sites to the north, the secondary commercial edge of the conservation area and A249 highway to the east and south and the Maidstone West/Barracks rail line to the west.

Within these infrastructure boundaries, the town centre is distinguished by its historic fabric, much of which dates back to Medieval times, civic and civil functions such as Sessions House and Maidstone Prison function proximity to the River Medway and River Len.

The townscape is varied, both in terms of scale and quality, ranging from fine grain Victorian streets and much older Burbage plots, to large scale C20th developments. There are relatively few tall buildings within the urban area. Maidstone is intersected by the River Medway and the River Len, which flows into the Medway in the town centre. The Medway is a significant asset for leisure activities and is an opportunity to enhance the setting of new development; whilst the smaller scale Len is more vulnerable to development impacts. Both river corridors represent significant ecological assets that require protection and enhancement.

There are relatively few public green spaces of civic spaces of a significant scale. In particular, the River Medway corridor is recognised as a key natural landscape feature, providing a contrast to the urban townscape. However, its setting is underutilised and is dominated by highway infrastructure. Commercial sites to the west of the river do nothing to engage with its setting. Within the Town Centre, the River Len is lost below large scale developments, until emerging at the Mill Pond as it joins the Medway.

15. Maidstone Borough Council (2017). Maidstone Borough Local Plan, pp. 30-39. Available at: https://maidstone.gov.uk/_data/assets/pdf_file/0005/171149/Local-Plan-v2-November-2017.pdf [Accessed on 25/01/2023]

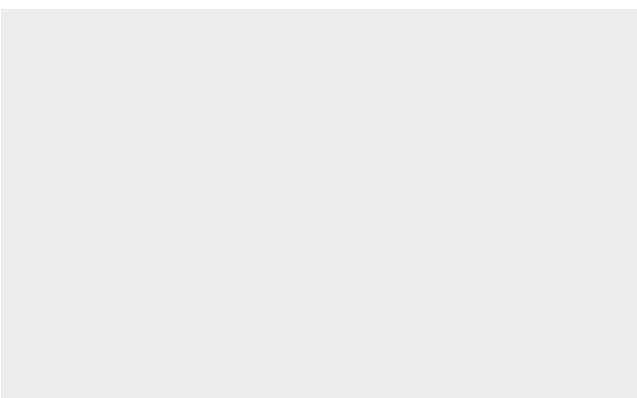
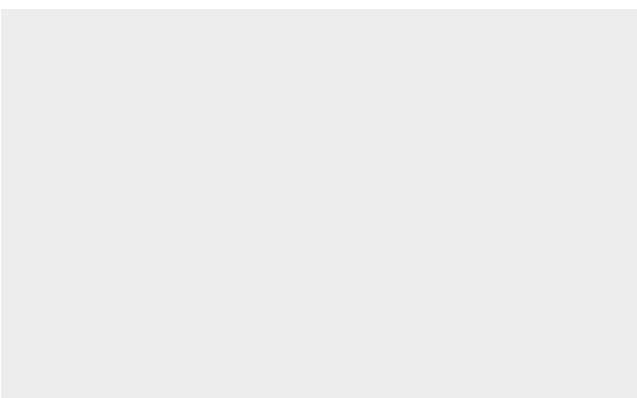
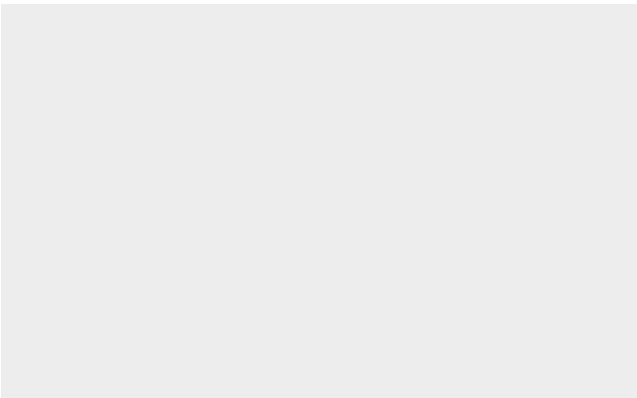
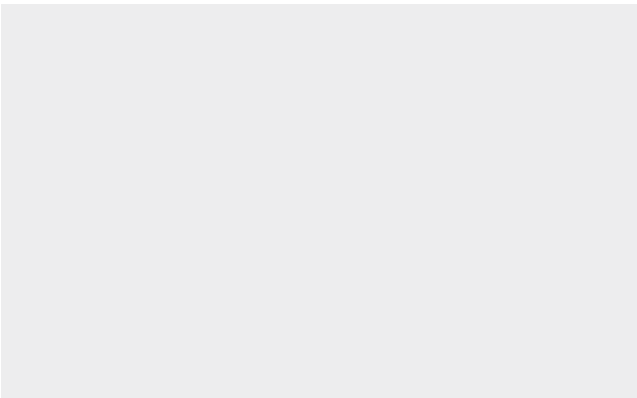
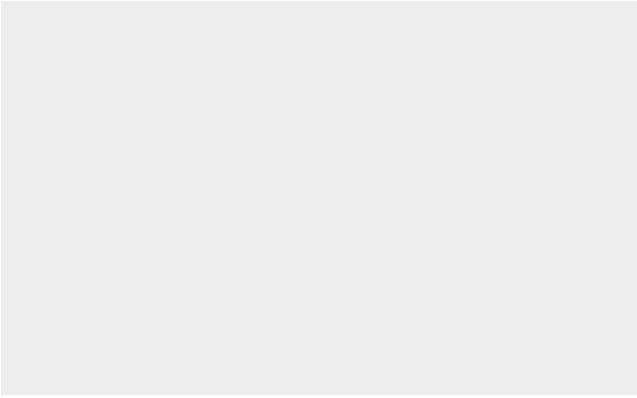
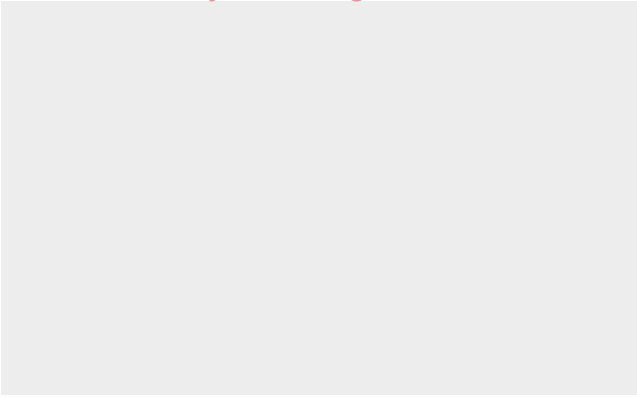
The core area of the town centre contains Maidstone's primary shopping area, which is tightly defined along Week Street and the two anchors of the Fremlin Centre and The Mall.. It contains a mix of major and independent retailers occupying both modern and older properties, including some listed buildings and the High Street Conservation Area. However, the commercial and retail functions of the Town Centre extend significantly beyond the defined core retail area, in particular along High St/Bank Street, where the urban grain and scale of uses is strongly influenced by built heritage.

The western area of the town centre (across the A229 dual carriageway and the River Medway) accommodates large modern retail, leisure and commercial units, alongside the listed former St Peters Church to the south Baltic Wharf to the north. These modern retail uses are land hungry, with extensive areas of surface car parking and are identified as an opportunity for redevelopment in the Local Plan, and will be assessed in the on-going Town Centre Strategy

The north area of the town centre (beyond the Maidstone rail line) comprises larger scale development, including the listed County Hall and Prison, both significant features in the civic development of the County town; together with the more modern red brick Invicta House and other office uses. The Maidstone East site includes a sizeable area of car parking and is generally underutilised, reflected in its designation as an 'Opportunity Site'.

While hop growing predominated in the vicinity of Maidstone town historically, this is now much diminished, although as detailed below, changing patterns of agriculture have had a significant impact upon the setting of its surrounding countryside. Similarly, much of the industry that was focussed upon the river corridors, such as engineering, brewing, tanneries and paper making has long gone, with relatively few remaining buildings to remind of that stage of the town's history.

Photo Survey On-Going



The town centre's historic features also notably include the Medieval cluster including ragstone Grade I listed Archbishop's Palace, Grade I listed All Saints Church and Scheduled Monument, College of All Saints. These form the "visual heart of the town" by the River Medway, albeit the adjacent A229 dual carriageway somewhat disrupts their setting.

Notably, the town centre is tightly bound by predominantly residential Victorian / Edwardian predominantly residential streets.

The town centre hosts activities typically associated with Maidstone's function as the County Town (as formalised in adopted Local Plan Policy SS1) and as an administrative centre. This includes key public bodies, including the County and Borough Councils, Kent Police and the HM Prison Service. There are also many financial and professional businesses, which make substantial contributions to the local economy. Additionally, the primary shopping area is a significant destination locally. It is interspersed with cultural attractions, such as Hazlitt Theatre and Maidstone Museum, and night-time entertainment, including restaurants and bars.

Maidstone town centre is served by three train stations, namely Maidstone East (to the north), and Maidstone Barracks and Maidstone West (both on the west town centre boundary). The town centre is also intersected by the A229 and A249, which connect to the M20 and M2, but notably result in significant 'through traffic' within the town centre. Both the roads and the associated traffic have a significantly adverse impact upon the character and appearance of the town centre and generate adverse environmental conditions through, for example, noise and air quality impacts. They are also feature which sever the town centre and impact upon pedestrian permeability into the town centre.

With its good accessibility to London and the wider sub-region, this generates significant pressures for growth, particularly housing. Similar to towns such as, Ashford and Folkestone, Maidstone expanded significantly in the 20th century to accommodate commuters, coinciding with notable expansion of the urban area and degradation of the urban fringe landscape.

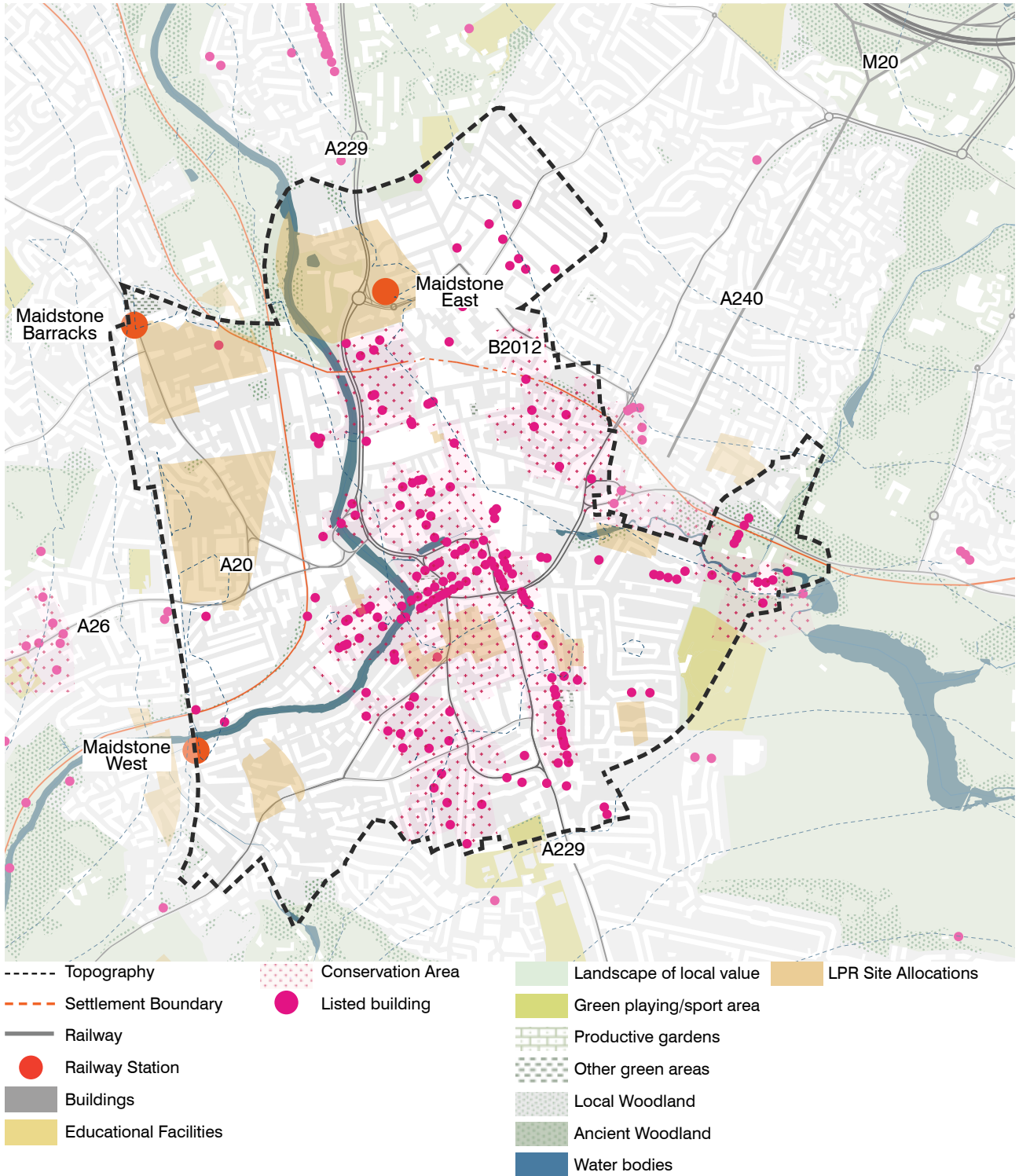


Figure 5: Plan of Maidstone Town Centre_1:15,000



3.3 Maidstone Urban Area

This section refers to the built-up area of Maidstone, defined as the area outside the identified town centre boundary and within the urban boundary, as per Policy SP1 of the adopted Maidstone Borough Local Plan¹⁶.

Maidstone's urban area has grown along the main radial routes, extending from the town centre into the countryside via the A249 and A229 (north and south), A20 (east and west) the A26 (west) and . Visual connections to the countryside are still permitted in views from some locations, particularly towards the Medway Valley to the south east, the Loose valley to the south, the North Downs to the north and east and the Greensand Ridge to the south.

The setting of Maidstone comprises both coherent natural landscapes unified by regular patterns of natural and historic features, alongside fragmented landscapes impacted by peripheral urban development, including infrastructure, leisure facilities and housing.

Topography has a significant impact upon the character and quality of the surrounding landscapes, whilst also defining much of the setting of the town. There is a strong interaction between for example, development within the urban area and the setting of the North Downs Ridge, whilst to the south the significant rise towards the Greensand ridge is a defining feature in the townscape. The town centre's low-lying setting within the river valleys again creates a strong visual relationship between town centre and surrounding landscapes.

In terms of natural features, Maidstone's hinterland typically contains a mix of orchards, sweet chestnut coppices, mixed woodland blocks, parkland estates and arable land. Field patterns and sizes vary, given some have been adapted for intensive farming or disrupted by urban development. In a few locations, there are small pockets of willow trees.

Almost all landscapes around the Maidstone urban area are impacted by urbanising influences to a greater or lesser extent, including in views, where infrastructure has intersected natural landscapes and where there is, for example, dispersed recreational or commercial development. In some locations, the loss of habitats and historic field boundaries as a result of changing agricultural practices has diminished the sense of place and quality of landscape.

Lower rise, low-medium density housing predominates, as built throughout the 20th century. This resulted in villages being subsumed into the urban area, including Bearsted and Tovil. The largest purpose-built housing estate lies to the south-east, namely Shepway.

The urban area is pepper potted with buildings of historical and architectural merit, juxtaposed amongst the more modern residential

16. Maidstone Borough Council (2017). Maidstone Borough Local Plan, p22. Available at: https://maidstone.gov.uk/_data/assets/pdf_file/0005/171149/Local-Plan-v2-November-2017.pdf [Accessed on 26/01/2023]

development. To the west, there is a cluster of 19th century dwellings in the vicinity of London Road and Bedford Place, comprising a series of large detached villas and the grandiose palazzo style Rocky Hill Terrace.

To the south, there are clusters of Victorian and earlier buildings around the junctions of Loose Road with Paynes Lane, Boughton Lane and Sutton Road, associated with the town's historic industries including ragstone mining. These clusters expanded in the 20th century, with the establishment of a tram route, to form ribbon development along the length of Loose Road. Modern development has deepened the ribbon development along Loose Road, albeit avoiding the steeper river valley slopes.

The urban area also contains late medieval remnants, including Little Buckland Farm Cottage by Whatman Park and the Old Farm House on Chatham Road, both considered to be Wealden hall houses. Additionally, there are historic mill buildings, including Turkey Court and Mill to the south and Springfield Paper Mill on the River Medway to the north.

Among the most distinctive features in the vicinity of Maidstone, the River Medway valley establishes a consistent geographic reference. From vantage points to the south-west of Maidstone, there are expansive views across the valley, its undulating topography and orchards. These views are more limited to the river valley north of Maidstone as it is more enclosed, although wider views of the North Downs are permitted from higher ground. The setting of the river is highly urbanised as it passes through the Town Centre, however, its current setting is adversely affected by, for example, highway infrastructure and uses that do not engage with the waterway either physically or visually.

The rivers have had an impact upon both the historical and future pattern of development as, within both the urban area and villages and countryside, there are extensive areas that are liable to and do flood.

Parts of the north and east areas of Maidstone's hinterland lie within the Kent Downs Area of Outstanding Natural Beauty (AONB) and to varying degrees contribute to its setting. These areas comprise coherent landscapes of agricultural fields, narrow lanes, historic villages (including spring line settlements) and farmsteads. (The AONB Management Plan provides a detailed characterisation assessment, which is not repeated here.)

Geology is a defining characteristic and the distinctive North Downs scarp features in many views towards, over and from the both the urban area and villages. There are extensive views both southwards and northwards from the scarp, the latter including views of the Thames Estuary.

Additionally, from Eyhorne Vale, there are extensive panoramic views, both of higher wooded landscapes to the north and of the Greensand Ridge from the Pilgrim's Way. From the Greensand Ridge itself, there are extensive views, again both to the north and south, the latter offering expansive views across the landscape.

Rural valleys and large historic parks intervene the urban townscape, most notably the sizeable Mote Park to south-east Maidstone. On the River Len, the Park contains a large serpentine lake and other leisure facilities. The 20th century Invicta Park Barracks also comprises extensive grounds and historic buildings and landscape and is situated on the northern edge of Maidstone.

The urban area of Maidstone also comprises a varied mix of housing, shopping and community facilities, as well as accommodating different businesses. These range from sporadic uses located throughout the wider urban area, to the two district centres in the urban area; Mid Kent Centre to the north-west and Grovewood Drive to the north-east. There are also thirteen local centres distributed across the urban centre, particularly in the east and south.

The Sutton Road corridor has an established commercial presence, with in particular the ParkWood industrial area being a significant employment location. Southeast Maidstone has also seen significant residential growth over the past decade.

To the northwest are the established 20:20 Business Park and Aylesford Industrial Estate, which benefit from close proximity to M20 J5; whilst north east of the town, adjacent to M20J7 are the Eclipse business park, which contains a range of office, retail and leisure uses and the Kent Medical Campus.

There is one train station within the urban area boundary, namely Bearsted on the north-eastern edge of Maidstone. The urban area is intersected by various roads, including the A20, A26, A229 and A249 and minor roads with connections to the surrounding villages.

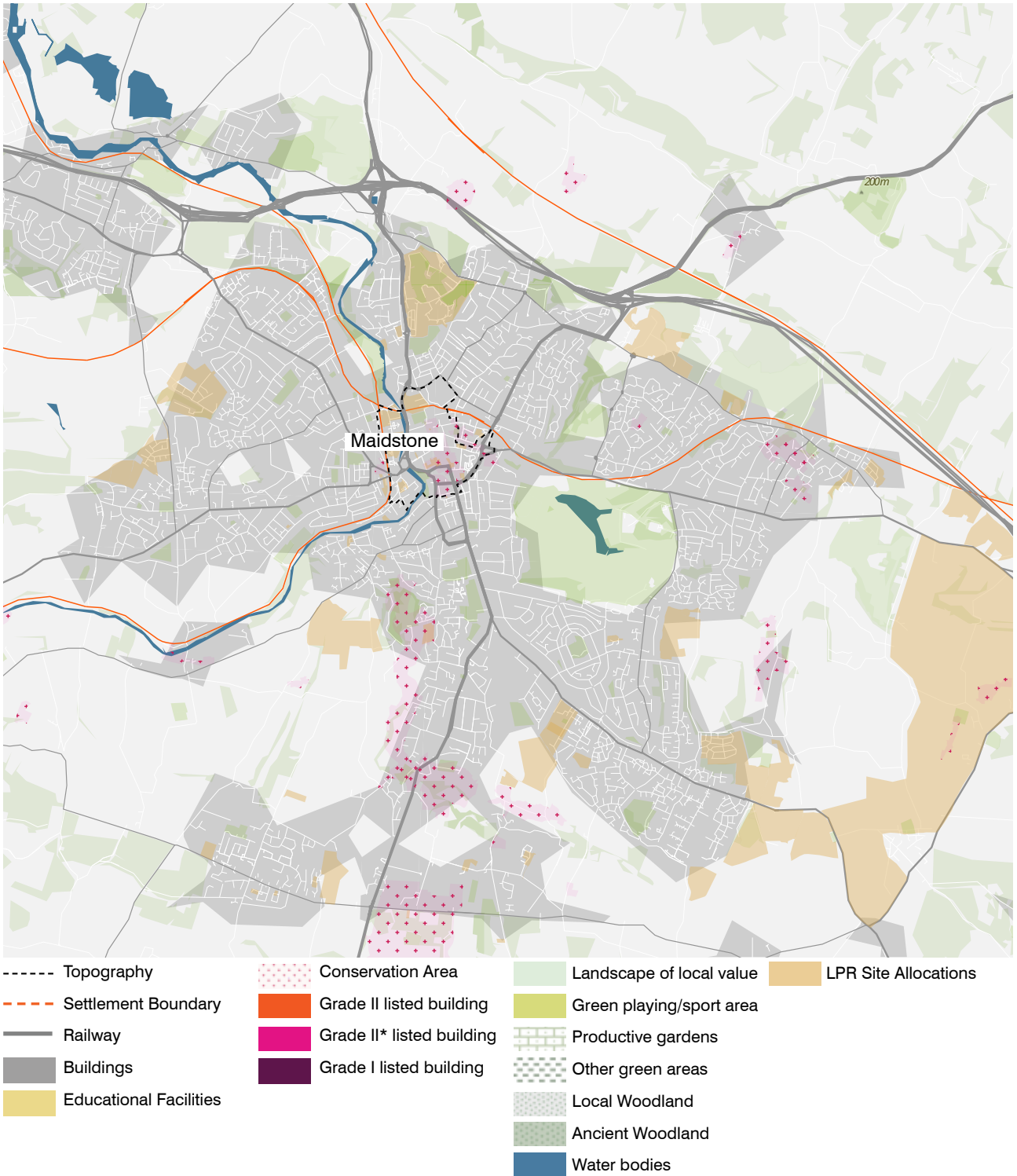


Figure 6: Plan of Maidstone Urban Area_1:300,000



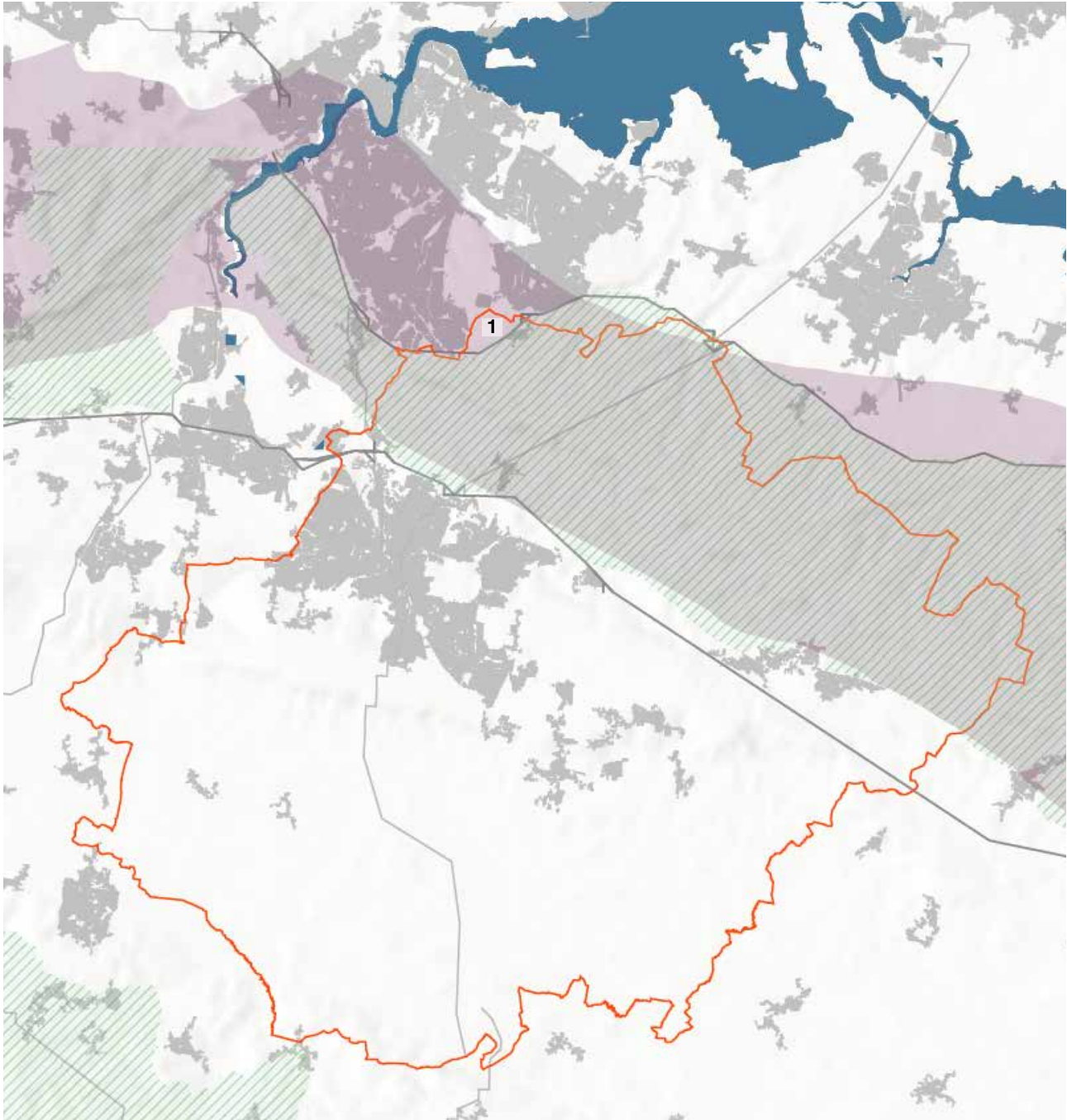
3.4 Villages in the North Downs

The North Kent Downs Landscape Character Area covers the northern part of the Borough and beyond, and contains the Kent Downs AONB within it. The landscape character has formed where a chalk bedrock forms the northern edge of the Medway basin and Wealden Greensand landscapes. The northern and central part of this LCA is designated within the Kent Downs AONB, defined by its highly valued woodlands, wooded hedgerows, parklands, and pastoral scenery. The most distinctive feature of the Downs landscape in Maidstone Borough is the distinctive chalk scarp which presents a steep south facing slope from which dry valleys flow (bournes) and hollow bowls have been formed (coombes). The scarp provides extensive views across the Borough and is a prominent visual element from across the Borough.

The northern part of the LCA is characterised by dry valleys that slope from the more prominent higher landscapes and interacts with the edges of the Medway towns. The southern part of the landscape character area is encompassed by Gault Clay Vale. This is situated at the foot of the North Downs chalk scarp, and so benefits from many panoramic views, albeit disrupted by the urbanising influence of Maidstone and neighbouring major infrastructure corridors. The landform is undulating and comprises numerous spring lined settlements and farmsteads. Large arable fields predominate, demarcated with species rich hedgerows and mixed ancient woodland blocks with hazel, ash and areas of coppice.

The settlement pattern in the North Downs, particularly in the Area of Outstanding Natural Beauty, is that of scattered farms, barns and oasts - some of which have grown over time to form small, nucleated villages at the foot of the scarp. The settlement pattern on the top of the scarp is even sparser, which contributes to its remote and tranquil character. These villages and hamlets are traditionally linked along strong primary routes which run perpendicular to and up main slopes, until the gradient becomes extreme and the route switches back on itself. Routes following contours tend to be secondary.

Characteristic ancient connections interact with the landscape in the form of holloways or dense vegetation such as tall hedgerows. The landscape is also criss-crossed with ancient paths, drove roads and trackways (which are often sunken). These paths include the North Downs Way, a ridgeway route which partly follows the Pilgrims' Way and is now a National Trail. Additionally, there are many historic defensive features including castles, hill forts, WWII installations and traditional parklands from the 18th and 19th centuries.



- Built up Area
 - Maidstone Bourugh Boudnary
 - North Downs National Landscape Character Area
 - Area of Outstanding Natural Beauty
1. Potential Lidsing Garden Settlement

Figure 7: Plan of North Downs



3.4.1. Potential Lidsing Garden Settlement

On the north-west Borough boundary, beyond the boundary of the North Kent Downs Area of Outstanding Natural Beauty, Lidsing Garden Settlement has been identified as a potential strategic allocation in Maidstone's recent Regulation 18 'Preferred Options' Local Plan Review consultation. The main component of the strategic location lies within the North Kent Downs landscape character area but outside the Area of Outstanding Natural Beauty.

Lidsing contains an irregular pattern of clustered built form along Lidsing Road, partly screened by a deep buffer of vegetation. Three of the four clusters lie to the east side of Lidsing Road and appear to comprise light industrial and agricultural buildings, interspersed with a few dwellings.

At the settlement centre, the most distinctive built feature is The Harrow Inn public house, of traditional architecture and with two gable ends fronting Lidsing Road. To the west of The Harrow Inn, there is an area of ancient and semi-ancient woodland.

The potential Lidsing Garden Settlement lies where the chalk escarpment gradually descends northward, in an area known as Bredhurst and Stockbury Downs. It is largely characterised by open, expansive and rolling downland, thrown into relief by ancient woodland (including oak, ash and maple species) and shaws.

This masks the regular rhythm of dry valleys, which accommodate chalk grassland and grazing. Where there is more level ground, arable agriculture predominates. Additionally, there are extensive drifts of clay with intervening flints. Development is generally limited to a few small villages, isolated farmsteads and narrow winding lanes.

Overall, the Bredhurst and Stockbury Downs does not display a distinctive field pattern, prevailing type of agriculture or strong network of hedgerows and woodlands. Additionally, where the existing Lidsing settlement is situated, there is a combination of suburban development and woodland. The M2 motorway corridor also demarcates the Kent Downs AONB boundary to the south, although views of this are mitigated by the road being partly set down within the landscape.

Lidsing contains an irregular pattern of clustered built form along Lidsing Road, partly screened by a deep buffer of vegetation. Three of the four clusters lie to the east side of Lidsing Road and appear to comprise light industrial and agricultural buildings, interspersed with a few dwellings.

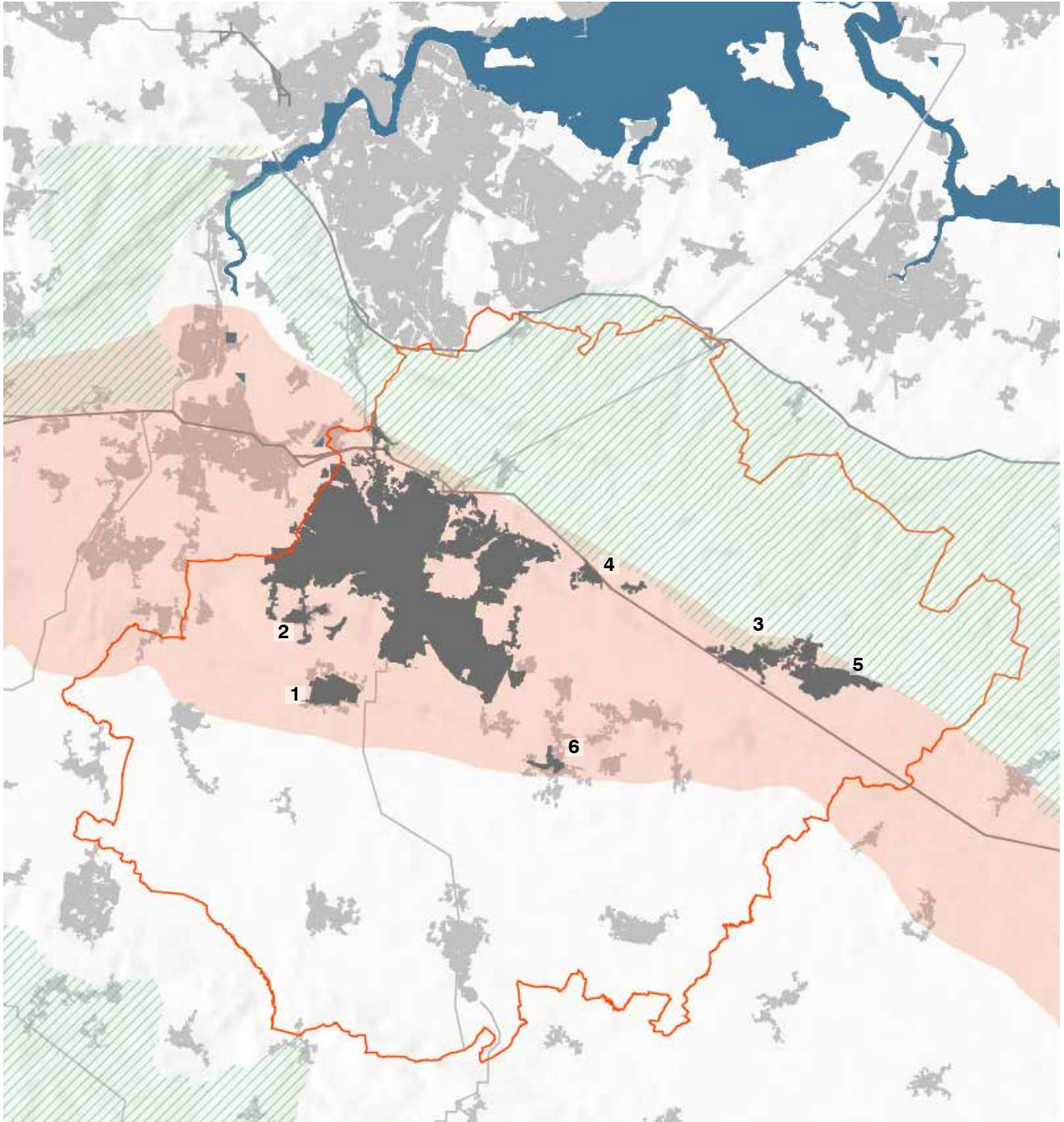
At the settlement centre, the most distinctive built feature is The Harrow Inn public house, of traditional architecture and with two gable ends fronting Lidsing Road. To the west of The Harrow Inn, there is an area of ancient and semi-ancient woodland.

3.5 Settlements in the Wealden Greensand

The wider Wealden Greensand character area forms an arc between the North and South Downs, extending north-eastwards from Surrey into Kent and eastwards across to the coast at Folkestone. Within Maidstone it essentially covers the area to the east of the town, north of the Greensand Ridge and extends along the A20/M20 corridor.

It is characterised by scarp-and-dip slope topography, giving rise to an undulating landform, with long views afforded from prominent scarp summits. It displays a notable diversity in character including extensive areas of woodland, and acid grasslands, parkland landscapes and a mix of agriculture. The area's geology has also informed building vernacular, for example, with locally sourced Ragstone featuring, including in many built heritage assets. The settlement pattern is typified by dispersed villages, hamlets and farmsteads, with some larger houses and parkland grounds.

The east part of the Wealden Greensand landscape has a gentler and more open aspect, containing less woodland than further west and more mixed agriculture, including orchards and arable fields. Farming is the predominant commercial activity and in many areas has resulted in the traditional small/medium sized field pattern being opened up as farming operations modernise and scale-up.



- | | | |
|---|---|-------------------|
|  | Built Up Area | 1. Coxheath |
|  | Maidstone Borough Boundary | 2. East Farleigh |
|  | Wealden Greensand National Landscape Character Area | 3. Harrietsham |
|  | Area of Outstanding Natural Beauty | 4. Hollingbourne |
| | | 5. Lenham |
| | | 6. Sutton Valence |

Figure 8: Plan of Wealden Greensand

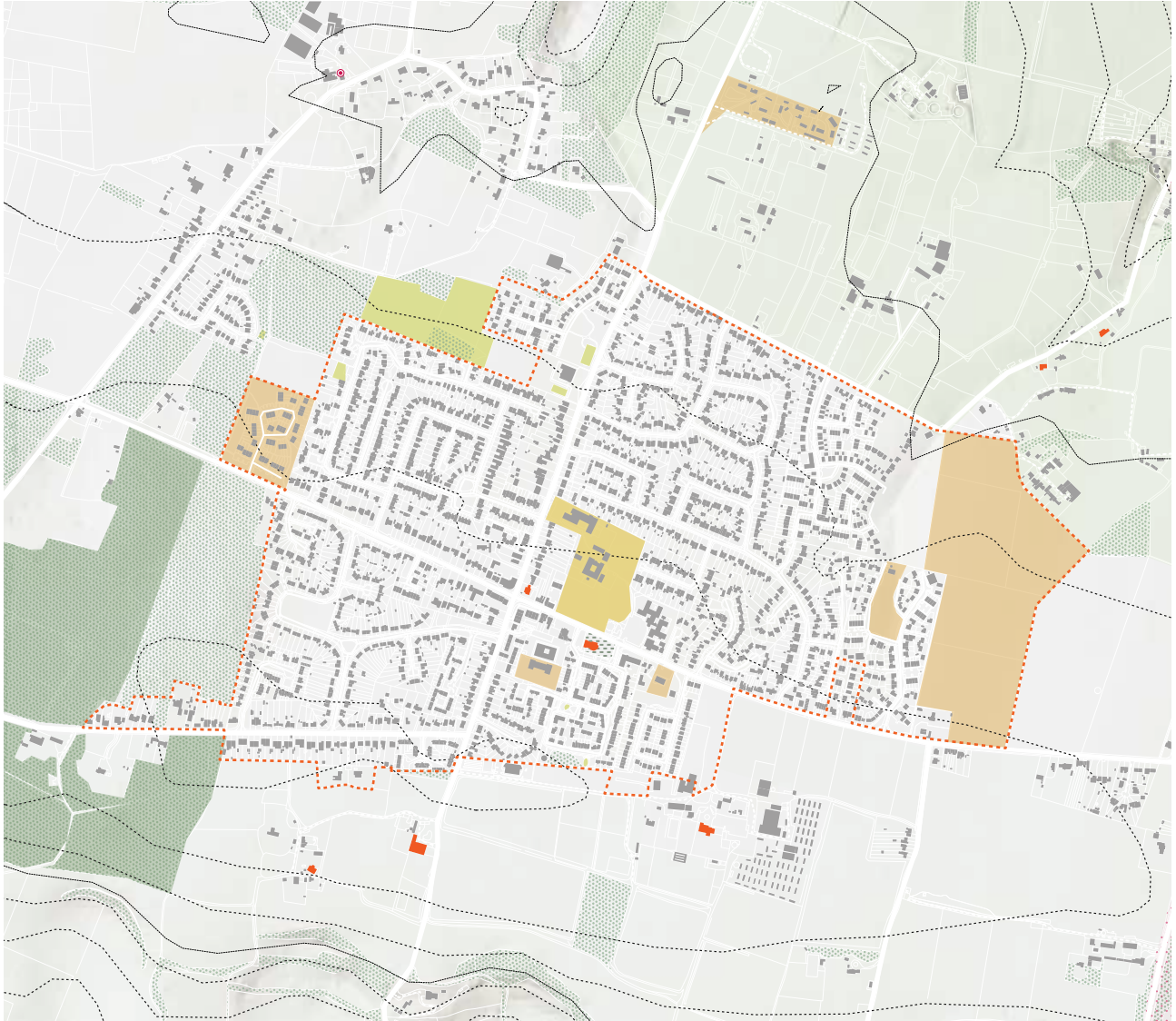


3.5.1. Coxheath

To the south/south-west of Maidstone, the village of Coxheath lies to the east part of the Coxheath Plateau, above the Greensand Ridge. Coxheath is identified in the Borough of Maidstone's Local Plan Review as a Rural Service centre, with services including a school, nursery, place of worship, community hall, library, recreation facilities and a bus service. There are also onward highway connections to the A229 highway.

The Coxheath Plateau's natural landscape is distinguished by orchard blocks and poplar shelterbelts, providing a traditional small scale enclosure pattern, albeit interspersed with some minor commercial development. However, to the south on the south facing scarp, substantial areas of polytunnels detract from the overall quality of the local landscape.

There are substantial swathes of woodland, including ancient woodland and sweet chestnut coppices, providing habitat for several small mammals and birds. This includes Amsbury Wood and Quarry Wood to the west of Coxheath, the latter of which is designated as a Local Wildlife Site. The woodland restricts long views, apart from vantage points in the north Plateau, where there are panoramic views of the Medway Valley and North Downs, and in the south Plateau, where there are long views across the Low Weald.



- | | | | |
|-------------------------------|------------------------------------|--------------------------|----------------------|
| ----- Topography | Conservation Area | Landscape of local value | LPR Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| Buildings | Grade I listed building | Other green areas | |
| Educational Facilities | Area of Outstanding Natural beauty | Local Woodland | |
| | | Ancient Woodland | |
| | | Water bodies | |

Figure 9: Plan of Coxheath_1: 20.000

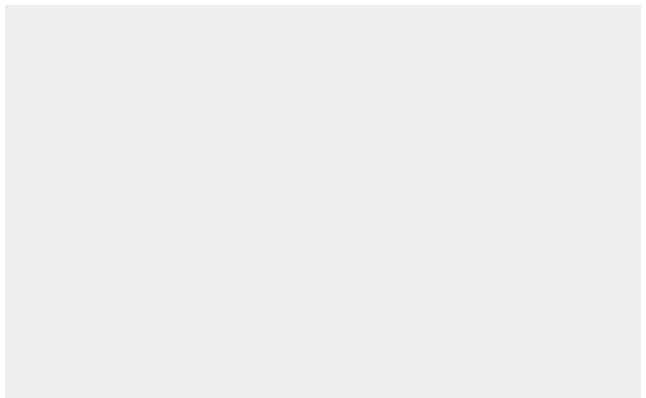
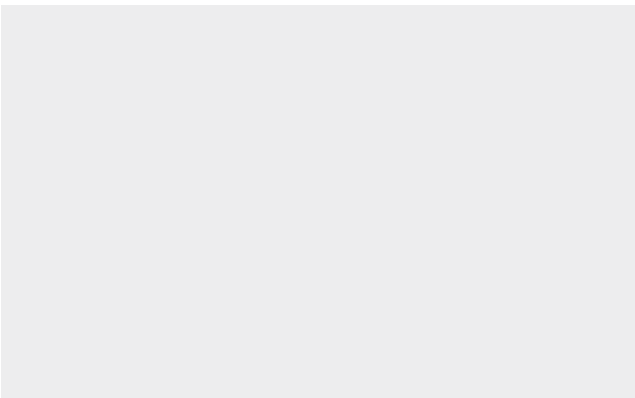
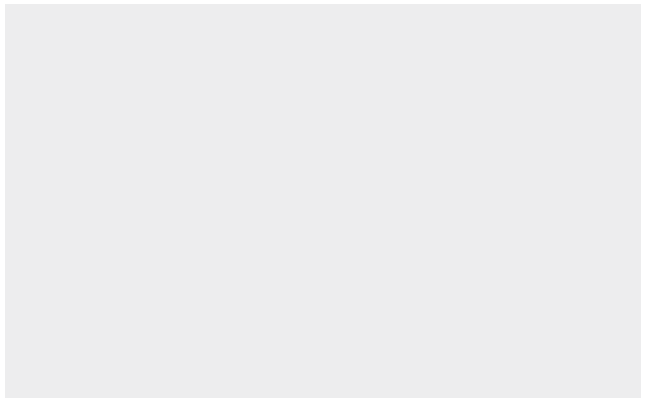
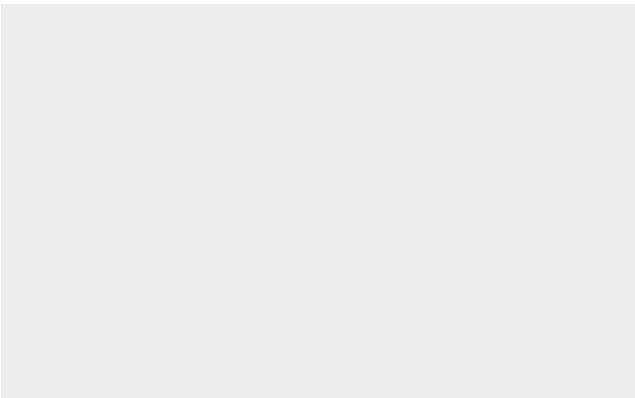
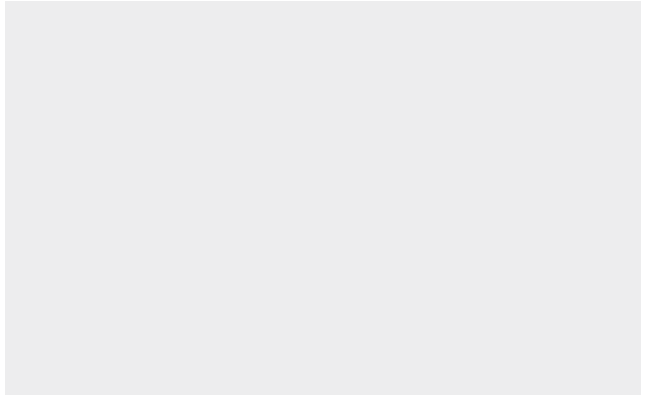
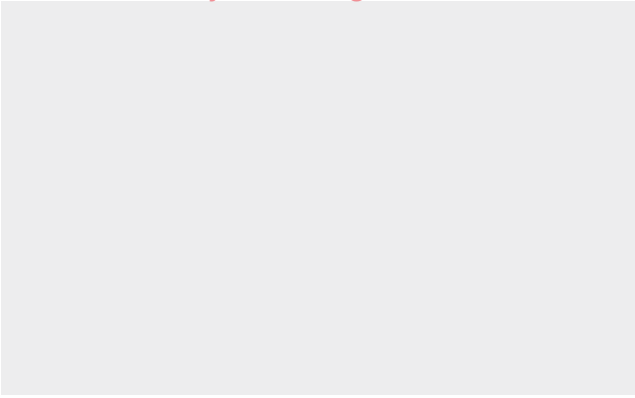


The Holy Trinity Church is a prominent historic feature in east to west views, although it is now masked in vantage points from the west due to development. Northward views look towards Maidstone and the North Downs beyond; southward views are very limited due to topography and high hedgerows.

Coxheath is a larger village, centred around the highway, Heath Road. The straight alignment of Heath Road and other highways in Coxheath originate from the village's history as a major 18th century army camp for the Kent Militia. Evidence of this has disappeared, along with the Maidstone Union Workhouse which was in operation in Coxheath during the Victorian era.

Built form is now predominantly low density 20th and 21st century dwellings, apart from the ragstone Holy Trinity Church (built as a chapel for the Workhouse) and a few examples of traditional buildings, constructed from ragstone and chequered red and grey brick.

Photo Survey On-Going



3.5.2. East Farleigh

East Farleigh is identified as a Larger Village in the Borough of Maidstone's Local Plan Review. It lies in the centre of the Farleigh Greensand Fruit Belt, which extends across the dip slope of the Greensand Ridge to the south of Maidstone. The Fruit Belt has an undulating landform where orchards predominate and promote a strong pattern of enclosed small to medium sized fields. Nonetheless, the rural landscape is interspersed commercial, agricultural and leisure development, and some orchards (especially at the edge of Maidstone) appear unmanaged.

East Farleigh village is situated on ground rising southwards from the river. Station Road extends south of the river, accessed via the medieval five-arch East Farleigh Bridge, and leads to the main developed part of the village. Notable historic features in the village include the ragstone Church of St Mary (likely 12th century), a very early Victorian train station and, to the south-west, the 14th century Gallants Manor.

The wider village predominantly comprises a mix of traditional and sensitively designed modern homes. Many residential gardens comprise mature native trees, alongside ornamental planting.

East Farleigh is irregular in form and incorporates outlying development approximately 0.5km to the south of the village centre including dwellings and East Farleigh Primary School. Services are limited to a few independent businesses (including The Bull Inn public house and leisure businesses associated with the river) and public transport facilities (including East Farleigh train station and three bus services). There are also highway connections to the A26 to the west.



- | | | | |
|-------------------------------|------------------------------------|--------------------------|----------------------|
| ----- Topography | Conservation Area | Landscape of local value | LPR Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| Railway Station | Grade I listed building | Other green areas | |
| Buildings | Area of Outstanding Natural beauty | Local Woodland | |
| Educational Facilities | | Ancient Woodland | |
| | | Water bodies | |

Figure 10: Plan of East Farleigh_ 1:20.000

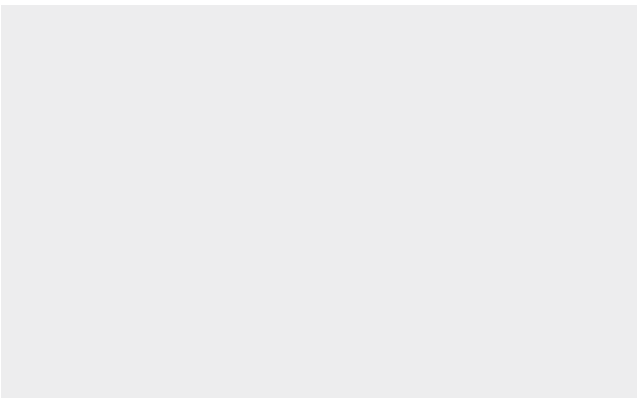
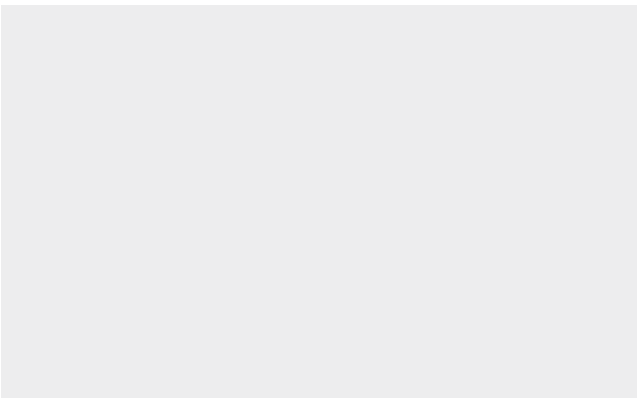
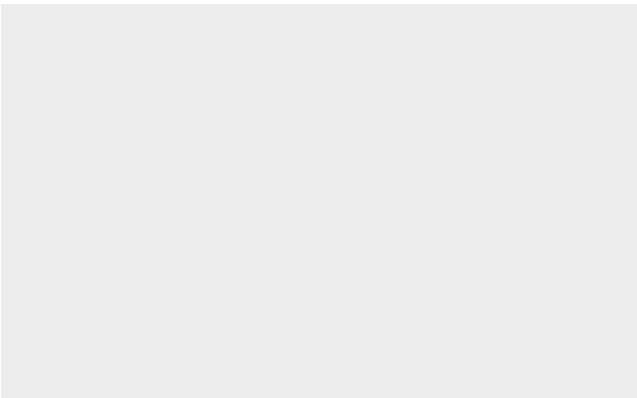
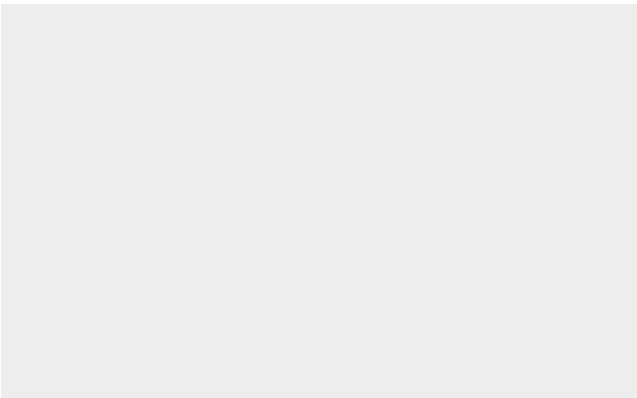
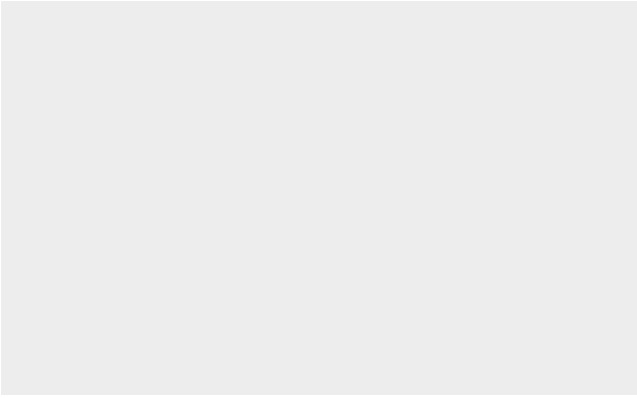
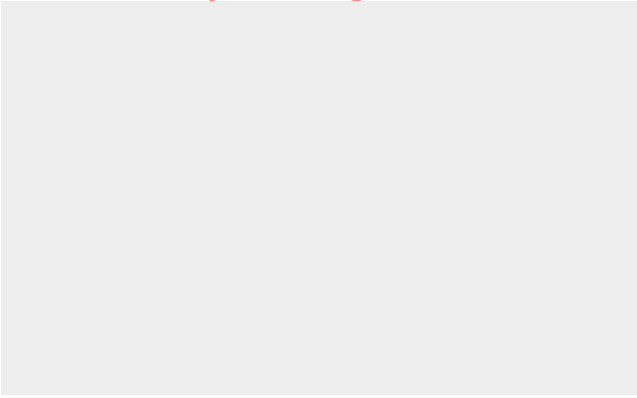


The Fruit Belt also comprises many broadleaf and coppice woodland blocks, including ancient woodland. The enclosure created by the trees limits visual connections to Maidstone, despite its proximity. One of the few exceptions is from Forge Lane in East Farleigh, where there are long and clear views of the urban area of Maidstone and the North Downs beyond.

The Fruit Belt comprises several dispersed settlements and isolated farmsteads, including many of architectural and historic interest. To the west of East Farleigh, there are traditional courts, halls and manors dispersed throughout the landscape; to the east of the village, there are oast houses. Additionally, buildings, walls, gateways and pillar boxes also feature rag stone, as a result of historic rag stone mining in the area. This past mining activity has also given rise to deeply cut undulations in some locations.

Unique landscape features of East Farleigh include the upper River Medway valley which comprises large arable and smaller pastoral fields divided by native hedgerows and tracks. Most highways are single track and sunken in places, giving rise to an ancient character.

Photo Survey On-Going



3.5.3. Harrietsham

Harrietsham, a Rural Service Centre, lies south-east of Maidstone within the Greensand Ridge landscape character area. Harrietsham is a sizeable village to the north of the M2 motorway and HS1 rail line. It is intersected by the A20 (Ashford Road), which routes through the village's extensive 20th century housing estates and passes an extensive warehousing and industrial area further east. It is well connected, and has a local economic role, with a moderate range of shops and amenities. The village's services incorporate several local businesses, including a convenience shop and public transport links including a rail station and two bus services. There are also highway connections to the M20 to the south.

It is situated in the context of a series of vales, including Eyhorne Vale to the west and Lenham Vale to the east, alongside Harrietsham Vale itself. These vales form the rising foreground to the Downs further north, where the Kent Downs AONB lies, and lead up to extensive panoramic views of the open downland landscape, wooded areas and across the Len Valley to Greensand Ridge. These views are permitted from unenclosed locations including the Pilgrims Way, which marks the foot of the steep scarp of the North Downs.

Historic buildings are limited and mainly lie on Harrietsham's peripheries. East Street extends to the south-east from the A20 – it is partly Georgian in character and includes the distinctive twelve dwelling terrace of 18th century red-brick Quested Almshouses; a well-preserved 16th century Wealden house; and the simple weather-boarded Holy Shepherd Church. West Street arcs to the north-west from the A20, in the opposite direction, and partly comprises 18th century brick and tile-hung houses and Victorian cottages.



- | | | | |
|-------------------------------|------------------------------------|--------------------------|----------------------|
| ----- Topography | Conservation Area | Landscape of local value | LPR Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| Railway Station | Grade I listed building | Other green areas | |
| Buildings | Area of Outstanding Natural beauty | Local Woodland | |
| Educational Facilities | | Ancient Woodland | |
| | | Water bodies | |

Figure 11: Plan of Harrietsham_ 1:20.000



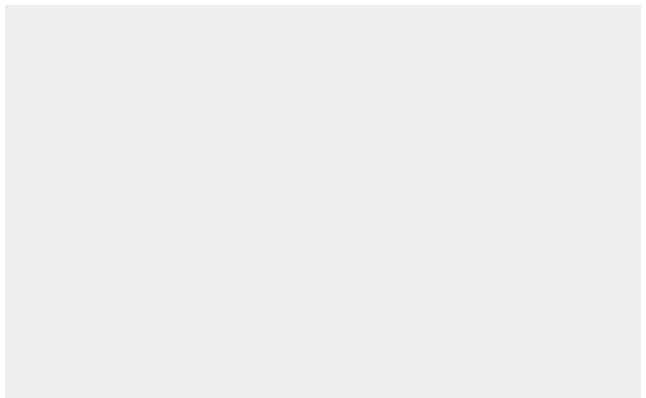
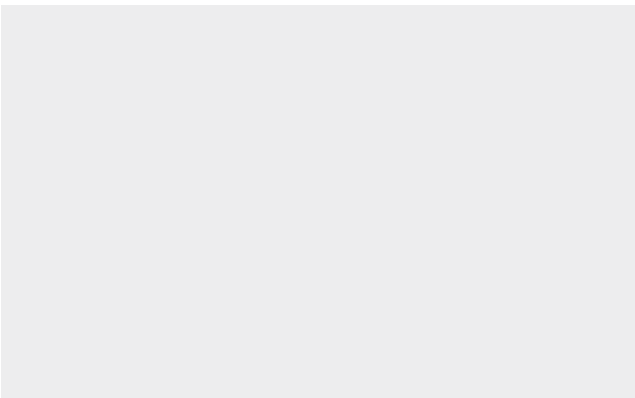
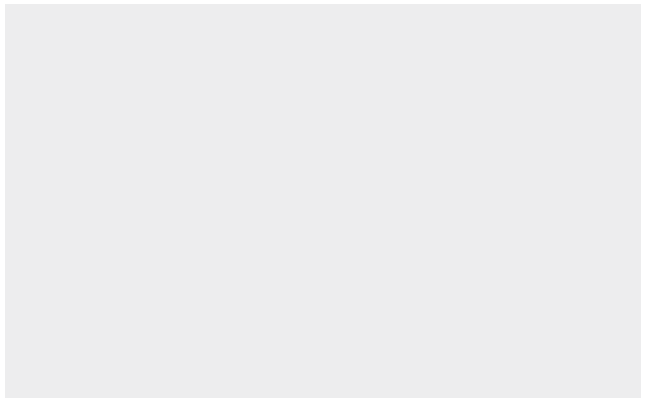
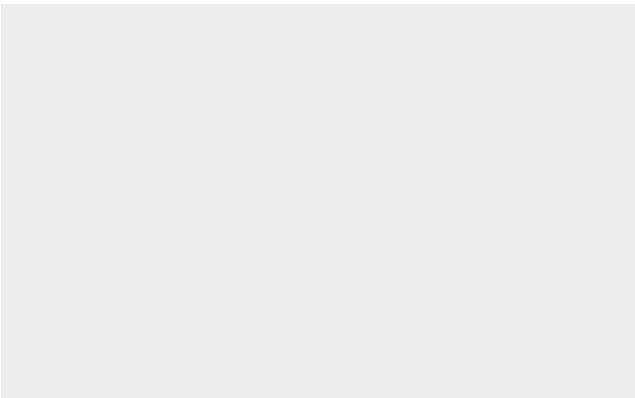
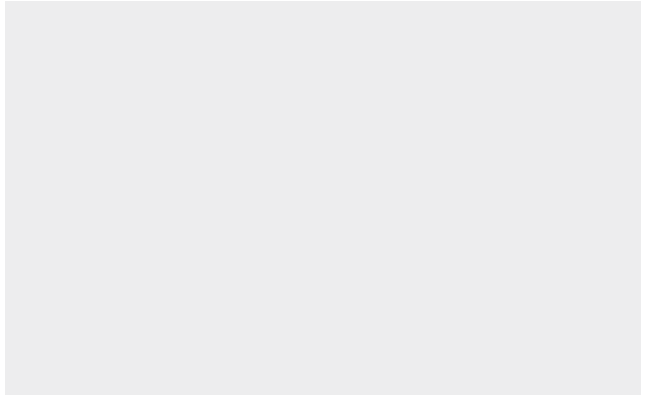
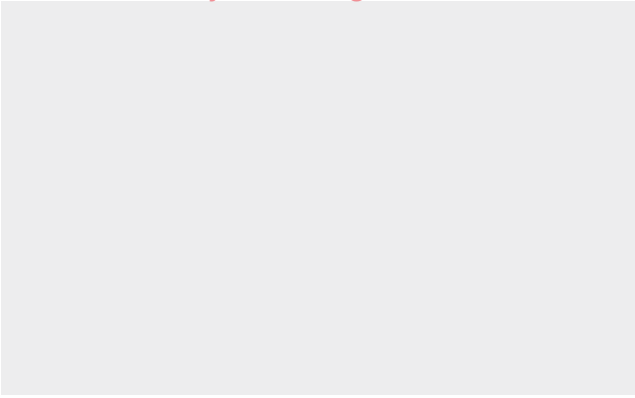
To the north of Harrietsham, there is the grey rag stone St John the Baptist Church and stately red-brick Court Lodge lie, overlooking a field where an annual fair was previously hosted. There is a pond and woodlands area close by to the west; this incorporates a distinctive red brick square gazebo.

The locality of Harrietsham comprises an irregular pattern of small traditional and large arable fields and, in proximity to Lenham, fields with curved and distinctly non-rectilinear boundaries. Isolated oak trees are a common feature, where fields have been enlarged for intensive agriculture. Additionally, there are woodland belts (including ancient woodland) and ribbons of vegetation (incorporating willow trees) along chalk defined drains.

The south part of Harrietsham Vale is somewhat disrupted by the audibility of traffic from the M20 and the HS1 rail line. The infrastructure corridors have created artificial landforms and mitigation ponds, thereby disturbing the traditional field patterns.

South of this, the landform is defined by the more tranquil character of River Len headwaters, where there is marshy grassland designated as a Local Wildlife Site. This area also incorporates sunken lanes.

Photo Survey On-Going



3.5.4. Potential Heathlands Garden Settlement

On the east Maidstone Borough boundary, Heathlands Garden Settlement has been identified as a potential strategic allocation in Maidstone's recent Regulation 18 'Preferred Options' Local Plan Review consultation.

The proposal is currently at a preliminary stage, and so the extent of the new settlement has not been defined. Instead, there is a broad area of search between the village of Lenham to the west and the village of Charing to the east, and between the North Kent Downs Line to the north and the Great Stour River to the south. This search area therefore currently includes the hamlets of Lenham Heath and Lenham Forstal, and is intersected by the major infrastructure corridors of HS1 and the M20 motorway to the south. Additionally, the proposed search area lies to the south of the A20 highway and the Kent Downs AONB beyond.

The emerging proposal for the new Garden Settlement will potentially comprise 4,800 dwellings of different types and densities, mixed use District and Local Centres (including employment, retail and community uses) and new education facilities.

Located within the Wealden Greensand landscape, the proposal forms part of the foreground of the North Downs to the north, and the upper catchment of the Great Stour River to the south.

Heathlands encompasses the closely located hamlets of Lenham Heath and Lenham Forstal. Plots in both hamlets appear to have been established along highways initially, and extended to the rear as backland development to accommodate additional buildings and garden land. This has led to an irregular settlement pattern of varying building density and uses.

There is a scattering of historic buildings throughout the hamlets, particularly in Lenham Forstal where traditional buildings confer a strong sense of place.

Heathlands is not assessed in the Maidstone Settlement Hierarchy Review 2021. As such, it is assumed that it currently falls within the 'Countryside and undefined settlements' category in the hierarchy. These are settlements which are considered to perform negligibly against the connectivity, economy, facilities and scale factors in the hierarchy assessment.

Services include the Red Lion public house, Heath Farm School and two bus services. The settlement is also connected by road, with a nearby connection onto the M20 motorway.

To the north, the search area lies at the foot of the steepest section of the North Downs scarp face, where there is some sense of enclosure. The Maidstone East rail line (on the search area's north boundary) sits comfortably within this landscape, enclosed by a mature vegetation belt. Scattered development in the locality is visible in views especially where the land rises northward – this includes 20th century dwellings, recent commercial development and isolated farmsteads.

There is a simple pattern of large open arable fields demarcated by native hedgerows (including hawthorn and hazel), interspersed with springs and drains that run towards the Great Stour. Travelling south, fields decline in size, become more irregular in form and incorporate pockets of trees. In the vicinity of Lenham Heath, there are predominantly paddocks for equestrian grazing, leading to poor quality grassland and patchy hedgerows. Sandy soils have also influenced this locality, giving rise to substantial bracken and silver birch. There are also current and former sand extraction areas, including Bull Heath Pit which is now a fauna rich Local Wildlife Site.

South of HS1 and the M20, the search area is shaped partly by the gentle valley slopes of the Great Stour River, and partly by the ridgeline to the south, where land begins to fall sharply towards Greensand Ridge. The valley around the river (a minor stream in this location) comprises grazing land, while the wider locality is formed of large arable fields regularly interspersed with woodland blocks (including ancient woodland) and some native hedgerows. However, the infrastructure corridors within and in proximity to the search area somewhat detract from its rural tranquillity.

There are notable rural historic assets in the search area including traditional oast houses, rag stone and timber weatherboarded barns and chequered red and grey brick farmhouses. There are also unique features, such as the rag stone Bowley Mill and pond, and the 17th century weather-boarded Chapel Mill, both situated by the Great Stour. The historic Chilston Park also lies to the south-west and comprises a stately home and parkland, alongside ecologically valuable ponds and acidic grassland.

3.5.5. Hollingbourne

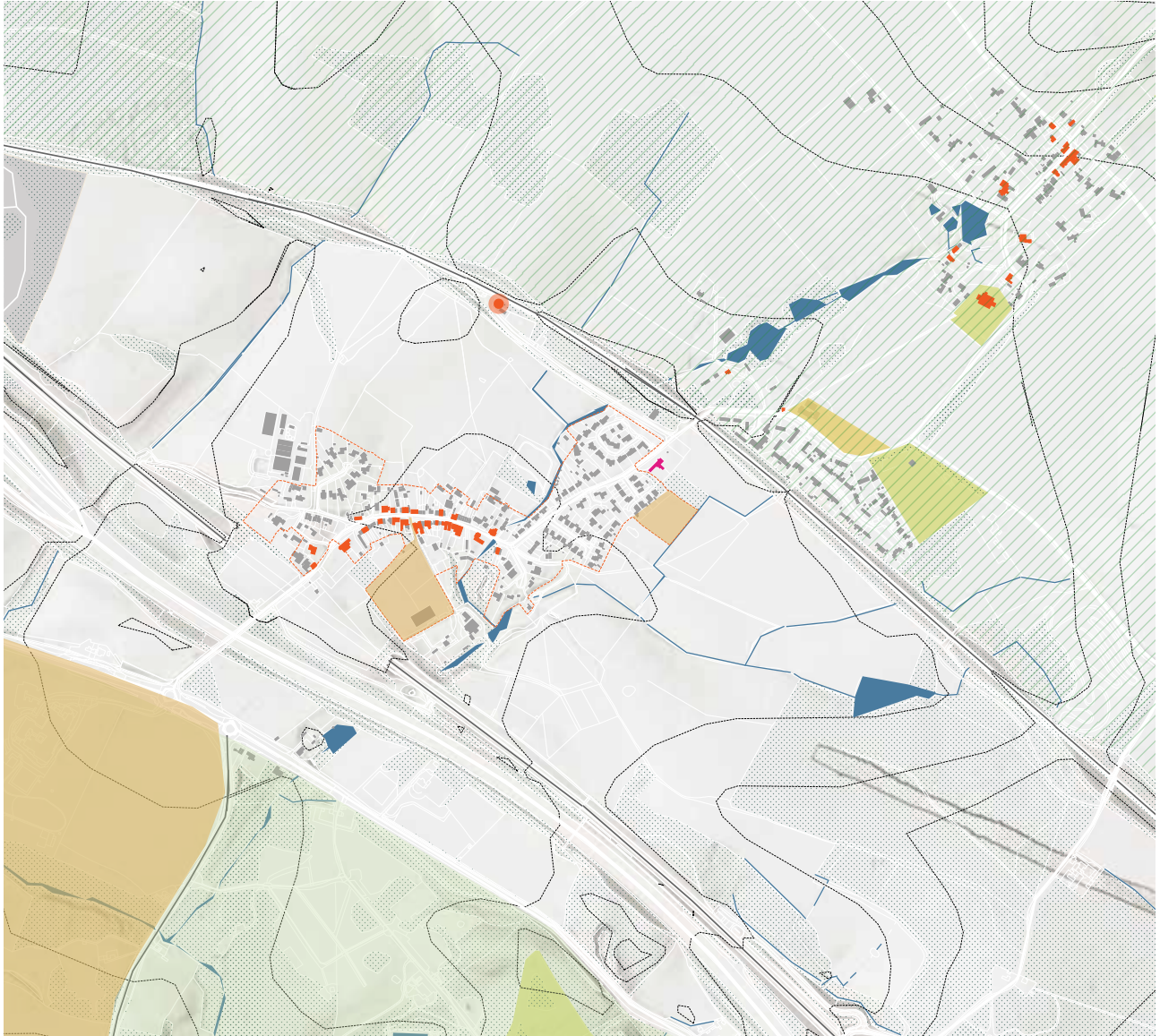
Hollingbourne is a Larger Village within Thurnham Vale, part of Gault Clay Vale, and has several watercourses, drains and ponds which run down the scarp and eventually into the River Len to the south-east. It is well connected, but has limited facilities and economic role. Services include one school, a few local businesses (including two public houses) and public transport links including a rail station and one bus service. There are also highway connections to the M20 to the south.

The village is formed by three distinct clusters around Eyhorne Street and Upper Street, the historic link between Maidstone and Sittingbourne. Buildings that front this main route throughout the village are a mix of sizes and era, but provide strong enclosure to the route, producing a visually rich and varied rhythm and grain. The section of the village north of the North Kent Down railway line lies within the Kent Downs AONB.

The western cluster is the main service centre and lies between HS1 and the Kent Downs railway alignment. Services include several public houses and the village hall. The historic core is made up of a dense collection of cottage type buildings with strong relationship to Eyhorne Street, generally with a couple of steps to front doors.

The building line tracks the curvature of the road to create a strong sense of enclosure. Some farmsteads and coaching inn type buildings provide deep plots framed by buildings accessed by secondary paths from the main street. Later additions from the 20th century are formed of individual houses set back from cul-de-sacs. Eyhorne Street thickens around the Windmill Pub, potentially around the ancient site of the market that was permitted in 1448.

The central cluster has emerged around the Victorian Primary School and is of early to mid-century, arts and crafts influenced ribbon development. Eyhorne Street is defined by mature trees and dense hedgerows, residential buildings generally are set back from behind a deep grass verge.



- | | | | |
|-------------------------------|------------------------------------|--------------------------|----------------------|
| ----- Topography | Conservation Area | Landscape of local value | LPR Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| Railway Station | Grade I listed building | Other green areas | |
| Buildings | Area of Outstanding Natural beauty | Local Woodland | |
| Educational Facilities | | Ancient Woodland | |
| | | Water bodies | |

Figure 12: Plan of Hollingbourne_1:20.000

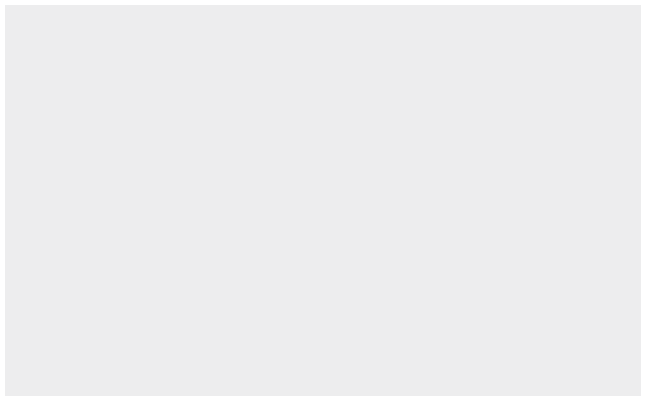
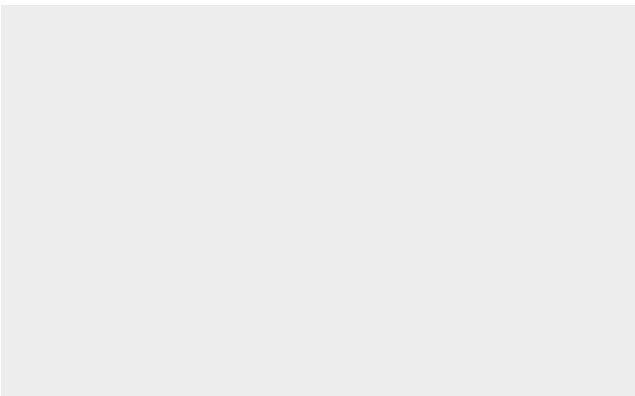
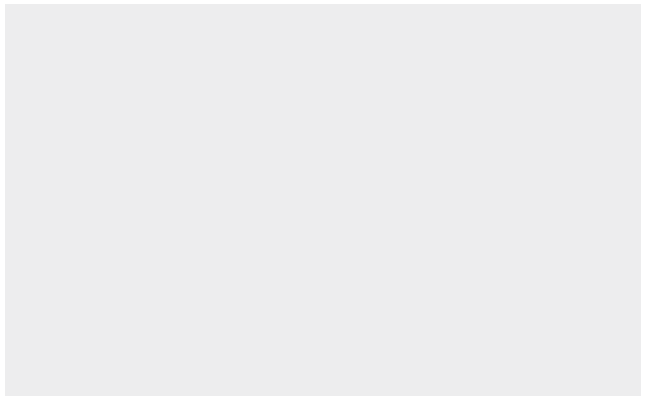
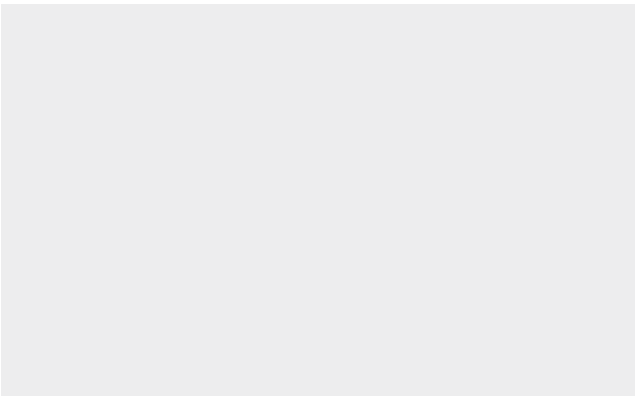
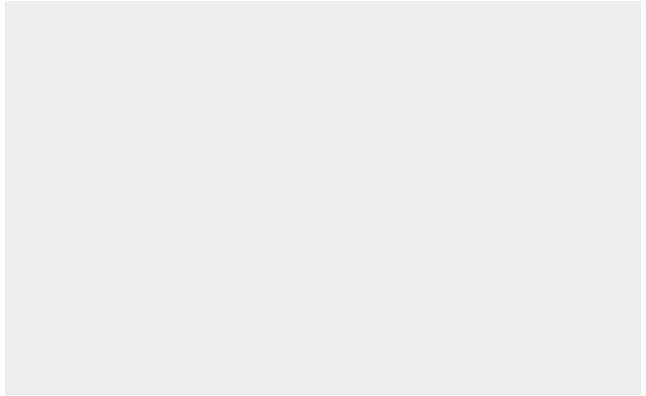
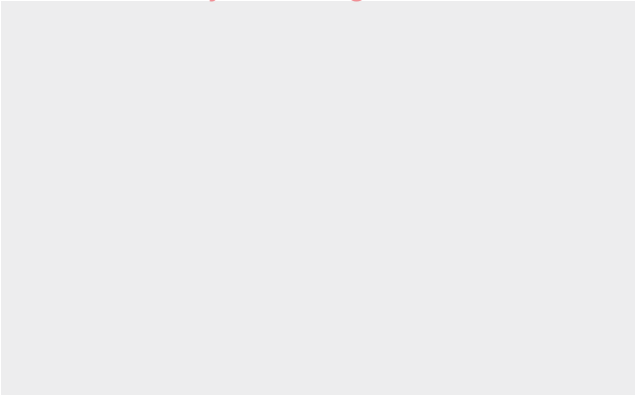


The westernmost cluster has formed a loose collection of grander houses that have formed on secondary lanes around the 1500s, namely All Saints Church and the Elizabethan Hollingbourne Manor. The main street is formed by walls and vegetation, with the buildings set back on slopes higher than the street. The crossroads of Pilgrims Way and Upper Street/Hollingbourne Hill buildings cluster tightly to the street edge culminating in the jettied, 15th century half-timbered Malthouse, public house and former forge.

Long views from the village are generally rare due to large blocks of trees (including ancient woodland to the east) along water courses and vegetated boundaries. However, where the village rises up the scarp towards the east and boundary vegetation thins, glimpsed views of the church and the village exist. Long views into the village are generally from the north, particularly from the Pilgrims Way.

The undulating arable land has over time agglomerated into larger fields, although there are instances of smaller, irregular fields and pockets of mixed woodlands in belts and blocks. Mature willow trees mark the location of drains and ditches and the North Kent Downs railway line steps over historic lanes with distinctive narrow red brick arches.

Photo Survey On-Going



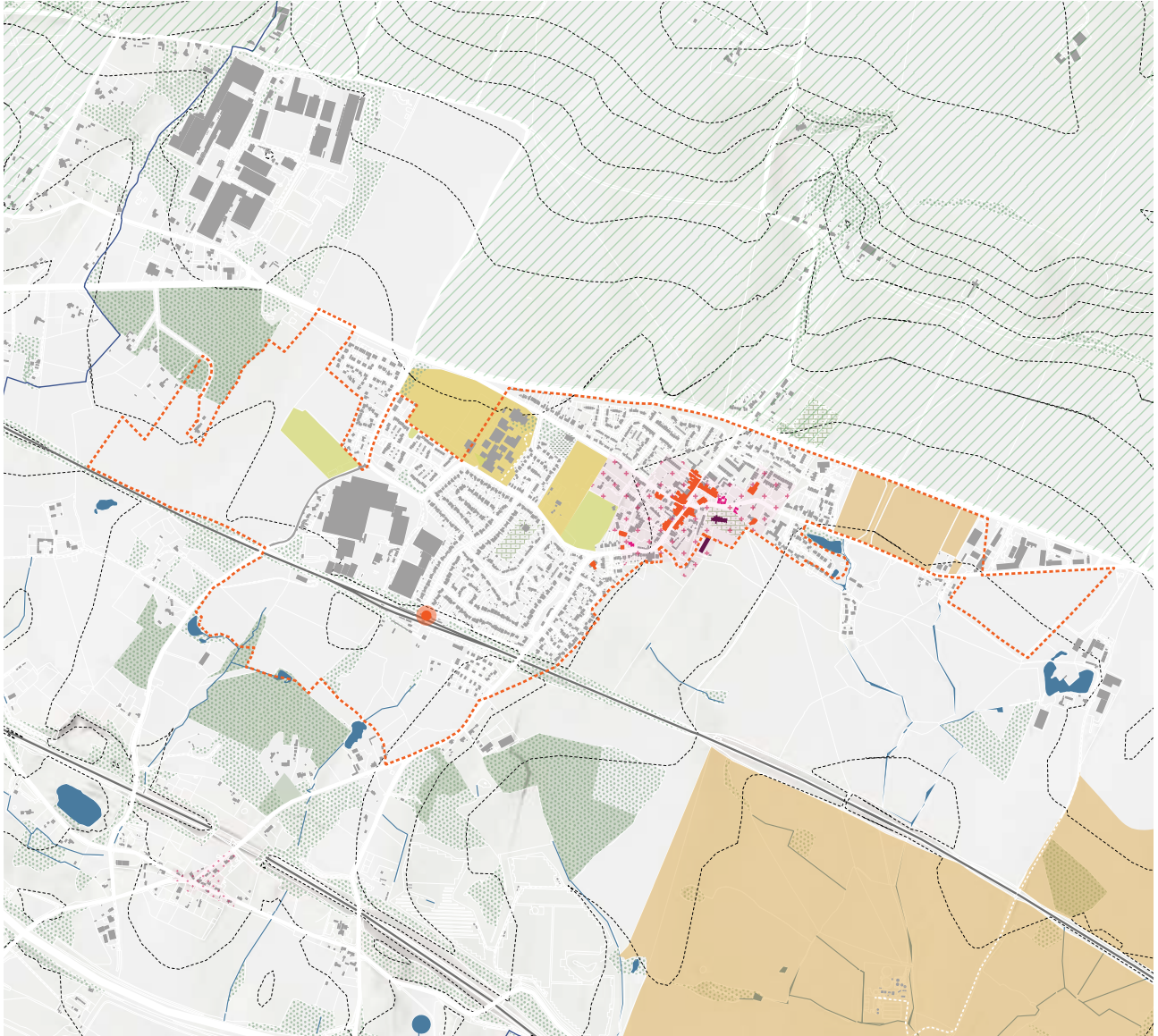
3.5.6. Lenham

Lenham lies south-east of Maidstone within the Wealden Greensand landscape character area. It is situated within Lenham Vale, which has a strong southern boundary defined by HS1 and the M20. Lenham is a Rural Service Centre which is well connected, has a significant local economic role and hosts many local facilities. Services include two schools, several local businesses, including a convenience shop and public transport links including a rail station and five bus services. There are also highway connections to the M20 to the south.

Lenham is a nucleated village in the east of the Borough that has evolved at the crossroads where the east-west Maidstone to Ashford Road meets the Faversham Road, before it runs north over the scarp. It is around this significant intersection that a square has formed, a rare feature amongst the villages of Maidstone Borough, providing a strong sense of centrality for the village around which the church, shops and other amenities have developed.

The village's most significant built heritage is concentrated around its centre. St Marys Church lies just south of Old Ashford Road, comprising elements of 12th to 15th century construction. The adjacent timber framed Tithe Barn also has ecclesiastical links, as it was built on a historical demesne (or property) of St Augustines of Canterbury. Across Old Ashford Road, there are Wealden houses and the 19th century Stanfield House situated on The Square. Other distinctive features in the village include the single storey red-brick Almshouses on the High Street and the old Lockup on Faversham Road.

Beyond Lenham's formal settlement boundary, there are small clusters of light industrial development to the south and Ashmill Business Park to the east. The undulating landscape is also studded with isolated farmstead buildings (including traditional oast houses and rag stone and weatherboarded barns) which were originally established at spring heads emanating from the chalk.



- | | | | |
|-------------------------------|------------------------------------|--------------------------|----------------------|
| ----- Topography | Conservation Area | Landscape of local value | LPR Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| Railway Station | Grade I listed building | Other green areas | |
| Buildings | Area of Outstanding Natural beauty | Local Woodland | |
| Educational Facilities | | Ancient Woodland | |
| | | Water bodies | |

Figure 13: Plan of Lenham_1:30.000



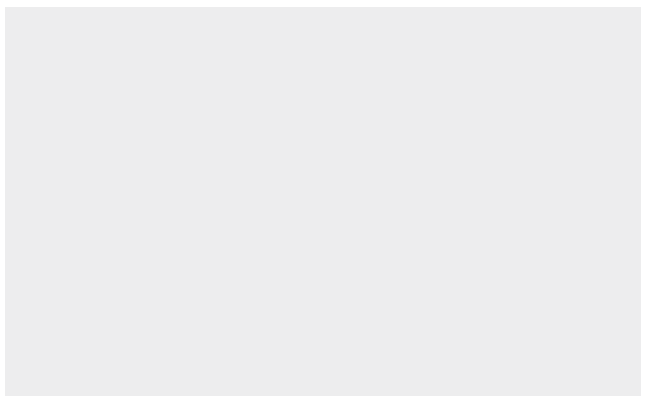
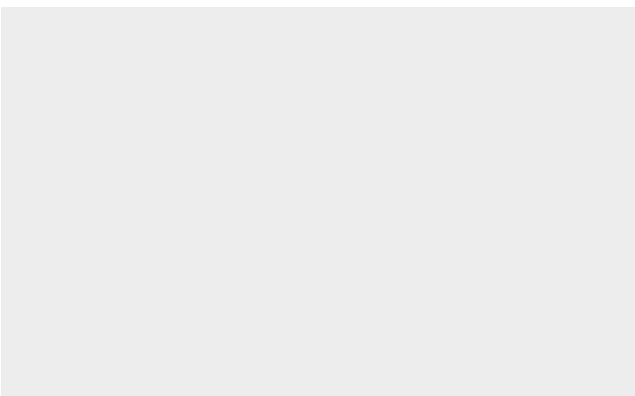
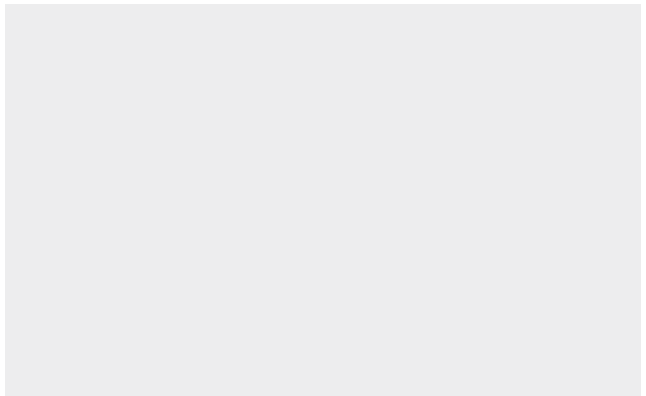
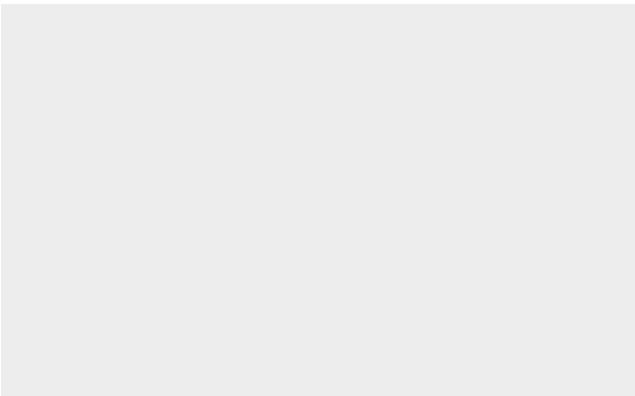
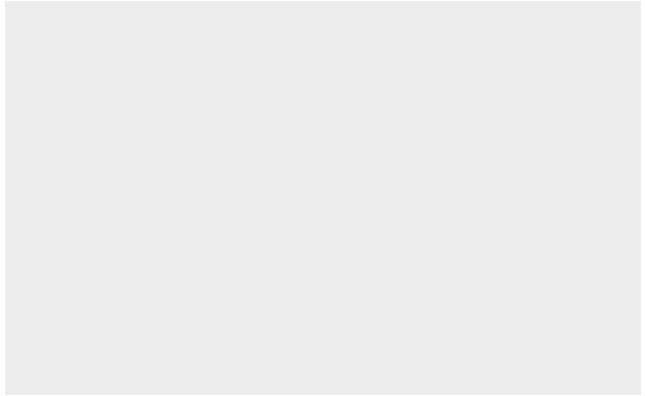
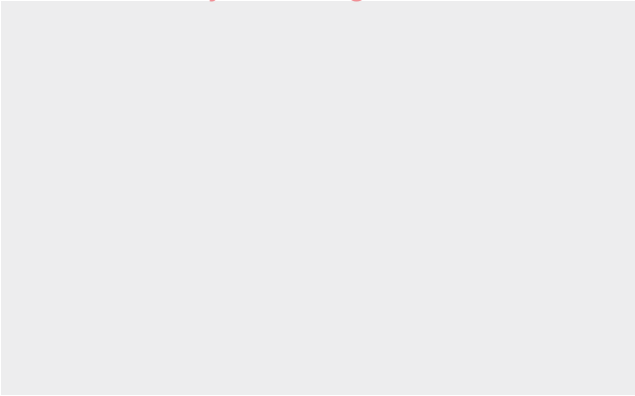
There are also historic standalone dwellings, including Royton Manor. Additionally, the North Kent Downs Line sits within the landscape, set down within a strong belt of mature vegetation.

The Lenham Vale forms part of the rising foreground to the Downs further north, where the Kent Downs AONB lies, and eventually leads up to extensive panoramic views of the downland landscape from unenclosed locations including the Pilgrims Way. One of the scarp slopes displays a distinctive commemorative chalk cross.

Lenham's locality is characterised by a distinctive patchwork of ancient woodland blocks, including Kiln Wood and Oxley Wood to the south of Lenham rail station. There are also medium to large sized fields of arable and pasture agriculture, often of irregular form, which increase in scale with distance from the village.

The landscape to the west of Lenham is generally experienced from the busy A20 which links the villages at the base of the chalk scarp, there are few roads that run perpendicular and as such the patchwork has a large grain, there is also significant areas of commercial development. To the east of the village there are more chalk springs emanating and a higher density of routes directly up the scarp slope. The dense hedgerows and tree lines develop a greater sense of enclosure.

Photo Survey On-Going



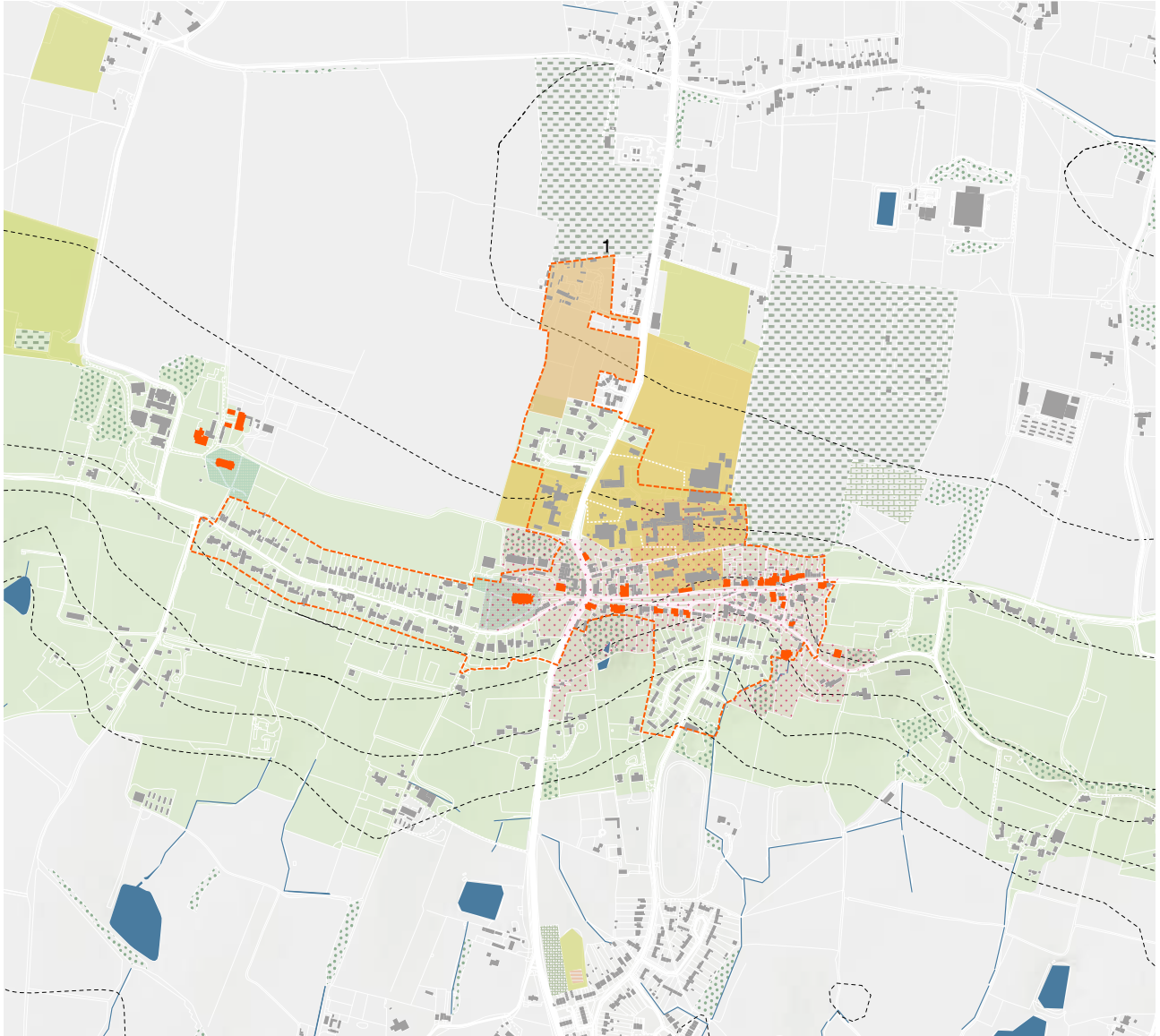
3.5.7. Sutton Valence

Sutton Valence is a Larger Village south-east of Maidstone urban area, on the juncture between the Wealden Greensand and Low Weald landscape character areas. A scarp face lies to the north of the village, marking the southern extent of Greensand Ridge. Sutton Valence is considered an ancient settlement, with evidence of Iron Age activity and the crossing of a Roman road. It is moderately well connected, with a moderate number of facilities. Services include three schools, some local businesses (including two public houses), a GP surgery, a village hall and public transport links including a rail station and four bus services. There are also highway connections to the A229 to the west.

Development has continued to evolve around the landscape's contours, and showcase different architectural periods. The village displays a diverse palette of building styles and materials, including medieval halls, the simple grey stone Lambe's Almshouses, the weatherboarded Swan Inn, the Wealden style Linden House and Aylmer House, and timber framed Valence House. Nonetheless, there is more modern development, including a post-war estate and a recent satellite residential development to the south, known as The Harbour.

The medieval St Mary's Church was developed north of Chart Road on the steep slope of the ragstone ridge, following the contours of the hillside. Further east, on Rectory Lane, Sutton Valence Castle was erected in the 13th century, taking the form of a Norman keep. A small school was then built in the Elizabethan era, adjacent to and on a level above the Church.

The landscape displays a dispersed settlement pattern formed of isolated farmsteads and clusters of farms. Many farmhouses are architecturally distinctive, encompassing examples of traditional oast houses and building materials including timber framing, hung tiles, rag stone, chequered red and grey brick and white weatherboarding.



- | | | | |
|-------------------------------|---------------------------|--------------------------|----------------------|
| ----- Topography | Conservation Area | Landscape of local value | LPR Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| Railway Station | Grade I listed building | Other green areas | |
| Buildings | | Local Woodland | |
| Educational Facilities | | Ancient Woodland | |
| | | Water bodies | |

Figure 14: Plan of Sutton Valence_1: 20.000



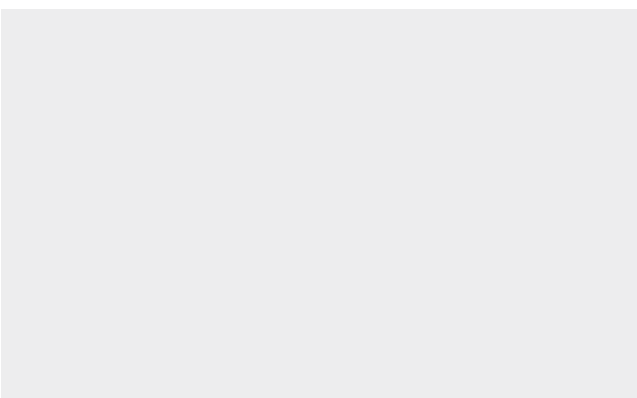
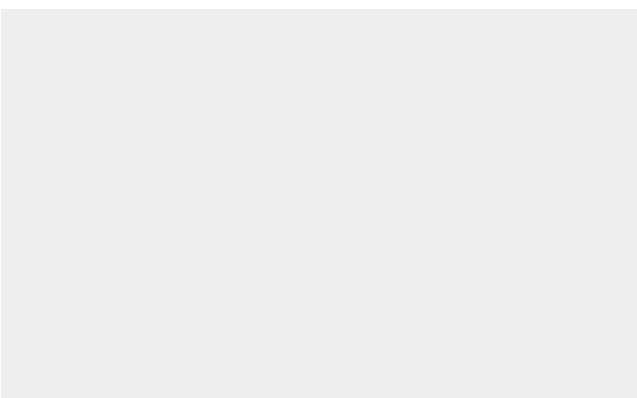
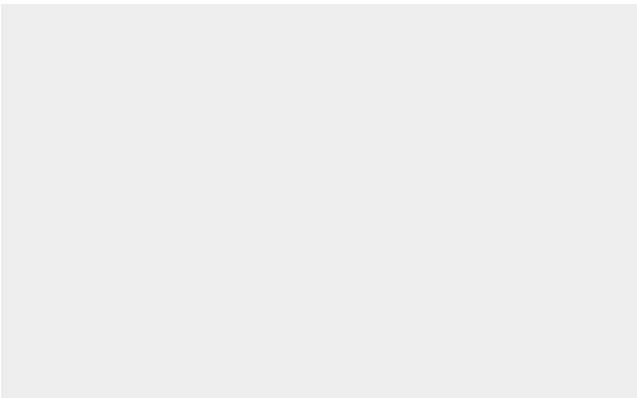
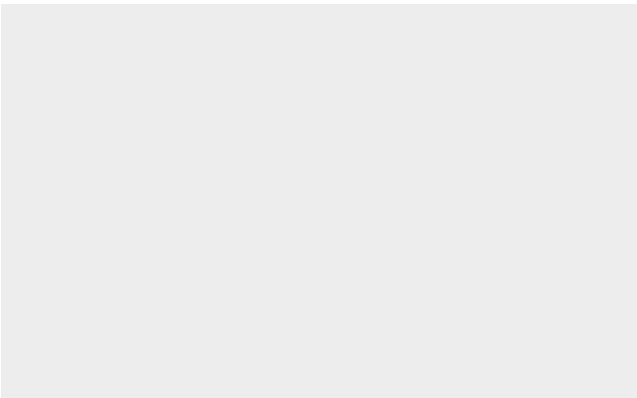
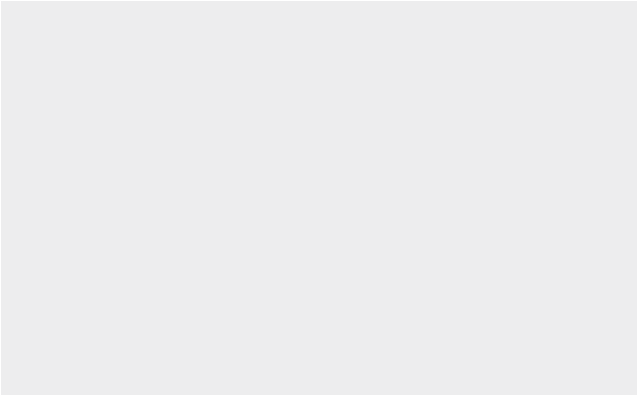
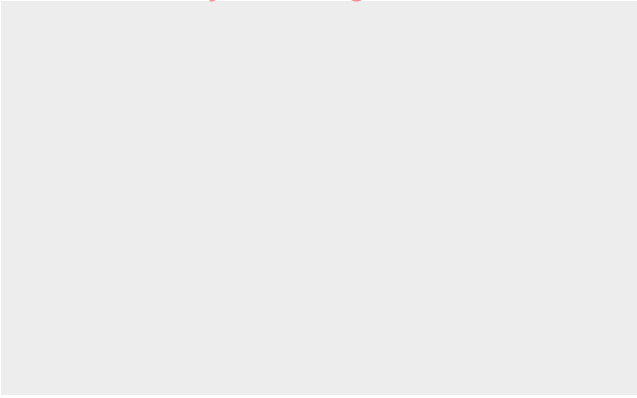
North of Sutton Valence, there are also several large manor houses and associated parklands extending across the Low Weald landscape. Additionally, the landscape comprises a few rural lanes, including sunken lanes enclosed by overarching beech and ash trees. A notable exception to this is the A274 highway – its linearity has brought ribbon development in some locations, going against the grain of the area’s traditional pastoral character.

From the top of the Greensand Ridge, including from the Greensand Way, there are wide views across the Low Weald. South of the steep scarp, the Low Weald unfolds into an undulating landscape with wide views in certain locations, especially from Sutton Valence which sits on higher ground. Views encompass many orchards and grazed pasture, as well as distinctive buildings including the ragstone church and distinctive tall brick chimneys of the East Sutton prison.

To the north of Sutton Valence, woodland (including ancient woodland) is a strong feature. This dissipates southwards into small woodland blocks of coppice and orchards, enclosed by poplar shelterbelts, and occasional pockets of hop gardens, particularly around Morry Lane.

Further south, at the foot of the scarp, the landscape is more influenced by modern agriculture and incorporates larger fields, polytunnels and reservoirs. Nonetheless, there are still some small scale pastoral fields, demarcated by irregular Medieval native hedgerows and shaws, often incorporating mature oak. There is also a notable network of narrow streams and ditches, originating from springs at the bottom of Greensand ridge, which in turn have created field ponds and pockets of wetter ground with willow trees in the Low Weald.

Photo Survey On-Going

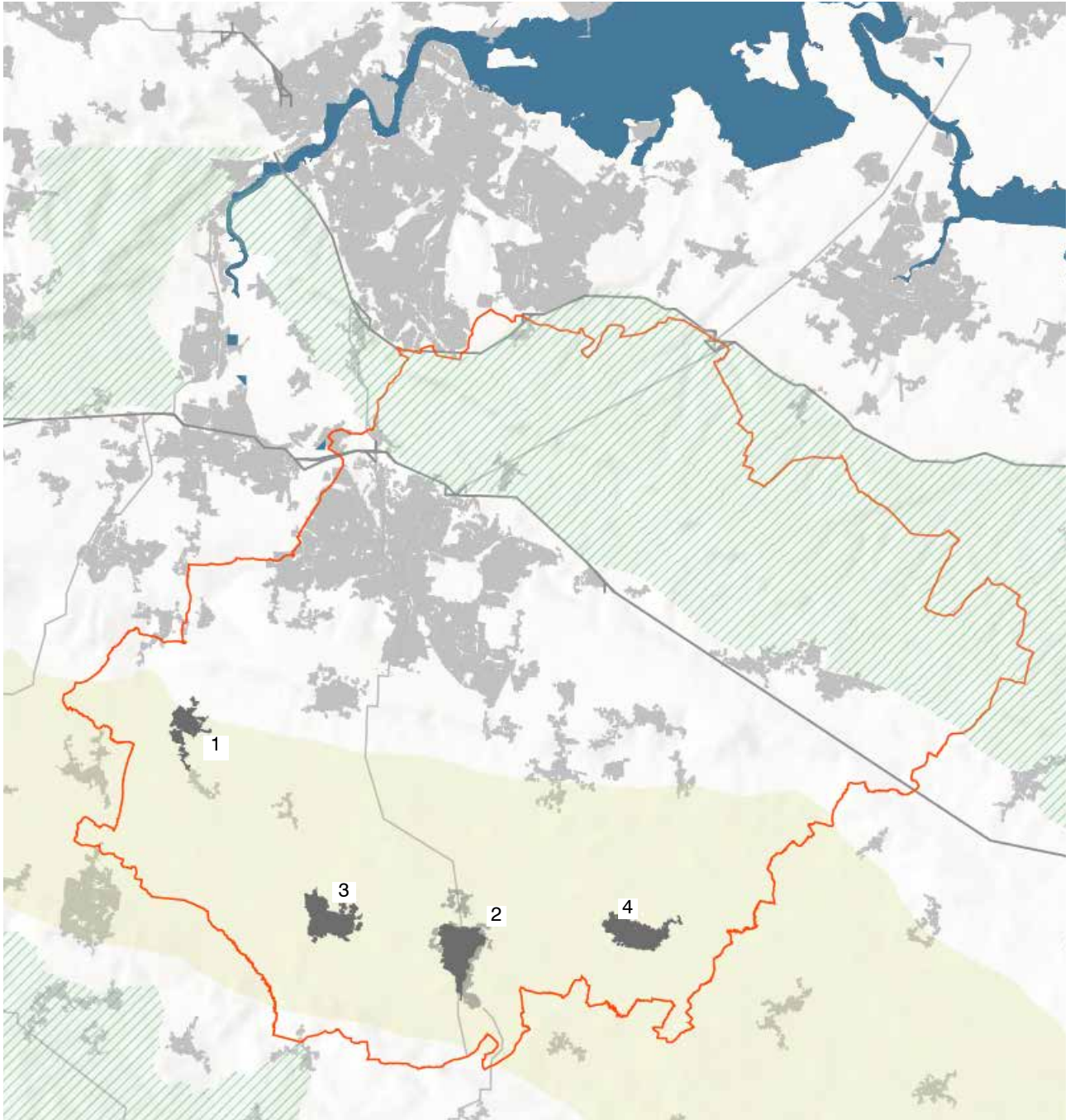


3.6 Villages in the Low Weald

The Low Weald is a broad, low lying clay vale which wraps around the north, west and south parts of the High Weald from Surrey to east Kent, and so lies to the south of Maidstone Borough. This landscape forms an important part of the setting for the High Weald AONB, which lies to the south-west.

The prevailing character is predominantly rural, with pastoral agriculture occupying the shallow undulations some arable landscapes on the higher ground. This productive landscape is defined dense hedgerows studded with veteran trees and punctuated by areas of dense woodland, rivers and ponds. Some of these ponds are the legacy of early iron, quarrying and brickmaking industry. This intricate network of water meadows and wet woodlands provides very important habitats and is rich in biodiversity.

Despite its proximity to London, the Low Weald has retained a rural character with small villages enclosed in woodland and many traditional farmsteads, including oast houses to the east.







- | | | |
|---|---|----------------|
|  | Builtup Area | 1. Yalding |
|  | Maidstone Bourugh Boudnary | 2. Staplehurst |
|  | Low Weald National Landscape Character Area | 3. Marden |
|  | Area of Outstanding Natural Beauty | 4. Headcorn |

Figure 15: Plan of Low Weald



3.6.1. Yalding

Yalding is a Larger Village and lies just south of the Wealden Greensand character area, where the landscape starts to open out into the clay vale of the Low Weald. It is well connected with a moderate number of facilities. Services include one school, a few local businesses (including a restaurant and The Walnut Tree public house), community facilities, six bus services and a rail station (albeit this lies approximately 1.25km west of the village centre). There are also highway connections to the A228 to the west.

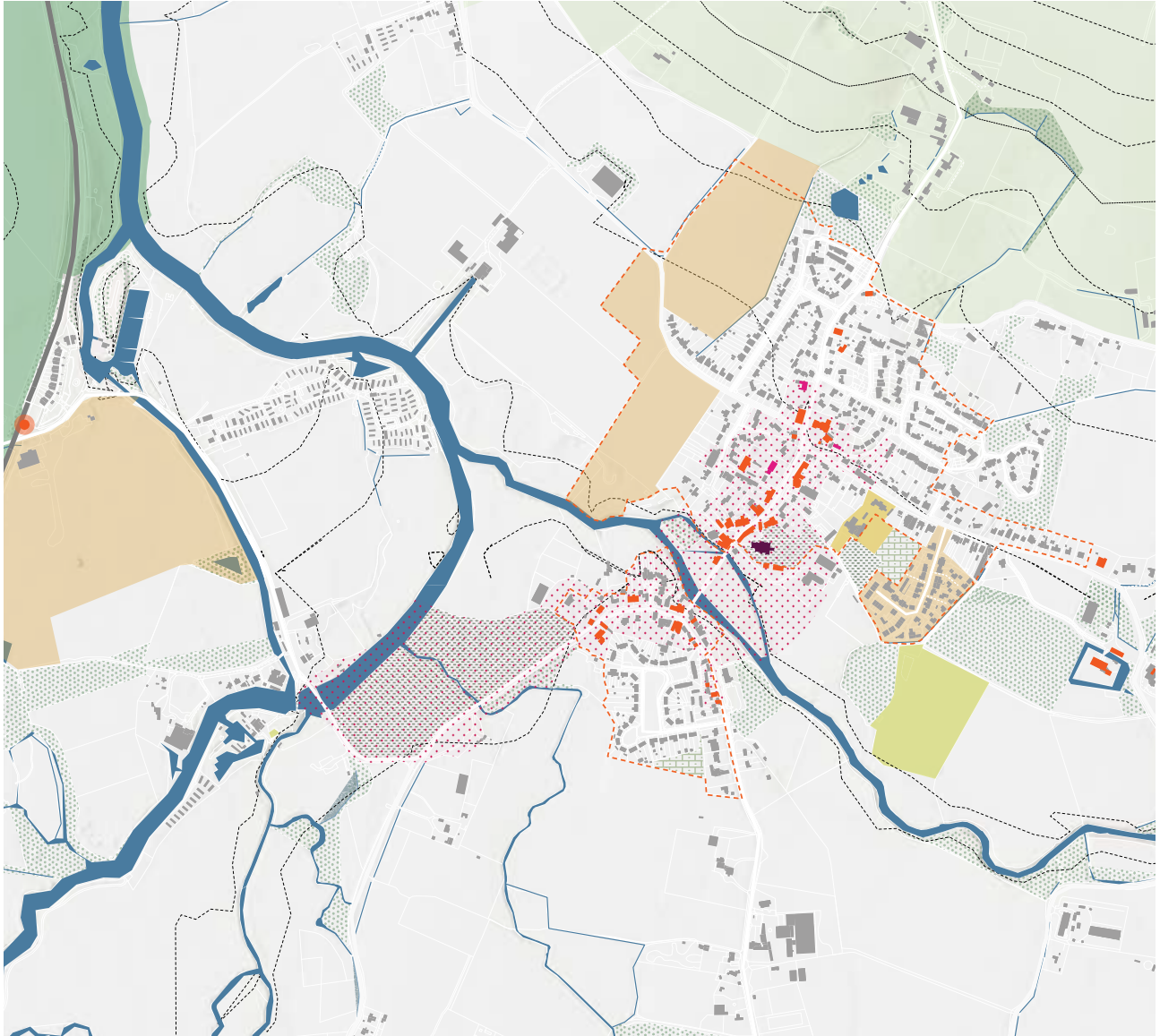
Development is dispersed, comprising large rag stone farmhouses and buildings constructed of weather boarding and chequered red and grey brick, often of historical importance. In the vicinity of Yalding, there is a distinctive mix of building styles and materials, including oast houses, timber barns, weatherboarding, ragstone, thatched roofs, red and grey chequered and herringbone brickwork.

The village of Yalding is formed in two clusters, north and south of the River Beult. To the north riverbank, St Peter & St Paul Church is prominently situated, constructed of ragstone and Tunbridge Wells sandstone. From here, the narrow High Street continues with cottages set back behind wide grass verges.

There is a sharp incline further north, due to the scarp ridge, towards the 18th century Kenward cottage which overlooks the River Medway.

In proximity to the Church, there are several other historical buildings of note including orange-red brick Church House with distinctive detailing, the grand Court Lodge with red and blue chequered brick, the 15th century Walnut Tree public house and the Wealden hall house, Rose Cottages.

Several medieval bridges and causeways cross the rivers and their marshy hinterland. This includes the medieval ragstone Town Bridge with seven arches over the River Beult, the medieval Twyford Bridge over the River Medway and the Laddingford Bridge over the smaller River Teise.



- | | | | |
|-------------------------------|---------------------------|--------------------------|------------------|
| ----- Topography | Conservation Area | Landscape of local value | Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| Railway Station | Grade I listed building | Other green areas | |
| Buildings | | Local Woodland | |
| Educational Facilities | | Ancient Woodland | |
| | | Water bodies | |

Figure 16: Plan of Yalding_1: 20.000



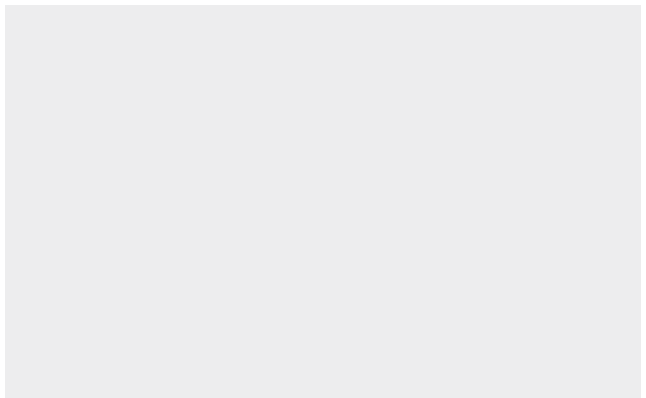
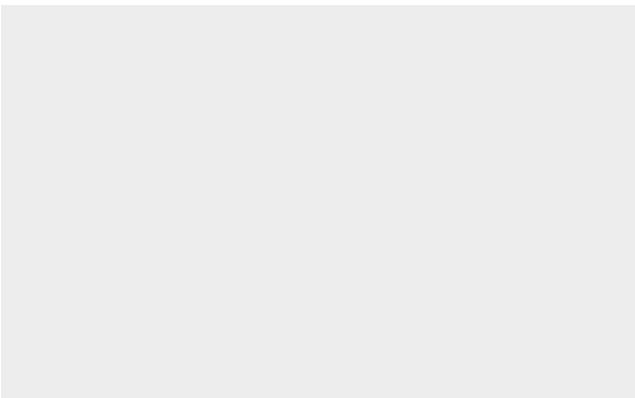
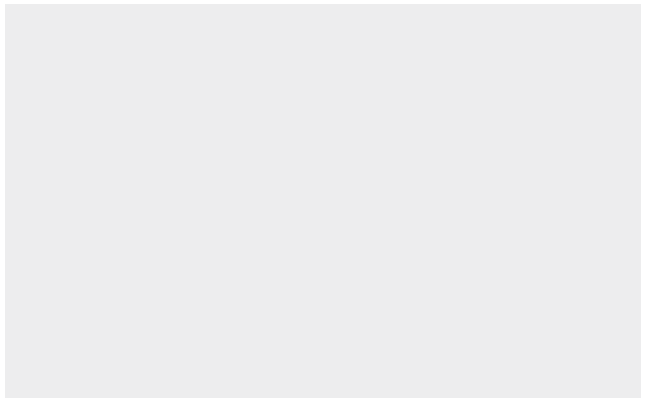
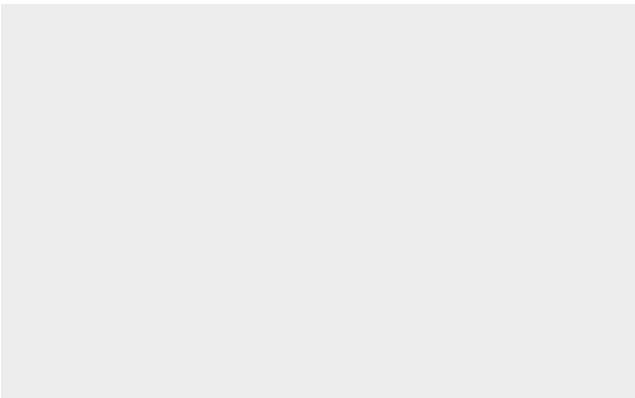
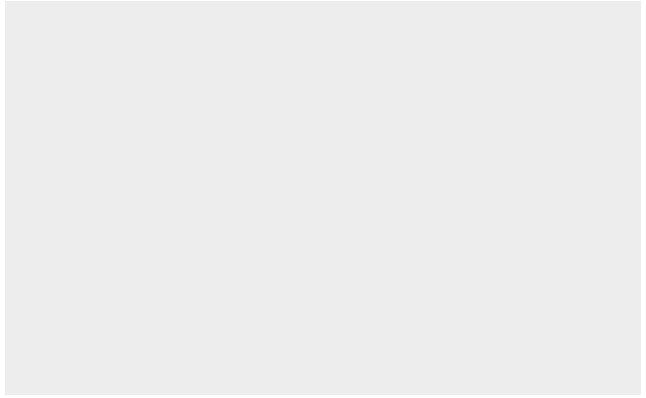
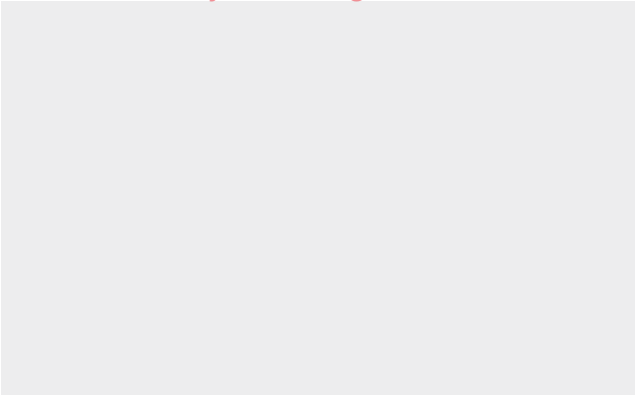
The village is also surrounded by disparate clusters of development, including the hamlet of Benover to the south, leisure developments to the west on the River Medway and commercial polytunnel cultivation to the north.

Views of the Low Weald landscape are interspersed with orchards, are permitted from certain vantage points where not enclosed by woodland. Landform in the immediate vicinity of Yalding is shaped by its relationship with the River Medway Valley (at the foot of the Greensand scarp to the west) and its tributary, the River Teise, and the River Beult, which passes directly through Yalding itself.

The landscape displays extensive tree cover, predominantly comprising orchards, alongside occasional parkland. These orchards are arranged in a traditional small scale pattern, enclosed by poplar shelter belts. Broadleaf trees are also common, including along narrow chalk drains and in small woodland blocks scattered throughout the landscape.

North of Yalding, around developed areas, orchards have been replaced with large arable fields and equestrian grazing. Small reservoirs also feature, arising from springs at the foot of the Greensand Ridge, providing good ecological habitats. Further south, there are examples of medium sized grazing fields enclosed by native hedgerows.

Photo Survey On-Going



3.6.2. Staplehurst

Staplehurst is a Larger Village some distance to the south of Maidstone urban area, and relatively close to the High Weald landscape character area to the south. It is well connected, is significant in the local economy and has a high number of facilities and services. Services include one school, a few local businesses (including a supermarket and the Kings Head public house), leisure facilities, a GP surgery, two bus services and a rail station. The village is also well-connected by road, with the A229 highway running through its centre.

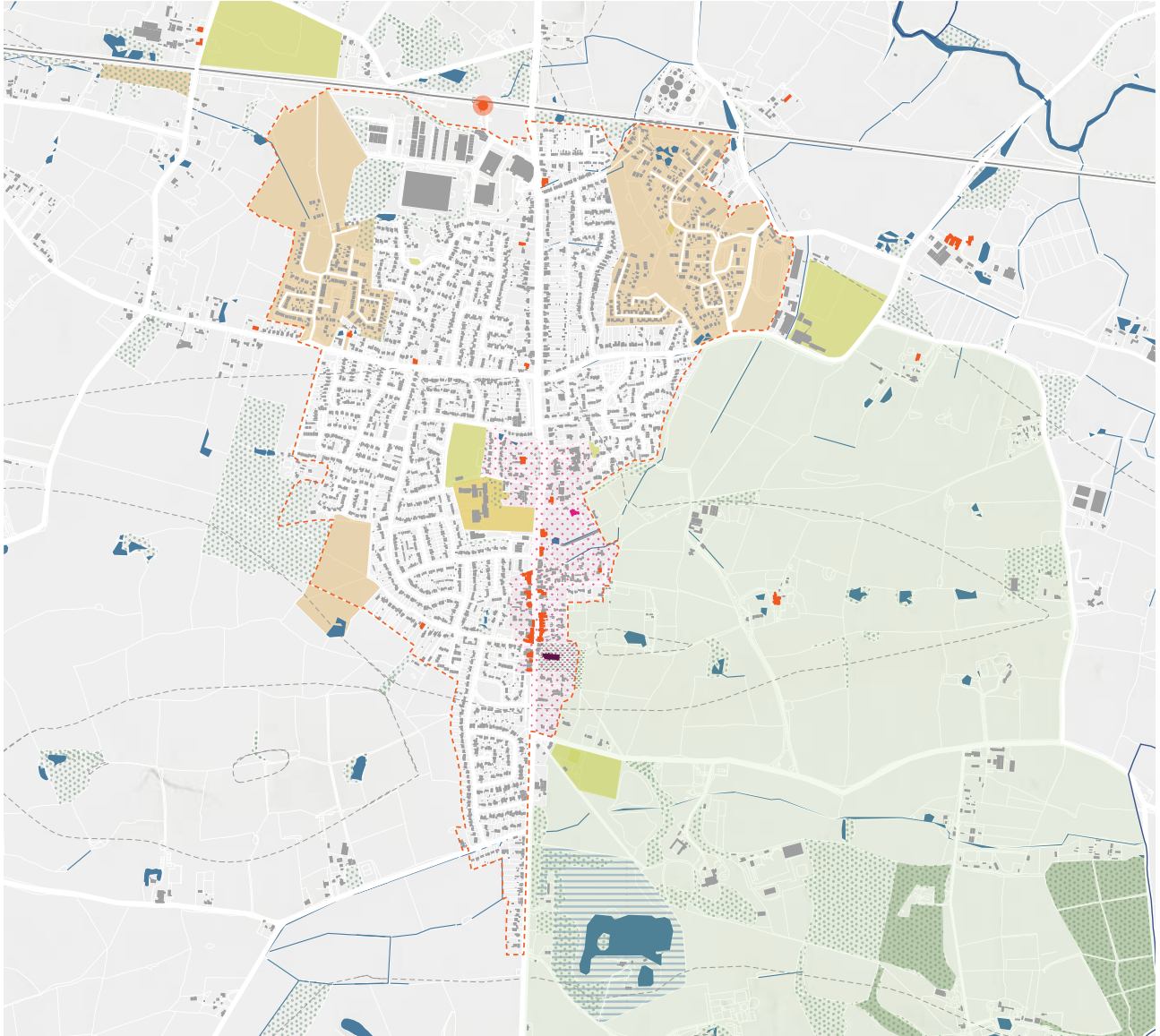
The long spine road through the village of Staplehurst follows the original path of a Roman road which passed through the Weald.

The village contains a significant concentration of buildings with historic and architectural value. At the centre, All Saints Church and the village's earliest dwellings (of timber frame construction) are situated on an elevated limestone ridge. Other notable examples of timber framed buildings on the High Street include the Crown Cottages, a long-close studded building with an integral cart entry, the c.14th century Kings Head public house and, further northwards, Loddenden Hall. In contrast, there are also distinctive Victorian era buildings, including the austere blond brick Vine House and the unusually rambunctious Village hall, originally a village school. Additionally, the village encompasses hall houses, including the 14th century Copp William (on the western edge of Staplehurst) and Little Hearts Heath.

The prevailing landscape is low lying and gently undulating, with shallow elevated ridges to the south including at the centre of Staplehurst. There is also a network of watercourses, ditches and ponds, with willows populating more waterlogged ground. Given the topography, many views are enclosed by tall hedgerows and tree belts, unless fields have been enlarged for arable agriculture. Where there is elevated land, long views include Greensand Ridge and woodland to the north, and Sherenden Wooded Hills and the High Weald AONB to the south.

The landscape largely comprises a coherent pattern of small fields with mature oaks, orchards and pasture, enclosed by thick native hedgerows. Small woodland blocks are also a common feature, including ancient woodland. Nonetheless, there are also examples of fields being enlarged for arable agriculture, leaving irregularly shaped fields of monoculture crops.

Development is dispersed in form, comprising several small hamlets and farmsteads scattered across the area. These are linked by gently winding rural roads with generous verges and ditches containing cow parsley, meadowsweet and other colourful flora. Overall, the landscape has a historic and productive character.



- | | | | |
|-------------------------------|---------------------------|--------------------------|------------------|
| ----- Topography | Conservation Area | Landscape of local value | Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| ● Railway Station | Grade I listed building | Other green areas | |
| ■ Buildings | | Local Woodland | |
| ■ Educational Facilities | | Ancient Woodland | |
| ▬ Health Facilities | | Water bodies | |

Figure 17: Plan of Staplehurst_1.30.000



3.6.3. Marden

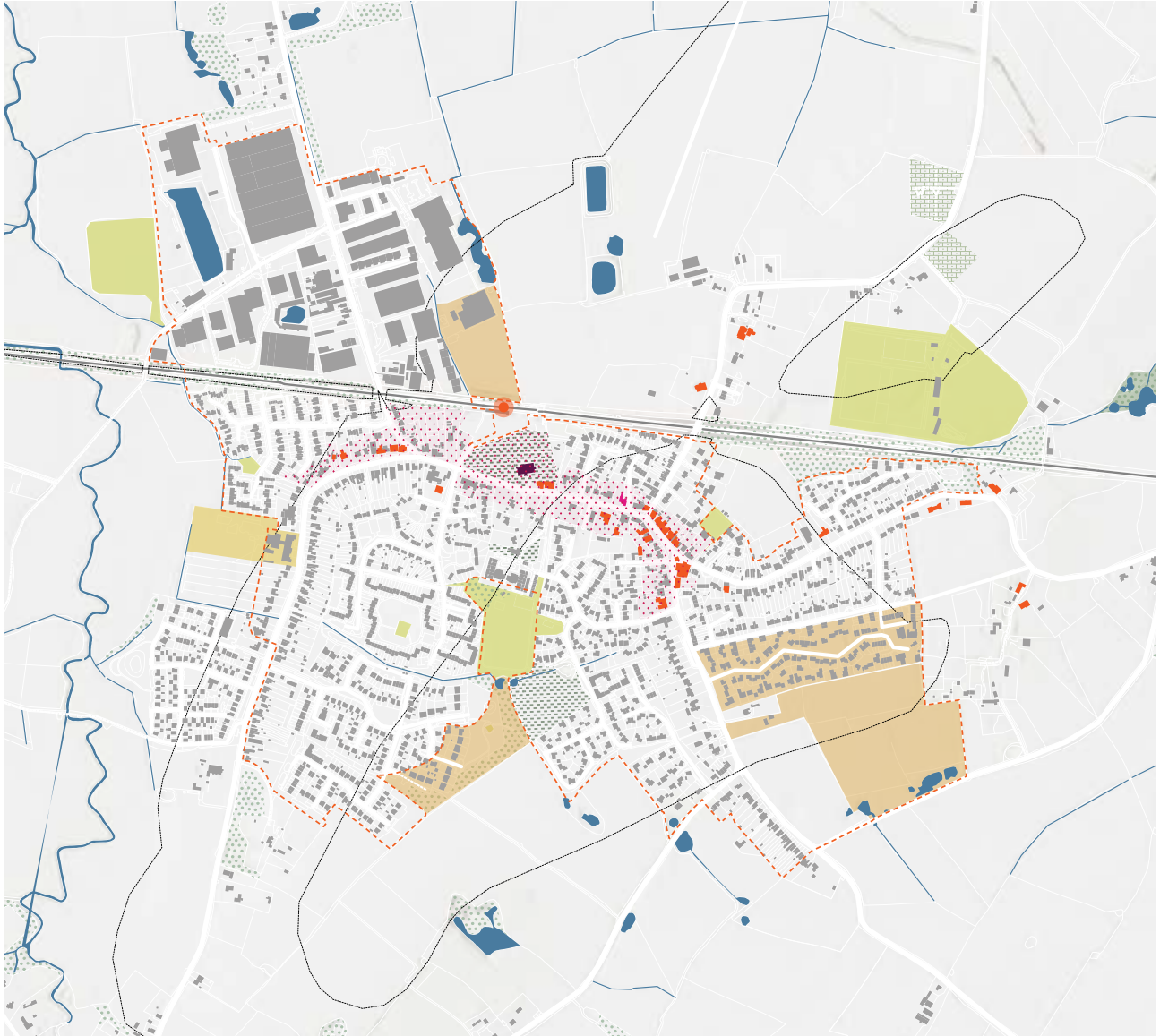
Marden is a Rural Service Centre situated some distance to the south of Maidstone. It is highly connected, has a significant role in the local economy and has a number of facilities. Services include one school, a few local businesses (including a convenience shop and two public houses), leisure facilities, a GP surgery, bus services and a rail station. There are also highway connections to the A229 to the east. Marden is intersected by the Tonbridge-Ashford rail line – a large industrial estate lies to the north of this, while the main part of the village lies to the south.

Adjacent to the rail station, St Michael and All Angels Church is situated, built from rubble sandstone and Bethersden marble and set within a parklike churchyard. Marden's High Street extends from the Church south-eastwards, comprising a significant collection of historic buildings, particularly those of weatherboarding, timber framing and tile hung construction.

Timber framed close-studded buildings include the large medieval Turnpike House, taking the form of a Wealden hall, and the 17th century Culpeppers building. There are also examples of weatherboarded buildings on the High Street, including the tiny Court House on a crossroads to the east.

Its surrounding landscape is predominantly characterised by the low lying, gently undulating topography of the Low Weald. West of Marden, alluvium drifts sit atop the Wealden Clay, forming the Teise Valleys. These are relatively inconspicuous in the landscape, carrying the narrow Rivers Teise and Lesser Teise northwards to the Rivers Beult and Medway.

Given the topography, many views are enclosed by tall hedgerows and tree belts, albeit the white cowls of oast houses are visible above vegetation in some places. Where there is elevated land, long views include Greensand Ridge and woodland to the north, and Sherenden Wooded Hills and the High Weald AONB to the south.



- | | | | |
|-------------------------------|---------------------------|--------------------------|------------------|
| ----- Topography | Conservation Area | Landscape of local value | Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| ● Railway Station | Grade I listed building | Other green areas | |
| ■ Buildings | | Local Woodland | |
| ■ Educational Facilities | | Ancient Woodland | |
| | | Water bodies | |

Figure 18: Plan of Marden_1: 20.000



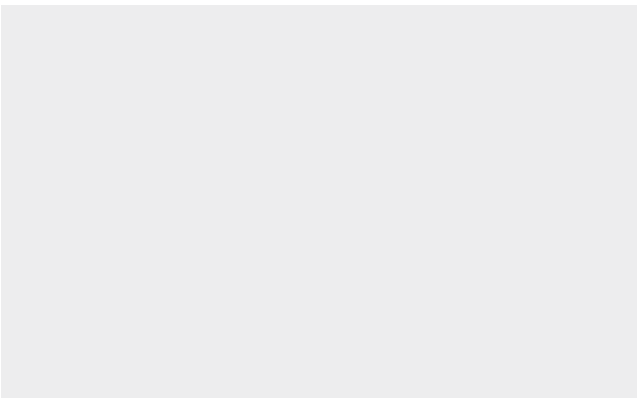
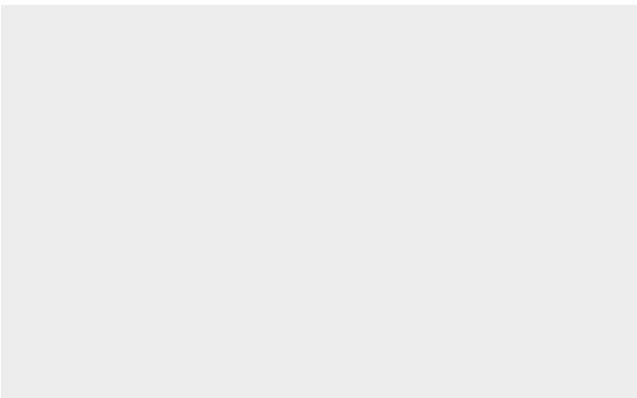
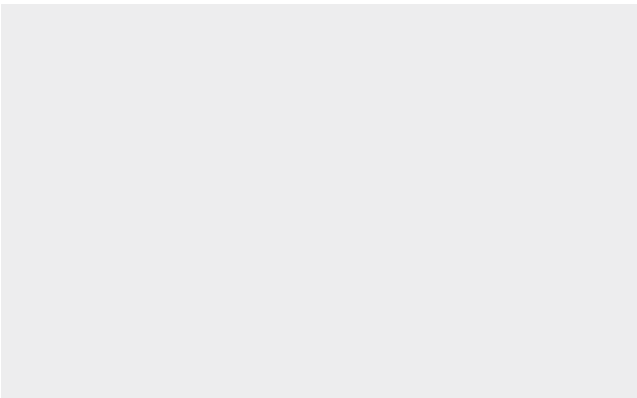
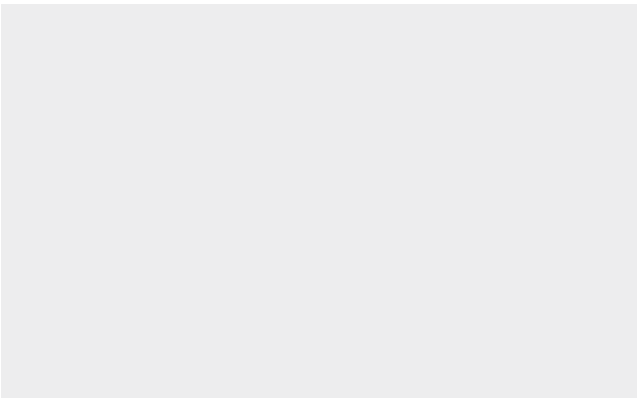
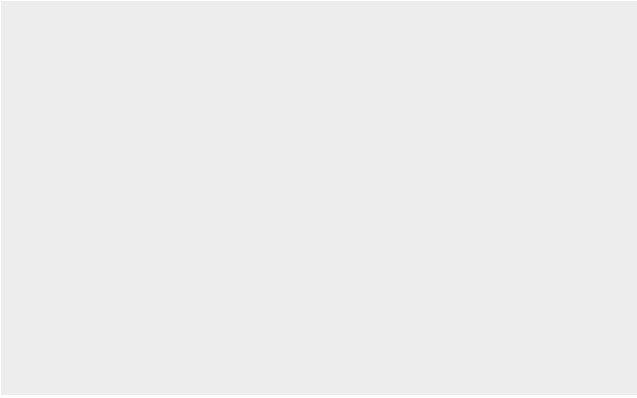
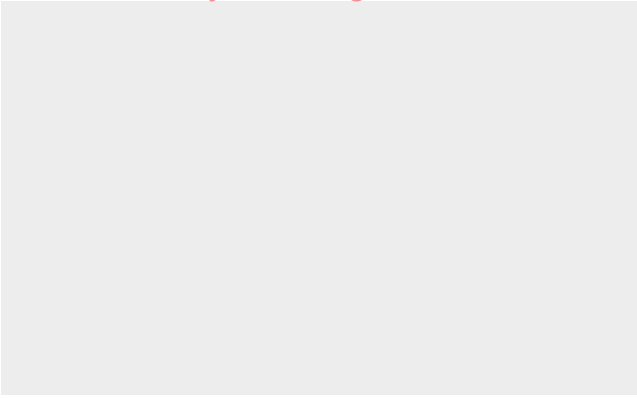
Throughout Marden's hinterland, ditches, watercourses and ponds are common, with shrubby willows indicating the wettest land.

In proximity to Marden, there are largely grazed fields enclosed by hedgerow and mature, often ancient, oak trees. Hedgerows in this locality are thought to have been cut from cleared woodland in the Medieval era, giving them a more irregular appearance. Fields are interspersed with orchards enclosed by wooded shelterbelts (including alder and poplar species). Additionally, there are occasional traditional unploughed meadows, such as the Marden Meadows Site of Special Scientific Interest, which support several rare fauna and flora. In contrast, there are also examples of large irregular arable fields containing monoculture crops.

Westwards, native vegetation populates the alluvium drifts of the Teise Valleys. Woodland is mainly limited to tall native tree belts which enclose fields and line ditches – these contain willow, oak and blackthorn species. Fields are irregular in pattern, are often unenclosed and feature isolated oak trees. Some are used for equestrian grazing, where herds of horses are accommodated in more open, large paddocks.

In proximity to Marden, development is dispersed in form, comprising several small hamlets and farmsteads scattered across the area, many of historic significance. These are linked by gently winding rural roads with generous verges and ditches containing cow parsley, meadowsweet and other colourful flora. Westwards, the Teise Valleys contain very little development, save a few farmsteads, converted oasts and timber barns. In addition, the Tonbridge-Ashford rail line passes linearly through the landscape from east to west, although vegetation screens it from wider views.

Photo Survey On-Going



3.6.4. Headcorn

Headcorn is situated some distance to the south-east of Maidstone, within the Low Weald landscape character area. It is highly connected, has a significant role in the local economy and has a number of facilities. Services include one school, some local businesses (including a supermarket and public houses), leisure facilities, GP surgeries, bus services and a rail station. The village is also well-connected by road, with the A274 highway running through its centre.

Headcorn is a large Wealden village, granted market rights in 1251. It has developed north and westwards from its historic core, and has a strong south boundary demarcated by the Tonbridge-Ashford rail line.

The Bethersden marble St Peter and St Paul Church lies towards the south-west corner of the village, set within an open grassed churchyard. It has a strong visual relationship with the High Street which extends eastwards before it. To the rear of the Church, bordering the graveyard, the Headcorn Manor is situated – this is a Wealden house originally built as a vicarage for the Church. South of the Church, the Methodist Church lies, banded with red and yellow brick.

Travelling eastwards, the High Street features a row of several historically significant buildings, featuring a mix of different architecture. From the medieval period, there are a group of timber-framed dwellings to the east end of the High Street, including the close-studded Shakespeare House with a prominent roof form, and Cloth Hall at the south end of North Street. Further eastwards and of a comparatively simpler form, there is a small hall house with façades composed of brick and tile-hanging. Additionally, from the Victorian era, there is the relatively tall chequer brick Institute building, the old English style George & Dragon public house and the small brick-built Baptist Chapel distinctly situated in its own verdant grounds and churchyard.

The landform is predominantly low lying, gently undulating clay with instances of alluvial drift. Views are predominantly enclosed, due to the network of small fields enclosed by thick hedgerows, tree belts and tall hedgerow oaks.



- | | | | |
|-------------------------------|---------------------------|--------------------------|------------------|
| ----- Topography | Conservation Area | Landscape of local value | Site Allocations |
| - - - - - Settlement Boundary | Grade II listed building | Green playing/sport area | |
| — Railway | Grade II* listed building | Productive gardens | |
| Railway Station | Grade I listed building | Other green areas | |
| Buildings | | Local Woodland | |
| Educational Facilities | | Ancient Woodland | |
| | | Water bodies | |

Figure 19: Plan of Headcorn



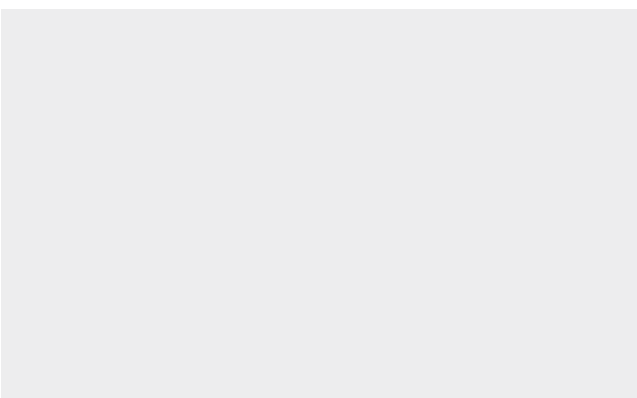
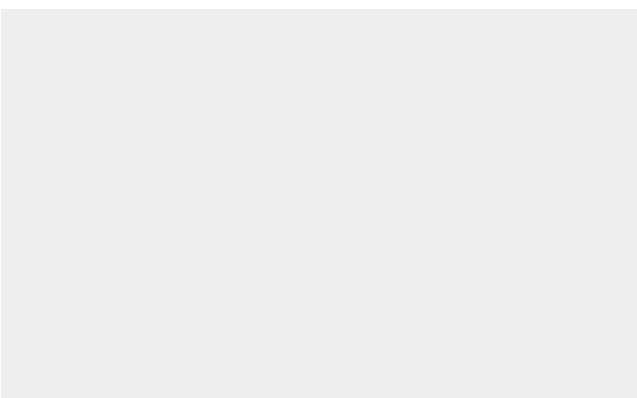
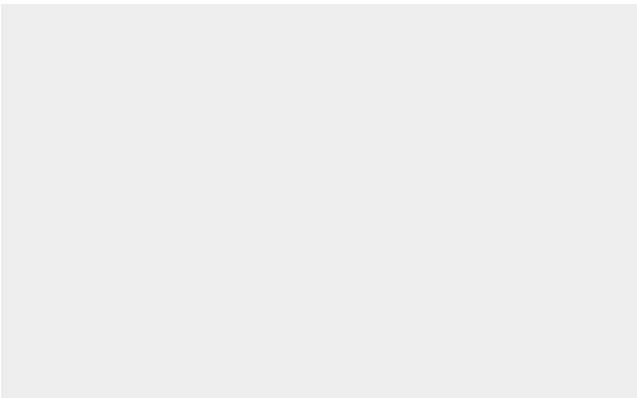
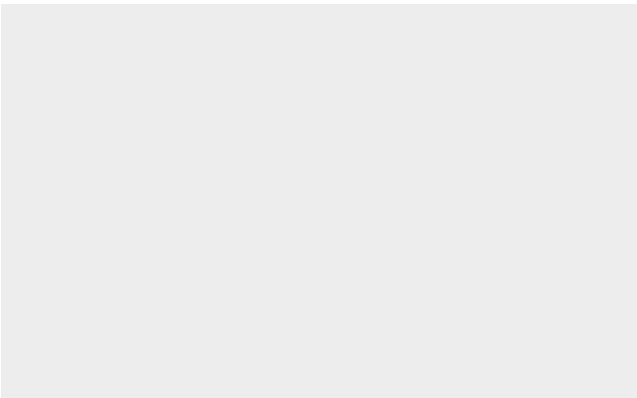
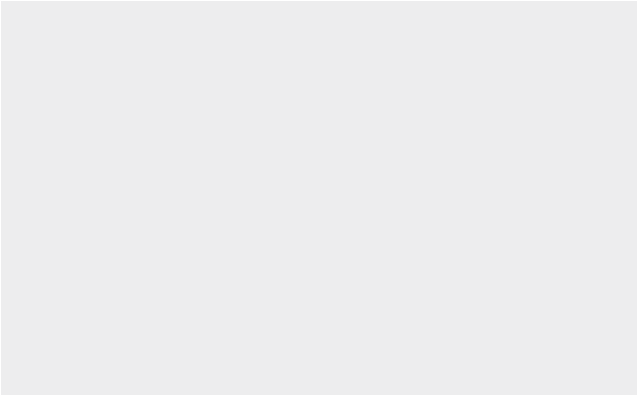
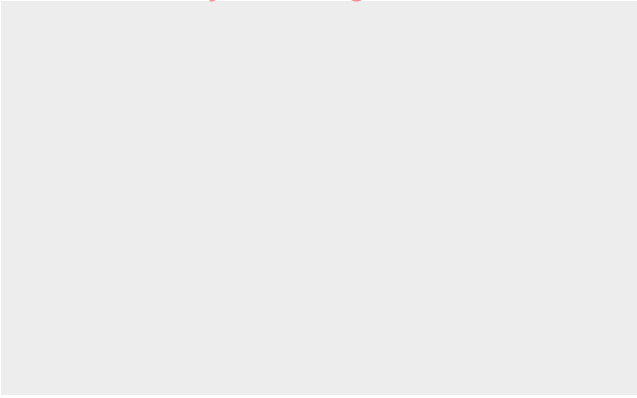
Northwards, ground levels are slightly higher and permit long views towards Greensand Ridge, the village of Sutton Valence on an elevated ridge and the ragstone Church of St Mary the Virgin. To the south of Headcorn, the broad and shallow Beult Valley gradually meanders north-westwards, permitting the River Beult to eventually join the River Medway at Yalding. Very exposed views appear where hedgerows are patchier or where there are large arable fields, again back towards the Greensand Ridge on the horizon.

Small scale enclosed pasture predominates, both within the vicinity of Headcorn and close to the meandering rivers to the south, creating a strong sense of place. The fields are typically contained by irregular Medieval native hedgerows and shaws, with frequent mature hedgerow oaks. There are also areas of modern agriculture, particularly to the foot of the Greensand Ridge, interspersed with reservoirs. Additionally, around Headcorn, there are small disparate pockets of mixed woodland.

Ponds, watercourses and ditches are common, draining the heavy Wealden clay soils, particularly to the south. These areas often feature willow, reeds and other emergent vegetation. In addition, the banks of the River Sherway, a tributary of the River Beult, supports an ecologically rich environment of ponds and pastures, with flora and fauna (including green woodpecker and grey heron) typical of clay rivers.

Development is dispersed in form and comprises a combination of isolated farmsteads, small hamlets and villages. Around Headcorn, there are several traditional oast houses, timber framed buildings and hung tiled properties. Further south, development becomes more infrequent. Historic buildings are predominantly agricultural, and incorporate materials such as timber framing, or chequered brickwork in Flemish bond.

Photo Survey On-Going



04. Maidstone Borough Design & Sustainability Requirements

4.1 Overarching Design & Sustainability Principles

All development should play its part in the creation of high quality, beautiful and sustainable buildings and places¹⁷. The creation of high quality buildings and places is fundamental to the health and wellbeing of the residents of the Borough of Maidstone. Good design is set out in the National Design Guide under the 10 characteristics illustrated on Figure 1.

As the National Design Guide suggests, a well-designed place must take a holistic approach in designing:

- the layout (or masterplan);
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

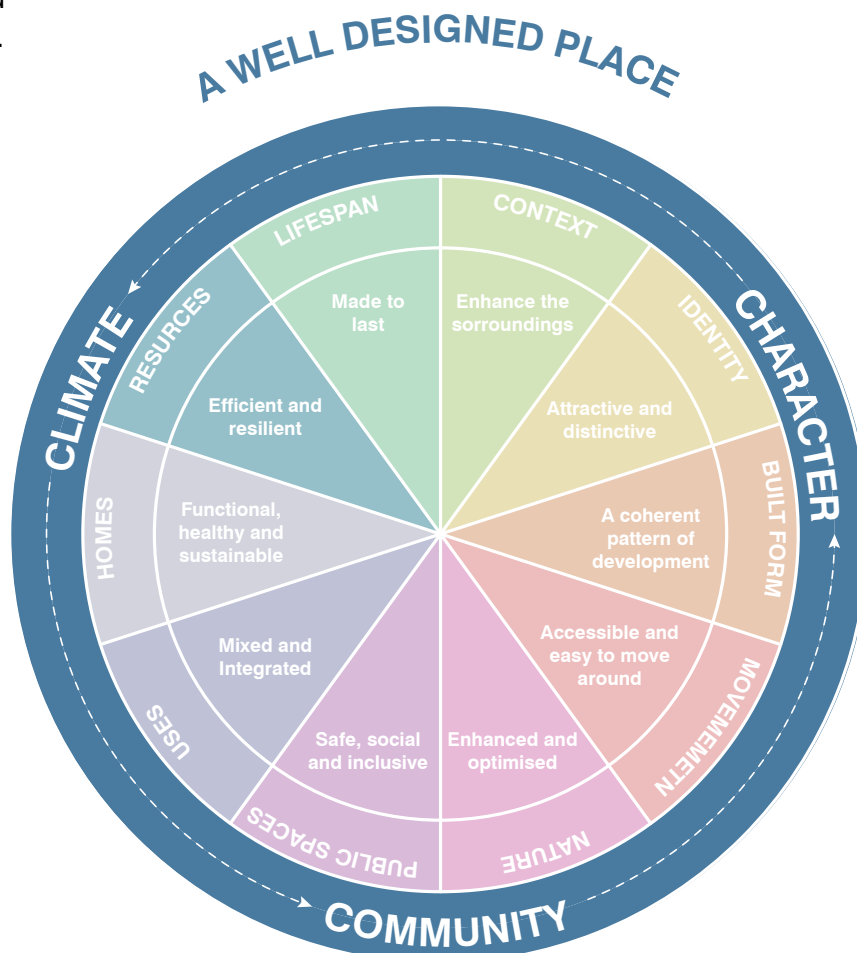


Figure 20: The components of a well-designed place from the National Design Guide

17. NPPF, Chapter 12



Placemaking

This is the process of creating places that encourage the right uses and activities in the right locations. Placemaking can be understood as the ‘software’ of a development; it is a social concept that describes seeding the ingredients that will produce vibrancy and vitality in the places that we’ve built. Successful placemaking creates a clear purpose through which unique identity can develop over time. High-quality placemaking should convey care and attention to detail that encourages people to take ownership and pride in a place as well as experiencing joy and inclusion when in that space.



Streets & Buildings

This is the three-dimensional arrangement of the structures that we build. Streets and buildings can be understood as the ‘hardware’ of a development, which creates a physical relationship between people and the built environment.

Successfully designed streets and buildings provide a human scale environment that feels safe and comfortable for everyone to use, as well as being configured in a manner that is intuitive to navigate and contains clear visual cues. Highly sustainable forms of building ensure efficient use of land through developments which encourage people to walk or cycle. In turn, these will incorporate the efficient use of resources and energy.



Open Space and Nature

Open spaces serve a variety of very important functions that make our settlements healthy, liveable and desirable. Open spaces will range from the highly managed formal parks and squares, to the informal natural and semi-natural spaces in which people are secondary to the natural environment. All types of open spaces are important for biodiversity and nature-based solutions.

Well-designed open spaces should cater to all users, be resilient and create suitable enclosure whilst maintaining physical and visual links to the surroundings.

They must also look attractive, with features such as trees and planting that thrive and attract both people and ecological diversity.

Conserving and enhancing natural features will help to create connected green networks throughout the Borough. Exceptional open spaces and a thriving natural environment have a key role to play in water management, carbon sequestration and climate adaptation and mitigation in new developments.



Movement

The movement network is formed from a connected network of streets, paths and tracks that provide safe, inclusive, accessible and attractive facilities for walking and cycling. The network should include access to high-quality public transport connections and enable safe freight, delivery, servicing and private vehicle movements where required. High quality movement networks prioritise active and sustainable transport in order to ensure that people can stay connected to local amenities, jobs and services.

Additionally, the network should minimise the impact of vehicles and the local environment by reducing Greenhouse Gas emissions and can also contribute to healthier communities with improved wellbeing as a result of more active lifestyles. Well-designed movement networks ensure many connections between neighbourhoods and draw on the historic street patterns and desire lines of a place. The hierarchy and layout of well-designed movement networks should work intrinsically with built form and landscape and seek to prioritise people over the needs of vehicles.



Sustainable Buildings

Sustainable buildings minimise the impact on the environment through their approaches to design, construction and operation. They will also minimise their impact at the end of their life by using materials that are readily re-used. Buildings should provide comfortable and healthy environments for people to live, work, and spend time in as well as being intuitive to use and maintain.

Sustainable buildings reduce emissions and contribute to a circular economy by considering carbon consumption of the materials they are made from, the energy sources they are heated and powered by, as well as the ability to re-use or recycle materials at the end of a building's use.



Design Quality

Design quality refers to the articulation and delivery of great buildings and public spaces which enhance Maidstone's distinctive identity and conveys the aspirations and attention to detail that is attribute of great places. Well-designed places are robust, and adaptable; ensuring that buildings and public spaces are durable and have a long lifespan which can evolve with changes to the way people live and work.

For major developments, the Council will expect proposals to provide a site-wide masterplan, which meets each of the above requirements and associated DPD policies. The level of detail of a masterplan should be proportionate to the proposal and type of planning application (e.g. outline or full planning application).

4.2 Placemaking

4.2.1. Successful Placemaking Principles

Successful placemaking is the creation of places where people ‘love to live and work’ and, therefore, choose to dwell.

Placemaking is a creative, practical, and continual process. It is underpinned by a holistic approach to community wellbeing that embraces good design with health, economy, culture, and the environment. Heritage is integral to a place’s character. It requires leadership to establish clear and widely-owned policy and practice, developed in partnership between the Council and all of its stakeholders. It is typified by strong and ongoing community engagement, as well as professional involvement in the planning, design and management of new and regenerated places.

Development proposals should be of high design standards at all scales - from masterplanning to individual building and open space design. Good design should be fit for purpose, sustainable, efficient, coherent, flexible, responsive to context, attractive and a clear expression of the requirements of a particular brief. It should seek to add to the Borough’s overall quality as a place and attractiveness, and also where appropriate enhance its cultural capacity, its ability to create opportunities for community interaction, expression, learning, sharing, and enjoyment. Developing and perpetuating good design is achieved through peer-review design panels and meaningful public engagement.

The Council is committed to ensuring that new neighbourhoods make a significant contribution to the wellbeing of their communities.

D&S DPD PM1: Placemaking

All new development should be of high quality and must respond appropriately to its context, be inclusive and prioritise sustainability.

1. Understanding the Context, Character and Identity

Achieving a high quality proposal involves consideration of the design and layout of new buildings, alterations to existing buildings and the design of surrounding adjacent spaces.

All applicants will be required to demonstrate that their development proposal takes account of the following principles:

- a) Reflect the distinctive character of Maidstone's locality and places whose setting would be affected, in respect of their separate identities, valued townscapes, urban form, street layout, materiality and other key design, landscape or other natural elements;
- b) Situate sensitively to protect the countryside, including in views out of and into settlements, particularly where topography affects the prominence of development in views of the wider landscape;
- c) Retain, celebrate and/or interpret existing heritage or landscape feature(s) in the urban form of new proposals;
- d) Demonstrate how the relationship with key buildings, views and vistas, both within and beyond proposals, have been used to create interest and delight in the new development;
- e) Promoting sustainable, vibrant inclusive and healthy communities;
- f) Create a varied sequence of spaces and vistas aligned with focal buildings; and
- g) Preserve the special architectural and historic interest of listed buildings and preserve or enhance the character or appearance of Conservation Areas.

Sustainable and popular communities are where residents and visitors can access a range of services and opportunities within a reasonable distance of where they live. Developments should create or support attractive, healthy and liveable communities which strive to embody the 20-minute neighbourhood concept. Within larger developments, this may require a mix of uses, whilst infill development or changes of use should consider the opportunity to enhance the character and function of an area.

Within a proposal site, developments should have a permeable street network with clearly defined route hierarchies that are safe, designed for all users and support desirable mobility options for people to choose not to travel by car.

All applicants will be required to demonstrate that development takes accounts for the following principles:

a) Demonstrate the 20-minute neighbourhood concept:

- i. For small scale developments, proposals should connect to their surrounding areas and demonstrate how access to existing amenities and transport nodes has been established or enhanced;
- ii. For large scale developments, proposals should demonstrate how they provide community focal points, amenities and transport nodes at locations with the highest catchment of existing and new residents.

b) Proposals should create child friendly environments, through the provision of play environments and movement networks that are safe and enable an appropriate degree of independent mobility.

c) Proposals should ensure they are creating healthy environments that are appropriate for older people and those of limited mobility.

2. Design Engagement with Communities and Stakeholders

Successful development proposals generally have broad-based support, from land promoters, developers and from existing and future communities. This support should be established through a robust process of design engagement beyond statutory consultation.

To ensure that new development proposals gain consensus, the applicant must set out:

- a) A process of meaningful engagement with the public and stakeholders, which starts at an early stage in the design process, making best use of digital technology to reach and engage existing and potential new communities widely.
- b) A timetable for the transparent and timely publication of engagement information to the public and stakeholders so that they are empowered to provide informed responses to proposals.
- c) A summary of how proposals have responded to feedback at each stage of engagement.

In addition to the above requirements, development shall integrate all relevant requirements of this D&S DPD.

Supporting policy guidance

Overall Approach

The Council's approach to placemaking draws directly on the advice in the National Design Guide. Paragraph 63 of the guide notes that "well-designed places have:

- compact forms of development that are walkable, contributing positively to well-being and placemaking;
- accessible local public transport, services and facilities, to ensure sustainable development;
- recognisable streets and other spaces with their edges defined by buildings, making it easy for anyone to find their way around, and promoting safety and accessibility; and
- memorable features or groupings of buildings, spaces, uses or activities that create a sense of place, promoting inclusion and cohesion."

The approach also reflects other guidance including the Manual for Streets and The Town and County Planning Association (TCPA)'s 'Guide to 20-minute Neighbourhoods' (March 2021)¹⁸. The latter document provides guidance and information on the features of a 20-minute neighbourhood and how to successfully implement the concept in existing places and in new large-scale developments.

The Design and Access Statement should be the primary document which justifies the design quality of the development.

18.The Town and County Planning Association 'Guide to achievement of this aspiration.20-minute Neighbourhoods - Creating Healthier, Active, Prosperous Communities' (March 2021)

Understanding context

Development should be justified on a robust understanding of its unique relationship with the surroundings, so that it relates well to its setting. This is developed through an analytical observation of the area that surrounds the site and the processes that have shaped it. An overview of the context for development in the Borough has been provided in Part 3 of this D&S DPD, however it is expected that this will form the basis of detailed site-specific observation by an applicant and their design team. Topics that can form the basis of this analysis could include¹⁹:

- Topography and geology;
- Waterways, drainage patterns and flooding;
- Landscape and ecology;
- Open space;
- Local character;
- Materiality;
- Heritage and cultural assets;
- Land use and built form;
- Community infrastructure, including meeting places, healthcare and schools;
- Public transport accessibility;
- Street hierarchy;
- Demographics; and
- Socio-economics.

From these observations a site can be evaluated and described in terms of its strengths and opportunities and a set of structuring elements can be developed. This can form the basis of a vision for the development.

19. Page 9 National Model Design Code Part 1: Baseline

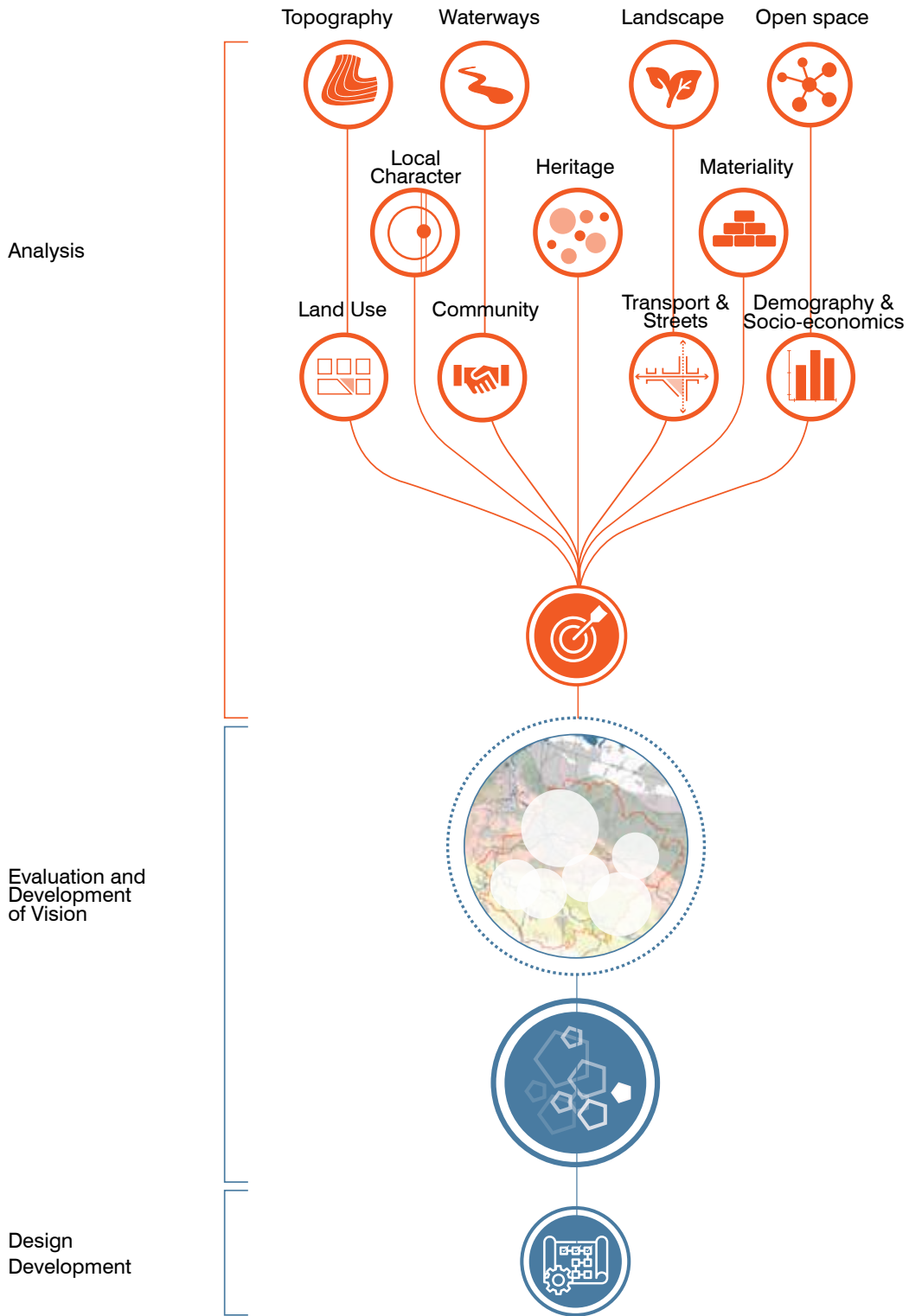


Figure 21: Methodology Diagram

Character and Identity

Character and identity are social concepts derived from associations with the environment we experience. In both cases developments should seek to promote positive associations, through the composition of the development, and also through its on-going management and stewardship.

The character of a place is derived from the composition of built and natural components and the associations that this composition brings. Strategies that develop characterful places include:

1. Visual interest, including consistent and rhythmic building designs but where appropriate, the creation of areas of varying character;
2. Well located buildings of distinction, that provide reference points and legibility; and
3. Coherent architectural detailing that reflects the local character of places as well as the function of individual buildings.

Identity is derived from the experiences and memories that are ascribed to a place. Strategies to develop unique and positive identity of places can include for example:

- Integrated heritage assets or interpretation;
- Amenity spaces that are at the heart of new developments, designed for use by the whole community;
- Well-designed and managed public realm which people value and care for; and
- Co-location of community and other non-residential uses adjacent to areas of public realm.
- Well-designed and managed public realm which people value and care for.

20. The Town and County Planning Association 'Guide to achievement of this aspiration. 20-minute Neighbourhoods - Creating Healthier, Active, Prosperous Communities' (March 2021)

Promoting local centres and supporting a vibrant mix of uses

The TCPA 'Guide to 20-minute Neighbourhoods' (March 2021)²⁰ provides guidance and information on the features which make up a 20-minute neighbourhood and how to successfully implement in existing places and when planning new large-scale developments.



Figure 22: Diagram illustrating the key components of a 20-minute neighbourhood according to The Town and County Planning Association.

Creating Inclusive Places

Inclusive places provide an environment where people of all ages and ranges of mobility are adequately catered for. This requires designing in safety and passive surveillance, encouraging social interactions which develop neighbourliness and a sense of community and the provision of infrastructure and design that enables mobility and independence. Time spent outdoors and in the presence of nature benefits health and wellbeing. For young people an environment that provides opportunities to play and develop levels of independence benefits their development. For older and less mobile people places to rest and dwell should be designed such that they reduce hazards, increase social connectedness and benefit well-being and mental health. In successfully designed inclusive places the whole community will prosper from a well-used and vibrant public realm.

Engagement with Communities and Stakeholders

The objective of design engagement should be an ongoing conversation, through which participants can articulate their concerns, but more importantly their aspirations for new proposals. This will mean engaging a broad but targeted audience to understand specific insights, and more widely to understand the ambitions of the future occupiers of a development. It can also be a useful process of allaying fears from existing residents. Successful engagement is where participants feel empowered by having positively influenced proposals through design development. The outcome of a successful engagement process should be designs that are accepted and generally popular, helping establish pride and a sense of ownership of new developments.

In accordance with the National Model Design Code, potential methods of engagement might include:

- Visual preference surveys;
- Place assessment tools;
- Structured workshops and charettes;
- Community panels or forums;
- Drop in events and exhibitions;
- Design review panels;
- Social media engagement;
- Digital models and visualisations; and
- Community data gathering.

4.2.2. New and transformed places in the Borough of Maidstone

Well-designed developments respond positively to the distinctive townscapes and landscapes where they are situated. This subsection comprises a place-specific policy to encourage proposals to respond to the unique urban characteristics of Maidstone Town Centre and its role as the county town of Kent.

D&S DPD PM2: Maidstone Town Centre

Development which lies within the defined area of Maidstone Town Centre (as defined on the Local Plan Policies Map) should retain and enhance its character, attractiveness, vitality and accessibility and contribute to its role as a strategic business, shopping and service centre. As the county town of Kent, Maidstone town centre has the potential to accommodate buildings of scale, and should be of a quality that is representative of its importance in the county.

Developments should achieve:

- a) Comprehensively designed proposals which maximise the potential of the site in accordance with relevant development principles, including the Town Centre Strategy, development brief and/or other guidance;
- b) Design which reflects the scale and context of the town centre, including interesting and distinct, multi-building frontages, use of local materials, the creation of new landmarks and incidental spaces and demonstrate the use of best practice in contemporary urban design and place making;
- c) Incorporates or contributes to a mix of uses including residential uses which are appropriate to the location of the site, its accessibility and the character of the surrounding area. Proposals should seek to minimise potential conflicts and ensure the on-going commercial operations that support a vibrant high street;
- d) At street level, ground floor uses must maintain and/or contribute to town centre activity, especially retail vitality on primary and secondary shopping frontages, generating footfall. Where practicable, major mixed-use developments should provide employment or other commercial and leisure uses in a range of unit sizes and assess the scope to include residential uses, particularly on upper floors;
- e) The creation of new, or the enhancement of existing, high quality pedestrian priority civic spaces, improved connections, linkages and activated public spaces and traffic-free routes where achievable; and
- f) Promotion of active travel trips and incorporation of appropriate levels of cycle parking.

All development must have regard to the historic environment and take account of the contribution heritage assets make to the character of an area and its sense of place. This should be in reference to the national and local evidence base relating to heritage, including Historic England guidance and detailed advice in relevant Conservation Area appraisals.

Development should maximise opportunities to preserve, enhance, or better reveal the significance of designated heritage assets and that of any other heritage assets subsequently identified through the development process. It will also promote recognition of the importance of the historic environment through traditional heritage interpretation measures such as plaques and interpretation boards or artistic and digital interpretation measures. Heritage can also be interpreted through creative approaches to the design of new buildings and open spaces.

Supporting policy guidance

Overall Approach

Maidstone Town Centre will go through a period of significant change, with the Borough's spatial strategy identifying it as having capacity to accommodate significant levels of housing growth, and economic and leisure development.

A long-term vision and strategy for Maidstone Town Centre is currently under development which will set out the core principles for its development and a spatial framework to guide the major areas of change. This work will strengthen the economic base of the town centre and stimulate its re-invention with a strong focus on heritage, arts and culture, leisure and the visitor economy.

Development will be prioritised through the town centre strategy and will:

- Maximise the use of identified opportunity sites;
- Integrate the blue and green infrastructure of the urban area and establish improved public realm and connections, including to the riverside; and
- Improve the perception of the place and ensure that the town centre is a place where people want to live, visit and feel safe.

Intentionally Blank

4.3 Streets and Buildings

4.3.1. Optimising Built Form

The three-dimensional pattern or arrangement of development blocks, streets, buildings and open spaces is often referred to as Built Form. It is the interrelationship between all these elements that creates an attractive place to live, work and visit, rather than their individual characteristics: the sum of the parts is, indeed, greater than the whole. Together they create the built environment and contribute to its character and sense of place. These approaches are relevant to the town centre, suburbs, the villages and rural settlements.

Well-designed streets and public spaces contribute significantly to the success of places and to the sustainability agenda. Streets and public spaces should be laid out to support both well-being and environmentally friendly transport by:

Being safe, comfortable, stimulating and attractive environments that encourage social interaction and act as meeting points for communities; and

- Encouraging sustainable transport modes and healthy lifestyles that reduce reliance on the car. This is also helped through the creation of attractive environments for pedestrians and cyclists.
- Streets and spaces are also heavily influenced by the buildings that engage with them, for example, their scale, built form, quality and of course their use function. The interface between building and streets and places is critical to successful place-making.

The following policies apply equally to both new places and also to changes or additions to existing places, where individual buildings or infill development provide an opportunity to maintain or enhance the quality and sustainability of a place.

D&S DPD S1: Built Form

1. Overarching objectives

Proposals for developments should positively address each of the following interlinked characteristics that influence the sense of place:

- a) Compact forms of development that are walkable, provide accessible local services and facilities and support access to public transport to ensure sustainable development;
- b) Recognisable streets and other spaces with their edges defined by buildings or street trees/landscaping, creating intimate and supervised environments, making it easy for anyone to find their way around, and promoting safety and accessibility;
- c) Memorable features or groupings of buildings, spaces, uses or activities that create interest and 'events' along routes, contributing to a sense of place, promoting inclusion and cohesion; and
- d) Active frontages enlivening the edge of the street and creating an interesting and engaging environment. Active frontages should be achieved with frequent entrances and openings that ensure the street is overlooked and to generate pedestrian activity as people come and go from buildings.

2. Scale and Massing

The scale and mass of buildings may vary across sites and will relate to the prominence, function, context of prevailing scale and role of the street or space that it frames.

Designers should break down otherwise monolithic built forms with smaller plot sizes, together with architectural consideration of features such as the design of doors and windows, datum lines, fenestration, rhythmic elements and varied roof lines.

3. Blocks and Plots

Careful consideration should be given to the scale of building plots, with the emphasis generally being upon a finer urban grain that relates better to the human scale. Applicants should give due consideration to historic patterns through the use of figure-ground diagrams and where possible, look to repair past insensitive changes to the built pattern of an area. Blocks may be regular (i.e. rectangular) or irregular depending on the context of the site and the character that the development is seeking to achieve;

- a) Block layout proportions should be scaled to encourage walking and cycling;
- b) Blocks should define the positive public space between them by orientating the building plots within them towards the street. Blocks will be scaled to avoid the need to incorporate cul-de-sacs at their centre; and
- c) Building frontage within plots and boundary treatments should form a coherent and positive visual enclosure to the street and promote inclusivity

4. Layout, Streets and Space

Streets should be designed as social spaces with the needs of pedestrians, cyclists and public transport users put above the needs of the motorist. Street furniture such as seating should be incorporated to provide spaces to dwell and rest.

Applicants should ensure that proposals:

- a) Achieve a coherent hierarchy of routes framed with buildings of a proportionate scale to the function of the street;
- b) Include where appropriate landscaping and green space in the street;
- c) Contribute positively to, and clearly define, public and private realms and be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;
- d) Incorporate a green infrastructure plan that maximises opportunities to retain existing trees and incorporate new trees and other natural planting within public spaces, including delivering tree-lined streets and pocket open spaces whilst also protecting and enhancing existing open spaces and gardens that contribute to the character and function of the area;
- e) Incorporate well-integrated parking and servicing areas that do not dominate the street environment, particularly where high density housing is proposed (see Policies S6 Off-street parking, S7 On-street parking, S9 Servicing layout and access and S10 integrating refuse and recycling storage for further requirements and guidance);

Cul-de-sacs will generally not be acceptable unless there is a site-specific reason for their incorporation.

5. Enclosure

- a) Generally, the height to width ratio of well-enclosed streets will be 1:1 – 1:2 and no greater than 1:3 unless there is a legible site specific rationale; and
- b) Enclosure will typically be defined by building fronts or street trees/landscaping and not by fences, blank gables, garages, parking or high walls.

6. Relationship between buildings and street

- a) Animated uses should be oriented to the front of buildings and domestic, private rooms should be orientated to the rear of buildings to provide passively surveyed and vibrant streets;
- b) For non-residential and mixed-use developments on streets, ground floor units should provide front door access to the public, as appropriate. Blank facades or impermeable glazing should be avoided; and
- c) Boundary treatments should be human scaled and allow for passive surveillance of the public realm. Boundary treatment should avoid a 'fortress' like appearance, while still framing the plot and visually indicating the definition between public and private space.

Supporting policy guidance

Overall approach

This policy follows the guidance set out in the National Design Guide and is interpreted in a Maidstone context.

Elements such as street layout, architecture, materials, gardens, forecourts, verges, incidental spaces, village greens, boundary treatments, trees and other vegetation, lighting and street furniture can considerably influence landscape quality. Detailed landscape schemes will be required as part of development proposals since these are significant factors in the aesthetic and functional quality and success of a development, its assimilation into the landscape context and its contribution to the character and perceived quality of the greater area.

New development should normally provide strong street enclosure and continuous frontages that enable coherent building lines with the corners of blocks emphasised. Within urban areas, the established existing building line should usually be followed. Buildings should be arranged with public areas to the front so that buildings overlook and provide natural surveillance to streets and open spaces minimising opportunities for crime. This also allows for secure private areas at the rear.

Enhancing legibility

This policy draws on the National Design Guide, the Manual for Streets and accepted good practice.

New developments should enhance legibility by laying out development to respond to such existing features or through the careful location of new features or buildings to act as markers or landmarks. For larger schemes development should be laid out with a clear street hierarchy that allows users to easily distinguish main streets from secondary and minor routes. Streets that create a varied sequence of spaces and vistas aligned with focal buildings or other features can be more rewarding and contribute to the understanding of a place. This can be achieved through:

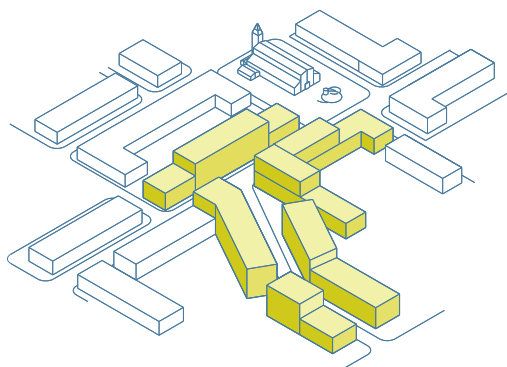
- A curve or kink in the street;
- Off-setting the street network and terminating the view on a building;
- Creating a pinch point;
- Creating 'moments' or 'events' along routes, including open spaces and landscaping; and/or
- Locating a taller building to terminate the street which marks the end of an axis.

Marker buildings may be a little taller than the surrounding context but this increase in height must be proportionate to the role that they play in the streetscape.

Scale and massing

The distribution of building scale and massing should be used to both respond to existing features, and provide the intuitive clues for people within the development to identify features such as primary routes, civic squares, boundary conditions and landscape features.

Figure 23: Diagram Illustrating how Scale and Massing can be designed to inform key routes and spaces



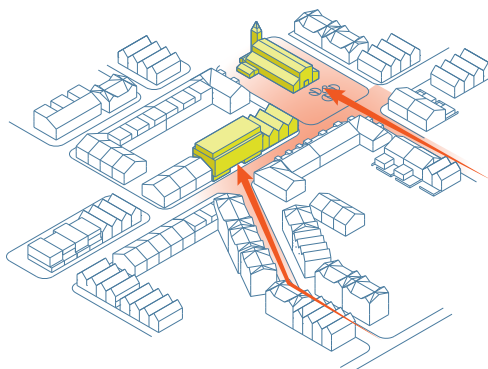
Enhancing legibility

New developments should enhance legibility by laying out development to respond to such existing features or through the careful location of new features or buildings to act as markers or landmarks. For larger schemes development should be laid out with a clear street hierarchy that allows users to easily distinguish main streets from secondary and minor routes. Streets that create a varied sequence of spaces and vistas aligned with focal buildings can be more rewarding and contribute to the understanding of a place. This can be achieved through:

- A curve or kink in the street;
- Off-setting the street network and terminating the view on a building;
- Creating a pinch point; and/or
- Locating a taller building to terminate the street which marks the end of an axis.

Marker buildings may be a little taller than the surrounding context but this increase in height must be proportionate to the role that they play in the streetscape.

Figure 24: Views, vistas and landmarks



Blocks and plots

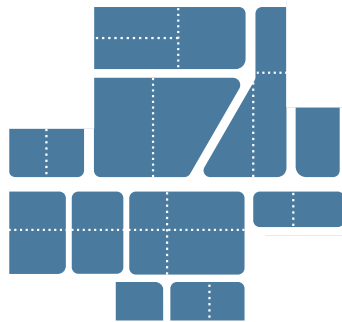
Blocks are typically the area within bounding streets in which buildings are sited and are defined by the fronts of plots and buildings, however, there may be instances where blocks are penetrated by pedestrian scale access.

The pattern of blocks should generally be based upon establishing a finer urban grain, for example, where possible extending uses vertically rather than horizontally.

The continuity of block frontage defines the street and as such the character of that space. Blocks should be proportioned so that they maintain visual interest along their length. Their scale will promote walking, as such their geometry should be direct and ensure that there is connectivity within a development. Where the interior of a block is developed, building types and public realm should be sub-servient to the primary frontage of the block and the more intimate 'mews' type of character should be recognised.

Plots are the subdivision of the block and dictate the curtilage associated with a building. Plots should generally provide the opportunity for the development of a rhythmic and related series of buildings and boundary treatments that form a positive street edge or boundary interface between plots.

Figure 25: An illustration of how streets frame urban Blocks and Plots

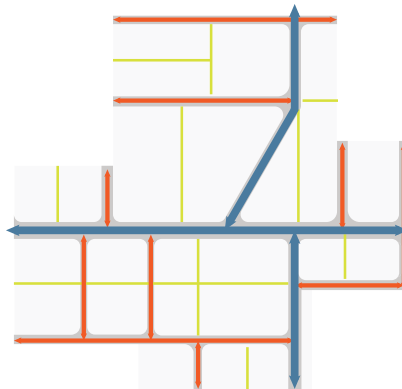


Layout, streets and space

Layouts are the way in which streets, other public spaces and buildings relate to one another, and should respond to a clear and logical hierarchy of connections. Traditional settlement layouts are compact and walkable and this should be a key consideration for proposals. Layouts should be connected to the surrounding communities via more than one point of access, and should respond to existing and likely desire lines between where people live, and where they are likely to want to go (for example, open spaces, schools, public transport stops or, amenities). Layouts should be well connected within development sites, and dead ends and cul-de-acs will not be deemed appropriate. New extensions to existing urban areas should seek to enhance, protect, repair or create new points of connectivity between existing and new places.

Again layouts should promote inclusivity.

Figure 26: Layout, streets and spaces



Incorporating public and private spaces

Development proposals that provide opportunities to promote the enhancement of, or creation of, public space will be supported. The use and enjoyment of streets and spaces are affected by how empowered people feel to engage in these spaces, through cultural, everyday leisure and economic activity. Private spaces should feel like safe completely private places people can relax in. Public spaces should feel like genuine public spaces that are welcoming and belong to everyone. Semi-private space, especially in housing developments, needs extreme care in design so immediate neighbours can have a sense of their collective ownership and even stewardship. Consideration should be given to Secured by Design principles whilst balancing the needs of urban design principles such as attractive connected streets and spaces.

Enclosure

Enclosure is defined by the proportion of building height relative to the width of the public (and semi-public) space that they frame. A well-enclosed street is welcoming and provides a sense of place, and will be produced by a coherent building line or positive boundary treatment. Domestic enclosure for traditional housing typologies is ratio of around 1:1 up to 1:2 and certainly no more than 1:3. A more civic scale of enclosure may be defined in residential areas where the scale of public realm enables and where this is supported with well-considered tree planting.

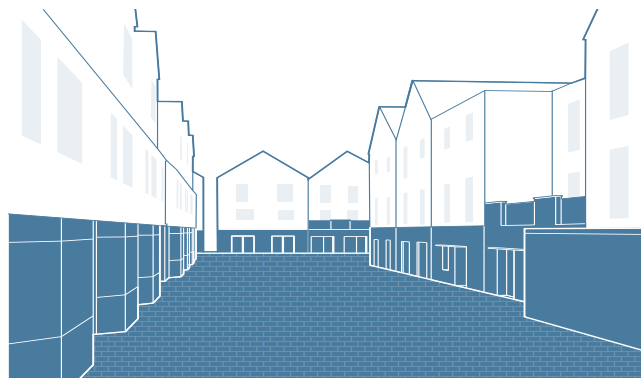
Figure 27: Diagram describing a 'domestic' sense of enclosure



Connection with Activity on the street

Frequent front entrances, paired front doors, bay windows, porches and balconies all project activity and will animate the street. Both residential and commercial buildings with active or habitable rooms and generous windows to the street will also produce an enlivened and more attractive street scene. Importantly it makes the street feel safer as when they are overlooked and discourages anti-social behaviour and the perception of insecurity. Extensive blank or dead frontages should be avoided, particularly in non-residential areas or buildings fronting public realm.

Figure 28: Connection with streets' activity



4.3.2. Tall Buildings

High density development can normally be delivered through well designed compact development without the need for tall buildings.

D&S DPD S2: Tall Buildings

Tall buildings in the context of Maidstone town centre are defined as above six storeys. In exceptional circumstances there may be potential for tall buildings in Maidstone town centre, where it can be demonstrated that they play a role in improving legibility, for instance marking the location of one of the railway stations or new civic space and contribute to the overall town centre regeneration. Outside of Maidstone Urban Area, tall buildings will be defined as those that rise more than 6 metres above the prevailing height of its context.

Proposals for tall buildings should consider the impact on medium and long views, and should include a detailed views analysis to ensure the development will not harm the setting of heritage assets.

Any tall building will need to be:

- a) A height and scale, mass and volume that is proportionate to its role, and its position in the local context; and
- b) An outstanding and elegant design that makes a positive contribution to the skyline when viewed from any direction.

Tall buildings should also:

- c) Enhance the character and distinctiveness of an area without adversely affecting established valued townscapes and views including Conservation Areas and Listed Buildings and other heritage assets and their settings;
- d) Present a positive relationship with the street and deliver a high-quality public realm; and
- e) Be designed to avoid creating any adverse impact on the microclimate, amenity and environment of the proposal site and the surrounding area.

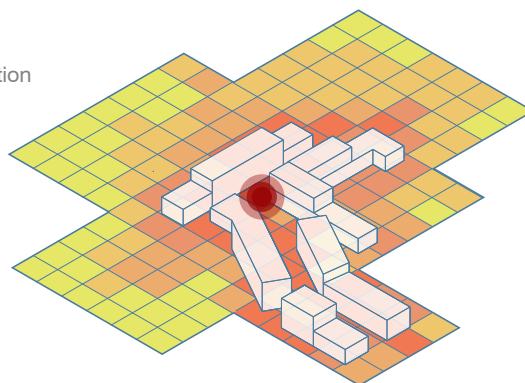
The relationship of a tall building with the public realm is important and tall buildings should be promoted as part of a comprehensive proposal that can address the challenges of servicing and provision of a mix of uses to provide activity at the ground floor/street level.

4.3.3. Optimising Density

New development should generally respond to the scale, massing and grain of adjacent areas and the settlement context within which it is located. However, in some parts of the Borough there may be an opportunity to deliver a new development character provided this is part of a comprehensive vision, establishes a sense of place and does not impact on the sensitive townscape or landscape assets of an area. Density should be regarded as an outcome of the character of development, rather than a target to be achieved. Density can therefore be used as a design tool to produce areas where there is good accessibility to shops and services or good public transport links that minimise the need to travel and/or reliance on private vehicles. Larger urban extensions and new Garden Villages also offer the potential for higher densities particularly around neighbourhood and village centres, and public transport nodes.

However, the delivery of higher densities of development becomes proportionately more dependent upon the quality of building design and the quality of accommodation and amenity provided for future occupiers.

Figure 29: Density and Heights distribution



D&S DPD S3: Optimising Density

New development should generally respond to the scale, massing and grain of adjacent areas and the settlement context within which it is located.

There are opportunities to promote a greater concentration of development in:

- a) Maidstone town centre and some sites close to the town centre;
- b) The most accessible parts of new urban extensions where this does not adversely impact on existing homes/character and the rural edge; and
- c) Employment sites where appropriate access and servicing can be maintained.

Higher density schemes should promote green travel options through dedicated green travel plans and include measures such as reduced parking provision, provision of car club spaces, good quality cycle parking and improved connections to public transport.

Any development that promotes a scale, height and massing that is significantly greater than the existing context must also demonstrate that it does not:

- a) Cause significant harm to the amenity of adjacent properties;
- b) Adversely impact on views of the wider townscape and landscape;
- c) Harm the setting of heritage assets;
- d) Adversely impact on the quality of the streets and spaces; and/or
- e) Generate parking or servicing areas that dominates or adversely impacts on the public realm.

Urban extensions and New Settlements

The character and form of the different parts of urban extensions should be varied.

A range of urban grains, plots and blocks, densities, building types and forms will normally be required to cater to a diverse population, catchment and housing need. Variety also contributes to the character of larger developments, creating identifiable neighbourhoods and local places. Higher density development should be situated in the more accessible locations and lower density development in the peripheral areas. Grouping housing types further aids diversity across a development.

More compact development that creates a stronger sense of street enclosure is encouraged along main streets and around neighbourhood centres, particularly where it can help reinforce the importance of these areas.

Higher density focal points should be associated with good quality public realm.

Supporting policy guidance

Increasing the intensity of development in the most accessible locations will help to deliver much needed homes and employment space in the most sustainable places reducing both the need to travel and the pressure to build on the countryside. However, it is essential that density is not achieved by sacrificing quality or amenity of existing and future occupants.

Optimising density through the integration of contemporary residential and architectural typologies can enable additional opportunities for open spaces at the heart of a development site. New development should generally respond to the scale, massing and grain of adjacent areas and the settlement context within which it is located. Opportunities to maximise multi-functional open spaces should be encouraged through the distribution of density across a site.

Urban Extensions

The character and form of the different areas of an urban extension should vary in order to enhance the overall legibility and distinctiveness of the development while also delivering a balanced community.

A range of densities, building types and forms will normally be required, with higher density development in the more accessible locations and lower density development in the peripheral areas.

Varied character and density in larger new developments helps to enhance the overall legibility and character areas within the development while also delivering a balanced community offering housing choice.

More compact development along main streets and around neighbourhood centres can be delivered through a combination of greater height, vertically articulated frontages and terracing of properties to deliver a more continuous, but engaged, street frontage with underlying rhythm and order. Promoting higher buildings fronting onto public spaces is often appropriate as they provide more overlooking, do not overshadow or overlook other homes and increase the sense of enclosure.

4.3.4. Mixed Uses

Mixed-use schemes are promoted because they positively contribute to sustainability by providing local facilities within walking distance and give developments a community focus.

Where new development is proposed in an area that is already deficient in certain uses, services or amenities, it can offer the opportunity to improve the range of uses and services available to an established community, as well as new residents, thereby enhancing the sustainability of existing areas.

D&S DPD S4: Mixed Uses and Local Centres

Larger proposals (typically over 100 dwellings) should consider the provision of employment opportunities local services and facilities which are accessible within 20 minutes' walk or cycle; in addition to public space, leisure and recreation opportunities. Proposals should demonstrate how these amenities are accessed conveniently and intuitively within 20-minute walk or cycle. Where there is a lack of local provision within 20-minutes, the extent of the provision onsite should be informed by an assessment of the existing local provision and potential catchment area, in particular, any deficiencies that would be exacerbated by the development.

The location of mixed-use centres, neighbourhood hubs and community facilities should be:

- a) Located preferably at the intersection of well-connected streets;
- b) A walkable and cyclable distance from the surrounding residential development (reference the 20-minute neighbourhood);
- c) Easy to identify;
- d) Designed inclusively, accessible for all users and encouraging of healthy lifestyles and behaviours; and
- e) Where possible, be served by an existing bus route or make provision for future connectivity.

They should generally be designed:

- f) As a cluster of facilities around an appropriately scaled high quality public space that provides a central focus between building frontages that define the space;
- g) With residential development above non-residential uses to enable activity and surveillance throughout the day and night;

h) To minimise potential conflicts with residential uses and ensure the commercial operations that support a vibrant high street;

i) With the non-active parts of larger non-residential buildings (such as supermarkets or leisure/entertainment buildings) concealed within blocks enabling an active frontage around the perimeter;

j) With servicing areas located where they do not visually dominate the streetscene and to avoid dead frontages overlooking the public realm; and

k) With short stay/visitor and disabled car parking spaces and secure cycle parking discreetly integrated into the streetscape and landscape design.

To support sustainability and a sense of community larger proposals (300+ homes) should normally include local services and facilities in addition to public space. The extent of the provision will nevertheless depend on factors such as economic viability, the existing local provision and potential catchment area.

The accessible location of mixed-use centres and neighbourhood hubs within a development is key to their viability and long-term success.

4.3.5. Public Realm

Public realm comprises any spaces that are perceived of as publicly accessible. Policy S5 promotes proposals with a public realm of high visual quality that all members of the community can enjoy and benefit from. As identified within this DPD, they are an essential element of placemaking and the approach to their design is as important as that for buildings.

They often bring together or connect different parts of an area and should therefore be considered on a spatial basis, ie, not plot by plot or forecourt by forecourt.

They must be welcoming and safe spaces for residents, workers and visitors alike and should be adaptable to varying functions, for example, different daytime or nighttime roles. They should support the viability and vitality of mixed-use areas and encourage social gathering and allow, for example, in appropriate locations, the potential for small scale events.

This subsection stipulates two policies pertaining to the public realm that promote proposals both within and facing onto public realm of high visual quality that all members of the community can enjoy and benefit from. Public spaces should avoid interventions that imply private or corporate ownership.

D&S DPD S5: High Quality Public Realm and Streetscene

The public realm must be designed in a coordinated manner using a consistent palette of high quality and robust materials in combination with appropriate soft landscaping whilst avoiding cluttering the street with excessive furniture or signage.

- a) As well as being routes, public realm should provide the opportunity for visual or functional 'events' along their route that may be focussed upon, for example, heritage or landscape assets, key nodes. Such areas should consider the scope for public art and be designed to be dynamic flexible spaces.
- b) Surface materials and street furniture should be informed in their appearance in relation to:
 - a. The existing character of an area, including local building materials;
 - b. Their intended purpose, maintenance and management;
 - c. Technical requirements;
 - d. Soft landscaping;
- c) Alignment with Sustainable Drainage principles (refer to Policy ON5 Sustainable Drainage Systems and supporting text); and

- d) Inclusive design for all pedestrians, cyclists, those with prams, those with limited mobility and those who are visually impaired.
- e) Natural stone, either as flags, setts or cobbles, or natural brick is the most appropriate surface treatment, especially in historic and rural locations, informed by local materials palettes;
- f) Street furniture should be simple, high quality, robust and responsive to its setting and integral to the landscape design. It should be restricted to essential items and combine functionality where possible;
- g) Lighting schemes should be designed as an integral element of the public realm and be designed to enhance key built or landscape features.
- h) Light fittings should be low energy and temperature and be designed to avoid causing light pollution particularly in sensitive and rural areas (refer to Policy ON7 Protection of Dark Skies);
- i) Proposals for lighting of individual buildings or spaces shall be designed to complement rather than detract from the wider public realm lighting strategy.
- j) Utility requirements such as supply boxes, meter cupboards cable runs and maintenance access and the location of electric vehicle (EV) charging points should be considered at an early stage of the design process to avoid conflicts between these and landscape features, tree planting and public realm designs.

The overall lighting of areas of public realm should be part of a coordinated strategy, rather than being plot by plot.

Service runs should be coordinated under, for example, vehicular trafficked and other sensitive areas and located where their operation and maintenance does not conflict with the quality of the landscape or public realm. This extends to streets within principally residential areas.

Inclusive design should ensure that all buildings, places and spaces can be easily and comfortably accessed and used by everyone. This includes giving careful consideration for safe access for those who are visually impaired. Materials and colours should be designed with ease of legibility in mind, along with continuity in building edges for guide dogs to follow.

Modern services (including external pipework, flues, vents, meter cupboards, satellite dishes and aerials) can create a cluttered appearance and detract from the street scene and public realm. Careful consideration, therefore, needs to be given to their location and positioning on buildings at the initial design stage. Side or rear elevations, garages and car ports are the preferred location for residential services.

Rainwater downpipes, where of an appropriate material and form, can positively contribute to the articulation and rhythm of a façade by defining the plot widths of semi-detached and terraced houses or can be employed to help reduce the scale of apartment buildings through careful and regular positioning within the façade.

Within mixed-use areas, utility meters should be carefully planned so they are conveniently located and unobtrusive; preferably grouped together in discreet cabinets set within, rather than projecting from walls and avoiding the frontage whenever possible. Apartment buildings should normally have a communal media to restrict dish proliferation.

Where concrete or tarmac is proposed, low carbon, sustainable concrete or tarmac is preferred, such as recovered aggregate materials.

Incorporate public and private spaces

Development proposals that provide opportunities to promote the enhancement of, or creation of, public space will be supported. The use and enjoyment of streets and spaces are affected by how empowered people feel to engage in these spaces, through cultural, everyday leisure and economic activity. Private spaces should feel like safe completely private places people can relax in. Public spaces should feel like genuine public spaces that are welcoming and belong to everyone. Semi-private space, especially in housing developments, needs extreme care in design so immediate neighbours can have a sense of their collective ownership and even stewardship. Consideration should be given to Secured by Design principles whilst balancing the needs of urban design principles such as attractive connected streets and spaces.

Role of Public Art

On larger schemes there is often an opportunity to incorporate public art in the proposals. This should be considered at an early stage in the design process and carefully integrated to ensure it is well related to the development proposals.

4.3.6. Integated parking

The quality of the street environment should be a paramount consideration in designing parking spaces. Parking should be attractively integrated so that it does not dominate the streetscape, is softened by landscaping and accords with the other layout principles in the National Design Guide. A balanced approach should be taken to achieve convenient parking close to households, whilst minimising the impact of parking on the street.

This should also apply to the provision of EV charging points and applicants should consider how the increased uptake of electric vehicles will impact the development.

This subsection stipulates policies and provides guidance on how to sympathetically incorporate off-street and on-street parking in new developments, the latter being preferred in new developments. Applicants should prepare a comprehensive car parking strategy which contains a combination of appropriate parking solutions with a balance of on-street and off-street parking provided as relevant.

D&S DPD S6: Off-Street Parking

- a) Parking spaces should be discreetly incorporated, and preferably screened from the main public realm, so they do not contribute to a hard-edged/parking-dominated environment;
- b) Larger parking courts/squares will normally be unacceptable unless they are designed as part of a well landscaped and ordered open space that contributes positively to the development;
- c) For lower density areas with detached and semi-detached houses, parking should normally be discreetly accommodated to the side of dwellings, and behind the building line;
- d) Where a garage space is counted as part of the residential parking requirement, it shall be sized such that it is useable or designed in the style of an open fronted car barn; in order to enable daily use if required;
- e) Off-street parking in front of houses should normally be avoided;
- f) Adjacent to or on-street visitor parking should be distributed where it is convenient for the development as a whole and be designed to integrate with landscaping;
- g) Parking areas should be surfaced with permeable paving to prevent flooding and excessive water run-off;
- h) Parking associated with all new residential development shall be laid out to ensure the relevant requirements of Schedule 1 Part S of the Building Regulations (including amended or replacement Regulations) regarding EV charging are met; and
- i) All new non-residential buildings (with the exception of car parking serving customers of retail and leisure buildings that principally serve short stay visitors) with more than 10 associated parking spaces within the site boundary, shall provide a minimum of 2 'Fast' (7kW) or faster, EV charging points for every 10 spaces. Cable routes shall be provided for 50% of the remaining total number of spaces.

Supporting policy guidance

Off-street Parking in High and Low Density Developments

This policy draws on the National Design Guide, the Manual for Streets, Building Regulations and accepted good practice.

Higher density areas within new developments which incorporate terraced housing and flats should normally include rear court, under-croft or underground parking. Rear courts typically need to be small in scale (up to 15 spaces approximately) to avoid large soulless hard-edged environments. They should be designed so they benefit from direct overlooking while being well screened from the street; for these reasons, they work well when they are combined with flats over garages that define the street frontage. Entrances to rear parking courts should be carefully designed to create a semi-private appearance.

For lower density areas with detached and semi-detached houses, parking should normally be discreetly accommodated to the side of dwellings, and behind the building line where it is less visible from the street. Tandem parking arrangements avoid over-wide separation gaps between buildings. Off-street parking in front of houses should normally be avoided. This is likely to result in environments dominated by hard surfaces and generates greater face to face building distances leading to weaker street enclosure unless combined with taller building frontages.

Where provided, garages should be capable of daily use and thus sized accordingly. The preference is for open fronted car barns that are more suited to regular use.

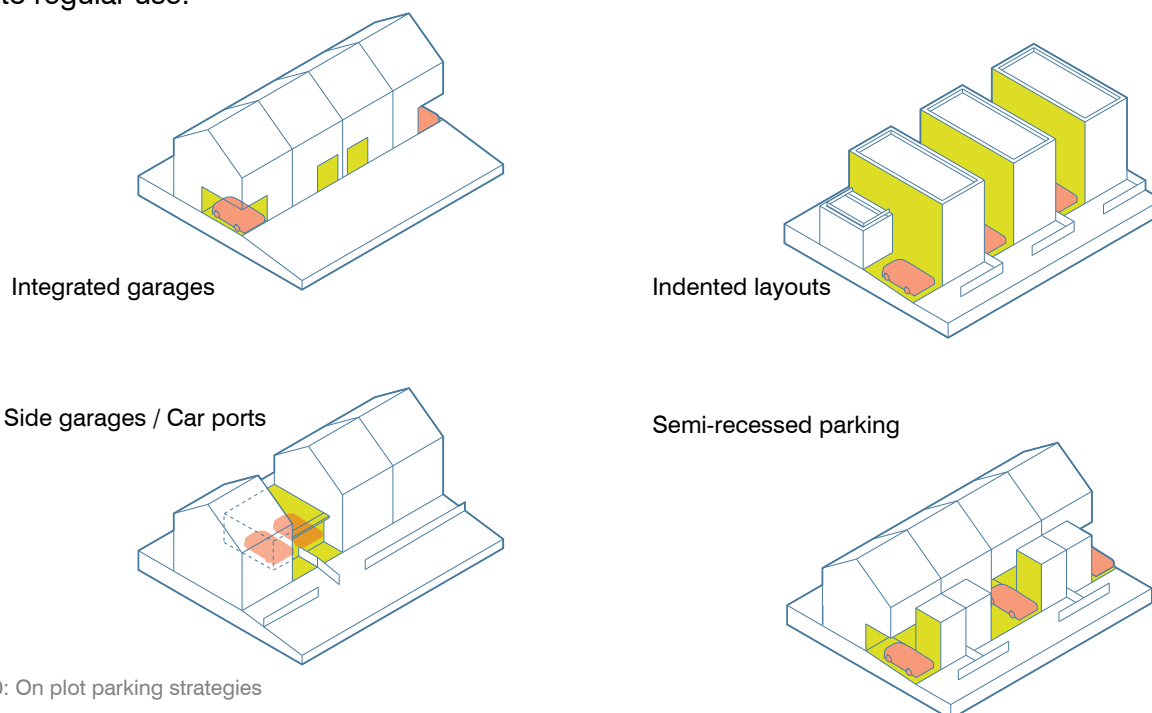


Figure 30: On plot parking strategies

Intentionally Blank

D&S DPD S7: On-Street Parking

On-street parking should be well landscaped and incorporate generous safeguarding areas around trees and shrubs.

On-street parking must be designed to minimise its visual impact. Its primary purpose should be to provide for visitor parking.

- a) Parking bays should generally be laid out in parallel, rather than right-angles, with the street kerb;
- b) Right-angle on-street parking should be minimised in new developments as it can dominate the public realm, generate weak street enclosure and hard-edged street environments;
- c) On-street EV charging facilities should be provided on residential streets where there is reliance on street parking to meet parking standards. Provision should reflect the number of parking spaces directly associated with the development to meet parking provision standards and/or typically at a rate of one per dwelling or for all the parking spaces where there are fewer parking spaces than there are dwellings; and
- d) On-street parking should not cause obstructions in the highway, should enable free movement of refuse vehicles and buses while retaining continuous footways.

Supporting policy guidance

On-street Parking Layout

This policy draws on the National Design Guide, the Manual for Streets, Building Regulations and accepted good practice.

On-street parking is convenient for visitors and adds activity to the street and natural surveillance. Where used for allocated parking, for example terraced properties, it also avoids vehicle crossovers on the pedestrian footway.

On-street parking should be well landscaped and incorporate generous safeguarding areas around trees and shrubs to protect them from pedestrian as well as vehicular movement and provide for private defensible space at the front of dwellings.

Right-angle on-street parking should be minimised in new developments as it can dominate the public realm, generate weak street enclosure and hard-edged street environments. It is sometimes acceptable if it is positively designed as part of a comprehensive landscaped public realm and is limited to one part of a comprehensive parking strategy for the higher density areas.

Non-allocated shared parking (generally on street) is more efficient than designating parking to individual dwellings and this approach is supported to reduce parking numbers within development schemes especially in respect of terraced housing.

Provision for Electric Vehicle charging

Given Government objectives to cease sales of internal combustion engine cars in 2030, provision should be made to meet current and anticipated future demand. The EV charge points must be accessible to local residents. The Council will need to be satisfied that any plans will ensure local residents will be able to access the EV charge points. This may be via resident parking schemes or permits to ensure that local residents are assured that they will be able to charge their vehicles on a regular basis. Double-headed EV charge points, capable of charging two vehicles at once, should be installed wherever possible. Provisions for bays/laybys and on-street EV charging must be considered in dense areas to enable residents to access EV charging infrastructure without private driveways.

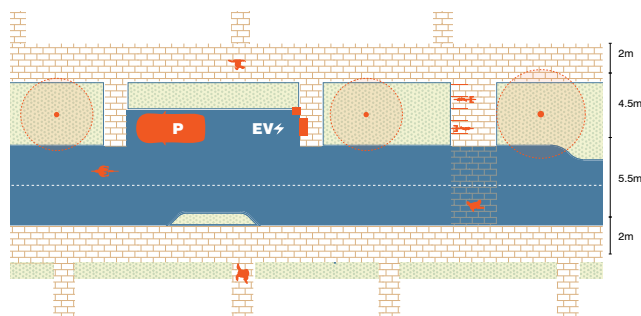


Figure 31: On street parking strategy

4.3.7. Settlement Edges

The careful treatment of settlement edges, particularly for proposals which seek to extend established settlement boundaries, is crucial for preserving and enhancing views of places. Settlement edges also play a role in maintaining visual distinction of places from surrounding development and landscapes.

New development should not seek to rely upon the adjacent countryside for its setting or views, as this inevitably means that there would be a material change and harm to the reverse view from the countryside.

D&S DPD S8: Settlement Edges

Properties should not back onto the settlement edge and the edge should not be defined by rear garden fences.

For larger developments or extensions on the edges of existing built-up areas and villages, the development shall be designed to ensure that there is an acceptable transition with the remaining countryside.

New development will be laid out in a manner that avoids a harsh transition through, for example:

Grading densities and building heights towards the edge of sites;

Individual properties should not back onto the settlement edge and the edge should not be defined by rear garden fences;

Avoiding narrow artificial boundary screening that would appear alien in the landscape, in favour of a wider landscape buffers that reflect natural landscape features;

Breaking up the development edge by allowing boundary planting to bleed into the built development;

Incorporating layers of planting throughout site in order to break up the roofscape;

Ensuring that structural landscaping within a site replicates natural landscape characteristics such as small copse, tree'd hedgerow;

Ensuring that the location of new buildings responds to topography, avoiding locating buildings where they may appear prominent in medium to longer distance views from the countryside; and

Managing artificial lighting towards the edges of developments.

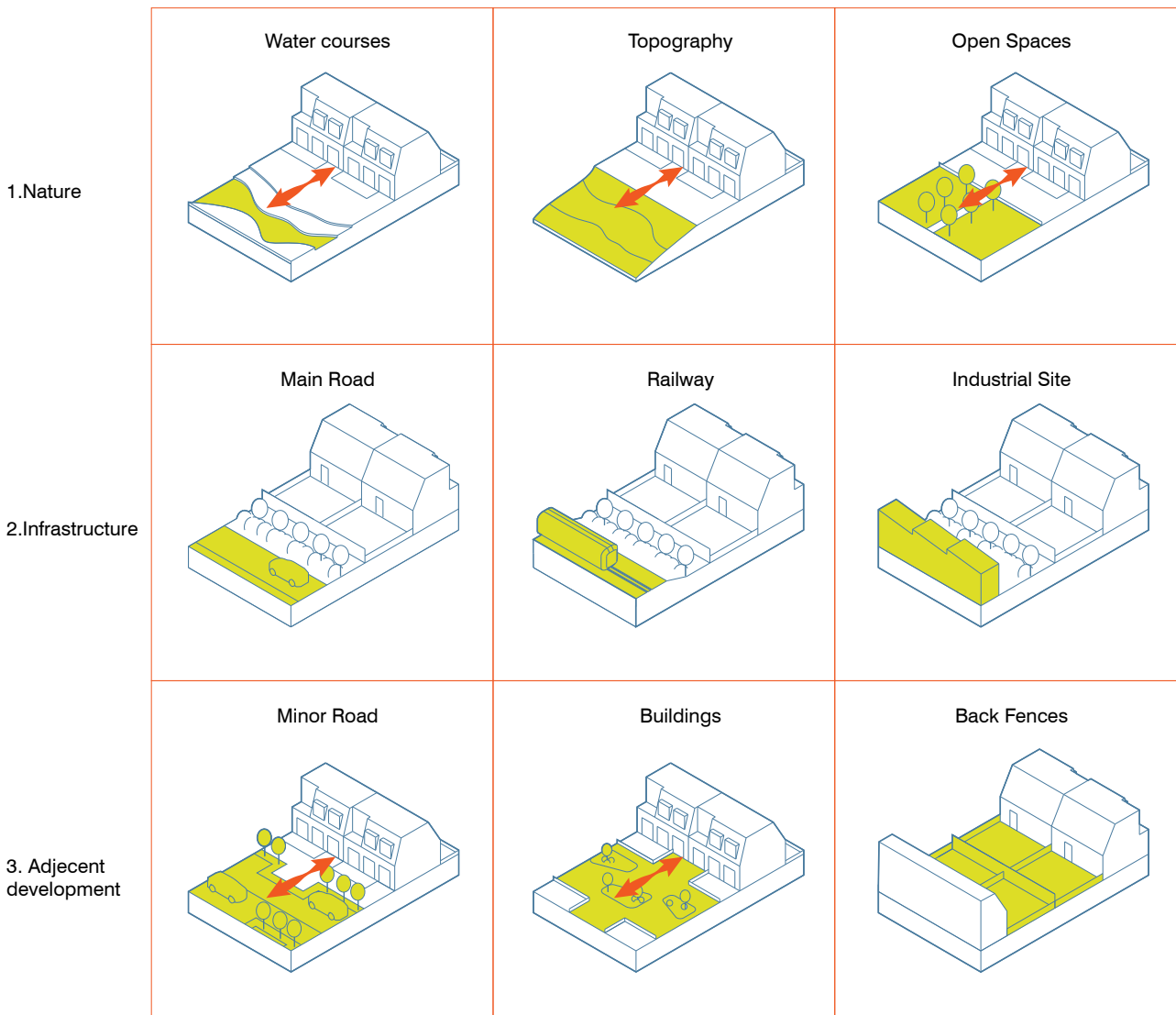


Figure 32: Edge conditions

Supporting policy guidance

Best Practice Boundary Treatments

The benefits of a soft transition from countryside to development to create a gradual change between town and countryside are widely accepted as good practice. Ideally settlement edges are generally strong and well vegetated, reflecting the traditional character of Maidstone's settlements and reducing the visual intrusion of items in rear gardens. New boundaries should reflect this and avoid appearing as unnatural landscape features.

Properties should not back onto the settlement edge and the edge should not be defined by rear garden fences. This can create security problems and over time the quality of the environment can become degraded as fences are replaced or fall into disrepair. When viewed from the countryside this creates an unresolved and untidy edge that diminishes the quality of the environment. Developments should therefore normally be designed with building frontages facing site boundaries served by new access roads that run adjacent to the built site edge, further separating new development from the countryside. This arrangement also enables existing tree-lined boundaries and hedgerows to be:

- Revealed to the public realm; and
- Safeguarded by incorporating them outside the private realm and avoiding potential overshadowing of rear gardens.

Development should nevertheless be sensitively designed so that it avoids imposing upon the rural edge and existing roads that are characterised by their hedgerows and tree belt. This may require additional boundary planting. At the rural edge lower density development will also normally be necessary, together with lower building heights in sensitive positions.

There are a variety of different edge conditions, which should be identified and designed for appropriately. These include edges produced by landscape features (for example watercourses, topographic changes or hedgerows), transport features (for example strategic roads and railways), and built form edges (for example farmsteads, residential and existing settlement edges and industrial sites).

Where boundary landscaping is provided, this should incorporate natural features and species of the surrounding landscape, a theme which should also continue into a sites internal structural landscaping.

Responding to landscape edges can enhance residential amenity, as well as landscape and habitat connections.

Responding to existing built features can create positive new streets, as well as completing existing blocks whilst retaining the amenity of existing buildings.

Responding to hard infrastructure can reduce its dominance and impact on the development.

4.3.8. Refuse, Storage and Utilities

It is essential that development responds positively to the waste hierarchy and is designed in a manner that firstly encourages a reduction in waste generated, but also enables recycling in both private and public spaces. Poorly planned or inadequately specified facilities associated with refuse collection and storage can have a significant detrimental impact on the quality of the streetscape and public if not properly planned. This subsection stipulates two policies to ensure proposals integrate practicable and unobtrusive refuse facilities.

D&S DPD S9: Servicing Layout and Access

The layout of development should be designed and tested to facilitate service vehicles and refuse collections.

Streets should be designed such that they are not used for informal overnight parking, which can prohibit early morning servicing.

The preference is for a continuous connected network of streets which helps avoid the need for large turning areas for servicing vehicles.

Space for the storage and collection of bins at individual residential and commercial properties, and communal properties should normally be attractively integrated into the streetscape, or buildings, and allow for bins to be easily moved to collection points and vehicles.

Details of the collection of waste should be submitted with planning applications for residential and commercial development.

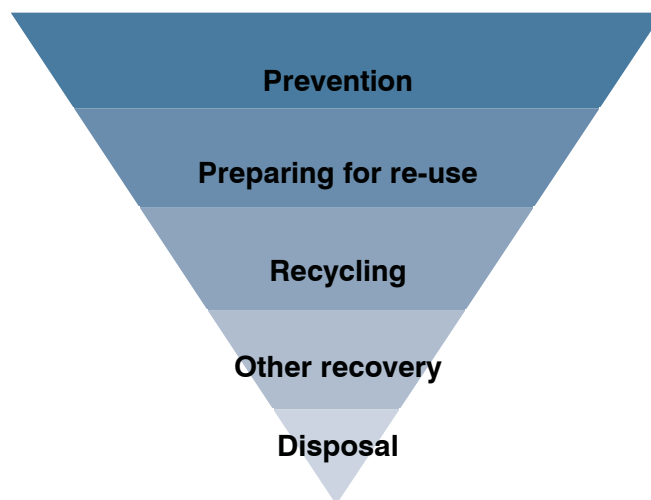


Figure 33: The Waste Hierarchy

D&S DPD S10: Integrating Refuse and Recycling Storage

Facilities for both residential and commercial refuse and recycling storage must be included in developments and should be:

- a) A suitable size to accommodate all the refuse and recycling containers to meet the needs of occupiers and be of a size acceptable to the refuse collection service;
- b) Carefully designed and located so they are neither visually obtrusive nor obstruct the passive surveillance of the street, and avoid having a deadening impact on the façade or threshold; and
- c) Located where they will not be obstructed by car parking.

For communal developments and commercial properties refuse and recycling facilities should be:

- a) Within secure and well-ventilated areas;
- b) Located so that they may be easily accessed from properties but where they will not cause nuisance through unpleasant odours or noise; and
- c) Coordinated with cycle storage.

Supporting policy guidance

Overall Approach

Well-designed storage helps to preserve the character of streets and spaces, keeping them uncluttered and visually appealing. Dedicated waste and recycling storage or set down spaces can help reduce street clutter and encourage people to store their bins neatly. Well designed and adequate provision encourages recycling. Storage for waste and recycling is poorly used if it is hard to access. In all but the largest of back gardens, a simple set down area in a back garden is often not an appropriate solution. Instead, space should be made to the side or front of a plot for waste and recycling, screened by a boundary hedge or fence to avert it becoming a visual intrusion or potential security risk.

For apartments, waste stores and cycles stores should be integrated into the building and be designed to be easily accessible, whilst not detracting from the streetscape. Should this not be possible, dedicated stores in timber, arranged as an outbuilding to the rear of the building, should be provided. Information on the approach to waste storage and collection should be submitted with applications for full planning consent because an approved site layout or building footprint may not be able to retrofit adequate provision. For developments seeking outline consent, conditions will be considered requiring a waste and recycling strategy to be submitted at the reserved matters stage for appropriate development.

4.4 Open Space and Nature

4.4.1. Setting and Landscape

The term 'landscape' includes both the built and open landscapes of the urban, suburban, and rural environment. It forms an important element of both their character and setting, for example, views, vistas, streetscapes, and roofscapes. Landscape character is formed by a number of factors, such as topography, vegetation, land use, drainage, materials and buildings. It is important that a thorough understanding of the existing landscape features, character and quality is attained at a very early stage in order to appropriately inform the design process.

Landscape and townscape characteristics should be considered from the outset of the design process. In many instances landscape is a key element of transition, for example, between built up areas and the countryside, or, for example, within urban areas, between public and private realms. The existing context informs the character of most sites. It should be retained as much as possible so that it shapes the form of new development and is incorporated to enhance its setting while reducing its impact on the wider landscape.

Heritage assets and historic landscapes should be celebrated, preserved and enhanced, for the enjoyment of existing and future residents and visitors. Where appropriate and providing it does not cause harm to the heritage assets or their setting, open space and nature they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity. Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric that does not harm the wider landscape setting.

Landscape, topography and drainage patterns are often the historic basis upon which existing patterns of development have been defined. Where development is proposed outside of a clearly defined pre-existing urban context existing landscape features such as topography or field boundaries should provide a framework for the pattern of dispersal, grain and urban structure of new development plots. This may entail a process of the intensification of existing patterns of movement and connectivity. The study of adjacent settlements and/or patterns of habitation in the area should be undertaken. This is particularly important as the scale of new development increases and completely new 'places' are created. For these, national best practice for contemporary placemaking for new settlements or urban extensions must be considered.

Views across the open countryside from elevated locations in the Borough, especially in the setting of the Kent Downs AONB, are an important part of the Borough's character and must be retained. Developments, particularly at a larger scale, must be carefully managed to minimise adverse impacts. New buildings should not obscure or cause adverse impact on these existing views and attention must be given to reduce the impact of development against the skyline or ridgelines of hills. Development proposals should soften their appearance within the landscape by minimising their visual impact through integrating them within the existing landform and with the careful siting of buildings and landscape.

Applicants should identify important views into and out of their site. This may include long distance views to landscape features or buildings or shorter distance views to attractive or distinctive townscape. Where appropriate development should be laid out so that these views are retained and where possible enhanced to improve legibility whilst ensuring that new development is appropriately screened so as not to impact on views towards the site.

Where a local landscape has been harmed through, for example, past development or modern agricultural patterns, opportunities should be taken to restore the quality of the landscape, for example, field patterns and landscape features such as hedgerow. In doing so, applicants should have regard to, for example, landscape character assessments, including the Kent Downs AONB Management Plan.

D&S DPD ON1: Landscape and the Setting of Places

Development proposals will be encouraged and supported where they:

- a) Demonstrate and reflect understanding through desk and field-based evidence, including Landscape and Visual Impact Assessment or Appraisal (LVIA) on any rural and edge of settlement sites of the local and wider landscape character and landscape quality relative to the locality, and the value of its contribution to the setting and context of the town and surrounding villages, including natural and historic features and influences such as topography, vegetation, drainage patterns and historic land use;
- b) Conserve and enhance landscapes of local value, landscape quality and character, and the public's experience of it and make a positive contribution to existing special qualities;
- c) Demonstrate a comprehensive understanding of the interrelationship between good landscape design, biodiversity net gain and water sensitive design;
- d) Create opportunities to enhance the public use and enjoyment of existing and proposed streets and open spaces (while restricting public access to designated ecological sites);
- e) Recognise the significance of landscape features such as mature trees, hedges, and historic boundaries and other important character elements, and retain them in a respectful context where they can be suitably managed and sustained;
- f) Take full account of issues and recommendations in the most up to date Landscape Character Appraisal;
- g) Include sustainable, practical, and high quality soft and hard landscape details and planting proposals that are clearly evidence based and make a positive contribution to the character of streets, spaces and other landscapes; and
- h) Create a comfortable association between the built and natural environment and attain an appropriate relationship of scale between building and adjacent open space, garden or street. In this respect consideration will be also given to function and other factors such as the size of mature trees.

Supporting policy guidance

Responding to landscape

Where potential landscape impacts are significant, a well-prepared Landscape & Visual Impact Assessment (LVIA) is considered an important to not only inform the design process, but to also aid planning decisions by identifying how development responds to and potentially affect on the character and appearance of the landscape itself.

Underpinning this approach, paragraph 130 of the NPPF suggests that planning policies and decisions should: be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Paragraph 176 of the NPPF suggests that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. this includes its 'setting'. The Kent Downs AONB, which stretches west to East across the northern part of the Borough, is potentially significant in the setting of possible development sites. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. The NPPF suggests that the scale and extent of development within the AONB setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Heritage assets are often a key feature of local landscapes and reflect their history, for example, historic farmsteads, historic houses and parklands. Paragraph 194 of the NPPF also suggests that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It also suggests that the level of detail should be proportionate to the assets' importance.

The Assessment of Proposals on the Landscape

In order to provide officers with sufficient material to assess proposals, landscape assessments in line with the Landscape Institute's Technical Guidance Not 1/20 "Reviewing LVIAs and LVAs" should be submitted with applications. This should set out in detail an agreed methodology used to undertake the assessment, including a rationale behind the criteria selected for review and the process undertaken to assess them.

Landscape assessments should include a full check of the baseline contents and findings of the assessment, including (but not limited to):

- a review of the visual baseline used and selected receptors;
- a review of the landscape value, and cross reference to other topics such as heritage and ecology; and
- a review of whether appropriate design iteration has been undertaken to mitigate potential impacts and the eventual design response included in a proposal.

In response to the presentation of these findings, the Council will assess both the content of the assessment as well as critiquing the transparency and objectivity of the findings, the clarity of visual communication and illustration of findings and the effectiveness of the graphic and visual representation of proposals²².

4.4.2. Open Space

As a key subset of the public realm, open spaces are areas of developments intentionally not containing buildings and are delivered to make important contribution to the function and setting of a building and the character and amenity of an area. They may be connected to the wider public realm for public access, or for shared or communal use by occupiers, or even private spaces that engage with the wider public realm and landscape strategy.

These spaces should support encourage healthy lifestyles by providing, as appropriate, both physical and visual amenity and a focus for residents, employees and visitors to relax, socialise, play and host recreational or sporting activities and events.

With changing working patterns becoming more permanent, people are spending far more time within the areas that they live. Therefore the availability and quality of open space within neighbourhoods is becoming an increasingly important aspect of wellbeing and must be a key element of any overall spatial strategy for an area as well as individual developments.

21. Landscape Institute, 2020; Technical Guidance Note 1-20: Reviewing LVIAs and LVAs

D&S DPD ON2 Open Spaces

1. Open space beyond the main areas of public realm should be provided as an integral part of a development and designed with a specific role or function as part of the wider open space network. They should take the opportunity to create a high quality setting for development and create environments and facilities that provide for, and encourage, wellbeing and inclusive access and activity for all age groups and abilities.

Open spaces should be designed according to the following principles:

- a) Contribute to both the setting and functions of new developments
- b) To optimise their environmental, social and recreational potential by providing multi-functional all year-round activity useable space for a range of activities, that appeal to and attract all ages;
- c) They should, therefore, include both hard and soft surfaced areas;
- d) To be safe places defined by building frontages providing appropriate enclosure and overlooking;
- e) To positively respond to potential desire lines that cross the space (including public rights of way); and
- f) To ensure that they possess longevity, be designed in a robust manner with consideration of future maintenance. Outdoor furniture and equipment should be attractive, robust, durable and coordinated.

2. On larger developments (100+ dwellings), consideration should also be given to setting aside land for productive use by residents such as community gardens and allotments.

Having regard to the wider open space standards within the Development Plan, all developments are expected to meet their own needs in respect of public open space in accordance with LPR Policies LPRSP13 and LPRINF1. To establish a development's needs for publicly accessible open space, applicants should also consider factors such as:

- the needs of future residents within the development
- the location of the development and the character of the surrounding area
- potential impacts upon existing provision having regard to shortfalls or surpluses in certain open space typologies in the surrounding area, and
- opportunities to enhance overall provision

3. In exceptional circumstances, where it is not possible to meet the spatial requirements of the development plan to provide publicly open space, development shall, having regard to a wider assessment of open space provision within the surrounding area:

- Identify the most appropriate level and typology of open space within the development
- Identify opportunities to contribute to new or enhanced publicly accessible open space within the wider area.

Supporting policy guidance

Principles for High Quality Open Spaces

The National Design Guide recommends the provision of a network of high quality, green open spaces with a variety of landscapes and activities, including play. Well-designed places provide usable green spaces, taking into account:

The wider and local context, including existing landscape and ecology;

- Access;
- How spaces are connected;
- The balance between public and private open spaces;
- Their potential to contribute to a strategic green infrastructure system, and to water management;
- A variety of natural and designed landscapes for everyone, with different functions to suit a diverse range of needs;
- Opportunities for formal and informal play, exercise and rest that are accessible to all and with no segregation;
- Well-integrated drainage, ecology, shading, recreation and food production that achieve a biodiversity net gain as required by the 25-year Environment Plan;
- Well-considered maintenance and management regimes based on an understanding of the costs for occupants or users;
- Their ability to support a range of activities and provide amenity value; and
- How they are to be managed and maintained.

Open spaces should be designed to be high quality, robust and adaptable over time so that they remain fit for purpose and are managed and maintained for continual use. Open spaces should include public, shared and private outdoor spaces with a range of sizes and locations.

4.4.3. Biodiversity and Nature

As a key subset of the public realm, open spaces are areas of development intentionally not containing buildings and are delivered to make important contribution to the character and amenity of an area. These spaces should encourage healthy lifestyles by providing both physical and visual amenity and a focus for social, play and sporting activities and events.

D&S DPD ON3: Biodiversity, Geodiversity and Nature Recovery

Biodiversity and geodiversity are important natural capital assets and provide benefits as part of ecosystem services. Nature recovery is important for delivering improvements to nature, ecological networks and green infrastructure.

Development proposals will also need to be in accordance with Policy ON4 Biodiversity Net Gain. Biodiversity will be protected and enhanced by ensuring development:

- a) Protects existing biodiversity by retaining features of interest, including connecting routes as part of wider ecological networks, and ensuring the appropriate long-term management of those features;
- b) Takes appropriate measures to avoid and reduce disturbance to sensitive habitats and species in accordance with the mitigation hierarchy set out in national policy. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances and as a last resort);
- c) Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments;
- d) Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience;
- e) Promotes the restoration, management and expansion of priority habitats in the Borough;
- f) Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Local Wildlife Sites, Local Nature Reserves and irreplaceable habitats such as Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including priority habitats, wildlife corridors, ancient, aged or veteran trees, Biodiversity Opportunity Areas, areas identified for nature recovery, and Nature Improvement Areas;

- g) Protects designated sites and gives them appropriate weight according to their importance and the contribution they make to wider ecological networks and nature recovery;
- h) Acknowledges that soils are important for biodiversity and carbon storage. Soils will be protected and enhanced, including the best and most versatile agricultural land, by development avoiding soil disturbance, compaction and erosion. Development should not result in soil pollution;
- i) Protects geodiversity and prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites; and
- j) Seeks to meet the objectives of the Local Nature Recovery Strategy, taking opportunities to deliver ecological networks and green infrastructure. Development will need to demonstrate that it will not harm or adversely affect an area or areas identified as opportunities for nature recovery.

Supporting policy guidance

Overall approach

Well-designed places:

- Integrate existing, and incorporate new natural features into a multifunctional network that supports quality of place, strategic green infrastructure, biodiversity and water management, and addresses climate change mitigation and resilience;
- Prioritise nature so that diverse ecosystems can flourish to ensure a healthy natural environment that supports and enhances biodiversity;
- Provide a variety of natural and designed landscapes that are attractive open spaces in locations that are easy to access, with activities for all to enjoy, such as play, food production, recreation, and rest, so as to encourage physical activity and promote health, well-being and social inclusion; and
- Have well-considered maintenance and management regimes based on an understanding of the costs for occupants or users.

Open spaces should be designed to be high quality, robust and adaptable over time so that they remain fit for purpose and are managed and maintained for continual use. Open spaces include public, shared and private outdoor spaces with a range of sizes and locations.

'Green infrastructure' is the term used for the overarching framework related to all green assets. Traditionally, environmental planning has looked at the functions of these assets in isolation, such as biodiversity, open space provision or public realm design. Whilst we should not devalue the benefits of looking at these issues individually, a green infrastructure approach considers how together these assets form an overall 'system' that is greater than the sum of its parts.

Designing with nature in Maidstone

Maidstone's approach is to both continue to protect, enhance and extend where possible biodiversity habitats and landscapes; and also, to support the multifunctional benefits of green infrastructure. These include opportunities for sport and recreation, creating safe and attractive walking, cycling and equestrian routes; the provision of ecosystem services such as improvements in air and water quality; cultural value; mitigation and adaptation to climate change, an enhanced backdrop and landscape to aid business and attract inward investment and boost the economy; to ensure Maidstone is an attractive place to live and promote well-being; and, of course, to maintain and enhance biodiversity.

Enhancing Biodiversity

It is vital that new developments play a role in supporting wildlife, working with, and adding to, existing habitats. Within existing and proposed buildings, green spaces and landscape features, opportunities for wildlife should be maximised. This should include planting of native plants and the creation of safe places and/or nesting opportunities supplemented by nest and roost boxes with a focus on urban species such as pipistrelle and long eared bats, swifts, swallows, house sparrows and starlings. Opportunities should be taken to strengthen and improve habitat corridors. Barriers to connectivity such as roads and paths should be avoided and where necessary mitigated through the use of aerial connections (touching tree canopies) and wildlife culverts. Further advice can be found in the Wildlife Trusts' 'Homes, People and Wildlife'²³.

22. homes_for_people_and_wildlife_lr_-_spreads.pdf (wildlifetrusts.org)

4.4.4. Biodiversity Net Gain

The requirement for mandatory Biodiversity Net Gain was introduced by the Environment Act 2021. Biodiversity Net Gain seeks to deliver measurable improvements for biodiversity by creating or enhancing habitats in association with development. Policy ON4 sets out how Biodiversity Net Gain will be expected to be implemented.

Policy ON4: Biodiversity Net Gain

Biodiversity Net Gain Development (as defined in the Environment Act 2021 or its secondary legislation or as amended by the Government) will need to deliver a net gain in biodiversity which will contribute to the delivery of ecological networks, green infrastructure and nature recovery. Development will need to demonstrate through a Biodiversity Gain Plan that measurable and meaningful net gains for biodiversity will be achieved and will be secured and managed appropriately.

1. Principles of Biodiversity Net Gain

- a) Development will need to demonstrate that good practice principles for biodiversity net gain have been followed. Development will need to demonstrate that the mitigation hierarchy has been followed;
- b) Proposals for biodiversity net gain will also need to be in accordance with other policy, and avoid harm to irreplaceable habitats, protected sites and priority habitats;
- c) Biodiversity net gain, including off-site biodiversity net gain, should be maximised and align with the objectives and priorities of the Nature Recovery Network, Local Nature Recovery Strategy and other relevant local strategies, contributing and connecting to wider ecological networks and blue and green infrastructure. Consideration should be given to landscape character when developing proposals for biodiversity net gain;
- d) It is expected that development proposals will enhance existing biodiversity and incorporate features to encourage biodiversity and pollination within and around the development;
- e) The level of Biodiversity Net Gain Biodiversity net gain will be calculated and assessed using the Government's published biodiversity metric. The biodiversity net gain calculation and assessment should be completed by a suitably experienced and qualified ecologist and submitted (in full) with a planning application; and
- f) The minimum percentage of biodiversity net gain required will be 10% as set out in legislation (or as amended by the Government). However, unless demonstrably infeasible the Council seeks a higher level of biodiversity net gain. A minimum percentage of biodiversity net gain of 20% will be required and developments should seek to maximise opportunities beyond this, especially where development is located in, or in proximity to, the areas where opportunities for improving biodiversity are greater or there are priority habitats.

2. Demonstrating Biodiversity Net Gain

Proposals must demonstrate their ability to achieve biodiversity net gain through a Biodiversity Gain Plan which is required to be submitted alongside a planning application. This must set out:

- a) Steps taken to avoid and minimise the adverse effects of the development on habitats;
- b) Identification of pre- and post-development onsite biodiversity value;
- c) Details of registered off-site biodiversity value allocated to the development and biodiversity credits purchased;
- d) Other information that may be required by other and/or prevailing regulations; and
- e) How the condition of any habitat creation and enhancement will be maintained for at least 30 years after development is completed.

3. Biodiversity Gain Mitigation Hierarchy

- a) All development required to provide biodiversity gain must provide appropriate mitigation and compensation in accordance with the mitigation hierarchy;
- b) Only where a development proposal cannot prevent and/or minimise loss to biodiversity using avoidance measures, and this has been clearly demonstrated through a Biodiversity Gain Plan, can habitat remediation and compensation measures be considered;
- c) Biodiversity remediation and compensation (through habitat creation, restoration and enhancement) should be provided on-site in the first instance, avoiding, where possible, harm to existing designated and non-designated habitat and species features of conservation value;
- d) In exceptional circumstances where biodiversity net gain cannot be achieved on-site, clear reasoning should be supplied with proposals. Only in these exceptional circumstances should alternative measures be considered to deliver biodiversity gain. These might include:
 - Off-site habitat compensation, which include designing offset habitats outside the development's boundary, emerging register of biodiversity gain sites or habitat banks; and
 - As a last resort²⁴, off-site habitat payment compensation, such as through national Biodiversity Credits scheme²⁵.
- e) Where biodiversity gain mitigation is proposed to be provided through these alternative mechanisms, evidence must be provided to demonstrate that:
 - All impacts are mitigated, including cumulative impacts of habitat losses to enable habitat compensation, and biodiversity gains are achieved; and,
 - Mechanisms for off-site delivery have been secured through formal agreement, such as through conservation covenant, unilateral undertaking or S106 agreement²⁶.

23. NPPF (2021) Paragraph 180a.

24. PPG Paragraph: 023 Reference ID: 8-023-20190721

25. PPG Paragraph: 023 Reference ID: 8-023-20190721

- f) Proposals which affect statutory designated sites for nature conservation must ensure that biodiversity net gain is delivered in addition to any existing requirements for mitigation²⁷ ;
- g) Where adequate compensation measures cannot be appropriately provided, either on-site or off-site, and significant harm cannot be avoided, planning permission will be refused.

Supporting policy guidance

Overall approach

All development can contribute to biodiversity improvements and nature recovery and it is expected that development incorporates biodiversity features; restores, enhances and creates ecological networks; and delivers green infrastructure. Development should align with the objectives and priorities of the Local Nature Recovery Strategy and other relevant local strategies.

Biodiversity Net Gain can be delivered on-site, off-site or through a combination of on-site and off-site measures, however, the implementation of biodiversity net gain should align with the local objectives and priorities for biodiversity improvements and nature recovery. It should also be implemented in line with emerging Kent County Council guidance.

The mitigation hierarchy set out in the NPPF should be followed: first by avoiding harm to biodiversity, then providing mitigation with compensation as a last resort.

The Council will expect development to maximise opportunities to deliver higher levels of biodiversity net gain especially where development is located in or in proximity to biodiversity opportunity areas or priority habitats.

Relationship with statutory designations

Biodiversity net gain complements the hierarchy of statutory nature conservation sites, habitats and species. It does not override the protection for designated sites, protected or priority species and irreplaceable or priority habitats. Impacts on irreplaceable habitats and habitats sites will not be supported and cannot be accounted through a net gain approach.

26. Defra (2022). Consultation on Biodiversity Net Gain Regulations. Available online at: https://consult.defra.gov.uk/defra-net-gain-consultation-team/consultation-on-biodiversity-net-gain-regulations/supporting_documents/Consultation%20on%20Biodiversity%20Net%20Gain%20Regulations%20and%20Implementation_January2022.pdf

4.4.5. Sustainable Drainage Systems (SUDs)

Whenever possible, applicants should retain, enhance or re-establish watercourses and other surface waterbodies as positive features contributing to the character, sense of place, ecological value and biodiversity of new development.

Applicants should consider how to manage surface water to minimise flood risk and flows to watercourses. Development proposals should normally incorporate sustainable urban drainage (SuDs) as an integral part of the landscape structure.

DPD D&S ON5: Sustainable Drainage Systems

- a) Sustainable Drainage Systems (SuDS) should be implemented in all major developments unless demonstrated to be inappropriate, to avoid any increase in flood risk, protect surface and ground water quality and contribute to wider landscape-scale flood alleviation;
- b) Arrangements for the long-term maintenance and management of SuDS must also be identified through a maintenance and management plan, to be secured by condition at planning application stage;
- c) For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land;
- d) SuDS should be sensitively designed and located to maximise improved biodiversity (in line with Biodiversity Net Gain principles in Policy ON4), an enhanced landscape and good quality spaces that improve public amenities in the area; and
- e) For proposals in proximity to existing watercourses, a 20 metre buffer should be allowed between the watercourse and any built form (including buildings, lighting surfacing and boundary treatments) to replicate a natural riparian buffer.

As set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010. The preferred hierarchy of managing surface water drainage from any development is: 1. Infiltration Measures, 2. Attenuation and discharge to watercourses; and if these cannot be met, 3. Discharge to surface water only sewers.

Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will need to have regard to relevant flood risk plans and strategies.

SuDs should be positively designed into schemes from the outset as public realm features. These features can include ponds, infiltration basins, swales/rain gardens and wetlands as they:

- Help manage the risk of flooding and climate change;
- Reduce demand on the sewer network;
- Manage some pollutants and improve the quality of water going back into the environment; and
- Can make a positive contribution to the biodiversity, character, appearance and sustainable performance of development.

Developers are encouraged to consider wet SuDS (i.e. those SuDS which hold water in perpetuity, regardless of seasonality) if local drainage and topographical conditions allow.

Swales and attenuation ponds should be designed so that water features and plants are visible from the surrounding area and should avoid unattractive boundary treatments over-engineered surrounds, whilst ensuring the safety of local residents and children, etc.

Attenuation ponds on slopes should be avoided if they need deep embankments or bunding. Consideration must be given to the future management and maintenance of sustainable drainage otherwise flood risk could increase.

The choice of surface materials and the balance of hard and soft landscaping should be considered in terms of the impact upon the drainage system. Where hard landscaping is needed, porous materials should normally be maximised to enable infiltration and manage rainfall at source.

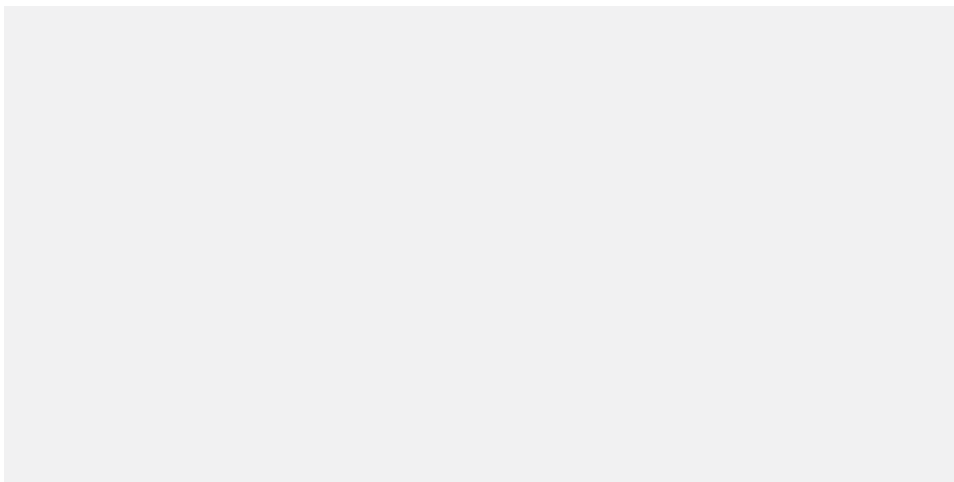


Figure 34: Opportunities for Sustainable Drainage Systems integration within streetscape and landscape.

4.4.6. Green Infrastructure

Green Infrastructure refers to the network of multi-functional green and blue spaces and other natural features (including trees, woodland and hedgerows) in urban and rural areas. Green infrastructure should be capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

This subsection sets out three policies which demonstrate how applicants should maximise the benefits of green infrastructure in their schemes, including by sensitively incorporating native tree species.

D&S DPD ON6: Green Infrastructure

Green infrastructure (including blue infrastructure) should deliver a range of environmental, social and economic benefits. This encompasses resilience to the effects of climate change (including moderating temperature and mitigating flood risk), positive health and wellbeing effects, nature-based solutions and supporting nature recovery. Green infrastructure assets, links and an overall multi-functional network should be protected and enhanced by ensuring development:

- a) Responds to and incorporates existing on-site and off-site green infrastructure into the development design;
- b) Provides new green infrastructure integrated into the development design;
- c) Contributes to the wider green infrastructure network by taking opportunities to improve, enhance, manage and restore green infrastructure, and providing links to existing green infrastructure including outside the development's boundaries.

From the outset, applicants should consider the landscape assets of the site. Their Design and Access Statement should demonstrate how they may be used to create part of a coherent landscape structure that links to existing and proposed landscapes to form open space networks whenever possible, revealing existing landscape features.

Green infrastructure design will be expected to demonstrate that opportunities have been taken to:

- a) Strengthen connectivity and resilience of ecological networks;
- b) Improve resilience to the effects of climate change; and
- c) Support health and wellbeing by providing access to green space, nature and rights of way.

Appropriate arrangements and funding for the future long-term management and maintenance of green infrastructure should be identified and implemented. Where appropriate, the Council will seek to secure this via planning conditions and/or planning obligations.

Supporting policy guidance

Overall approach

Trees and soft landscape make an important contribution to the character of an area by providing both physical and visual amenity, improving biodiversity and enhancing sense of place. They have a strong impact on people's well-being, soften the impact of buildings and structures, and indicate the passage of the seasons through their growth and change through the year, and should therefore be incorporated throughout new development.

Plant species, along with sizes and locations, within new housing schemes in Maidstone are also critical to support the rich biodiversity and landscape character of the local area.

Relationship with Landscape Strategy

From the outset, there should be a clear landscape strategy that is an integral part of the design of new development covering all streets and public spaces while accounting for the growing process.

Consideration must also be given to the future maintenance of trees and plants in the design. Native trees and shrubs and longer-lived species should be selected where possible and appropriate as they support a greater variety of wildlife, are often more suited to local conditions and better reflect the character of the wider countryside. Trees and soft landscaping should be selected and located according to the growing space available and the final height, spread and form at maturity. They should also reflect existing species in the locality.

The intended character of an area, street or public space (for example, formal sculptural planting or softer informal planting) should also influence choice with a presumption of informal planting in the existing villages and rural areas and where this is consistent with adjacent developments. The scale and importance of a street with larger stature trees on main streets and smaller species selected for minor routes will help the legibility of layouts. Greater formality and street enclosure with more formalised tree planting, and tree species normally sought on main streets and spaces to reinforce their importance in the street hierarchy.

Creating avenues of a single species normally helps to deliver the necessary formality for main streets and spaces, applicants should nevertheless avoid over-long stretches of the same species to safeguard against the risk of tree losses through disease; changing species block by block is therefore recommended. All street trees should normally have a regular shape and form.

Tree species

The below tree species are suggested. This is not an exhaustive list and other species and cultivars will be considered.

1. Main streets

Native species (preferred) including:

- a) *Alnus glutinosa* or *Alnus cordata*;
- b) *Quercus palustris* (pin oak);
- c) *Quercus robur* (oak);
- d) *Tilia cordata* 'Streetwise' or 'Greenspire' (small leaved lime); and
- e) *Ulmus* 'New Horizon' (elm).
- f) Alternative species options (occasionally appropriate) including:
- g) *Acer platanoides* 'Emerald Queen' (Norway maple); and
- h) *Ginkgo biloba* (Maidenhair tree).

2. Secondary Streets

- a) *Acer campestre* (field maple);
- b) *Corylus colurna* (Turkish hazel);
- c) *Coryllus avellana* (hazel);
- d) *Liquidamber styraciflua* (sweet gum tree).
- e) *Sorbus aria* (whitebeam); and
- f) *Sorbus aucuparia* (rowan).

g) Minor / Tertiary Streets

- h) *Arbutus unedo* (strawberry tree);
- i) *Crataegus x lavalleyi*;
- j) *Crataegus* species (hawthorn);
- k) *Ligustrum lucidum*;
- l) *Malus* 'Evereste' (crab apple); and
- m) *Sorbus aucuparia* (rowan).

Rural and Village Planting

Within rural areas and villages, a multi-layered planting strategy is required across the site; trees, hedgerow boundaries, open spaces, gardens, and grassland verges, to allow for a range of vegetation heights and habitats across the development informed by published and site specific landscape character assessments.

In rural parts of the Borough, planting could include:

- a) Native hedging plants and shrubs which can be coppiced, such as hornbeam, beech, hazel, hawthorn, guelder rose, dogwood, and field maple;
- b) Orchard type trees such as apples, crab apples, and cherries;
- c) 'Structural' hedgerow and specimen trees such as oak, hornbeam, field maple, and birch, including new mature trees;
- d) Native wildflowers; and
- e) Willow and other riparian species.

Tailoring Choice of Species

In more rural settings front garden hedges adjacent to footways can be successfully created from a mixture of hornbeam, beech and hazel for example, to maintain a locally distinctive, semi-rural character in village developments.

Native wildflowers are an integral part of the area's ecosystems, and should be included in landscaping schemes to also embed a sense of place and local character in a new development, for example; English bluebells and wood anemones under trees and in grass verges at the base of hedgerows, and wildflower mixes in open spaces, sourced from suppliers using locally sourced plants or seed. Wild flora mixes need to be selected according to the ecology of the site, informed by ecological surveys of the site and surrounding area.

Areas of the ubiquitous, 'estate' planting of ornamental ground-cover shrubs (such as Berberis, Pyracantha, Photinia and Mahonia) are not appropriate in developments within villages. Locally non-native or invasive species such as laurel, leylandii, buddleia, European bluebells, rhododendron and cotoneaster should also be avoided, as should imported topsoil and other mechanisms which could introduce pests and diseases.

4.4.7. Dark Skies

The natural environment and the ecology it hosts, together with people's health and quality of life need to be protected from unacceptable levels of light pollution.

D&S DPD ON7: Protection of Dark Skies

Development proposals must demonstrate that all opportunities to reduce light pollution (including sky glow, glare and light spillage) have been taken including minimising impacts on local amenity, intrinsically dark landscapes including protected landscapes and areas important for nature conservation and nature recovery.

Whilst respecting the importance of public safety, artificial lighting proposals (including outdoor lighting, floodlighting and new street lighting) should be minimised in terms of intensity and number of fittings.

Applicants should demonstrate that:

- a) The minimum amount of lighting necessary to achieve its purpose is specified or otherwise justified on safety or security grounds;
- b) The design and specification of the lighting would minimise sky glow, glare and light spillage in relation to the visibility of the night sky, local amenity and local character;
- c) as well as managing luminosity levels, lower temperature levels should be used and where possible, automatic timers and dimmers used
- d) the means of lighting would be unobtrusively sited and sensitively integrated with natural landscaping ; and
- e) low energy lighting is used;
- f) there would not be an adverse impact on wildlife such as through consideration of the appropriate colour and temperature of lighting.
- g) Where lighting of a landmark or heritage feature is proposed, the level and type of illumination used would enhance the feature itself.

Development proposals will need to take into account the Institute of Lighting Professionals guidance and other relevant guidance such as that from the International Dark-Sky Association and AONB Units.

The Borough does not have any Protected dark sky zones, but much of the Borough is an intrinsically dark natural or rural landscape characterised by dark skies at night. The Institution of Lighting Professionals guidance on The Reduction of Obtrusive Light (2021)²⁸ identifies environmental zones for external lighting control, as set out and applied to Maidstone below.

Applicants should consider the environmental zone of the development when designing external lighting. The following limits should be used as a guide in designing external lighting

Zone	Surrounding	Lighting Environment	Examples	Locations in Maidstone
E0	Protected	Dark (SQM 20.5+) ²⁹	Astronomical Observable dark skies, UNESCO starlight reserves, IDA dark sky places	There are no designated dark sky places in Maidstone
E1	Natural	Dark (SQM 20 to 20.5)	Relatively uninhabited rural areas, National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc.	Kent Downs Areas of Outstanding Natural Beauty and the countryside
E2	Rural	Low district brightness (SQM ~15 to 20)	Sparsely inhabited rural areas, village or relatively dark outer suburban locations	Larger villages, smaller villages and hamlets
E3	Suburban	Medium district brightness	Well inhabited rural and urban settlements, small town centres of suburban locations	Rural Service Centres
E4	Urban	High district brightness	Town / City centres with high levels of night-time activity	Maidstone

27. Institution of Lighting Professionals (2021) The Guidance Note GN01/21The Reduction of Obtrusive Light <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021/>

28. Sky Quality Meter (SQM) is an instrument used to measure the luminance of the night sky. It is typically used by astronomers to quantify skyglow, using units of magnitudes per square arcsecond. scale is between 16:00 (a bright night sky) and 22:00 (the least light pollution).

Maximum values of vertical illuminance on premises ³⁰

Light technical parameter	Application conditions	Environmental Zone					
		E0	E1	E2	E3	E4	
Illuminance in the vertical plane	Pre-curfew	n/a	2	1x	5 lx	10 Lx	25 lx
	Post-curfew	n/a	<0.1 lx*	1 lx	2 lx	5 lx	

* If the installation is for public (road) lighting then this may be up to 1 lx

It is not expected that any external lighting would be required in Natural areas, and in Rural areas it should only be used where it is absolutely necessary, and should conform to the Institute of Lighting Standards and be capable of night time switch-off. Site-specific solutions should be created that minimise light pollution and glare in context. Where lighting is needed, the suburban impact of street ‘clutter’ of a proliferation of lighting columns, uncharacteristic in many of Maidstone’s villages, can be minimised through a more place-sensitive product selection; a combination of Passive Infrared lights on building access points (e.g. porch lights), low level bollard lighting on key public routes, and wall-mounted lighting within parking courts.

Within the AONB’s, development should not harm their intrinsically dark sky characteristics. In areas particularly vulnerable to the impacts of light pollution, condition may be imposed upon future development limiting the scope for retrofitting of external lighting and/or require such to be in accordance with agreed parameters.

29. Requirements taken from CIE150, International Commission on Illumination, Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations, 2nd Edition, 2017. the scale is between 16:00 (a bright night sky) and 22:00 (the least light pollution).

4.4.8. Building on Sloping Sites

Much of The Borough's topography is undulating, reflecting significant landscape features such as the Kent Downs Scarp, the Greensand Ridge and river valleys. Bands of higher land lie broadly east-west, resulting in a specific need to consider how new development is built into this landscape. In addition, the River Valleys cut through at lower levels, creating an additional level of complexity to local landscapes.

D&S DPD ON8: Building on Sloping sites

Buildings should be designed to respond elegantly to the gradient of the slope by:

- a) Working with the landscape and reflecting the natural undulations of the site;
- b) avoiding locating development on prominent slopes where it would be unduly visible from a wider area,
- c) having regard to the orientation and gradients of the land and working with the landscape and reflecting the natural undulations of the site;
- d) building into, rather than atop higher ground and sloping ground,
- e) where possible allowing development and street scenes to articulate the topography within the character of the development, for example, step buildings down slopes and cut into slopes rather than creating elevated building platforms,
- f) articulating massing and rooflines on front elevations in order to, that are evenly stepped to reflect, for example, the angle of the slope and avoid over-sized flank / return elevations.
- g) Providing a considered roof design that responds to the slope. Generally, hipped or gable fronted delivers this more successfully than a gable flank by double pitched roof;
- h) Ensuring buildings on cross slopes deliver level access to the building from the rear garden and from the street to the front; and
- i) incorporate landscaping through the development that mitigates the impacts of views towards development on rising ground.
- j) Incorporating use of porous materials to promote good drainage, in line with the approaches specified in Policy ON5: Sustainable Urban Drainage Systems.

Supporting policy guidance

Overall Guidance

Building on sloping sites is challenging and without thorough consideration of the incline can lead to awkward access arrangements (such as multiple steps/front doors at basement level, and inappropriately accentuated building elevations) if executed poorly. At the other end of the spectrum, entirely levelling a site and removing topography can erode or remove the site's natural position in the wider landscape, creating a foreign and unnatural sense of place.

Local topography can inform the design of a site and create an interesting visual experience through the consideration of short and long views, and street orientation that maximises accessibility. The design of sites should avoid the need for large retaining structures, and where there is the need to accommodate an engineered structure like a retaining wall, this should be concealed within blocks and plots and should preferably be concealed and integrated within buildings.

Where engineered structures are necessary the amenity of adjacent plots and public realm should be considered, so that large blank elevations are minimised in line with the policies set out in Streets and Buildings. Large slab platforms should be avoided, and the scale, height and roofline of development should be designed with the underlying topography in mind.

4.4.9. Provision of Amenity Space

Provision of outdoor amenity space significantly contributes to the wellbeing of the occupants. Amenity space can be provided in the form of a private garden, patio or balcony; or, where appropriate, well designed communal gardens/areas that are for the exclusive use of a buildings occupiers, with no public access.

In addition, residential developments are expected to provide publicly accessible open space that supports wellbeing, provides for recreation and contributes to biodiversity net gain.

Even within town centres and areas where higher densities are being promoted, the availability of good quality useable amenity space is essential to the wellbeing of occupiers.

DPD D&S ON9: Providing External Amenity Space for All Homes

All dwellings should normally have access to usable private outdoor amenity space that is proportionate to the location and the type and size of accommodation, in line with LPR Policy LPRQ&D 7. This should be provided in the form of useable communal gardens/spaces, private garden, patio/terrace or balcony.

- a) Such spaces should provide a pleasant environment with access to good levels of natural light and relative privacy for both occupiers and neighbours.
- b) Applicants should demonstrate that their size and configuration is useable.
- c) Private outdoor amenity space should normally be designed adjacent to the dwelling (unless exceptional circumstances are stated) as an extension of the living space with direct external access provided and should avoid being unduly overshadowed.
- d) Where insufficient private amenity space is provided and is justified for reasons of say heritage or setting, a generous private communal garden should be available.
- e) Communal gardens should be incorporated to the rear or side of apartment blocks to provide appropriate separation and privacy between habitable windows, visual amenity as well as outdoor space for residents with soft landscaping prioritised over areas of hard standing.
- f) Consideration should also be given to the provision of outdoor seating, eating, drying and growing space.
- g) Ground floor homes in apartment blocks should normally have access to a well-defined, private area that provides both 'defensible space' and good quality external amenity.
- h) In exceptional circumstances, where the provision of on-site amenity space is not possible in exceptional circumstances, developments would be expected to contribute towards the provision or enhancement of appropriate public open space within the immediate area.

There is a growing consensus that the availability of external amenity space is beneficial for households in creating space for purposeful interaction and addressing mental health issues as well as influencing positive behaviours in the home and within the community. A sustainable lifestyle requires functional internal and external spaces. This has become more evident during the lockdown periods of the pandemic in 2020 and 2021, when the inadequacy of some homes, the absence of external amenity space and the importance of proximity to public spaces was brought into a sharper focus.

Where balconies are provided, these should be generous to encourage use (e.g. enough space for a table and chairs or food and container-based plant growing).

Where there is no potential to meet standards through dedicated amenity space, indoor gyms and sport facilities will be encouraged to meet as far as possible, the minimum standards.

Apartment buildings are also encouraged to provide internal communal areas, such as lounges where residents can relax and engage, recreation spaces and, for example, winter gardens.

Where a communal garden is proposed, appropriate screening such as a separate patio garden or soft landscaping should be provided for ground floor units, taking care not to prejudice outlook or daylight penetration. An agreed maintenance regime must be in place, and access to the garden must be provided for all units.

Proposals for family-sized housing will also require new playspace, or contributions to the creation or enhancement of very adjacent existing facilities.

Applicants, particularly for larger developments, should undertake an assessment of public open space provision within the wider area, identifying levels of provision and net deficiencies in order that, as well as meeting the needs of future residents, a development can contribute to addressing any quantitative or qualitative shortfalls within an area.

Publicly accessible open space within a development should not be designed for the exclusive use of those occupiers but form an extension to the existing network of spaces.

4.5 Movement

4.5.1. Layout and Movement

Patterns of movement for people are integral to well-designed places. They include walking and cycling, access to facilities, employment and servicing, parking and the convenience of public transport. They contribute to making high quality places for people to enjoy. They also form a crucial component of local character. Their success is measured by how they contribute to the quality and character of the place, not only how well they function.

Successful streets are those where traffic and other activities have been integrated such that all mobility modes can happily co-exist, and where buildings and spaces, and the needs of people and communities, not just of their vehicles, shape the area. Buildings, streets and spaces should combine to create locally distinct places, which make a positive contribution to the life of local communities.

The following policy reflects established good practice which is most notably set out in the Manual for Streets.

D&S DPD MO1: Layout and Movement

Development proposals must:

- a) Be organised around green transport principles and create a pedestrian and cyclist-friendly layout that is safe, well-connected, legible and accessible;
- b) Optimise a site's potential to accommodate development especially on brownfield sites and in locations close to facilities or with good public transport links; and
- c) Take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (500+ dwellings) schemes will also normally be expected to incorporate a mixed use element.

Developments should form part of a clear street hierarchy with the principal vehicular routes integrated within the structure of development as main streets or boulevards, fronted by buildings and with street trees and not as peripheral distributor roads (bypasses).

Development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. The movement network (streets, public transport network, cycleways and footpaths) should:

- d) Link with existing routes and access points;
- e) Create direct, attractive and safe connections through the site for pedestrians, cyclists and

vehicular modes which follow natural desire lines, connect to existing streets, open spaces, local facilities or destinations, and coordinate with open spaces and green links;

- f) Avoid turning heads by creating continuous vehicular routes around perimeter blocks;
- g) Carefully integrate public rights of way;
- h) Sensitively accommodate the existing topography while avoiding steep gradients;
- i) Function efficiently to get everyone around, taking account of the diverse needs of all potential users and providing a genuine choice of sustainable transport modes;
- j) Reduce the dominance of vehicles on the Borough's streets whether stationary or moving;
- k) Promote activity and social interaction, contributing to health, well-being, accessibility and inclusion; and
- l) Incorporate green infrastructure, including street trees to soften the impact of car parking, help improve air quality and contribute to biodiversity.

Streets should be well defined and enclosed by building frontages normally in combination with trees and landscaping (contributing to Biodiversity Net Gain where possible, in line with Policy ON4). Street design should encourage healthy lifestyles and behaviours, safe pedestrian and cycle movement through:

- a) Appropriate pavement widths, avoiding unnecessary barriers or clutter;
- b) Providing places for pedestrians to rest, gather and socialise;
- c) Designing residential streets for maximum speeds of 20 miles per hour; and
- d) Traffic calming measures that are integral to the street design that encourage drivers to drive with care and caution. These elements will naturally limit the speed of vehicles through the placement of furniture, landscaping and trees and, material treatment of surfaces.

Within commercial areas, whilst restrictions should not threaten the operational viability of commercial users, streets should be designed such that areas used for servicing during certain times of the day, can still be good quality pedestrian spaces at other times.

Supporting policy guidance

Assumptions underlying Policy MO1

The Council makes the following assumptions on successful places – these assumptions should be addressed in proposals to comply with Policy MO1:

- a) Successful development depends upon a movement network that makes connections to destinations, places and communities, both within the site and beyond its boundaries;
- b) Successful places are easy to get to, easy to move through and easy to find your way around. A connected network of streets offers choice, aids legibility, avoids engineered solutions and provides a hierarchy of street types which respond to the function and role of the street;
- c) The network should provide a choice of routes for all modes and follow a spatial and visual hierarchy. The character of a street should reflect its position in this hierarchy and respond to local characteristics;
- d) While direct routes are most convenient, the design should also balance visual attraction, traffic calming and safety to optimise the pedestrian's experience;
- e) Developments that are accessed off a single location or promote a long cul-de-sac that do not provide a choice of direct and convenient routes should be avoided;
- f) The opportunity should be taken to make pedestrian/cycle connections between adjacent development sites;
- g) New development should be designed to encourage active lifestyles and sustainable modes of transport prioritising the needs of the most vulnerable road users first, in accordance with the recommendations in Manual for Streets;
- h) Applicants should accordingly plan their development to minimise reliance on the private car. They should create an attractive network of safe and convenient pedestrian and cycle routes integrated with the development and connecting with the wider area and adjacent sites;

i) Public transport should also be accommodated where appropriate. For larger developments (over 100 homes) applicants should consider at the outset how buses can be routed through a site and the provision of stops in the most accessible locations where they may serve both new and existing residents. This will inform consideration of street design at the more detailed design stage. Whenever possible new homes should be located within 400m (approximately a 5 minute walk) of a bus stop;

j) The movement network/layout should be future-proofed by providing streets that later phases of development can connect into at the edges of development sites (and by avoiding a network of cul-de-sacs accessed off a distributor route). This is typically achieved by a combination of:

- Legible links through the site; and
- Perimeter block layouts that generate roads around the perimeter of the site and building frontages that face the boundaries.

Overall Approach

Overall, proposals should aim to ensure that the Borough of Maidstone is delivering a connected network of streets that prioritises journeys by active and sustainable transport modes, whilst allowing the use of streets for essential private vehicle movements. Maidstone's streets should be attractive and safe for all users with a clear and legible movement.

As the National Design Code (paragraph 75) notes, patterns of movement for people are integral to well-designed places. They include walking and cycling, access to facilities, employment and servicing, parking and the convenience of public transport. They contribute to making high quality places for people to enjoy. Paragraph 76 of the guide indicates that successful development depends upon a movement network that makes connections to destinations, places and communities, both within the site and beyond its boundaries. Furthermore, paragraph 77 suggests a well-designed movement network defines a clear pattern of streets that:

Is safe and accessible for all;

- Functions efficiently to get everyone around, takes account of the diverse needs of all its potential users and provides a genuine choice of sustainable transport modes;
- Limits the impacts of car use by prioritising and encouraging walking, cycling and public transport, mitigating impacts and identifying opportunities to improve air quality;
- Promotes activity and social interaction, contributing to health, well-being, accessibility and inclusion; and
- Incorporates green infrastructure, including street trees to soften the impact of car parking, help improve air quality and contribute to biodiversity.

Managing Vehicle Activity

Policy MO1 reflects the National Design Guide recommendations. Even until the recent past, the focus has been on the movement function of residential streets. The result has often been places that are dominated by motor vehicles to the extent that they fail to make a positive contribution to the quality of life.

Ideally, designers should aim to create streets that control vehicle speeds naturally rather than having to rely on unsympathetic retrospective traffic-calming measures, e.g. speed bumps as a traffic calming measure for new roads should be avoided. Typical acceptable traffic calming measures may include:

- The use of shared surfaces that are designed to ensure pedestrian safety;
- Varying the alignment of the vehicular route along a length of a road;
- Use of tight junction radii, whilst incorporating good visibility;
- Narrowing the carriageway and the use of planting bays/build-outs;
- The provision of on-street parking that is integrated with landscaping;
- Raised areas at junctions and nodal points; and
- Changes of surface colour and materials.

The Council supports proposals in accordance with the recommendations in Manual for Streets.

Street materiality and markings

In the rural villages, the materials palette for streets should be simple, and help avoid suburbanisation of the locality. Large areas of blacktop, for instance in parking areas or footways, will not be appropriate. Limited use of grey asphalt, coloured chips in HRA³¹, imprinted materials, stone setts, or resin bound gravel may be suitable in some areas depending on the hierarchy and role of the street. Herringbone patterns are not typical of the Maidstone area and should not be used. Surfaces should be accessible to those of limited mobility and assist those with disabilities to sense when moving from a safe space to one where they might encounter bicycles or vehicular traffic. Where rural pavements are provided, they should generally be in a material that matches the highway surface.

However, other footpaths, such as those through green spaces, should be in a softer material such as self-bind hoggin or resin bound gravel. Kerbs should be avoided in most situations, but if needed the demarcation should be minimal. Soft roadside verges can often be designed to accommodate services. Many smaller streets and lanes in the villages on country roads do not have many road markings, using instead their scale, or surfacing changes to indicate priorities. Painted lines on road surfaces should only be used where absolutely necessary for highway safety requirements.

Within villages and the countryside, boundaries that front onto streets should be of an appropriate character and again avoid typical suburban features such as close boarded fencing.

30. HRA is a dense, gap graded asphalt.

4.5.2. Designed for All

D&S DPD MO2: Design for All

The public realm should be designed so that it:

- a) Reflects the wide mix of people using and benefitting from open spaces;
- b) Is convenient, safe and easy to use for all people without having to experience undue effort, barriers to access or separation;
- c) Enables everyone to participate equally, confidently and independently in everyday activities irrespective of a person's mobility, age, gender or ethnicity;
- d) Meets the needs of wheelchair users, mobility impaired people and people with pushchairs;
- e) Encourages social interaction and does not purposely design-out the activities of young people or other groups; and
- f) Provides sensory richness.

In particular, applicants should:

- a) Ensure that street furniture, signage, lighting and visual and textural contrast in the paving materials are carefully designed and reflect the needs of all potential users; and
- b) Provide sufficient levels of accessibility for all potential users in terms of accessible parking, pavement space and access to public transport.

Supporting policy guidance

Materiality of Public Realm

Use of consistent natural materials helps to create a coherent environment and sense of place that can stand the test of time. Examples of combined functions for street furniture includes attaching signs to lamp posts, mounting streets signs and/or lighting on buildings.

Where necessary for functional reasons, tarmac should normally be coordinated with other hard surface materials as well as soft landscaping as otherwise the uniform appearance and sharp finish can undermine the character of an area.

Inclusion and Public Realm

In well-designed places, streets are public spaces that are open to all. They encourage people to walk and cycle rather than to depend upon cars, particularly for short, local journeys. They are accessible to all and designed to meet the needs of their most vulnerable users. They are places where the design of shared space schemes, that remove or reduce the distinction between the pavement and carriageway, takes into consideration the needs of people with disabilities particularly visual impairment.

4.5.3. Active Travel

'Active travel' refers to non-motorised and sustainable forms of transport, primarily walking and cycling. Prioritising active travel is about making walking and cycling easy, comfortable and attractive for all users, so they are seen as genuine choices for travel on local journeys.

Walking and cycling are the least carbon-intensive ways to travel. Walking is the most sustainable form of transport. Furthermore, all journeys begin and end on foot. By prioritising design for pedestrians first, the number of short journeys taken by car can be reduced and public transport made more accessible. The need for more walkable communities is also an issue of social equity as it is the poorest and most vulnerable in society, including children, the elderly and the disabled for whom car travel is less of an option. It is also these groups who are disproportionately affected by the threat of accident, community severance and the loss of social cohesion.

Designing for cyclists must be given a high priority. Trips by bicycle have the potential to replace motor vehicles as an alternative means of transport for short to medium range trips (and in some cases longer range trips). This is especially true given the rise of e-bikes. Cycling also promotes a healthy lifestyle.

D&S DPD MO3: Plan for cyclists

To help cycling to become an attractive alternative to the car, bicycles must be conveniently and securely stored.

In houses, cycle parking should normally be provided within the rear garden, car port, garage or outbuilding.

For apartments, cycle storage should normally be provided within the main buildings, preferably close to main entrances as they typically offer more convenience and security than external stores. Charging points for electric bicycles should be provided.

Dedicated visitor cycle parking should also be provided for apartments close to main entrances and well overlooked by habitable rooms but also carefully integrated to enable an active frontage.

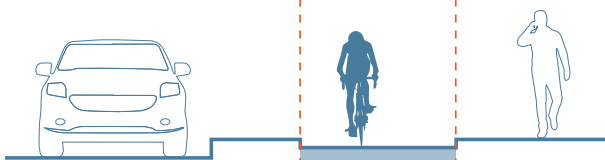
In development of other uses, for instance commercial outdoor spaces, cycle parking should be provided in an accessible area that is overlooked and accessible.

Primary Street

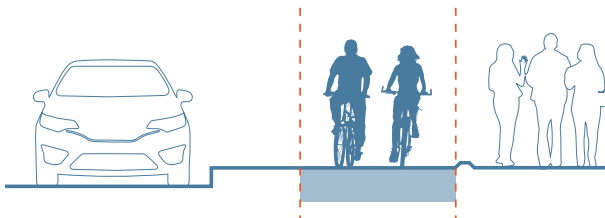
Segregation through landscape



Segregation through level difference

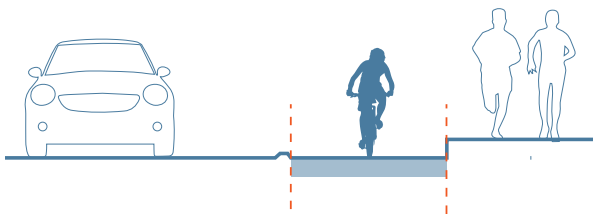


Separation through level difference and raised strip



Secondary Street

Separation through raised strip



Neighbourhood Street

Separation through level difference



Separation through raised strip



Separation through material/texture

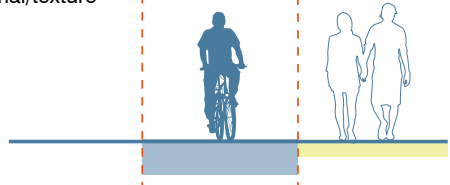


Figure 35: Spaces for cyclists within primary streets (left), secondary and neighbourhood streets (right).

Supporting policy guidance

Overall approach

The quality of the street environment should be a paramount consideration in designing parking spaces into the street. Cycle parking should be attractively integrated so that it does not dominate the streetscape, is softened by landscaping and accords with the other layout principles in this D&S DPD. A balanced approach should be taken to achieve convenient parking close to plots whilst minimising visual impact on the street.

Providing enough convenient and secure cycle parking at people's homes and other locations for both residents and visitors is critical to increasing the use of cycles. In residential developments, designers should aim to make access to cycle storage at least as convenient as access to car parking.

Cycle parking standards and guidance which is of general applicability as shown in Table 1, 2 and 3.

Residential Use	
Type of Development	Number of Spaces
Residential dwellings	<ul style="list-style-type: none"> • 1 space per bedroom up to 3 bedroom dwellings • then 3 spaces for 4 bedroom dwellings, 4 spaces for 5 bedroom dwellings etc • some level of visitor cycle parking, in particular for large housing developments
Guest houses and hotels	1 space for every 2 members of staff and 2 spaces for every 10 bedrooms
Nursing homes	1 visitor space for every 10 residents and 1 space for every 2 members of staff
Retirement homes/sheltered houses	• 1 space for every 6 residents and 1 space for every 2 members of the staff
Student residential accommodation	<ul style="list-style-type: none"> • 1 space per 2 bed spaces within Historic Core Area • 2 spaces per 3 bed spaces for the rest of the city • 1 visitor space per 5 bed spaces
Residential schools, collage or training centre	(as above)
Hospitals	On merit

Figure 36: Parking Standards guidelines

Retail, Culture, Leisure and Sports Uses	
Type of Development	Number of Spaces
Food Retail	1 space per 25m ² GFA up to 1500m ² thereafter 1 per 75m ²
Non-food retail	1 space per 25m ² GFA up to 1500m ² thereafter 1 per 75m ²
Financial and professional services	1 space for 30m ² GFA to include some visitor parking
Food and Drinks	1 space for every 10m ² of dining area
Museums, Exhibition venues	1 space for every 2 members of staff Visitors: on merit
Sports and recreational facilities and swimming baths	1 space for every 25m ² net floor area or 1 space for every 10m ² of pool area and 1 for every 15 seats provided for spectators
Places of assembly, including cinema, theatre, stadia, auditoria and concert halls	1 space for every 3 seats
Place of workshop, public halls and community centres	1 space per 15m ² of public floor area

Offices Uses	
Type of Development	Number of Spaces
Offices	1 space for every 30m ² GFA, to include some visitor parking
General industry	1 space for every 40m ² GFA, to include some visitor parking
Storage and other B use classes	On merit

Figure 37: Parking Standards guidelines

Intentionally Blank

4.6 Sustainable Buildings

4.6.1. Sustainable Design and Construction

All development in its design, construction, operation and use will be expected to contribute to the reduction of carbon emissions, increase resilience to the impacts of climate change and improve sustainability. Applicants will need to consider:

- Measures that achieve zero carbon development;
- Energy use;
- Preventing overheating;
- Water resources and water efficiency;
- Soil protection; and
- Minimising waste.

To help ensure development design and construction contributes to the reduction of carbon emissions and delivers a sustainable development, the BREEAM sustainability assessment method will be utilised and applied.

D&S DPD SB1: Sustainable Design and Construction

Overarching Requirements

a) All developments are required to submit a Sustainability Statement to demonstrate how through its design, construction, operation and use it will contribute to the reduction of carbon emissions, increase resilience to the impacts of climate change and improve sustainability;

b) Developments should prioritise retention and retrofit of existing buildings or structures to capture the embodied energy associated with the building's original construction unless it can be demonstrated to be unviable to do so. Development, as defined below, will be required to meet the relevant minimum defined standards until they are superseded by higher national standards;

c) Unless it can be demonstrated that doing so is not technically feasible or unviable, development will be required to achieve the minimum standards below:

Development Type	Scale of Development	Minimum Standard
Residential new build	Up to 150 dwellings	HQM Star*
Residential new build	Greater than 150 dwellings	HQM 3.5 Star*
Residential refurbishment	Major	HQM 3 Star*
Non-residential new-build	All	BREEAM Excellent**
Non-residential refurbishment	Over 500m ²	BREEAM Excellent refurbishment and fit out technical standards**
New Communities	Garden Communities	HQM 3.5 Star or BREEAM Excellent**

* Developments must achieve a minimum score of 50 credits in the energy category and 12 in the water category. **Developments must achieve an 'Outstanding' rating in energy and water categories and demonstrate reasonable endeavours to achieve an 'Outstanding' rating overall.

Assessment frameworks

Planning applications should be accompanied by a pre-assessment, demonstrating how the BREEAM Technical Standards and/or Home Quality Mark (HQM) Star rating, or any future replacement standards, will be met. Evidence demonstrating the project has been registered with the Research Establishment (BRE) during the design stage shall be submitted with any application and conditions will be imposed to secure appropriate certification to demonstrate compliance with this policy.

Energy Use

All new developments should follow the energy hierarchy to contribute to reducing carbon emissions: being lean (using less energy), being clean (supplying energy efficiently), being green (using renewable energy) and being seen (monitor, verify and report on energy performance). Demonstrate how opportunities for incorporating decentralised, renewable and low carbon energy schemes.

Water Resources and Water Efficiency

a) All development must minimise building water use and reuse water including:

- Water efficient fittings and appliances;
- Rainwater harvesting;
- Greywater recycling; and
- Sustainable drainage systems

Recycled water should be used for the operation of buildings and the maintenance of gardens and landscaped areas.

Soil

Best practice should be complied with to protect soils during construction (from compaction, pollution and erosion) and to protect soil biodiversity and carbon storage. Undisturbed soils should be protected, and measures should be taken to minimise sterilisation of soils by permanent impermeable surfaces.

Development will also be expected to take opportunities to improve soil health.

Existing Carbon Sinks

Development will be expected to protect existing carbon sinks and take opportunities to provide nature-based solutions for carbon capture. Applicants are encouraged to meet this requirement in conjunction with achieving Policies ON4: Biodiversity Net Gain, ON5: Sustainable Drainage Systems and ON6: Green Infrastructure, amongst other benefits for sustainable development.

Minimise Waste

All development will be required to support the circular economy by minimising construction, demolition and excavation waste disposed of in landfill and follow the waste hierarchy to maximise recycling and re-use of material.

For residential development, units should be served by proportionate facilities for outdoor food waste composting. These facilities should have due regard to environmental health considerations, including the impact of odours on neighbours' amenity.

Supporting policy guidance

Background on technical standards

BREEAM is an industry recognised sustainability assessment and rating methodology. Assessment and rating certification is delivered through accredited third-party assessors. BREEAM assessments consider a wide range of sustainability factors and are completed throughout the lifecycle of the development.

The HQM³² is an independently assessed certification scheme for new homes. It awards certificates with a simple star rating for the standard of a home's design, construction and sustainability. The BRE developed and manage HQM as part of the BREEAM family of schemes to assess sustainability in the built environment.

The assessments include an analysis of energy use, health and wellbeing, innovation, land use, materials, management, pollution, transport, waste and water. Where applicable, consideration of how the appropriate design standard will be achieved must start at the inception stage of the design process in order to maximise the developments potential to achieve the highest scores.

Details should be set out in the accompanying Design and Access Statement, including evidence of registration of the project with BREEAM. Unless otherwise agreed, compliance with BREEAM and HQM standards shall be demonstrated via formal certification.

Equivalent standards for buildings by nationally recognised certification bodies may also be accepted, such as Passivhaus or AECB standards.

Incorporating Circular Economy Principles

According to the Department for Environment Food & Rural Affairs (UK Statistics on Waste July 2021) the development industry made up over half (62%) of the UK's total waste production in 2018 from construction, demolition and excavation.

In addition, a notable proportion of materials delivered to building sites are never used and go straight to waste. In order to help move away from a linear economy where products are made to be used and sent to waste, and towards a circular economy which looks to minimise waste production all developments will be expected to demonstrate how they

31. [HQM-Guide-document_BRE_115302_0120-v2.3.pdf \(homequalitymark.com\)](https://www.breeam.com/~/media/Files/2019/01/HQM-Guide-document_BRE_115302_0120-v2.3.pdf)

will follow the waste hierarchy and avoid any avoidable waste production and disposal.

This can be achieved by:

- Prioritising the use of previously developed land and buildings;
- Reusing and recycling of appropriate materials that arise through demolition and refurbishment, including the reuse of non-contaminated excavation soil and hardcore within the site;
- Prioritising the use of locally sourced and/or sustainable materials and construction techniques; and
- Using resilient, low maintenance materials.

Applicants should also have regard to Policy CSW3 Waste Reduction in the Kent Minerals and Waste Plan³³ which requires all new development to minimise the production of construction, demolition and excavation waste and manage any waste in accordance with the objectives of the Waste Hierarchy.

Historic Assets

Energy efficiency improvements to listed buildings can impact upon their heritage significance in a variety of ways. There are few one size fits all solutions appropriate for traditional homes and such improvements require a balanced solution that preserves the significance of the heritage asset whilst also saving energy. When considering energy efficiency improvements to historic buildings it is important to take a whole-building approach that can help in improving the energy efficiency whilst sustaining the significance of the heritage asset.

This can be achieved by:

- Prioritising the use of previously developed land and buildings;
- Reusing and recycling of appropriate materials that arise through demolition and refurbishment, including the reuse of non-contaminated excavation soil and hardcore within the site;
- •Prioritising the use of locally sourced and/ or sustainable materials and construction techniques; and
- Using resilient, low maintenance materials.

32. [Kent Minerals and Waste Local Plan 2013-30 \(adopted 2020\)](#)

4.6.2. Minimising Greenhouse Emissions

The impacts of climate change are seen in both the built and natural environment. The planning system is a tool that provides an opportunity to minimise vulnerability to the effects of climate change. Maidstone takes an integrated and holistic approach to address the causes of climate change and to increase resilience to the effects of climate change.

Maidstone have committed to becoming as close to carbon neutral as possible by 2030. Carbon Neutrality (or 'net-zero') can be achieved through reducing existing emissions and actively removing greenhouse gases. Maidstone have committed to achieving net-zero for our own operations by 2030 and our long-term aspiration is to become carbon negative or a footprint less than neutral, so that we have a net effect of removing carbon dioxide from the atmosphere.

At a Maidstone Borough wide-scale, in accordance with national government targets, and based on Tyndall Centre data, Maidstone have set out carbon reduction milestones to reduce CO2 emissions by -13.4% each year across the Borough to reach near to net-zero by 2041. The achievement of this target is contingent on many aspects and not the sole responsibility of the Council due to economic factors, private sector, transport sector, and wide-scale public behaviour change. We know that effective collaboration is essential for delivering the scale of change needed.

Maidstone's overall strategy for net zero is set out in its Biodiversity and Climate Change Action Plan.

D&S DPD SB2: Minimising Greenhouse Gas emissions in New Development

a) Major development³⁴ should be net zero carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy: 1) be lean: use less energy and manage demand during operation 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site 4) be seen: monitor, verify and report on energy performance;

b) Major development proposals should include a detailed energy strategy to demonstrate how the net zero carbon target will be met within the framework of the energy hierarchy;

c) In exceptional circumstances where the net zero carbon target cannot be fully achieved on-site, clear reasoning should be supplied with proposals. These exceptional circumstances may exist for building retrofit proposals.

Only in these exceptional circumstances any shortfall should be provided in the form of either: 1) through a cash in lieu contribution to the Council's carbon offset fund (if one is in place at the time of application submission), or 2) off-site provided that an alternative proposal is identified and delivery is certain carbon reductions, in agreement with the Borough;

d) Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions;

e) Development proposals of 100 residential units or more (or 1000 m² floorspace for non-residential development) should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

33. Definition based on Part 1 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. Generally, major developments are: (i) Development of dwellings where 10 or more dwellings are to be provided, or the site area is 0.5 hectares or more; (ii) Development of other uses, where the floor space is 1,000 square metres or more, or the site area is 1 hectare or more.

Supporting policy guidance

Legislative background

The UK's climate change commitments have been reflected within planning legislation to enable plan-making and decision-making which will support reaching these commitments. This national ambition is brought into the context of local planning through The Planning Act (2008) and the Planning and Compulsory Purchase Act (2004).

Section 182 of the Planning Act 2008 puts a legal duty on local authorities to include policies on climate change mitigation and adaptation in Development Plan Documents, thereby amending the Planning and Compulsory Purchase Act (2004). Government will introduce higher energy efficiency standards nationally for domestic buildings through the Future Homes Standard, which targets regulated emissions. Local authorities will continue to have the power to demand higher energy efficiency standards of new development than central Government.

The Planning and Energy Act (2008) sets out powers for local authorities to have development plan policies which impose reasonable requirements for a proportion of energy used by developments in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development.

As such, this allows local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the Part L Building Regulations. Section 43 of the Deregulation Act 2015 would have withdrawn this power to set energy efficiency standards from local authorities, however this has not yet been enacted and Government has said that it does not intend to enact it.

In 2020, the Government consulted on proposed updates to the Building Regulations and the introduction of the Future Homes Standard³⁵. Through this, Government set out its intention to “introduce in 2020 a meaningful but achievable uplift to energy efficiency standards as a steppingstone to the [2025] Future Homes Standard.”

34.UKGBC (2019) The Policy Handbook, <https://www.ukgbc.org/wp-content/uploads/2020/03/The-Policy-Playbook-v.1.5-March-2020.pdf>

In 2021, the Government published the outcome of the Future Homes consultation³⁶, outlining what changes will be made and at what pace. The new Standard will ensure that all new homes built from 2025 will produce 75-80% less carbon dioxide emissions than homes delivered to current Building Regulations standards, with low carbon heating and very high fabric standards. From 2025, all new homes will be 'zero-carbon ready', requiring no further energy efficiency retrofit work to enable the homes to become zero-carbon as the electricity grid decarbonises.

For the interim period to 2025, updated Building Regulations will require new homes built from June 2022 to produce 31% less carbon emissions compared to current standards. Transitional arrangements are in place which means that if a building notice, initial notice, or full plans for building work are submitted to a local authority before 15 June 2022, then, provided the building work commences by 15 June 2023, work on that individual building is permitted to continue under the previous standards.

In 2023, the Government will hold further consultation about the technical aspects of the Future Homes Standard, before updating the Regulations again to come into force in 2025. It is important to note that the new emissions reduction requirements apply only to the emissions arising from regulated energy, i.e., lighting, ventilation and heating space and water. Unregulated energy in buildings is energy consumption that is not 'controlled' by Building Regulations - in homes the primary source of unregulated energy is electrical appliances.

The Future Homes Standard reduction targets do not apply to emissions resulting from unregulated energy, meaning that a proportion of domestic operational emissions are still unaccounted for. Government recognises this limitation in its response to the consultation, stating that it will "carry out wider work to consider the future of energy efficient and low carbon buildings, looking beyond the scope of Building Regulations... examin[ing] some of the broader and more fundamental questions around how we can ensure that all new buildings are designed and constructed to be fit for a zero-carbon future"³⁷. No date is given by which this work can be expected, although the Government's intention seems to be to include not just unregulated energy but also construction emissions in its future analysis.

35. Department for Levelling Up, Housing and Communities (2021) The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings, https://assets.publishing.service.gov.uk/Government/uploads/system/uploads/attachment_data/file/956094/Government_response_to_Future_Homes_Standard_consultation.pdf, (p.10)

36. Department for Levelling Up, Housing and Communities (2021) The Future Buildings Standards Consultation on Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for non-domestic buildings and dwellings; and overheating in new residential buildings,

In response to the consultation proposal to remove the power of local authorities to set higher energy efficiency standards than those in the Building Regulations, the Government has chosen to continue allowing local authorities to have this power over development in their local area. This is especially important for ambitious local authorities who are striving to reach net zero ahead of national targets.

Government intends to introduce higher energy efficiency standards nationally for non-domestic buildings through the Future Buildings Standard. In December 2021, the Government published its response to the Future Buildings Standard consultation on proposed changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations³⁸. The Future Homes Standard addresses residential buildings, the Future Buildings Standard addresses non-residential buildings (in addition to overheating in new residential dwellings).

With regards to non-domestic Part L, an interim uplift in energy efficiency will enter into effect in June 2022, requiring a 27% reduction in emissions compared to current standards. This will rely on increased efficiency as well as fabric improvements.

37. Department for Levelling Up, Housing and Communities (2021) The Future Buildings Standard: 2021 Consultation on changes to Part L and Part F of the Building Regulations for non-domestic buildings and dwellings; and overheating in new residential buildings, The Future Buildings Standard: summary of responses, and Government response (publishing.service.gov.uk),

4.6.3. Passive Design

The construction industry makes a significant contribution to CO₂ emissions utilising substantial volumes of non-renewable resources and generating pollution and waste. The need for sustainable approaches to building design and operation is therefore fundamental if the challenges associated with climate change, resource depletion and pollution are to be addressed, and will be necessary to achieve the Government's Future Homes and Buildings Standard.

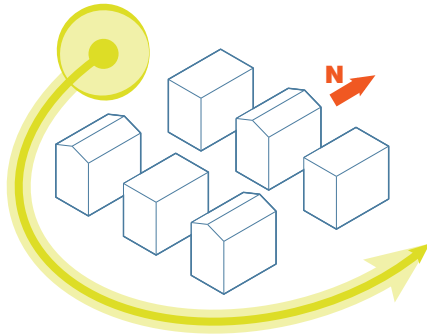
D&S DPD SB3: Passive Design of Buildings

The Council welcomes innovative and inventive designs that respond to the sustainability agenda by minimising the use of resources and energy both through building construction and after completion.

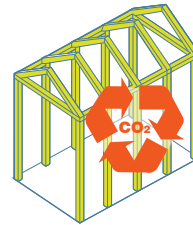
Applicants must demonstrate how this has informed their design and should consider in particular:

- a) Orientation and design of buildings and roofs to maximise daylight/sunlight penetration and solar gain, whilst also avoiding overheating;
- b) Maximise passive cooling through natural ventilation and other passive means. Reliance on air conditioning systems should be avoided. Green and blue infrastructure should be incorporated in line with Policy ON3: Green Infrastructure to provide natural cooling and shading;
- c) The use of green roofs or walls to reduce storm water run-off, increase sound-proofing and biodiversity;
- d) The use of materials with low embodied energy (for example, sustainably sourced timber and recycled materials);
- e) The use of sustainable materials that are locally sourced wherever possible, including recycled aggregates and other recycled material;
- f) Incorporating high levels of insulation (in combination with air tightness and temperature control systems) including the use of materials with a high thermal mass, such as stone or brick, which store heat and release it slowly;
- g) Incorporating renewable and low carbon energy sources including photovoltaics, solar thermal water heating, ground and air source heat pumps, and/or other emerging technologies;
- h) The use of low flow technology in water fittings, rainwater harvesting systems and grey water recycling systems to reduce water consumption to 110 litres/person/day (maximum); and
- i) Laying out development to support identified opportunities for decentralised renewable or low carbon energy systems.

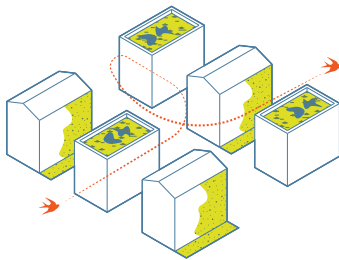
Orientation



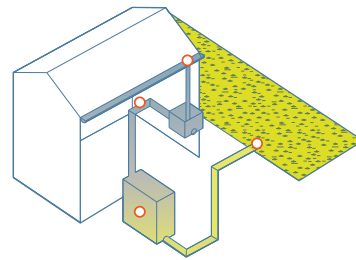
Low embodied energy materials



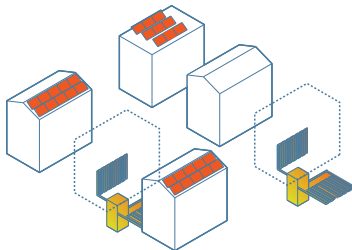
Green roofs and walls



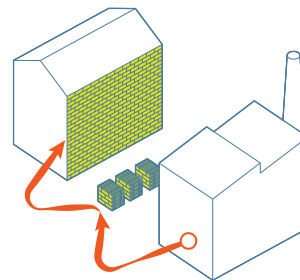
Rainwater harvesting and grey water recycling



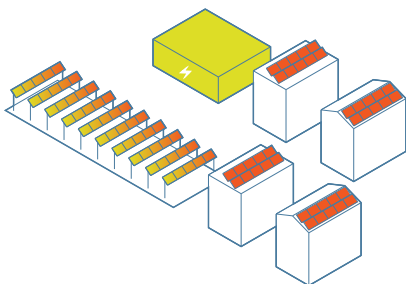
Incorporated renewable energy systems



Use of locally sourced materials



Layout opportunities for decentralised renewables



High level insulation and high thermal mass materials

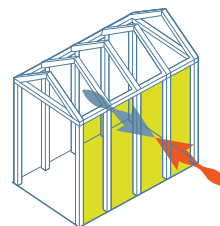


Figure 38: Passive Design strategies for buildings

Supporting policy guidance

Passive design principles

Developed by The Passive House Institute, passive building design principles focus on substantially reducing space heating and cooling requirements and establishing good indoor comfort levels and air quality, by adopting a fabric first approach and systems level ventilation³⁹.

Passive building design is achieved solely by post-heating or post-cooling of fresh air flow, without the need for additional recirculation of air. This therefore significantly increases building carbon and energy efficiency, and resilience to the effects of climate change.

Policy SB3 is informed by these passive design principles. It also promotes applying these principles to building design to achieve wider benefits for sustainability, including increasing green and blue infrastructure and reducing embodied carbon associated with construction.

To allow flexibility for developers, the precise choice of technology has not been specified in the Policy. However, given the location of Maidstone in the south-east of England and potential solar gains, it is highlighted that there may be significant opportunities for roof-based solar PV energy generation. Solar PV may in turn power domestic heat pumps, hot water systems and/or a thermal store.

38. BRE Group (2022) The Passivhaus Standard. Available online at: <https://bregroup.com/a-z/the-passivhaus-standard/> [Accessed on 21/03/23].

Intentionally Blank

4.7 Design Quality

Maidstone requires the design of new development to be high quality and to respect the character of towns and villages as well as the character of individual buildings. New development, must contribute positively to the character of the area to the private and public realm (including streets and open spaces), protect or enhances valued townscapes, and create accessible and inclusive environments whilst maximising opportunities to enhance the sustainability of our communities.

The various components of new buildings including their form, proportions, roofscape and overall appearance should also display underlying architectural integrity and contribute to a sense of place by being borne from their location. Being responsive to the character of the existing built form should not result in pastiche replicas, instead the emphasis should be placed on contemporary interpretation of traditional building forms and materials to suit today's needs.

4.7.1. Design Led Approach

An informed design led approach should be taken to ensure that all proposed development sits comfortably in its context. A proposal's layout, scale, height, density, land uses, materials, architectural detailing and landscape should be considered and applied on a case-by case basis. Well-designed places and buildings are visually attractive and aim to delight their occupants and passers-by. They contribute to visual appeal and local distinctiveness. They cater for a diverse range of residents and other users. All design approaches and architectural styles are visually attractive when designed well.

The Design and Access Statement provides a framework for applicants to explain how a proposed development is a suitable response to the site and its setting and demonstrate that it can be accessed by prospective users. It should demonstrate how the design has responded to, and been shaped by, the development's context, and should explain the applicant's response to relevant policies. The level of detail contained within the document should be proportionate to the complexity of the application, but a Design and Access Statement is required for any major development and any application that consists of the provision of one or more dwellinghouses and/or a building with a floorspace of 100sqm or more (National Policy Requirement).

Where proposals are submitted in outline form for major development, or minor development in sensitive locations, applications must be accompanied by for example, an overarching masterplan framework, a series of design, sustainability and environmental codes that (i) demonstrate that the principle of development is acceptable and (ii) ensure that quality and sustainability are maintained throughout the planning process. Where planning permission is granted with weight being placed upon the quality and sustainability of the development, these are the principles upon which the Council and local communities have accepted a scheme and it will not be acceptable for either to be eroded through one or more amendments to a permission.

The following policy sets out an overarching approach to design.

D&S DPD DQ1: Design Led Approach

Development should provide high quality building, urban and landscape design that respects and responds to the local characteristics, features, geology, and qualities that form the local distinctiveness of the Borough's rural and urban places and environments as set out in Part 3, Maidstone's Places. Proposals should provide evidence that the design has referenced key local characteristics - either as per Part 3 or based on the applicant's own original analysis.

Applicants should establish an architectural approach and identity in design that is borne from the place. The layout, façade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. Overall the design should demonstrate a successful co-ordination of proportions, materials, colour and detail. Buildings should therefore be holistically designed with each part in harmony with its whole while appropriately responding to both its context, sustainability and modern living and working requirements. This includes, where appropriate:

- a) Layout, urban grain, scale, height, density, land uses, materials and landscape, including a layout, urban grain, scale, height, density, land uses, materials and landscape, including evidence that a masterplan framework and design parameters underpin detailed design, or which set the framework for details pursuant to outline applications for major development;
- b) building typologies that reflect local character ;
- c) Elevational treatment and overall façade design;
- d) Adopting typical building forms, composition, articulation, proportions, features, materials, details, patterns and colours of an area;

Figure 39: Design-led Approach

- e) Roofscape and form that creates a harmonious composition and ensures that features such as of downpipes and guttering enhance the visual appearance of a building in terms of their style and materials;
- f) The appropriate incorporation of dormer windows, roof detailing and chimneys;
- g) An appropriate palette of good quality materials that are preferably locally sourced; and
- h) Preserving or enhancing the character and appearance of Conservation Areas and the special architectural or historic interest of listed buildings (if applicable).

Development should demonstrate this design led approach by submitting a comprehensive Design and Access Statement with a planning application which demonstrates how the proposed development meets requirements of this document, the Local Plan and other relevant material considerations. A heritage statement should accompany applications for proposed works to listed building or those affecting its setting, and proposed demolition of a building in a Conservation Area. In relation to outline applications for major development, the Council may expect to agree a masterplan framework and design code to guide subsequent reserved matters applications.

As part of their community engagement, applications, for major development should demonstrate that the design principles for the scheme have been tested with local communities at an early stage and that there is evidence of feedback to communities on their inputs.

For proposals of significance the Applicant and Council should agree the best approach to reviewing design proposals as they emerge, this could take the form of a Design Review Panel at one or more appropriate stages of the design evolution. These principles also apply to the infilling of existing areas and larger scale extensions to buildings.

Supporting policy guidance

Well-designed places should appeal to all senses. The way a place looks, feels, sounds, and even smells, affects its enduring distinctiveness, attractiveness and beauty. It is defined by the height and massing of buildings, variation in roof forms and material selection. Materials, construction details and planting are selected with care for their context. They should be attractive but also practical, durable and affordable.

In well-designed buildings, the materials and details suit the design concept and they are consistently followed through the construction process to completion. Both the Borough as a whole and local character areas provide a number of important design cues, as set out in section 2 of the DPD. For example, the predominant roof forms in the Borough are simple double-pitched roofs; these can be organised with gable or hipped ends and/or with gable-fronts. New development should respect these characteristics, while providing variety of roof forms to help give schemes diversity, particularly in larger developments. For instance, adopting a consistent roof-form can help to distinguish one street from another.

Proposals should normally avoid:

- Shallow-pitched roof profiles (below 40 degrees) and visible crown-topped roofs on traditionally designed buildings as these are atypical to the character of the area and can generate a weak building profile; and
- Inconsistent roof pitches on the same or adjacent buildings as this can generate clumsy juxtapositions.

The roof form should also be influenced by sustainability/orientation and the scope for solar PV panels.

The scale of new buildings should relate to their context (rural or urban), their location within the hierarchy of routes and whether they act as a focal point, landmark or corner building and the topography of a site. However, focal buildings can often be created by subtle variations and should not be used to seek to justify a scale or typology that is out of character. Subdividing a street frontage into a series of vertically proportioned bays helps avoid larger buildings, and extended frontages, appearing monolithic and provides them with a more human scale.

All dwellings should normally have access to usable private outdoor amenity space that is appropriate to the location and the type and size of accommodation, together with frontage space that creates an appropriate streetscape setting and opportunities for biodiversity

enhancement. Main entrances to houses, ground floor flats, communal entrances for flats and non-residential uses should directly face onto the street and be clearly visible from the public realm; they should also be welcoming and easily identifiable to help improve legibility.

Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the main roof to remain visible. Excessively wide dormers are likely to look unsatisfactory as they will often be out of proportion with the existing roof. Dormer windows should normally be positioned below the ridgeline, and above the eaves line.

Balconies can provide useful outside space or sense of the outside and can help articulate a façade providing they are carefully organised and integrated and appropriately scaled. Deep balconies that project too far from the main façade can appear to be poorly integrated. They are often more successfully integrated if they are either recessed or partially recessed within the main façade, where they can provide additional sense of structural depth. The design of the balustrading should both fulfil safety requirements and be designed to integrate well with the rest of the façade. Opaque or solid balustrades should be considered if there are privacy issues where residents may otherwise be tempted to introduce secondary, temporary screening.

Boundary treatments should be reflective of the area and local traditions in terms of height, structure and materials; however, this should be balanced with the need for natural surveillance. For larger developments boundary treatments should be coordinated to contribute to the character of the street but allow for some variety and individuality.

Site layout and detailed design of all dwellings should benefit from daylight and sunlight levels that conform to BRE standards. Single aspect north-facing apartments should normally be avoided as they receive insufficient sunlight. South facing apartments will need to be carefully designed to avoid overheating problems.

Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions. . In particular extensions to buildings should respect their relationship with neighbouring properties and their contribution to the wider street scene.

The primary objective of all conversions of traditional buildings must be to retain the character and appearance of the original building, and its defining architectural characteristics

4.7.2. Masterplanning

Masterplanning is integral to creating well-planned and designed places. It is a tool for developing a vision for a place into development principles and ultimately detailed design. It is also a way of engaging local communities and stakeholders throughout the evolution of a scheme.

It is a process that spans from concept vision, to client brief, through to design and ultimately delivery and longer-term stewardship.

For larger development proposals that, for example extend beyond a single street it is highly likely a masterplan encompassing the full site area is required.. This masterplan will establish a new street network/hierarchy, an overall open space strategy, building uses, scale and types, along with various other parameters such a blue and green networks. It should also address how a scheme connects with its surrounding neighbourhoods.

For detailed applications, the masterplan will demonstrate the integrity and robustness of a scheme and its responses to, for example, stakeholder engagement and testing. For outline applications, a masterplan framework should provide comfort that both the principle of development and its scale are acceptable. It should also, together with design codes, establish parameters that will guide future detailed submissions and ensure that the overall vision is adhered to and that quality is maintained throughout the process.

The level of detail will be proportionate to the scale of development and for larger scale proposals, this is likely to involve:

- Visioning
- Concept masterplan
- Framework masterplan
- Detailed masterplan
- Detailed design
- Delivery and stewardship.

D&S DPD DQ2: Masterplanning

Larger proposals (typically over 100 dwellings) development proposals should be supported by a site-wide masterplan demonstrating the application of this D&S DPD to the site. The masterplan should be able to demonstrate that it has been informed by a contextual assessment of the wider area and responses to stakeholder engagement and, subject to the scale of development, include for example, one or more of the following stages:

1. At the visioning stage:

- a) An overall vision that accords with the wider principles of this DPD, development targets and spatial principles
- b) An assessment of the site's context and connections with the surrounding area and how they have informed (i) site selection and (ii) will influence the overall spatial strategy

2 .At the concept masterplan stage, the key structuring principles such as:

- c) An overall access strategy for the site,
- d) Overall development targets and the broad spatial distribution of land uses, supported by viability evidence
- e) An assessment of necessary infrastructure requirements
- f) Key land use or other nodes / focal points
- g) An overall landscape framework and green and blue infrastructure networks
- h) Key interfaces with the sites boundaries and beyond

3. A Framework Masterplan that covers:

- i) Details of access and the street and movement hierarchy
- j) How individual neighbourhoods or character areas are to be defined
- k) The area types that will apply to different parts of the site (indicating density, massing, height, street building line etc.)
- l) Development plots by land use and capacities, including targets in respect of housing mix and tenure
- m) The site-wide landscape strategy, and quantifiable open space requirements by area, taking account of existing natural and heritage features of the site and wider area, biodiversity and new structural elements.
- n) Phasing and delivery strategy, again with a further level of viability analysis
- o) An infrastructure delivery strategy, including principles for matters such as utilities locations
- p) A stewardship and management plan.
- q) Sustainable design principles

4. At the detailed design stage, subject to the scale of the development and the type of application further detail may include:

- t) A breakdown of landscape and green infrastructure by typology and function
- u) Development layout and structure by plot, block or character area, as guided by the area's building types.
- v) Indicative elevational details including materials, details and finishes
- w) Detailed landscape design details by typology of space and function
- x) Detailed, servicing and utilities strategy
- y) Detailed sustainability measures for both built and open space elements.
- z) For outline applications, the level of detail required in 'masterplan framework' will provide the basis for the key parameters that define the requirements for future detailed submissions in a manner that ensures design and sustainability principles are maintained throughout the detailed design and delivery process.

Supporting policy guidance

This approach follows the National Model Design Code recommendation that for larger sites land owners and developers should agree a masterplan for each of the development sites establishing the key parameters and area types. The actual level of detail will vary depending on the complexity and sensitivity of the site. It will also depend on where the site is in the planning process – Local Plan preparation, pre-application, community consultation, outline or detailed application stages. Landscape and setting is likely a major driver in a design process at masterplanning scale in Maidstone.

4.7.3. Design Coding

Form based design codes are a powerful tool to define the character of places and ensure a consistent approach to delivering development. Design coding can refer to a variety of scales and levels of detail, however it is expected that for sites of particular significance or sensitivity, the Council will require the development a detailed design code which sets out the parameters of the built form of a proposal or phase.

D&S DPD DQ3: Form Based Design Codes

As part of the masterplanning process set out within Policy DQ3, major developments may be deemed to require a form based design code / coding plan at Outline Planning application stage, which will, for example:

- a. Analyse and identify adjacent character areas and their unique/defining characteristics
- b. Set out the layout and the location of new character areas and the contextual characteristics that will define them

Once the coding plan has been established, the design code will define the parameters relating to the following themes:

- a. Urban structure and block principles
- c. Legibility
- d. Block types
- e. Frontages and building line
- f. Scale and massing
- g. Height
- h. Floor area ratio
- i. Landscaping
- j. Lighting
- k. Materials

Subsequent proposals will be required to achieve the standards or range set out in the design code.

A form based design code will provide detailed guidance which reinforces the objectives and ensures the designed character of a place is delivered. It will define parameters on a development parcel level which gives certainty to the form and layout of the plot. As such the built form can be defined prior to the design of the building architecture, which would then follow within the parameters set.

The purpose of a form based design code is to:

- Set the parameters and the brief for building and landscape designers to develop detailed designs;
- Enable swift and informed assessment for reviews to judge the appropriateness of proposals;
- Articulate the desired character of a development or phase of development;
- Ensure the stated design ambitions are codified and defined; and
- Ensure the quality and consistency of detail throughout the delivery of a site.

A form based design code could be the basis for an outline planning application which would then speed the assessment of subsequent reserved matters applications on a plot by plot basis. Alternatively, the adoption of a form based design code could be made a condition for the grant of an outline planning permission which contains less detail, for example a framework masterplan.

4.7.4. Maintaining Design Quality

It is important that design quality is maintained throughout the development process from the granting of planning permission to completion of a development and as necessary, to its long-term stewardship thereafter.

D&S DPD DQ4: Maintaining Design Quality

The development's design quality should be retained from vision and planning approval through to completion by:

- a) Ensuring maximum detail appropriate for the design stage is provided to avoid the need for subsequent design changes and to ensure scheme quality is not adversely affected by later decisions on construction materials, landscaping details or minor alterations to layout or form of the development;
- b) Ensuring that the wording of the planning permission, conditions and legal agreement provide clear direction on design quality;
- c) A design code may need to be agreed on major applications in advance of reserved matter applications (refer to Policy DQ3 Form Based Design Codes); and
- d) Production and approval of maintenance and management plans prior to the first occupancy of any development.
- e) Longer-term monitoring.

Supporting policy guidance

Managing incremental changes

What happens to a design after planning consent can be instrumental to the success of a project and subsequent quality of a place. Changes to designs after the initial planning permission has been granted are often granted via minor amendments or additional necessary detail and may not be subject to community or Committee scrutiny. However, even minor changes can have a substantial effect on design quality. The cumulative effect of amendments can be significant and should be reviewed holistically.

Maidstone therefore proposes these measures to ensure that a development which is supported by a community and granted permission based upon certain principles and design and sustainability expectations; maintains that quality through to delivery and longer-term management.

4.7.5. Materials and Detailing

The impression of a building's beauty is significantly influenced by its detailing. This relates to how the various elements of a building's composition fit together and how they are seen from close range and from afar.

D&S DPD DQ5: Materials and Detailing

Proposals involving Modern methods of construction will be supported where they:

Development should deliver buildings that appropriately respond to their context and modern living and working requirements, and are borne from the place in which they are located by:

- a) Respecting and responding to the surrounding local character (either as per Part 3 or based on own the applicant's own original analysis);
- b) Using a simple palette of materials that are complementary to the locality and are ideally locally sourced;
- c) Using unified facing materials on all sides of the building (as opposed to only the front elevation); and
- d) Use of materials of sufficient quality that withstand weathering, are durable, are appropriate for the use of the building and are tenure-blind.

Supporting policy guidance

Overall Approach

Buildings should not seek to mimic detailing on nearby buildings but should contain elements that reflect the character of the area – these being, for example, doors, windows, roofs and balconies. The rationale for these should be set out within the Design and Access Statement submitted with the planning application. Examples of detailing to consider when formulating a design are: floor to ceiling heights, soffits, fascia, bargeboards, guttering, front doors, door frames, size and orientation of windows, depth of window reveal, sills and lintels, etc.

As referenced in Part 3, it is possible to isolate local variations in building materials that are distinctive to a rural area, village, town or to the wider Borough or region. The Council recognises that the use of these materials in new development will not only ensure that the new built form 'feels' part of the existing place, but will help to retain place-specific character, deepening ties with the land on which its built and enhancing sense of place.

This extends to the people who use the space too, where a heightened sense of belonging and care for the place will flourish from this. It is therefore important the new development considers the place it is in and reflects this in its design and materials. High quality materials should also contribute to the environmental performance of the building. The Council welcomes innovation to achieve the right balance between responding to the character of an area and, achieving the highest sustainability requirements set out in policies relating to Sustainable Buildings in this DPD

4.7.6. Modern Methods of Construction

Modern Methods of Construction (MMC) is a wide term that includes a range of off-site manufacturing and on-site techniques that provide alternatives to traditional housebuilding methods. The term embraces a variety of approaches and its definition has varied over the years, with numerous associations. MMC include the following types:

- Volumetric construction – three-dimensional units that are fully fitted out off-site;
- Pods – used in conjunction with other construction methods, for example bathroom or kitchen pods;
- Panelised systems – panels with timber or light steel framing, structural insulated panels (SIPs), or cross-laminated timber;
- Sub-assemblies and components – larger components incorporated into new homes, for example roof and floor cassettes, prefabricated chimneys, porches and dormers, and I-beams; and
- Site-based MMC – innovative methods of construction used on-site, for example include thin-joint blockwork and insulated formwork.

The Council recognises that MMC offers the potential to deliver a high-performance building solution that directly contributes to achieving high levels of sustainability, and therefore encourages innovative and experimental solutions across building scales.

The January 2020 report⁴⁰ from the Building Better, Building Beautiful Commission recognised that “Modular building can be, and sometimes has been, misused to create bland, clumsy and placeless buildings. There is modular ugliness as well as modular beauty.” The report suggests that design codes and the use of digital technology could improve modular building processes by providing certainty and a more efficient system, as well as improving place-making outcomes.

39. <https://www.gov.uk/government/publications/living-with-beauty-report-of-the-building-better-building-beautiful-commission>

D&S DPD DQ6: Modern Methods of Construction

Proposals involving Modern Methods of Construction will be supported where they:

- a) Can deliver buildings of similar or better quality to those constructed using traditional building methods;
- b) Meet other development plan policy requirements related to design, style and durability;
- c) Deliver the to the highest standards of sustainability and energy efficiency;
- d) Increase or accelerate the supply of all homes, including those that are affordable and socially rented;
- e) Are provided in conformity with a strict design code, which establishes parameters for style, daylighting/fenestration and space standards which is agreed in advance of detailed consent; and
- f) Include emphasis on adaptability to ensure that as household composition and needs change, homes and neighbourhoods can evolve.

Supporting policy guidance

The acceptance and successful roll-out of MMC depends on the resulting homes being both desirable to potential residents, attractive to existing communities and their overall sustainability. Site specific design codes in conformity with other policy should be used to set out a suite of design options which are all acceptable in planning terms.

This is to enable the Council as planning authority to identify the external parameters relevant to a particular site or group of sites within which MMC units could be assembled in different combinations. This approach creates the opportunity to maintain quality across a diverse portfolio of development and contribute to a coherent clarity of place.

4.7.7. Houses in Multiple Occupation

A House in Multiple Occupation (HMO) is a house or flat in which three or more unrelated persons live, who form two or more households, and share an amenity such as a bathroom, toilet, or cooking facilities.

D&S DPD DQ7: Houses in Multiple Occupation

a) HMO developments should comply with the specified standards set out on the Council's dedicated HMO webpage⁴¹ and should provide appropriate floorspace for sleeping and communal spaces as per below:

Use of Room	One person	Two persons
Sleeping	9m ²	14m ²
Kitchen	4.5m ²	4.5m ²

Figure 40: Minimum individual room sizes for one or two persons

Use of Room	1-5 people	6-10 people
Living area	11m ²	16.5m ²
Kitchen area	7m ²	10m ²
Kitchen / diner	11.5m ²	19.5m ²

Figure 41: Minimum individual room sizes for groups

b) The conversion or sub-division of existing residential buildings into HMOs will be acceptable, provided that they would:

- Provide adequate car parking space;
- Not prejudice the amenity of neighbours;
- Provide adequate amenity space;
- Provide adequate refuse storage and servicing; and
- Provide adequate cycle storage.

40. Maidstone Borough Council (2023) Houses of multiple occupation standards. Available at: <https://maidstone.gov.uk/home/primary-services/housing/tier-2-primary-areas/housing-for-business/tier-3-primary-areas/houses-in-multiple-occupation/hmo-standards>

Supporting policy guidance

Standards for HMOs

It is important to prescribe standards for the design of these units as it is common that, during a conversion to an HMO, the ease of use is lessened, or floor areas are reduced, resulting in a poor-quality space that does not function well for residents. The Council knows that the quality of internal and external living spaces has a significant impact on many health and wellbeing indicators, and that it is therefore important to specify standards for this type of housing. HMOs should be in areas that have access to sustainable modes of transport, shops and local services. Proposals should consider the appropriately concealed provision for refuse to ensure that access can be maintained whilst reducing the visual impact of provision.

The ill-considered conversion of buildings to HMOs can result in insufficient space/areas for refuse storage, particularly to the front of houses, and inadequate cycle parking spaces to accommodate the number of residents living at the property. This can have a knock-on unsightly and negative impact on the streetscene. Therefore, appropriate refuse and cycle storage solutions should be considered within all applications that propose a conversion to an HMO. Parking arrangements for HMOs on plot should not result in frontages that are dominated by surface parking or significant loss of rear garden space. Proposals should seek to minimise the visual impact on the streetscene through appropriate landscape design. The removal of built elements to accommodate significant increases in parking, such as traditional boundary walls, side walls and front gardens should be avoided, as this will tend to have a detrimental effect on a place's character. Parking arrangements, and the vehicle movements they will produce, should not cause significant impact on the safety of pedestrians and cyclists or existing flows of traffic.

4.7.8. Creating mixed and resilient communities

Development capable of responding to changing social, technological and economic conditions is more likely to be successful and ultimately more sustainable. Particularly on larger sites, new housing should reflect people's differing requirements and desire to adapt or change their property to respond to changing needs.

D&S DPD DQ8: Mixed Communities

New residential development should typically:

- a) Provide a mix of dwelling types (including apartments and terraced homes) and tenures to meet local needs;
- b) Incorporate affordable housing that is 'pepper-potted' throughout the site and has the same external appearance and quality of finishes as private housing;
- c) Provide buildings designed so that they can be altered internally or externally over time without the need for demolition or rebuilding as needs change;
- d) Provide buildings designed to maximise the potential for lifetime use; and
- e) Address the needs and access requirements of people with disabilities and include the provision of wheelchair accessible homes. These homes should be positioned in highly accessible locations.

Supporting policy guidance

Development that is capable of responding to changing social, technological and economic conditions is more likely to be successful and ultimately more sustainable. Particularly on larger sites, new housing should reflect people's differing requirements and desire to adapt or change their property to respond to changing needs. New residential development should provide a mix of dwelling types (including apartments and terraced homes) and tenures to meet local need.

By building flexible internal space, rooms can be adapted to different uses depending on family requirements. Buildings should be designed to maximise the potential for lifetime use.

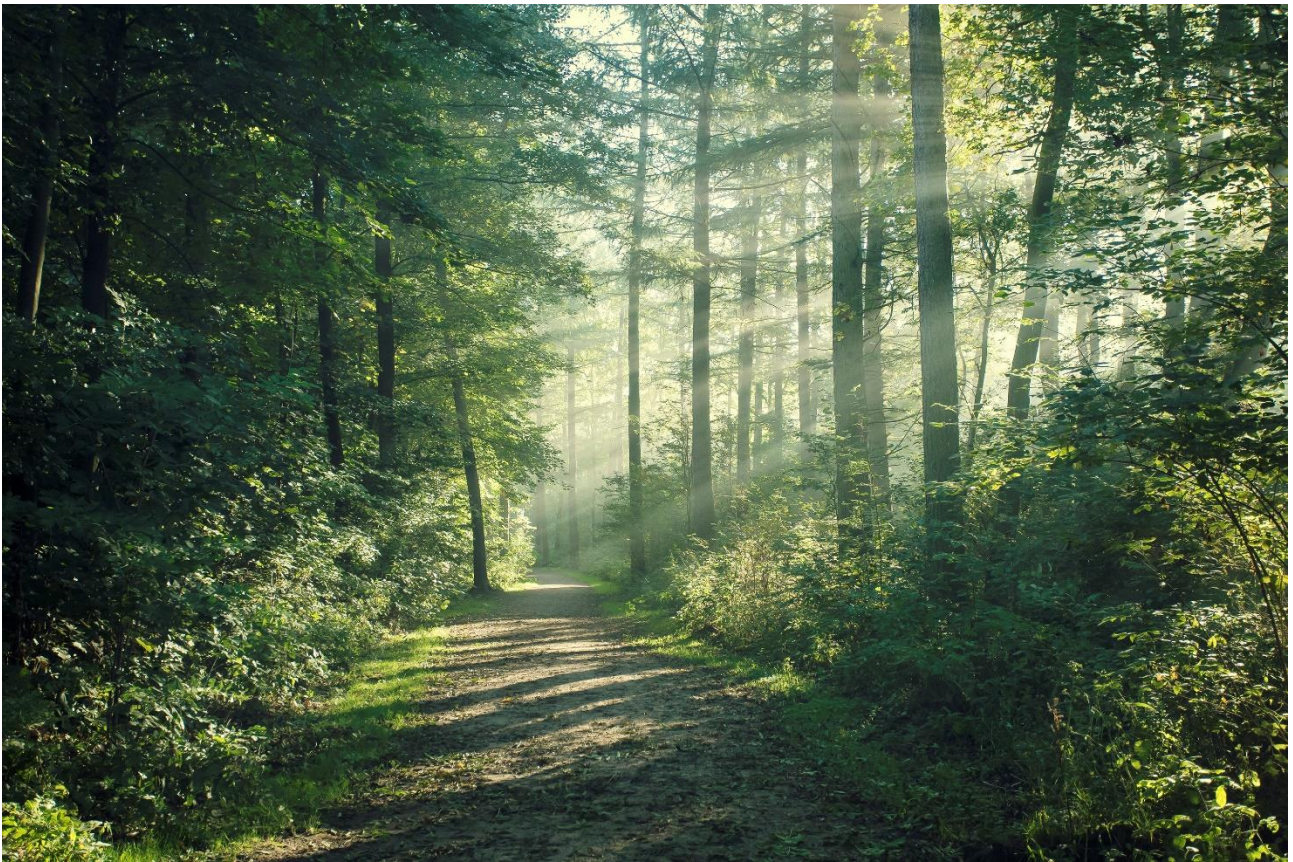
Maidstone Borough Council

Interim Sustainability Appraisal of Maidstone Design and Sustainability Development Plan Document

Regulation 18b Consultation

Version 1

| 24 March 2023



This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 288700-00

Ove Arup & Partners Limited
8 Fitzroy Street
London
W1T 4BJ
United Kingdom
arup.com

Document Verification

Project title Design and Sustainability Development Plan Document
Document title Interim Sustainability Appraisal
Job number 288700-00
Document ref
File reference

Revision	Date	Filename			
Version 1	24 March 2023	Design and Sustainability DPD Interim Sustainability Appraisal			
			Prepared by	Checked by	Approved by
		Name	Christopher Wong	Alexandra Egge	Eleanor Selby
		Signature			
		Filename			
		Description			
			Prepared by	Checked by	Approved by
		Name			
		Signature			
		Filename			
		Description			
			Prepared by	Checked by	Approved by
		Name			
		Signature			

Issue Document Verification with Document

Contents

1.	Introduction	4
1.1	The Design and Sustainability Development Plan document	4
1.2	Sustainability Appraisal	4
1.3	SA Legislative Context	5
1.4	SA Scoping Report	5
1.5	Structure of this Report	5
2.	Methodology	7
2.1	SA Framework	7
2.2	Use of the SA Framework	7
3.	Sustainability Appraisal Findings	8
3.1	SA findings for Placemaking	8
3.2	SA findings for Streets and Buildings	10
3.3	SA findings for Open Space and Nature	16
3.4	SA findings for Movement	21
3.5	SA findings for Sustainable Buildings	24
3.6	SA findings for Design Quality	26
4.	Next steps	30

Tables

Table 1	Sustainability Appraisal Framework	1
Table 2	Sustainability Appraisal scoring guide	6
Table 3	List of D&S DPD policies assessed	7
Table 4	SA findings for Placemaking policies	8
Table 5	SA findings for Streets and Buildings	10
Table 6	SA findings for Open Space and Nature	16
Table 7	SA findings for Movement policies	21
Table 8	SA findings for Sustainable Buildings policies	24
Table 9	SA findings for Design Quality	26

Figures

Figure 1	Maidstone's Planning Policy Framework (Maidstone Design & Sustainability Plan Scoping, Themes and Issues Paper, 2022)	4
----------	---	---

1. Introduction

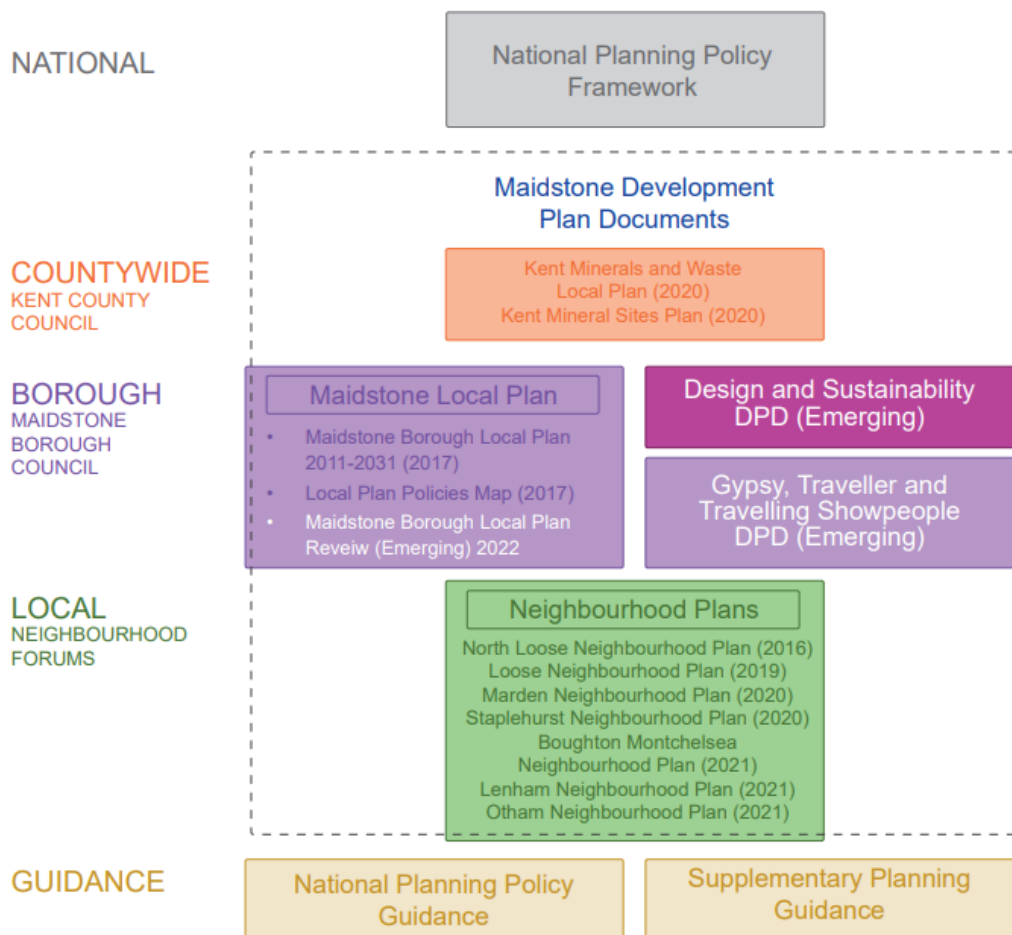
1.1 The Design and Sustainability Development Plan document

Arup has been commissioned by Maidstone Borough Council (MBC) to produce the Design and Sustainability Development Plan Document (D&S DPD). The Design and Sustainability DPD will sit alongside the new Local Plan Review (LPR) (once adopted), together forming Maidstone’s Development Plan. This relationship and how it fits within the broader planning context is illustrated in Figure 1 below.

The Development Plan sets a vision and framework for development in the area, guiding growth to ensure its valuable contribution to MBC’s strategic priorities and objectives, as set out in both the Maidstone Strategic Plan (2021 refresh) and Local Plan Review.

The purpose of the Design and Sustainability DPD is to set a new benchmark for the quality and sustainability of development in the borough. The Design and Sustainability DPD will be an essential policy tool for MBC, helping to ensure that new development contributes to tackling the Biodiversity and Climate Emergency. The DPD will do so by equipping residents, developers and other stakeholders with a clear and consistent understanding of the development standards necessary to meet policy requirements in Maidstone, placing sustainability and quality design at the heart of all forthcoming development proposals.

Figure 1 Maidstone's Planning Policy Framework (Maidstone Design & Sustainability Plan Scoping, Themes and Issues Paper, 2022)



1.2 Sustainability Appraisal

An important regulatory requirement in preparing a DPD is to subject emerging draft proposals and policies to **Sustainability Appraisal (SA)** and **Strategic Environmental Assessment (SEA)**. SA and SEA are required under two separate pieces of legislation, with the former (SA) encompassing the requirements of the latter (SEA). It is therefore possible to satisfy both requirements using a single appraisal process. This is the

approach adopted by MBC and so, from here on, the term ‘SA’ should be taken to mean ‘SA incorporating the requirements of the SEA Regulations’.

Essentially, SA provides an objective means of assessing the likely sustainability (environmental, economic and social) effects of implementing any given proposal. The SA process seeks to ensure that relevant planning documents are subject to appraisal before they are adopted in order that their sustainability outcomes are adequately considered and, wherever possible, improved prior to adoption.

SA is an ongoing, iterative process of assessment that should inform the development of the plan throughout its lifecycle, and it involves the publication of formal SA reports at key stages in the preparation of the DPD. MBC appreciates the value of a meaningful SA process – it will play an essential role in identifying opportunities to improve the borough’s natural and built environments, as well as the quality of life for all residents.

1.3 SA Legislative Context

Sustainability Appraisal and Strategic Environmental Assessment are a legal requirement when preparing DPDs. Section 19 of the Planning and Compulsory Purchase Act (‘the Act’) 2004 requires local planning authorities to carry out a sustainability appraisal of their emerging plans. This is a systematic process that aims to promote sustainable development by assessing the extent to which emerging policies and proposals, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. The appraisal process is a critical means of identifying and mitigating any potential adverse effects that the DPD might have.

The Act also stipulates that the sustainability appraisal must comply with the requirements of the European SEA Directive (2001/42/EC), which was transposed directly into UK law through the SEA Regulations (2004). SEA is a process for evaluating the environmental consequences of plans and programmes to ensure that environmental issues are integrated and assessed at the earliest opportunity in the decision-making process. Article 1 of the SEA Directive states that the aim is to: ‘provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development’.

As explained above, this SA uses an approach that addresses the requirements of the SEA and SA simultaneously, by considering environmental issues whilst also addressing the spectrum of socio-economic concerns. SA and SEA are similar processes that involve a comparable series of stages. Where the difference lies is in their specific focus areas: SEA focuses on environmental effects whereas SA is concerned with the full range of environmental, social and economic matters.

1.4 SA Scoping Report

The methodology of this SA follows that set out in the previous D&S DPD SA Scoping Report (Arup, 2022).

The SA Scoping Report was the first stage in the SA process. It set out, for initial consultation with statutory consultees (Historic England, Natural England and the Environment Agency) and other key stakeholders, the following:

- The broader development context for the DPD and associated SA through summarising the relevant policy and legislative landscape;
- Maidstone’s baseline sustainability conditions in order to help identify the DPD’s likely significant effects;
- The particular issues which the DPD will seek to address and therefore particular focus areas of the SA; and
- The draft SA Framework

1.5 Structure of this Report

The remainder of this Report is structured as follows:

- Chapter 2 sets out the Methodology adopted by the SA
- Chapter 3 sets out the SA findings for each of the policies in the draft D&S DPD
- Chapter 4 sets out the Next Steps following the SA

2. Methodology

2.1 SA Framework

This section sets out the assessment framework for the SA. The development of a set of SA objectives (known as the SA framework) is a recognised way in which the likely sustainability effects of a plan can be described, analysed and compared. The SA framework comprises sustainability objectives and appraisal questions (reflecting the key sustainability issues identified through the baseline review) against which proposals in the emerging D&S DPD can be assessed.

This exercise should inform the decision-making process for the Design and Sustainability Plan throughout its development by facilitating the evaluation of proposed policies and reasonable alternatives.

The full SA Framework is presented in Table 1, with the accompanying scoring guide presented in Table 2. Table 3 contains a list of D&S DPD policies assessed in this SA, while the full policies are detailed in the D&S DPD.

2.2 Use of the SA Framework

The SA will be undertaken using professional judgement, using the guiding questions set out in the framework and supported by available environmental and technical information, including the evidence base prepared for the Local Plan Review and the Design and Sustainability Plan.

In undertaking the appraisal, the following will be considered:

- The direct or likely impact (whether impacts are positive or negative)
- The significance of impacts (whether impacts would be of minor or major significance)
- The duration of impacts (whether impacts are likely to be short, medium or long term, temporary or permanent)
- The potential for secondary, cumulative or synergistic impacts.

The findings of the SA will be presented as a colour coded symbol showing a score for the option against each of the SA objectives (as illustrated in Table 2) along with a concise justification for the score given, where appropriate. The dividing line between scores is often quite small: where significant effects are distinguished from more minor effects this is because, using the appraisal questions and applying professional judgement, the effect of the option on the SA objective will be of such magnitude that it will have a noticeable and measurable effect compared with other factors that may influence the achievement of that objective.

All objectives within the framework will carry an equal weighting, though not all objectives and appraisal questions will be applicable to every option. Where the SA assessment identifies likely significant negative effects, mitigation measures will be identified that could be implemented to avoid or reduce this effect.

Table 1 Sustainability Appraisal Framework

SA Themes	Design & Sustainability DPD Themes	SA Objective	Appraisal Questions – does the Design & Sustainability Plan...
Population, Health and Wellbeing Climate Change Adaptation and Mitigation	Placemaking Streets and Buildings Open Space and Nature Movement Sustainable Buildings Design Quality	SA 1: To ensure that everyone has the opportunity to live in a decent, well-designed, sustainably constructed and affordable home.	Provide clear standards in relation to the sustainable design and construction of residential dwellings, including in relation to: - energy efficiency - thermal comfort - choice of materials?
Population, Health and Wellbeing Transport Connections and Travel Habits	Placemaking Streets and Buildings Open Space and Nature Movement Sustainable Buildings Design Quality	SA 2: To ensure ready access to essential services and facilities for all residents.	Provide clear guidance on the location and accessibility of services and facilities that will: - reduce the need to travel - encourage the use of sustainable modes of transport - encourage vibrant and inclusive places that meet people's daily needs.
Population, Health and Wellbeing	Placemaking Streets and Buildings Open Space and Nature Movement Sustainable Buildings Design Quality	SA 3: To strengthen community cohesion.	Facilitate the integration of new neighbourhoods with existing neighbourhoods? Promote developments that benefit and are used by existing and new residents in the borough, particularly for the borough's most deprived areas? Help to support high levels of pedestrian activity / outdoor interaction where people mix?
Population, Health and Wellbeing	Placemaking Streets and Buildings Open Space and Nature Movement Sustainable Buildings Design Quality	SA 4: To improve the population's health and wellbeing and reduce health inequalities.	Promote health and wellbeing by maintaining, connecting and creating multifunctional open spaces, green infrastructure, and recreation and sports facilities? Protect health and wellbeing by preventing, avoiding and mitigating adverse health effects associated with air and noise pollution?

			<p>Promote healthy lifestyles by encouraging and facilitating walking and cycling (active modes of transport)?</p> <p>Safeguard human health and well-being by promoting climate change resilience through sustainable siting, design, landscaping and infrastructure?</p> <p>Promote good mental health and wellbeing by supporting a range of health determinants such as good quality housing, social connectivity and high quality environments?</p> <p>Allow for adaptation and reaction to potential future health issues and major stressor events, including episodes of extreme weather associated with climate change?</p>
<p>Economy</p> <p>Population, Health and Wellbeing</p> <p>Climate Change Adaptation and Mitigation</p>	<p>Placemaking</p> <p>Streets and Buildings</p> <p>Open Space and Nature</p> <p>Movement</p> <p>Sustainable Buildings</p> <p>Design Quality</p>	<p>SA 5: To facilitate a sustainable and growing economy.</p>	<p>Allow for sufficient flexibility to respond to uncertainties and changing economic circumstances?</p> <p>Support opportunities for the expansion and diversification of business and inward investment?</p> <p>Improve access to employment opportunities and minimise barriers (e.g., financial, training and qualifications, childcare)?</p> <p>Develop sustainable and resilient economic centres?</p> <p>Support small, start-up, local and green businesses?</p>
<p>Population, Health and Wellbeing</p> <p>Economy</p>	<p>Placemaking</p> <p>Streets and Buildings</p> <p>Open Space and Nature</p> <p>Movement</p> <p>Sustainable Buildings</p> <p>Design Quality</p>	<p>SA 6: To support vibrant and viable Maidstone town centre.</p>	<p>Maintain and enhance the economic vitality and vibrancy of Maidstone town centre through:</p> <p>Facilitating diverse and flexible town centre uses</p> <p>Ensuring high quality public realm design that is attractive to and safe for pedestrians and cyclists</p> <p>Encouraging a mixture of residential, commercial, retail, leisure and community uses?</p>

Transport Connections and Travel Habits	Placemaking Streets and Buildings	SA 7: To reduce the need to travel and encourage sustainable and active alternatives to motorised vehicles to reduce road traffic congestion.	Promote the delivery of integrated, compact communities made-up of a complementary mix of land uses?
Air, Land and Water Quality	Open Space and Nature Movement		Support the maintenance and expansion of public transport networks including in areas with sufficient demand for the introduction of new public transport?
Climate Change Adaptation and Mitigation	Sustainable Buildings Design Quality		Help to address road congestion in and around Maidstone town centre and its causes?
			Enhance connectivity of the sustainable transport network and provide new cycling and walking infrastructure to enable modal shift away from private vehicles? Increase safe opportunities for active forms of transport, particularly walking and cycling, while accounting for resident diversity?
Landscape	Placemaking Streets and Buildings Open Space and Nature Movement Sustainable Buildings Design Quality	SA 8: To conserve the Borough's mineral resources.	Encourage efficient use of mineral resources through promoting circular economy principles? Encourage the re-use and/or recycling of waste construction materials?
Air, Land and Water Quality	Placemaking Streets and Buildings	SA 9: To conserve the Borough's soils and make efficient and effective use of land.	Encourage integrated, compact communities?
Landscape	Open Space and Nature Movement		Use land efficiently through the development of existing brownfield sites and / or the reuse of existing buildings?
Population, Health and Wellbeing	Sustainable Buildings Design Quality		
Air, Land and Water Quality	Placemaking Streets and Buildings	SA 10: To maintain and improve the quality of the Borough's waters and achieve sustainable water resources management.	Promote the use of SuDS and other flood-resilient design measures?
Climate Change Adaptation and Mitigation	Open Space and Nature Movement Sustainable Buildings Design Quality		Support the efficient use of water, including the recycling of water, to minimise consumption in new development?

Landscape			<p>Improve water quality within Maidstone's rivers and waterways?</p> <p>Avoid water pollution due to contaminated runoff from development?</p>
<p>Air, Land and Water Quality</p> <p>Population, Health and Wellbeing</p>	<p>Placemaking</p> <p>Streets and Buildings</p> <p>Open Space and Nature</p> <p>Movement</p> <p>Sustainable Buildings</p> <p>Design Quality</p>	SA 11: To reduce air pollution ensuring lasting improvements in air quality.	<p>Minimise increases in traffic in Air Quality Management Areas?</p> <p>Contain measures which will help to reduce congestion?</p> <p>Facilitate the take up of low / zero emission vehicles and other modes of transport?</p> <p>Actively encourage measures to improve air quality?</p>
<p>Air, Land and Water Quality</p> <p>Population, Health and Wellbeing</p> <p>Climate Change Adaptation and Mitigation</p>	<p>Placemaking</p> <p>Streets and Buildings</p> <p>Open Space and Nature</p> <p>Movement</p> <p>Sustainable Buildings</p> <p>Design Quality</p>	SA 12: To avoid and mitigate flood risk.	<p>Minimise inappropriate development in areas prone to flood risk and areas prone to increasing flood risk elsewhere, taking into account the impacts of climate change?</p> <p>Minimise flood risk and promote the use of SuDS and flood resilient design?</p>
Climate Change Adaptation and Mitigation	<p>Placemaking</p> <p>Streets and Buildings</p> <p>Open Space and Nature</p> <p>Movement</p> <p>Sustainable Buildings</p> <p>Design Quality</p>	SA 13: To minimise the Borough's contribution to climate change.	<p><u>Mitigation</u></p> <p>Help MBC in meeting its local and the national net zero target?</p> <p>Reduce the built environment's contribution to carbon dioxide emissions?</p> <p>Promote design that maximises energy efficiency in buildings?</p> <p>Encourage the provision of renewable energy infrastructure?</p>

			<p>Encourage the proliferation of low carbon heat technologies?</p> <p>Minimise greenhouse gas emissions from transport by facilitating a shift to more sustainable modes of transport?</p> <p><u>Adaptation</u></p> <p>Promote design which can withstand the impacts of future climate change events (such as overheating or flooding)?</p> <p>Reduce the impacts of climate change and extreme weather events on vulnerable groups, e.g., older generations?</p>
Biodiversity	<ul style="list-style-type: none"> Placemaking Streets and Buildings Open Space and Nature Movement Sustainable Buildings Design Quality 	SA 14: To conserve, connect and enhance the Borough’s wildlife, habitats and species.	<p>Conserve designated and undesignated ecological assets, taking into account the impacts of climate change?</p> <p>Help to conserve, connect and enhance ecological networks, taking into account the impacts of climate change?</p> <p>Protect and enhance green and blue infrastructure?</p> <p>Improve and increase opportunities for people to access green and natural spaces?</p> <p>Provide for biodiversity net gains for all new development?</p> <p>Enhance the biodiversity potential of parks and open spaces?</p>
Historic Environment Population, Health and Wellbeing	<ul style="list-style-type: none"> Placemaking Streets and Buildings Open Space and Nature Movement Sustainable Buildings Design Quality 	SA 15: To conserve and/or enhance the Borough’s historic environment.	<p>Conserve and enhance the borough’s designated and non-designated heritage assets, including their setting and the wider historic environment?</p> <p>Outline opportunities for improvements to the conservation, management and enhancement of the borough’s heritage assets, particularly heritage at risk?</p>

		Promote access to, as well as enjoyment and understanding of, the local historic environment for the borough's residents and visitors?
Historic Environment Landscape	Placemaking	SA 16: To conserve and enhance the character and distinctiveness of the Borough's settlements and landscape.
	Streets and Buildings	
	Open Space and Nature	
	Movement	
	Sustainable Buildings	
	Design Quality	
		Protect the borough's sensitive and special landscapes, including the Kent Downs AONB? Safeguard and reinforce the character and distinctiveness of the borough's settlements?

Table 2 Sustainability Appraisal scoring guide

Score	Explanation
++	Significant positive effect likely
++/-	Mixed significant positive and minor negative effects likely
+	Minor positive effect likely
+/-	Mixed minor effects likely
-	Minor negative effect likely
--/+	Mixed significant negative and minor positive effects likely
--	Significant negative effect likely
0	Neutral effect likely
?	Likely effect uncertain

254

Table 3 List of D&S DPD policies assessed

Policy Category	Policy
Placemaking	PM1: Placemaking
	PM2: Maidstone Town Centre
Streets and Buildings	S1: Built Form
	S2: Tall Buildings
	S3: Optimising Density
	S4: Mixed Uses and Local Centres
	S5: High Quality Public realm and Streetscene
	S6: Off-street Parking
	S7: On-street Parking
	S8: Settlement Edges
	S9: Servicing Layout and Access
	S10: Integrating Refuse and Recycling Storage
Open Space and Nature	ON1: Landscape and the Setting of Places
	ON2: Open Spaces
	ON3: Biodiversity, Geodiversity and Nature Recovery
	ON4: Biodiversity Net Gain
	ON5: Sustainable Drainage Systems
	ON6: Green Infrastructure
	ON7: Protection of Dark Skies
	ON8: Building on Sloping Sites
	ON9: Providing External Amenity Space for All Homes
Movement	MO1: Layout and Movement
	MO2: Design for All
	MO3: Plan for cyclists
Sustainable Building	SB1: Sustainable Design and Construction
	SB2: Minimising greenhouse Gas emissions in New Development
	SB3: Passive Design of Buildings
Design Quality	DQ1: Design led approach
	DQ2: Masterplanning
	DQ3: Form Based Design Codes
	DQ4: Maintaining Design Quality
	DQ5: Materials and Detailing
	DQ6: Modern Methods of Construction
	DQ7: Houses in Multiple Occupation
	DQ8: Mixed Communities

3. Sustainability Appraisal Findings

This section presents the Sustainability Appraisal findings for the policies contained in the D&S DPD. They are presented in order by category, with a concise justification for the score given, where appropriate.

3.1 SA findings for Placemaking

Table 4 SA findings for Placemaking policies

SA Objective	PM1: Placemaking	PM2: Maidstone Town Centre
SA1: Housing	0	0
SA2: Services & Facilities	+	+
SA3: Community	+	0
SA4: Health	+	+
SA5: Economy	0	+
SA6: Town Centre	+	++
SA7: Sustainable Travel	++	+
SA8: Minerals	0	0
SA9: Soils	0	0
SA10: Water	0	0
SA11: Air Quality	0	0
SA12: Flooding	0	0
SA13: Climate Change	0	0
SA14: Biodiversity	0	0
SA15: Historic Environment	+	++
SA16: Landscape	++	0

3.1.1 PM1: Placemaking

SA objective(s) with likely significant positive effect

- SA7 Sustainable Travel: Significant positive effect is likely as the policy sets out an explicit requirement for future development proposals to demonstrate adherence to the 20-minute neighbourhood concept, which supports active travel and mobility options to offer an attractive alternative to the private car.
- SA16 Landscape: Significant positive effect is likely as the policy sets out clear design requirements and expectations from future development proposals regarding understanding Maidstone's context, character and identity, which is in line with the SA objective.

SA objective(s) with likely minor positive effect

- SA2 Services & Facilities: Minor positive effect is likely as the policy sets out a requirement for future development proposals to demonstrate regard made to the 20-minute neighbourhood concept, which enhances accessibility of various services and opportunities for residents and visitors within a reasonable time and distance.
- SA3 Community: Minor positive effect is likely as the policy sets out design expectations for future development proposals to reflect Maidstone's distinctive character and to promote vibrant communities. There is also a requirement for proposals to undergo transparent and meaningful public engagement to establish broad-based support from all stakeholders. This is in line with the SA objective to strengthen community cohesion.

- SA4 Health: Minor positive effect is likely as the policy sets out design expectations for future development proposals to promote healthy communities and includes considerations made for children, older people and those of limited mobility.
- SA6 Town Centre: Minor positive effect is likely as the design and placemaking requirements and expectations for future development proposals set out in the Policy will benefit the overall placemaking of Maidstone Town Centre, which is in line with the SA objective.
- SA15 Historic Environment: Minor positive effect is likely as the policy sets out design expectations for future development proposals to retain and preserve existing heritage and special architectural and historic interest of listed buildings.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA8 Minerals, SA9 Soils, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity.

3.1.2 PM2: Maidstone Town Centre

SA objective(s) with likely significant positive effect

- SA6 Town Centre: Significant positive effect is likely as the policy's main focus is on Maidstone Town Centre, and it sets out design expectations which will contribute positively to its placemaking and character-building as Kent's county town.
- SA15 Historic Environment: Significant positive effect is likely as the policy sets out a requirement for future development proposals to have regard to the wider historical environment of Maidstone Town Centre, and encourages a creative approach to heritage preservation and enhancement.

SA objective(s) with likely minor positive effect

- SA2 Services & Facilities: Minor positive effect is likely as the policy sets out an overall expectation for future development proposals to achieve a mix of uses (including residential, retail, employment etc.), which will improve access to services and facilities for a range of users through co-location of amenities.
- SA4 Health: Minor positive effect is likely as the policy sets out an overall expectation for future development proposals to promote active travel trips.
- SA5 Economy: Minor positive effect is likely as the policy sets out an overall expectation for future development proposals to support a vibrant high street and contribute to Maidstone Town Centre's role as a strategic business, shopping and service centre.
- SA7 Sustainable Travel: Minor positive effect is likely as the policy sets out an overall expectation for future development proposals to incorporate appropriate levels of cycle parking, which is integral in encourage people to make more trip using active and sustainable modes.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA3 Community, SA8 Minerals, SA9 Soils, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA16 Landscape.

3.2 SA findings for Streets and Buildings

Table 5 SA findings for Streets and Buildings

SA Objective	S1: Built Form	S2: Tall Buildings	S3: Optimising Density	S4: Mixed Uses and Local Centres	S5: High Quality Public Realm and Streetscene	S6: Off-street Parking	S7: On-street Parking	S8: Settlement Edges	S9: Servicing Layout and Access	S10: Integrating Refuse and Recycling Storage
SA1: Housing	0	0	0	0	0	0	0	0	0	0
SA2: Services & Facilities	0	0	0	++	0	+	0	0	++	++
SA3: Community	+	0	+	+	+	0	0	0	0	0
SA4: Health	0	0	0	0	0	0	0	0	0	0
SA5: Economy	0	0	+	0	0	0	0	0	0	0
SA6: Town Centre	0	+	+	0	0	0	0	0	0	0
SA7: Sustainable Travel	+	0	+	+	0	+	0	0	0	0
SA8: Minerals	0	0	0	0	0	0	0	0	0	0
SA9: Soils	+	++	++	0	0	0	0	0	0	0
SA10: Water	0	0	0	0	0	-	0	0	0	0
SA11: Air Quality	0	0	0	0	0	0	0	0	0	0
SA12: Flooding	0	0	0	0	0	0	0	0	0	0
SA13: Climate Change	0	0	0	0	0	0	0	0	0	0
SA14: Biodiversity	0	0	0	0	0	0	0	0	0	0
SA15: Historic Environment	+	+	+	0	+	0	0	0	0	0

258

SA16: Landscape	++	+	++	+	++	+	+	++	0	0
--------------------	----	---	----	---	----	---	---	----	---	---

3.2.1 S1: Built Form

SA objective(s) with likely significant positive effect

- SA16 Landscape: Significant positive effect is likely as the policy sets out clear design requirements for future development proposals uphold to positively influence the landscape quality and character of places within Maidstone. These include detailed design expectations on scale and massing, blocks and plots, street layouts, enclosure and relationship between buildings and streets.

SA objective(s) with likely minor positive effect

- SA3 Community: Minor positive effect is likely as the policy supports developments which create ‘memorable features’ contributing to a sense of place, promoting inclusion and community cohesion.
- SA7 Sustainable Travel: Minor positive effect is likely as the policy supports proposals with well-established connections to the public transport network, as well as block layout proportions which would encourage active travel, pedestrian permeability and legibility.
- SA9 Soils: Minor positive effect is likely as the policy supports compact forms of development, which is in line with the SA objective of making the most efficient and effective use of land.
- SA15 Historic Environment: Minor positive effect is likely as the policy sets out design recommendations for future development proposals to consider historic building patterns and where possible, look to repair past insensitive changes to the built pattern of an area.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA4 Health, SA5 Economy, SA6 Town Centre, SA8 Minerals, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity.

3.2.2 S2: Tall Buildings

SA objective(s) with likely significant positive effect

- SA9 Soils: Significant positive effect is likely as the policy supports compact forms of development, which is in line with the SA objective of making the most efficient and effective use of land.
- SA16 Landscape: Significant positive effect is likely as the policy provides a clear definition of tall buildings in the contexts of Maidstone town centre (i.e., above six storeys) and outside of the Maidstone Urban Area (i.e., buildings that rise more than six metres above the prevailing height of its context). The Policy sets out design requirements for future development proposals to be of high design quality.

SA objective(s) with likely minor positive effect

- SA6 Town Centre: Minor positive effect is likely as the policy provides clarity as to the definition of tall buildings in the Maidstone town centre context (i.e., above six storeys). This will allow future development proposals, especially those proposing tall buildings, to be of high design quality without creating adverse impacts.
- SA15 Historic Environment: Minor positive effect is likely as the policy requires future proposals with tall buildings to conduct a detailed views analysis to ensure the development would not harm the setting of heritage assets.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA7 Sustainable Travel, SA8 Minerals, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity.

3.2.3 S3: Optimising Density

SA objective(s) with likely significant positive effect

- SA9 Soils: Significant positive effect is likely as the policy supports compact forms of development, which is in line with the SA objective of making the most efficient and effective use of land.
- SA16 Landscape: Significant positive effect is likely as the policy sets out design requirements for future development proposals with regard to density. This would allow development density to be optimised whilst enhancing the overall character and landscape design quality of places and ensuring the increase in density would not result in adverse landscape impacts.

SA objective(s) with likely minor positive effect

- SA3 Community: Minor positive effect is likely as the policy supports higher density or compact schemes that would create a stronger sense of street enclosure, which would facilitate and enhance community cohesion for local residents.
- SA5 Economy: Minor positive effect is likely as the policy identifies opportunities to promote a greater concentration of development in employment sites, which would support and contribute to Maidstone's long-term economic growth.
- SA6 Town Centre: Minor positive effect is likely as the policy identifies opportunities to promote a greater concentration of development in the Maidstone town centre area, which would contribute to the long-term growth of the town centre as Kent's county town.
- SA7 Sustainable Travel: Minor positive effect is likely as the policy support higher density schemes that support green and active travel options.
- SA15 Historic Environment: Minor positive effect is likely as the policy states that the setting of heritage assets should not be harmed or adversely impacted by any increase in development density.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA4 Health, SA8 Minerals, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity.

3.2.4 S4: Mixed Uses and Local Centres

SA objective(s) with likely significant positive effect

- SA2 Services & Facilities: Significant positive effect is likely as the policy sets out provision and location requirements and guidelines for mixed-use centres, neighbourhood hubs and community facilities in large proposals, which ensures adequate access for all residents to these facilities.

SA objective(s) with likely minor positive effect

- SA3 Community: Minor positive effect is likely as the policy supports the provision of well-designed and high quality public spaces which encourages outdoor social mixing, sense of place and enhances sense of community cohesion.
- SA7 Sustainable Travel: Minor positive effect is likely as the policy supports mixed-use centres and various other facilities to be situated within a walkable and cyclable distance from the surrounding residential development, which encourages residents to choose active modes and sustainable means of travel.
- SA16 Landscape: Minor positive effect is likely as the policy sets out overall design recommendations for mixed uses and local centres, which will enhance the overall character and landscape design quality of large emerging development schemes.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.2.5 S5: High Quality Public Realm and Streetscene

SA objective(s) with likely significant positive effect

- SA16 Landscape: Significant positive effect is likely as the policy sets out design requirements and expectations for future development proposals to feature high quality public realm, which would contribute to better placemaking and overall landscape quality of places.

SA objective(s) with likely minor positive effect

- SA3 Community: Minor positive effect is likely as well-design and high quality public realm which all members of the community can enjoy and benefit from as set out in the Policy would contribute to a sense of place and foster community cohesion, which is in line with the SA objective.
- SA15 Historic Environment: Minor positive effect is likely as the policy supports the use of materials such as natural stones or bricks in historic locations.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity.

3.2.6 S6: Off-street Parking

SA objective(s) with likely minor positive effect

- SA2 Services & Facilities: Minor positive effect is likely as the policy sets out provision requirements of electric vehicle (EV) charging points in off-street parking facilities.
- SA7 Sustainable Travel: Minor positive effect is likely as the policy supports the provision of EV charging facilities, which would incentivise EV usage.
- SA16 Landscape: Minor positive effect is likely as the policy sets out design guidelines for off-street parking facilities such that they do not contribute to a hard-edged/parking-dominated environment and cause adverse impacts to the public realm.

SA objective(s) with minor negative effect

- SA10 Water: Although the policy requires surfacing to be permeable, the additional hardstanding required for off-street parking would likely result in higher water runoff rates than soft landscaping, resulting in likely minor negative effect.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.2.7 S7: On-street Parking

SA objective(s) with likely minor positive effect

- SA16 Landscape: Minor positive effect is likely as the policy sets out design guidelines for on-street parking facilities such that they are well-landscaped and would not cause obstructions or adverse impacts to the public realm.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.2.8 S8: Settlement Edges

SA objective(s) with likely significant positive effect

- SA16 Landscape: Significant positive effect is likely as the policy sets out design requirements and recommendations for future development proposals which are on the edges of existing built-up areas and villages to have an acceptable transition with the remaining countryside, which would enhance the overall landscape design quality of places.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.2.9 S9: Servicing Layout and Access

SA objective(s) with likely significant positive effect

- SA2 Services & Facilities: Significant positive effect is likely as the policy sets out design requirement and recommendations for future development proposals to facilitate services vehicles and refuse collections. This would ensure that essential services could serve all properties adequately.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA3 Community, SA4 Health, SA6 Town Centre, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.2.10 S10: Integrating Refuse and Recycling Storage

SA objective(s) with likely significant positive effect

- SA2 Services & Facilities: Significant positive effect is likely as the policy sets out clear requirements for refuse and recycling storage facilities to be included in both residential and commercial developments.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.3 SA findings for Open Space and Nature

Table 6 SA findings for Open Space and Nature

SA Objective	ON1: Landscape and the Setting of Places	ON2: Open Spaces	ON3: Biodiversity, Geodiversity and Nature Recovery	ON4: Biodiversity Net Gain	ON5: Sustainable Drainage Systems	ON6: Green Infrastructure	ON7: Protection of Dark Skies	ON8: Building on Sloping Sites	ON9: Providing External Amenity Space for All Homes
SA1: Housing	0	0	0	0	0	0	0	0	++
SA2: Services & Facilities	0	0	0	0	0	0	0	0	+
SA3: Community	+	++	0	0	0	0	0	0	+
SA4: Health	0	+	0	0	0	+	0	0	+
SA5: Economy	0	0	0	0	0	0	-	0	0
SA6: Town Centre	0	0	0	0	0	0	-	0	0
SA7: Sustainable Travel	0	0	0	0	0	0	0	0	0
SA8: Minerals	0	0	0	0	0	0	0	0	0
SA9: Soils	0	0	++	+	0	0	0	0	+
SA10: Water	0	0	0	0	++	0	0	0	0
SA11: Air Quality	0	0	0	0	0	0	0	0	0
SA12: Flooding	0	0	0	0	++	0	0	0	0
SA13: Climate Change	0	0	+	+	0	++	0	0	0
SA14: Biodiversity	+	0	++	++	+	+	++	0	0
SA15: Historic Environment	0	0	0	0	0	0	0	0	0
SA16: Landscape	++	+	0	0	0	+	0	+	0

264

3.3.1 ON1: Landscape and the Setting of Places

SA objective(s) with likely significant positive effect

- SA16 Landscape: Significant positive effect is likely as the policy sets out overarching landscape design principles and recommendations, which would enable future development proposals to sit appropriately within the wider landscape context and enhance the overall character and landscape design quality of places.

SA objective(s) with likely minor positive effect

- SA3 Community: Minor positive effect is likely as the policy supports high quality landscape designs of spaces which would allow and enhance public use and enjoyment. This would contribute to the building of community cohesion in line with the SA objective.
- SA14 Biodiversity: Minor positive effect is likely as the policy supports high quality landscape designs which would support biodiversity net gain.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change.

3.3.2 ON2: Open Spaces

SA objective(s) with likely significant positive effect

- SA3 Community: Significant positive effect is likely as the provision of open spaces would encourage outdoor interactions of residents and support and facilitate the formation and integration of neighbourhood communities, which would enhance community cohesion.

SA objective(s) with likely minor positive effect

- SA4 Health: Minor positive effect is likely as the provision of open spaces would enable and encourage residents to take part in outdoor exercise and activities, which would contribute to enhancing physical and mental health and well-being.
- SA16 Landscape: Minor positive effect is likely as the policy sets out general design principles and expectations for open spaces which are well-designed and are able to enhance overall character and design quality of places in future development proposals.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.3.3 ON3: Biodiversity, Geodiversity and Nature Recovery

SA objective(s) with likely significant positive effect

- SA14 Biodiversity: Significant positive effect is likely as the policy sets out overarching principles and design requirement in ensure biodiversity would be protected and enhanced in future development proposals.
- SA9 Soil: Significant positive effect is likely as the policy places an emphasis on geodiversity, and sets out recommendations regarding soil protection and geological conservation.

SA objective(s) with likely minor positive effect

- SA13 Climate Change: Minor positive effect is likely as the overarching principles set out in the Policy regarding biodiversity, geodiversity and nature recovery would contribute to the mitigation and adaptation of climate change effects.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA10 Water, SA11 Air Quality, SA12 Flooding, SA15 Historic Environment, SA16 Landscape.

3.3.4 ON4: Biodiversity Net Gain

SA objective(s) with likely significant positive effect

- SA14 Biodiversity: Significant positive effect is likely as the policy sets out clear requirements for future development proposals to incorporate and demonstrate principles of biodiversity of net gain. The biodiversity gain mitigation hierarchy would serve as a guide to emerging development proposals in enhancing biodiversity.

SA objective(s) with likely minor positive effect

- SA9 Soil: Minor positive effect is likely as the biodiversity net gain would have long-term positive impact on soil conservation.
- SA13 Climate Change: Minor positive effect is likely as the overarching principle of ensuring and maximising biodiversity net gain would contribute to the mitigation and adaptation of climate change impacts.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA10 Water, SA11 Air Quality, SA12 Flooding, SA15 Historic Environment, SA16 Landscape.

3.3.5 ON5: Sustainable Drainage Systems

SA objective(s) with likely significant positive effect

- SA10 Water: Significant positive effect is likely as the policy sets out requirements for future major development proposals to implement Sustainable Drainage Systems (SuDS), which would enhance surface water management of places.
- SA12 Flooding: Significant positive effect is likely as the implementation of SuDS would mitigate increase in flood risk and contribute to wider landscape-scale flood risk alleviation.

SA objective(s) with likely minor positive effect

- SA14 Biodiversity: Minor positive effect is likely as the implementation of SuDS would contribute to maximising local biodiversity net gain.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA11 Air Quality, SA13 Climate Change, SA15 Historic Environment, SA16 Landscape.

3.3.6 ON6: Green Infrastructure

SA objective(s) with likely significant positive effect

- SA13 Climate Change: Significant positive effect is likely as the policy sets out design expectations and requirements for new green (including blue) infrastructure development proposals, which would contribute to mitigation and adaptation of climate change impacts.

SA objective(s) with likely minor positive effect

- SA4 Health: Minor positive effect is likely as the provision of green (including blue) infrastructure would contribute to positive physical and mental health and well-being effects, and is thus in line with the SA objective.
- SA14 Biodiversity: Minor positive effect is likely as the provision of green (including blue) infrastructure could enhance local biodiversity and the resilience of ecological networks.
- SA16 Landscape: Minor positive effect is likely as the policy sets out design quality recommendations for new green (including blue) infrastructure such that they would be able to enhance the overall landscaping and character of places.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA15 Historic Environment.

3.3.7 ON7: Protection of Dark Skies

SA objective(s) with likely significant positive effect

- SA14 Biodiversity: Significant positive effect is likely as the policy sets out clear requirements for future development proposals to minimise light pollution. The ‘protection of dark skies’ is expected to result in no negative impact to local wildlife whilst contributing to nature and biodiversity conservation and recovery.

SA objective(s) with likely minor negative effect

- SA5 Economy: Minor negative effect is likely as the ‘protection of dark skies’ principle could pose limitations to the operations of local businesses and services (e.g., opening hours, extent/brightness of external advertising billboards etc.), which could be counterproductive to the SA objective of promoting local economic growth.
- SA6 Town Centre: Minor negative effect is likely as the ‘protection of dark skies’ principle could pose limitations to the operations of local businesses and services, especially at Maidstone Town Centre where there is a concentration of social and economic activities.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA15 Historic Environment, SA16 Landscape.

3.3.8 ON8: Building on Sloping Sites

SA objective(s) with likely minor positive effect

- SA16 Landscape: Minor positive effect is likely as the policy sets out overall design expectations and guidance for future development proposals which are building on slopes. This would deter potential proposals from featuring designs which do not fit with the slope gradient or the local character.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.3.9 ON9: Providing External Amenity Space for All Homes

SA objective(s) with likely significant positive effect

- SA1 Housing: Significant positive effect is likely as the policy sets out design requirements for all future residential development proposals to provide external amenity spaces (both private and public communal spaces). Such provision would enhance quality of life for all residents regardless of housing tenure, and is thus in line with the SA objective.

SA objective(s) with likely minor positive effect

- SA2 Services & Facilities: Minor positive effect is likely as the policy sets out the location and access requirements for external amenity space in future housing developments, which ensures that such these amenity spaces will be readily available to all residents.
- SA3 Community: Minor positive effect is likely as the provision of external amenity space supports the formation and integration of new neighbourhoods and encourages outdoor activities and/or social interactions, which would enhance community cohesion.
- SA4 Health: Minor positive effect is likely as the provision of external amenity space supports active lifestyles and outdoor exercises, which would contribute positively to physical and mental health and well-being.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.4 SA findings for Movement

Table 7 SA findings for Movement policies

SA Objective	MO1: Layout and Movement	MO2: Design for All	MO3: Plan for cyclists
SA1: Housing	0	0	0
SA2: Services & Facilities	++	++	++
SA3: Community	++	++	0
SA4: Health	+	+	+
SA5: Economy	0	0	0
SA6: Town Centre	0	0	0
SA7: Sustainable Travel	++	0	++
SA8: Minerals	0	0	0
SA9: Soils	0	0	0
SA10: Water	0	0	0
SA11: Air Quality	0	0	+
SA12: Flooding	0	0	0
SA13: Climate Change	0	0	0
SA14: Biodiversity	0	0	0
SA15: Historic Environment	0	0	0
SA16: Landscape	+	0	0

3.4.1 MO1: Layout and Movement

SA objective(s) with likely significant positive effect

- SA2 Services & Facilities: Significant positive effect is likely as the policy sets out design requirements for future development proposals to incorporate mixed use elements (as appropriate) for residents and visitors, which would improve access to a range of services and activities.
- SA3 Community: Significant positive effect is likely as the policy sets out design requirements for future development proposals to encourage community interactions by creating layouts with a strong neighbourhood focus/centre. These requirements would enhance community cohesion in line with the SA objective.
- SA7 Sustainable Travel: Significant positive effect is likely as the policy sets out design requirements for future development proposals to be organised around green transport principles and create movement networks which promote active travel and facilitate residents making shorter, regular trips by walking or cycling. Options of different sustainable transport modes are also promoted, which is in line with the SA objective.

SA objective(s) with likely minor positive effect

- SA4 Health: Minor positive effect is likely as the policy sets out an expectation for future development proposals to be able to contribute to health and well-being of their users.

- SA16 Landscape: Positive effect is likely as the policy sets out various design requirements and recommendations which enhance the overall design and character of Maidstone’s landscapes and is in line with the SA objective.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA5 Economy, SA6 Town Centre, SA8 Minerals, SA9 Soils, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.4.2 MO2: Design for All

SA objective(s) with likely significant positive effect

- SA2 Services & Facilities: Significant positive effect is likely as the policy sets out public realm design recommendations which include provisions made for those with accessibility requirements such as wheelchair users and accessible parking. This would improve access for all users and is in line with the SA objective.
- SA3 Community: Significant positive effect is likely as the policy sets out the overarching principle that the public realm should be designed for all and enable everyone to participate equally, confidently and independently in everyday activities regardless of mobility, age, gender or ethnicity. This is expected to enhance community cohesion and is in line with the SA objective.

SA objective(s) with likely minor positive effect

- SA4 Health: Minor positive effect is likely as the policy sets out public realm design recommendations which allows for an enhanced user experience with a focus on promoting physical and mental health and well-being.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soils, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.4.3 MO3: Plan for cyclists

SA objective(s) with likely significant positive effect

- SA2 Services & Facilities: Significant positive effect is likely as the policy sets out direct recommendations for cycle parking facilities and storage spaces in houses, apartments and other developments.
- SA7 Sustainable Travel: Significant positive effect is likely as the policy sets out an overall expectation for developments to plan for cyclists, which encourages active travel and is in line with the SA objective.

SA objective(s) with minor positive effect

- SA4 Health: Minor positive effect is likely as the policy encourages future development proposals to provide adequate provisions for cyclists, which would encourage more people to take up cycling and improve physical health and well-being.
- SA11 Air Quality: Minor positive effect is likely as the policy encourages an overall mode shift to active forms of travel with lower or no carbon emission levels, which would contribute to improvements in air quality.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA5 Economy, SA6 Town Centre, SA8 Minerals, SA9 Soils, SA10 Water, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.5 SA findings for Sustainable Buildings

Table 8 SA findings for Sustainable Buildings policies

SA Objective	SB1: Sustainable Design and Construction	SB2: Minimising Greenhouse Gas emissions in New Development	SB3: Passive Design of Buildings
SA1: Housing	++	++	++
SA2: Services & Facilities	0	0	0
SA3: Community	0	0	0
SA4: Health	0	0	0
SA5: Economy	0	0	0
SA6: Town Centre	0	0	0
SA7: Sustainable Travel	0	0	0
SA8: Minerals	0	0	+
SA9: Soils	++	0	0
SA10: Water	++	0	+
SA11: Air Quality	0	0	0
SA12: Flooding	0	0	0
SA13: Climate Change	++	++	++
SA14: Biodiversity	0	0	+
SA15: Historic Environment	0	0	0
SA16: Landscape	0	0	0

3.5.1 SB1: Sustainable Design and Construction

SA objective(s) with likely significant positive effect

- SA1 Housing: Significant positive effect is likely as the policy sets out building requirements for future development proposals to meet. This includes minimum ‘Home Quality Mark (HQM)’ standards for new residential developments (Up to 150 dwellings: HQM Star; >150 dwellings: HQM 3.5 Star; Major residential refurbishment: HQM 3 Star; New communities with 1000+ dwellings: Minimum 3.5 Star). This would enhance the overall sustainability performance of new housing units and is thus in line with the SA objective.
- SA9 Soils: Significant positive effect is likely as the policy sets out expectations for future development proposals to protect soil during construction, soil biodiversity and carbon storage. There is also an expectation for development to improve overall soil health.
- SA10 Water: Significant positive effect is likely as the policy sets out clear requirements for future development proposals to minimise building water use and to reuse water through water efficient fittings and appliances, rainwater harvesting, greywater recycling and sustainable drainage systems.
- SA13 Climate Change: Significant positive effect is likely as the policy sets out requirements for future development proposals to follow the energy hierarchy to contribution to reducing carbon emissions (lean, clean and green). This would enhance the overall energy performance of new developments and is in line with the SA objective.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA11 Air Quality, SA12 Flooding, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.5.2 SB2: Minimising Greenhouse Gas emissions in New Development

SA objective(s) with likely significant positive effect

- SA1 Housing: Significant positive effect is likely as the policy sets out overarching greenhouse gas emissions requirements for future development proposals. These include a net zero-carbon requirement for major developments (with a detailed Energy Strategy showing regard made to the energy hierarchy), whilst proposals of 150 or more residential units should include whole life-cycle carbon emissions calculations. This would enhance the overall sustainability performance of new housing units and is thus in line with the SA objective.
- SA13 Climate Change: Significant positive effect is likely as the policy sets out greenhouse gas emissions requirements for future development proposals. These reflect an overarching principle of minimising greenhouse gas emissions in new development, which would contribute to climate change mitigation and adaptation efforts.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.5.3 SB3: Passive Design of Buildings

SA objective(s) with likely significant positive effect

- SA1 Housing: Significant positive effect is likely as the policy provides guidance with respect to the detailed design of future development proposals. This would enhance the overall sustainability performance of new housing developments and is thus in line with the SA objective.
- SA13 Climate Change: Significant positive effect is likely as the policy provides guidance with respect to passive design of buildings for future development proposals, which would contribute to climate change mitigation and adaptation, and is in line with the SA objective.

SA objective(s) with likely minor positive effect

- SA8 Minerals: Minor positive effect is likely as the policy sets out design recommendations regarding sustainable choice of locally-sourced and/or recycled building materials with low embodied energy. This is in line with the SA objective.
- SA10 Water: Minor positive effect is likely the Policy sets out design recommendations to reduce water run-off and water consumption.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA9 Soil, SA11 Air Quality, SA12 Flooding, SA15 Historic Environment, SA16 Landscape.

3.6 SA findings for Design Quality

Table 9 SA findings for Design Quality

SA Objective	DQ1: Design led approach	DQ2: Masterplanning	DQ3: Form Based Design Codes	DQ4: Maintaining Design Quality	DQ5: Materials and Detailing	DQ6: Moderns Methods of Construction	DQ7: Houses in Multiple Occupation	DQ8: Mixed Communities
SA1: Housing	0	0	0	0	+	++	++	++
SA2: Services & Facilities	0	0	0	0	0	0	+	0
SA3: Community	+	0	+	0	0	0	0	++
SA4: Health	0	0	0	0	0	0	+	0
SA5: Economy	0	0	0	0	0	0	0	0
SA6: Town Centre	0	0	0	0	0	0	0	0
SA7: Sustainable Travel	0	0	0	0	0	0	0	0
SA8: Minerals	0	0	0	0	0	0	0	0
SA9: Soils	0	0	0	0	0	0	0	0
SA10: Water	0	0	0	0	0	0	0	0
SA11: Air Quality	0	0	0	0	0	0	0	0
SA12: Flooding	0	0	0	0	0	0	0	0
SA13: Climate Change	0	+	0	0	0	0	0	0
SA14: Biodiversity	0	0	0	0	0	0	0	0
SA15: Historic Environment	0	0	0	0	0	0	0	0
SA16: Landscape	++	++	++	++	+	0	0	+

274

3.6.1 DQ1: Design led approach

SA objective(s) with likely significant positive effect

- SA16 Landscape: Significant positive effect is likely as the adoption of a design led approach would require future major development proposals to respond appropriately to the landscape in which it sits, which would enhance the character and overall design quality of places.

SA objective(s) with likely minor positive effect

- SA3 Community: Minor positive effect is likely as the policy sets out expectations for the design led approach adopted in future major development proposals to create a positive and coherent identity, which would foster and enhance community cohesion.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.6.2 DQ2: Masterplanning

SA objective(s) with likely significant positive effect

- SA16 Landscape: Significant positive effect is likely as the policy sets out the design requirements and expectations for site-wide masterplans for future major development proposals. These include consideration of the site landscape strategy, building massing and layout etc., which would enhance the character and overall design quality of places, and is thus in line with the SA objective.

SA objective(s) with likely minor positive effect

- SA13 Climate Change: Minor positive effect is likely as the policy sets out expectations for site-wide masterplans for future major development proposals to include consideration for sustainability measures and green infrastructure etc.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA2 Services & Facilities, SA3 Community, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA14 Biodiversity, SA15 Historic Environment.

3.6.3 DQ3: Form Based Design Codes

SA objective(s) with likely significant positive effect

- SA16 Landscape: Significant positive effect is likely as the policy sets out the expectations and/or requirements for form based design codes (which can effectively define and enhance the character and design quality of places) for future development proposals. This would ensure a consistent design approach to delivering development and is thus in line with the SA objective.

SA objective(s) with likely minor positive effect

- SA3 Community: Minor positive effect is likely as the implementation and adoption of form based design codes in future development proposals would enhance the overall placemaking quality and character of places and foster a sense of community cohesion, which is in line with the SA objective.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.6.4 DQ4: Maintaining Design Quality

SA objective(s) with likely significant positive effect

- SA16 Landscape: Significant positive effect is likely as the policy sets out recommendations and requirements for future development proposals in maintaining design quality. This would ensure design quality would be maintained throughout the development process and enhance the overall character, which is in line with the SA objective.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA1 Housing, SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.6.5 DQ5: Materials and Detailing

SA objective(s) with likely minor positive effect

- SA1 Housing: Minor positive effect is likely the Policy recommends the use of tenure-blind building materials in housing developments, which is in line with the SA objective of ensuring a decent quality of life for all.
- SA16 Landscape: Minor positive effect is likely as the policy sets out design expectations for future development proposals over building materials and detailing, which would enhance the overall character and design quality.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

3.6.6 DQ6: Modern Methods of Construction

SA objective(s) with likely significant positive effect

- SA1 Housing: Significant positive effect is likely as the policy sets out expectations from future development proposals regarding the use of modern methods of construction, which would increase and/or accelerate the supply of high quality and sustainable housing, especially those that are affordable and socially rented. This is in line with the SA objective of ensuring a decent quality of life for all.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA2 Services & Facilities, SA3 Community, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.6.7 DQ7: Houses in Multiple Occupation

SA objective(s) with likely significant positive effect

- SA1 Housing: Significant positive effect is likely as the policy sets out clear design guidelines and expectations for Houses in Multiple Occupation. This would enhance the overall design quality of new residential units being converted to HMOs.

SA objective(s) with likely minor positive effect

- SA2 Services & Facilities: Minor positive effect is likely as the policy sets out expectations regarding ancillary facilities (such as car parking space, refuse storage and servicing, cycle storage, amenity space etc.) at Houses in Multiple Occupation. This would ensure that those living in HMO units would have adequate access to these facilities, which is in line with the SA objective.
- SA4 Health: Minor positive effect is likely as the policy sets out clear guidelines regarding minimum individual/shared room sizes for Houses in Multiple Occupation. This would deter any future development proposals from featuring sub-standard accommodation which would negatively impact one's physical and mental health and well-being.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA3 Community, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment, SA16 Landscape.

3.6.8 DQ8: Mixed Communities

SA objective(s) with likely significant positive effect

- SA1 Housing: Significant positive effect is likely as the policy sets out recommendations for designing mixed communities in residential development such as mixed dwelling types and tenures. These are directly in relation to future housing development and is thus in line with the SA objective.
- SA3 Community: Significant positive effect is likely as the policy sets out design recommendations for future residential development to be mindful of inclusivity and different accessibility requirements. These would enhance community diversity and cohesion and is in line with the SA objective.

SA objective(s) with likely minor positive effect

- SA16 Landscape: Minor positive effect is likely as the policy sets out design recommendations for mixed communities in new residential developments. This would enhance the overall design quality and character of future housing and is line with the SA objective.

SA objective(s) with neutral effect

The Policy is assessed to have neutral effect on the following SA objectives: SA2 Services & Facilities, SA4 Health, SA5 Economy, SA6 Town Centre, SA7 Sustainable Travel, SA8 Minerals, SA9 Soil, SA10 Water, SA11 Air Quality, SA12 Flooding, SA13 Climate Change, SA14 Biodiversity, SA15 Historic Environment.

4. Next steps

This Sustainability Appraisal Report will be available for public consultation alongside the Preferred Options (Regulation 18) draft of the Design and Sustainability Development Plan Document.

Following this consultation, the Council will consider the representations and views received, in order to prepare a revised version of the D&S DPD for Regulation 19 consultation. That consultation will be on the version of the Local Plan Review that the Council proposes to submit to the Secretary of State for examination and will be accompanied by an updated and amended SA report.

Equality Impact Assessment Design and Sustainability DPD

Regulation 18B Preferred Approaches

Contents

Contents.....	2
1. Part 1 - Introduction & Background.....	3
The purpose of the EQIA.....	3
Structure and content of the EQIA.....	3
Legal context.....	4
Policy context.....	5
Maidstone Design and Sustainability DPD.....	5
2. Part 2 – Equalities profile of Maidstone Borough.....	7
Maidstone Population.....	7
Equalities Groups Within Maidstone.....	7
Race.....	7
Religion or belief.....	9
Sex.....	10
Marriage and civil partnership.....	11
Pregnancy and maternity.....	12
Age.....	12
Sexual orientation.....	16
Gender reassignment.....	16
Disability.....	17
Other.....	19
3. Part 3 - The equality impact assessment.....	22
Methodology.....	22
Stage 1. - Pre-consultation.....	22
Stage 2 - Post-consultation.....	22
Design and Sustainability DPD Equality Impact Assessment.....	23
Regulation 18 Scoping, Themes and Issues Consultation.....	23
Post- Reg 18 Scoping Themes and Issues Consultation Analysis.....	29
4. Conclusions.....	35
References.....	36

1. Part 1 - Introduction & Background

The purpose of the EQIA

1.1. This report details the results of the Equality Impact Assessment (EqIA) of the Design and Sustainability Development Plan Document (DPD). The purpose of the EqIA is to assess the potential impact of the policies in the DPD on different groups within Maidstone Borough. An assessment of the Local Plan policies has been undertaken in relation to the groups with the following protected characteristics (as defined by the Equalities Act 2010):

- **Age:** this refers to a person being a particular age or being within an age group. This includes all ages, including older people, children and young people;
- **Sex:** this is someone being either male or female;
- **Disability:** a person has a disability if she or he has a physical impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities, e.g. physical, sensory, mental, or learning impairment;
- **Race:** this includes colour, nationality (including citizenship), ethnic, or national origins;
- **Religion or belief:** religion means any religion, including a reference to a lack of religion. Belief includes religious and philosophical beliefs, any religious/faith or other groups with a recognised belief system or lack of belief;
- **Sexual orientation:** this is whether a person's sexual attraction is towards their own sex, the opposite sex, or to both sexes;
- **Gender reassignment:** this relates to people who are transitioning from one gender to another;
- **Pregnancy and maternity:** this includes expectant mothers and mothers who have recently had a child. Protection against maternity discrimination is for 26 weeks after giving birth.
- **Marriage or civil partnership:** This is treating an employee differently on account of their relationship status. This can be either between a man and a woman or between members of the same sex.

Structure and content of the EQIA

- 1.2. This document is divided into three parts. The first part is the introduction and context. The second part provides an overview of Maidstone's population, with particular focus on those with protected characteristics, based on age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 1.3. The third part provides a context to the Design and Sustainability DPD, in terms of the key considerations, requirements and influences, with particular regard to equalities matters.

1.4. The fourth and final part of the EqIA assesses the merging policies to consider their potential impact on those with protected characteristics, and to make recommendations for any changes.

Legal context

1.5. Maidstone Borough Council (MBC) is no longer required to undertake equality impact assessments (EqIAs). However, Local authorities are required to have due regard to the Public Sector Equality Duty at a formative stage in policy formulation as per the Equalities Act 2010.

1.6. An equality impact assessment can be used to assist with making the necessary considerations and provides evidence of how a local authority has discharged its duty.

1.7. Those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

1.8. These are referred to as the three arms or aims of the general equality duty. Further information in the guidance has been provided on the advancement of equality, the advancement of equality involves:

- Removing or minimizing disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.¹¹

1.9. The Design and Sustainability DPD will show regard to this by:

- Ensuring that the review process and revised policies are not unlawfully discriminatory
- Production the Design and Sustainability DPD will seek to advance where possible the equality of opportunity between people who share protected characteristics and those that do not.
- The consultation process will involve Maidstone's wider community including minority and seldom heard groups in the preparation process. This is essential in fostering good relations and maintaining confidence and trust in the local authority between people who share protected characteristics and those that do not.

¹ Equality and Human Rights Commission, *The essential guide to the public sector equality duty*, p5, 2011

Policy context

Maidstone Design and Sustainability DPD

1.10. MBC adopted its Local Plan in October 2017. The Local Plan sets out a spatial strategy for locating future growth in housing, employment and retail, along with associated infrastructure requirements for the period until 2031. It is also seeks to protect key assets, including environmental and heritage designations and includes policies that influence land-use matters that are relevant to the assessment of planning applications.

1.11. The Local Plan is currently undergoing review, with the document now being subject to independent examination.

1.12. The Design and Sustainability DPD seeks to build on policies contained within the adopted Local Plan and Local Plan Review. It includes addressing new housing need figures and other new government requirements. There have also been changes locally, including the Council having produced a new Strategic Plan (2019-2045).

Key Stages of Local Plan Review	Dates
Regulation 18 Scoping Themes and Issues consultation	November to December 2022
<i>Regulation 18 Preferred Approaches consultation</i>	<i>April to May 2023</i>
<i>Regulation 19 Draft DPD consultation</i>	<i>September to October 2023</i>
<i>Examination in Public and Main Modifications</i>	<i>June to September 2024</i>

Table 1. Maidstone Design and Sustainability DPD Timetable

1.13. Delivering a development plan document is a multi-stage process, as set out in the table. Each stage becomes more specific in terms of proposals. Accordingly, the first stage is merely a scoping exercise, the preferred approaches stage sets out intended directions of travel for potential policy areas, while the final stages are on the actual policies that the Council wishes to take forward. The final draft document will then be subject to Examination in Public with an independent Inspector.

1.14. Despite the above lack of detail in the early stages, each of these stages provides an opportunity for MBC to consider whether there are potential equalities implications for relevant proposals.

1.15. The Council's [Strategic Plan 2019-2045](#) was produced prior to the commencement of the Design and Sustainability DPD, and this sets out the Council's long term vision for the Borough of Maidstone. Its priorities very

clearly include the provision of homes and jobs. These are matters fundamentally important to all groups living and working in Maidstone borough, inclusive of those with protected characteristics.

- 1.16. The Council has produced its Statement of Community Involvement (SCI) which outlines its approach to public engagement and consultation with the community, for example on planning policy documents and planning applications. This has been fundamental in setting out the methods used during the relevant Design and Sustainability DPD consultation stages.
- 1.17. An evidence base will underpin and inform the revised policies as they are identified and developed via the review process. It forms a fundamental basis not only for informing the Design and Sustainability DPD but other strategies across the council that support delivery of the Design and Sustainability DPD.
- 1.18. To help ensure the delivery of successful strategic outcomes, the correlation between a Planning Authority's Strategic Plan and Design and Sustainability DPD is key.
- 1.19. The Council's Strategic Plan Priorities (and cross cutting objectives) remain overarching to the direction of the Design and Sustainability DPD process.

2. Part 2 – Equalities profile of Maidstone Borough

2.1. The following section provides a summary of equalities groups in Maidstone.

Maidstone Population

2.2. The latest population estimates (mid-2019) for Maidstone demonstrate that there are almost 171,900 people living in the borough, hence making Maidstone the most populous Kent local authority¹. 75% of the borough's population live in an urban area, and the remainder live in the surrounding rural area and settlements².

Equalities Groups Within Maidstone

2.3. The following section looks at each equalities group (and some sub-groups) in more detail:

Race

2.4. At the last census in 2011, 5.9% of Maidstone's population were from Black and Minority Ethnic (BAME) groups³, indicating an increase in diversity across the borough since the 2001 census when the BAME community made up 2.7% of Maidstone's population⁴. Data from the School Census 2020 suggests that in Maidstone, 12.6% of all pupils have a first language that is not/believed not to be English; the figure is 15.5% for primary school, and 9.8% for secondary school, pupils, and 5.8% among pupils attending special schools⁵.

2.5. The following analysis looks at data from the 2011 census – for further details please see the diagram below¹⁴.

2.6. Data suggests that North ward had the highest non-White population; 13.2% of the ward's population was from a BAME ethnic group. Heath had the next highest proportion of the population being from a BAME group (12.3%), and High Street was third (10.9%)¹⁴.

2.7. Six wards had the highest White population, at 98.0%: Boughton Monchelsea and Chart Sutton; Harrietsham and Lenham; Coxheath and Hunton; Loose; Marden and Yalding; and, North Downs. The highest number of people from an English/Welsh/Scottish/Northern Irish/British ethnic background lived in Shepway North, whilst Fant was the most popular ward to live in amongst those from an Irish background. High Street had the highest number of people from the Other White background. Those from a Gypsy or Irish Traveller background lived in the highest number in Marden and Yalding, and Harrietsham and Lenham – nobody from this ethnicity lived in Allington¹⁴.

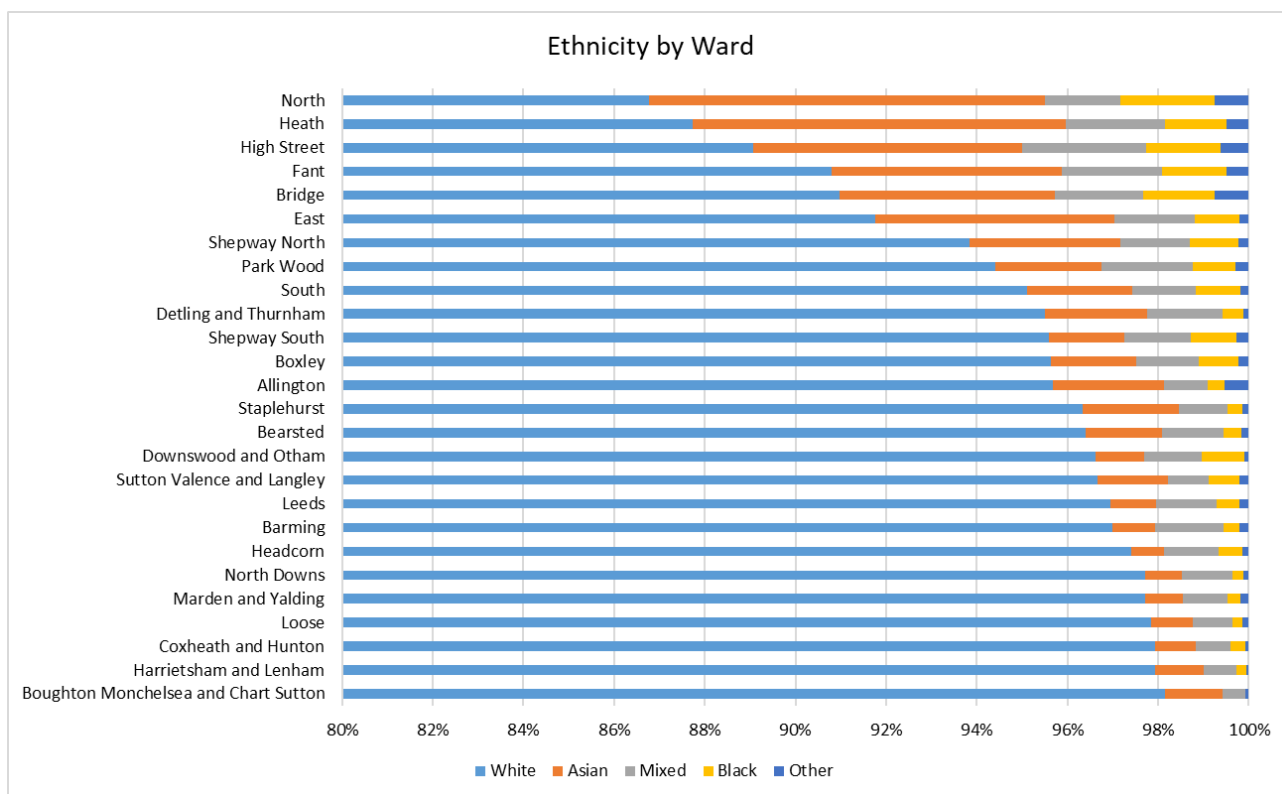
2.8. Asians resided most popularly in North, High Street, and Heath wards. Fant was popular among those from the Other Asian, Indian, and Bangladeshi communities. Other Asians popularly resided in North ward, Indians were highest in Heath ward, and those from a Chinese background resided in highest numbers in East ward. Amongst Bangladeshis and Pakistanis, High Street was the most popularly resided in ward. Nobody from the Chinese and

Pakistani communities lived in North Downs, and nobody from the Bangladeshi and Pakistani communities lived in Leeds. Bangladeshi people also did not live in Barming, Detling and Thurnham, Downswood and Otham, and Sutton Valence and Langley. Nobody from the Pakistani community lived in Boughton Monchelsea and Chart Sutton, Harrietsham and Lenham, Headcorn, and Marden and Yalding¹⁴.

2.9. The Mixed community popularly lived in High Street – this ward was a popular one for those from the White and Asian, White and Black Caribbean, Other Mixed, and White and Black African ethnicities to live in. Fant was a ward commonly lived in by those from a White and Asian, Other Mixed, and White and Black African background. Bearsted was popular amongst White and Asian people too, whereas amongst the White and Black Caribbean, and White and Black African communities, Park Wood was a common ward to live in. The White and Black Caribbean community also lived in North ward in higher numbers – Leeds did not have any usual residents from this group. North was also popular amongst those from the Other Mixed background, whilst the same could be said for East ward amongst the White and Black African community¹⁴.

2.10. The highest numbers of usual residents from a Black ethnic background were in North ward – both African and Caribbean people lived in the highest numbers here, and this was the second most popular ward to live in amongst the Other Black group. High Street was the second most popular choice amongst all three of the subgroups making up the Black ethnic group. Fant was the most popular ward to live in amongst those from the Other Black community, and the third most popular ward to live in amongst Africans. Nobody from a Black background lived in Boughton Monchelsea and Chart Sutton, and nobody in the Other Black community lived in Detling and Thurnham, Leeds, and Loose¹⁴.

2.11. Those from the Other ethnic group lived most popularly in North too – it was the ward with the highest number of people with an ethnic background that was Arab and that was not Arab (the latter made up 70.8% of the Other ethnic group). High numbers of the Arab community lived in Allington and Fant too. Those from a background that was not Arab did not live in Loose, whilst nobody from an Arab background lived in Downswood and Otham, North Downs, or Sutton Valence and Langley¹⁴.



Source: Produced by Maidstone Borough Council (2021); NOMIS – Ethnic group (2011 census)¹⁴

Religion or belief

2.12. Data from the 2011 census has been used for the analysis below.

2.13. Christianity is the most prominent religion in Maidstone; according to the last census (2011), 62.9% of the population identified as Christian³. Maidstone is not a diverse place when it comes to religion; the next most popular religious group is Islam, which is represented by 1.1% of Maidstone’s population³. The data also points out that Maidstone’s population is made up of followers of Hinduism (1%), Buddhism (0.6%), Sikhism (0.1%), and Judaism (0.1%), and followers of other religions made up 0.4% of Maidstone’s population. People who identified as having no religion made up 26.7% of Maidstone’s population, whilst 7.1% of respondents did not state which religion they followed³.

2.14. In Maidstone, the highest number of people who were religious lived in Bearsted. High Street was the ward in which the highest proportion of those who were not religious lived in. Fant and North wards had the joint highest proportion of people who did not state a religion living there. Fant had the highest proportion of those people who believed in religion different to the mainstream ones, followed by High Street, which itself was followed closely by North. 28.7% of all people who believed in a religion different to a mainstream one lived in these three wards¹⁵.

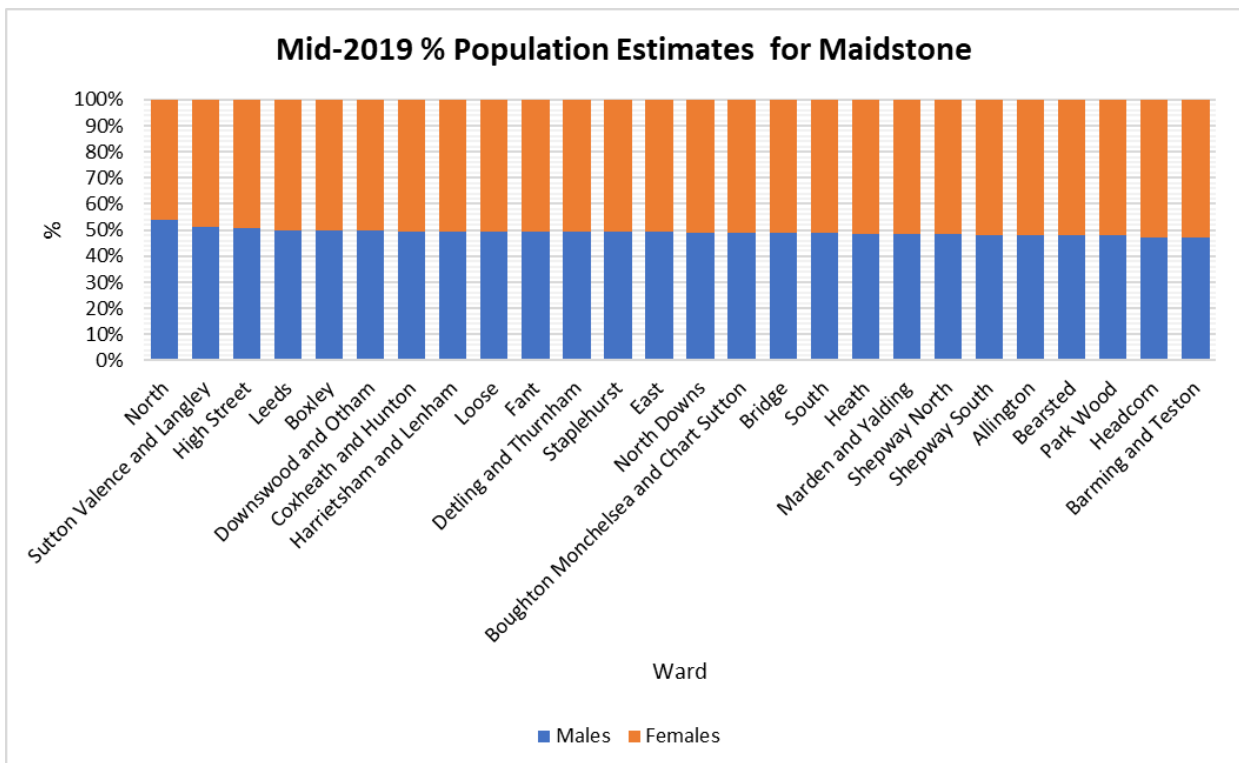
2.15. The highest proportion of Christians lived in Bearsted, followed by Boxley and then South, and this made up 17.3% of all Christians. High Street was a

popular ward for both Muslims and Buddhists to live in. North was the ward with the most Hindus and the most Buddhists. 38.1% of Muslims, over half of Hindus, and 42.5% of Buddhists resided in the three wards where each of these groups were seen in the highest numbers. No followers of Hinduism resided in Boughton Monchelsea and Chart Sutton, Loose, and Sutton Valence and Langley. The highest number of Sikhs were usual residents in Fant ward, followed jointly by Bridge, and South – 34.1% of all followers of Sikhism resided in these three wards. No Sikhs lived in Barming, Detling and Thurnham, Marden and Yalding, and Staplehurst. On the other hand, Marden and Yalding had the highest number of Jews living there, followed by High Street, and then jointly the three wards of East, Headcorn, and South; 40.5% of the Jewish community resided in these five wards¹⁵.

Sex

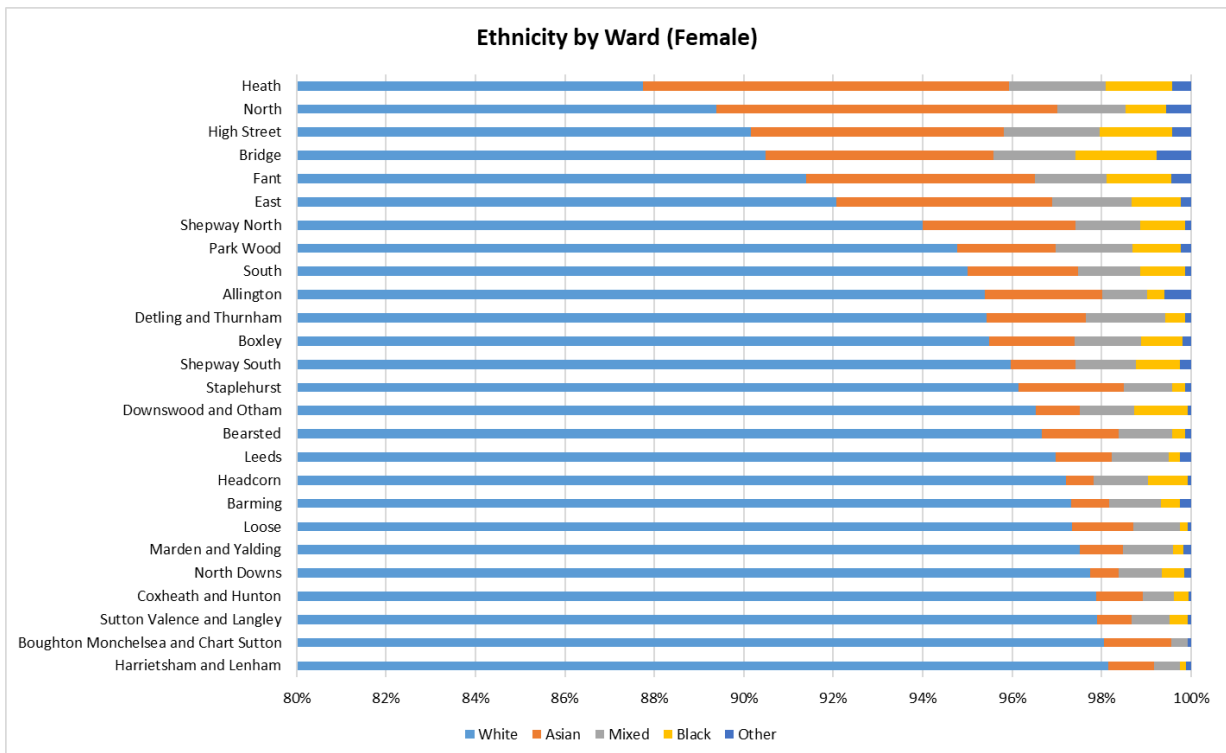
2.16. The 2011 Census identifies that within the borough 51% of the population is female and 49% of the population is male.

2.17. According to the latest (experimental statistics) population estimates (mid-2019) at ward level, in Maidstone, the female population made up a higher proportion of every ward's population except 5 of the 26 wards. Males made up a higher proportion of the ward population in three wards – North (54.1%), Sutton Valence and Langley (51.2%), and High Street (50.5%) – whereas males and females made up the same proportion of the population in Leeds and Boxley¹⁹.



Source: Produced by Maidstone Borough Council (2021); ONS - Mid-2019 population estimates (experimental statistics)¹⁹

2.18. The latest census (2011) also demonstrates that, in Maidstone, males formed the larger proportion of every ethnic group except the White population where females made up 50.9% of White people. Females made up the lowest proportion of the Other ethnic group, followed by the Mixed, then Black, and then Asian ethnic groups. In addition, females made up a larger proportion of the White ethnic group among 22 wards, and they made up a higher proportion of the Asian population among 14 wards. Among the Mixed and Other ethnic groups, males made up the higher proportion in the majority of all of the wards (females made up a higher proportion in 9 wards for Mixed, and 7 wards for those from the Other ethnic group). Nobody from the Black ethnic group resided in Boughton Monchelsea and Chart Sutton, and of the 25 wards that this ethnic group did reside in, females made up more than half of the population in 13 wards. Females made up 100% of the Black community in North Downs, and they also made up 100% of the Other ethnic group in Harrietsham and Lenham¹⁸.



Source: Produced by Maidstone Borough Council (2021); NOMIS – Ethnic group by sex by age (2011 census)¹⁸

Marriage and civil partnership

2.19. In 2011 the census reported that in Maidstone Borough a total of 64,344 people were married. This was 51% of the eligible population.

2.20. In the 2011 census data points out that in Maidstone, 206 people (0.2% of all people aged 16+) were in a registered same-sex civil partnership. The same proportion of people aged 16+ in England were also in a registered

same-sex civil partnership as per the census results³. Although data on civil partnership formations is not available at borough level, between 2012 and 2019, in Kent, 430 same-sex civil partnerships were formed, with an average of 54 (to the nearest whole number) per year. Over time, the number of same-sex civil partnerships formed per year have decreased in Kent (157 in 2012, to 15 in 2019)⁸.

Pregnancy and maternity

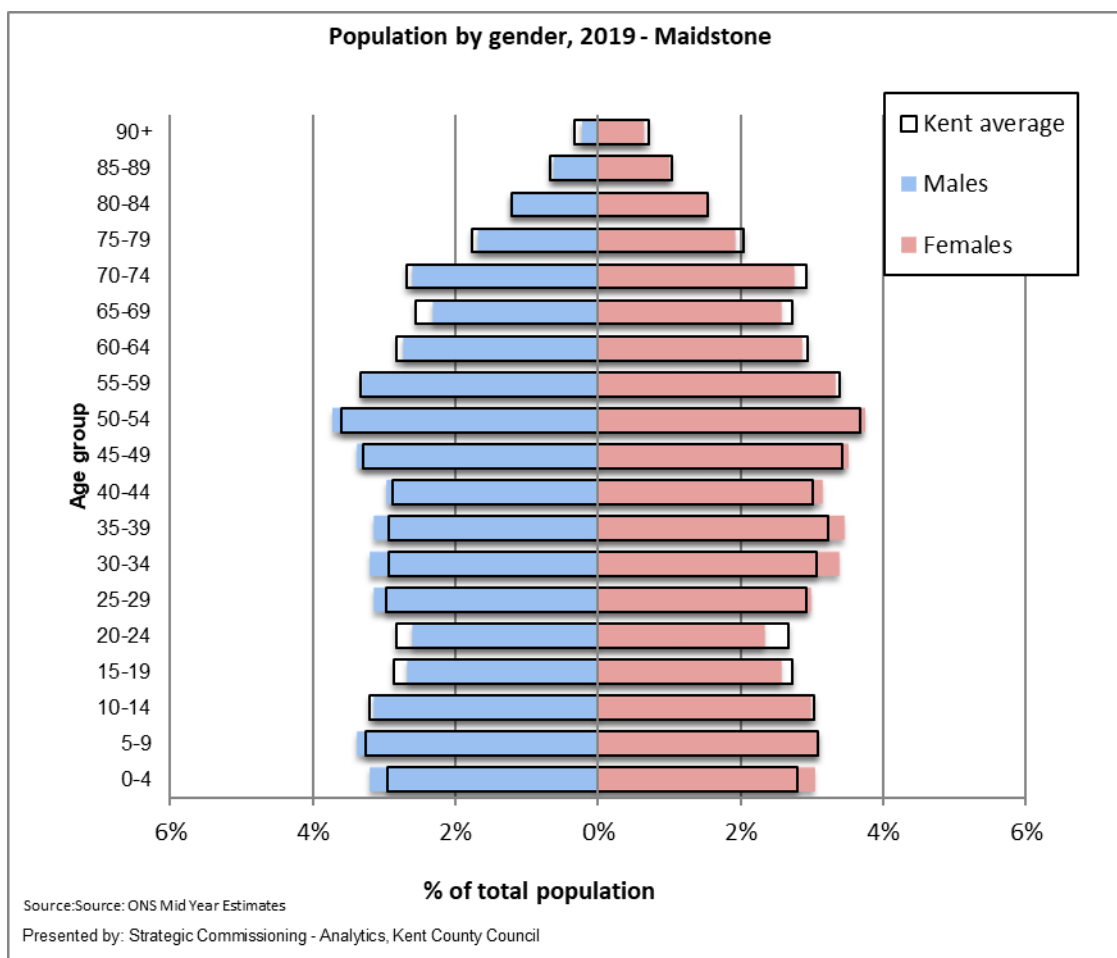
2.21. In 2019 there were 1,891 live births in the borough. This was a crude birth rate of 11 per 1,000 of the borough's population.

2.22. In Maidstone, at the last census, 9.7% of households were lone parent households. This figure is slightly lower than the figure of 10.0% seen in Kent⁶. This data also suggests that those, in Maidstone, who looked after the home or family were predominantly women – they accounted for 25.3% of the economically inactive 16-74 female usual resident population there³. This is higher than the figure of 24.0% seen for Kent⁷.

Age

2.23. The most recent population estimates (mid-2019) for Maidstone suggest that the population is mainly of working age: 57.6% of residents are 19-64 year olds. It is estimated that 29.0% of the population is aged 24 or less, and 19.2% of the population is aged 65 or more. Overall, there is a marginally higher proportion of females within the borough (50.7%). Males make up a slightly higher proportion of the population aged between 0 and 29, and females make up a higher proportion of those aged 30 and above. The variance is highest when looking at the oldest age groups, with females making up 71% of those aged 90 and above and 58% of those aged between 80 and 89¹. In Maidstone (2015-2017), females had a longer life expectancy at birth than males; ONS data suggests that the life expectancy at birth for females was 82.2 years, and for males it was 80.5 years – this is a difference of 1.7 years³.

2.24. The population pyramid below shows the most recent population estimates (mid-2019) for Maidstone against the average for Kent. Overall, Maidstone has a similar age profile to the county average, although it has a slightly higher proportion of pre-school age children and a smaller proportion of retired people compared to the KCC average³.



Source: Kent County Council (KCC) – Kent District Profiles (accessed January 2021)³

2.25. In addition, the usual residents in the following age groups made up the highest, and lowest, proportions of the ward populations from the 2011 census data¹⁶:

Age group of usual residents	Ward with highest proportion	Ward with lowest proportion
0 to 19	Park Wood (33.8%)	Barming (18.5%)
20 to 29	High Street (19.5%)	Barming (6.0%)
30 to 44	Heath (26.1%)	Barming (14.1%)
45 to 59	Detling and Thurnham (25.0%)	Park Wood (14.3%)
60 to 74	Barming (26.0%)	Park Wood (9.0%)
75 and over	Barming (14.0%)	Park Wood (3.8%)

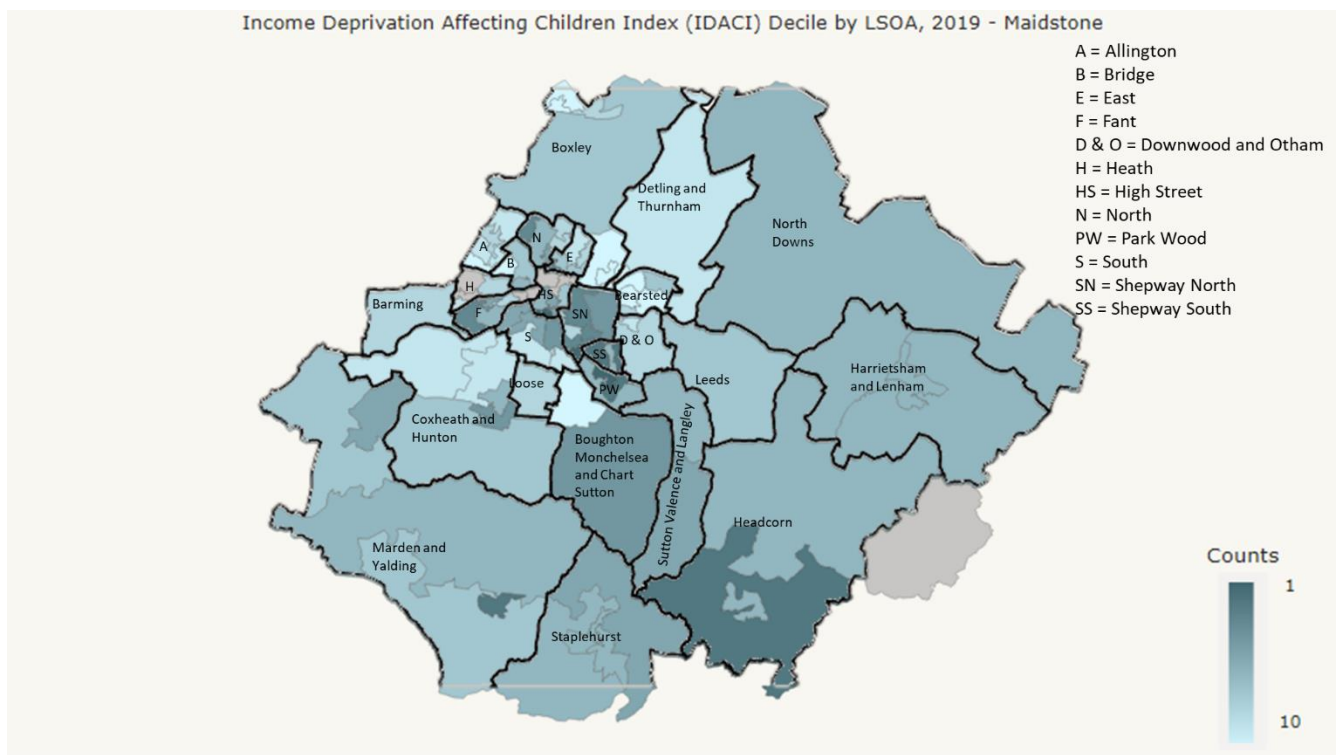
Source: Produced by Maidstone Borough Council (2021); NOMIS – Age structure (2011 census)¹⁶

2.26. ONS data (2015-2017) shows that the life expectancy at birth, for males was 80.5 years and for females it was 82.2 years. Whilst the figure for males was higher in Maidstone than in both Kent (79.9 years) and England (79.6 years), the figure for females was lower than the figure for both Kent (83.4 years) and England (83.1 years). The life expectancy at age 65 years in Maidstone was 19.0 years for men, and 21.2 years for women. Again, the figure for men in Maidstone was higher than the figure for Kent (18.9 years)

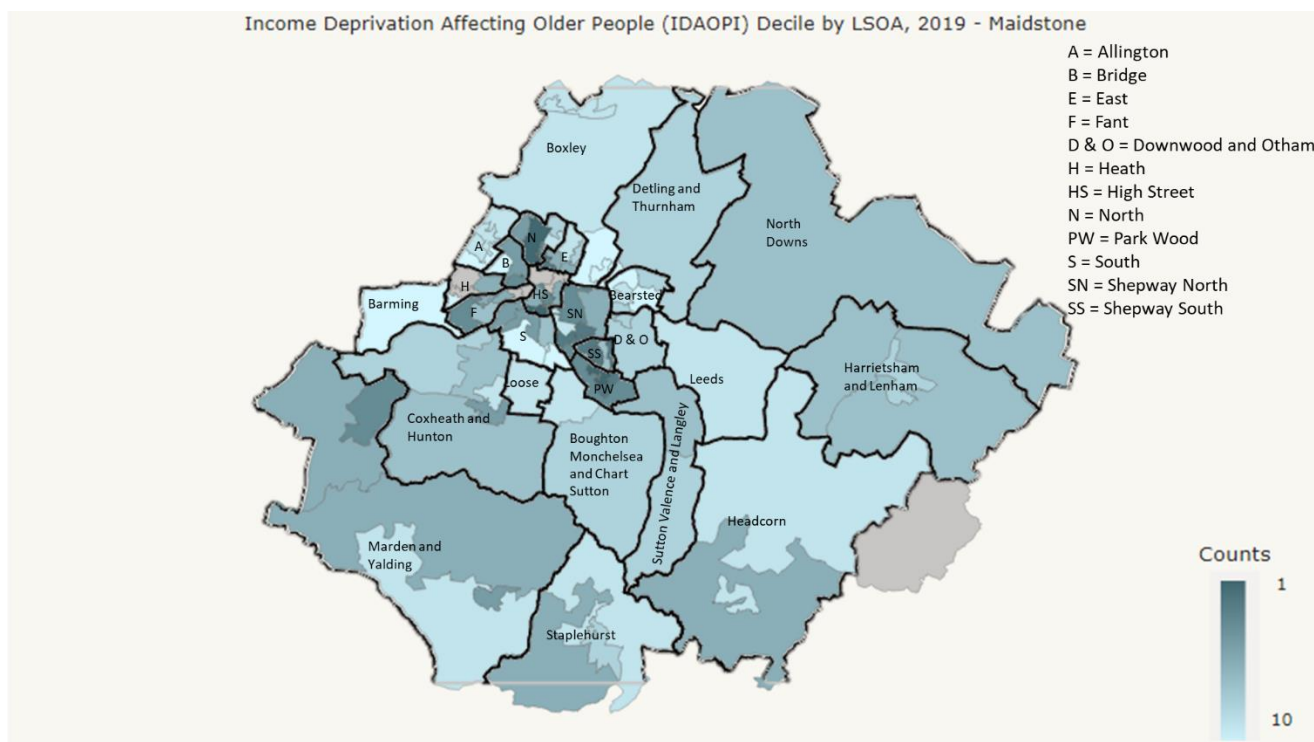
and England (18.8 years), but although the figure for females was lower than the figure for Kent (21.3 years) it was higher than the figure for England (21.1 years)³.

2.27. The KCC Housing Led Forecasts (November 2019) forecasted Maidstone's population growing by 15.1% from 2018 to 2038. The 0-15 age group's population was expected to increase by 5.6%, although change from making up 19.7% of Maidstone's population in 2018 to making up a smaller, 18.0% of the population in 2038. The 65+ age group was expected to go up by the biggest: 50.6%. Where, in 2018, the 65+ age group made up around 19.0% of the population, it was expected to make up 24.8% of Maidstone's population in 2038. The 16-64 age group was expected to grow by 9.0%³.

2.28. The diagrams below show which decile Maidstone's Lower Layer Super Output Areas (LSOAs) fall into nationally, for the income deprivation affecting children index, and the income deprivation affecting older people, for 2019. The colour code system is such that relatively more deprived areas (with a relatively lower decile figure) are a darker blue in colour, and those areas which are relatively less deprived (as they have a relatively higher decile figure) are a lighter shade of blue, in the maps¹⁷.



Source: Produced by Maidstone Borough Council (2021); Ministry of Housing, Communities & Local Government – The English Indices of Deprivation 2019¹⁷



Source: Produced by Maidstone Borough Council (2021); Ministry of Housing, Communities & Local Government – *The English Indices of Deprivation 2019*¹⁷

Older People – 65 and over

2.29. Furthermore, the latest census (2011) highlights that the highest number of older people (aged 65 and over) were usual residents in Bearsted, followed by Allington. White people made up the highest proportion of older people in Maidstone (98.4%). BAME groups made up 1.6% of older people, where Asians (1.0%) made up the second largest ethnic group, in Maidstone. High Street was the ward in which the highest number of older people from the Asian, Mixed, and Black communities resided. No older Asians lived in Loose, and no Mixed older people lived in either Headcorn or Staplehurst. Bridge had the highest number of older people living there who were from the Other ethnic group. Older Black people could be seen in 14 wards, and older people from the Other ethnic group could be seen in half (13) of Maidstone’s wards. Nobody from the Black and Other ethnic groups aged 65 and above lived in the following eight wards: Barming; Boughton Monchelsea and Chart Sutton; Detling and Thurnham; Harrietsham and Lenham; Headcorn; Leeds; North Downs; and, Staplehurst. Moreover, there were no people aged 65 and above who were Black living in Coxheath and Hunton, Loose, Marden and Yalding, and South, whilst Bearsted, Downwood and Otham, Park Wood, Shepway North, and Sutton Valence and Langley had nobody aged 65 and over who was from the Other ethnic group usually residing there¹⁸.

Younger people – 0 to 24

2.30. The latest census (2011) also highlights information about the 0 to 24 population in Maidstone. The highest number of younger people (aged 0 to 24) were usual residents in High Street. Those from a White ethnic background made up the highest proportion of younger people (91.5%), and BAME groups made up 8.5% of younger people in Maidstone - Asians made

up 3.9%, and the Mixed community made up 3.1%, of Maidstone's population. The highest number of younger White people were usual residents in High Street, whilst the highest number of Asian people aged 0 to 24 were usual residents in North ward. The highest number of younger people from a Mixed background, and from a Black background, lived in High Street, and nobody from these ethnic groups were usual residents in Boughton Monchelsea and Chart Sutton. The highest number of younger people from the Other ethnic group were usual residents in North, and nobody from this ethnic group or the Black community aged 0 to 24 lived in Loose, although Barming, Detling and Thurnham, and North Downs, also didn't have anybody aged 0 to 24 residing there who was from the Other ethnic group¹⁸.

Lone Parent Households And Women

- 2.31. According to the 2011 census, the ward with the highest proportion of households with a lone parent was Park Wood – 9.3% of all households with a lone parent in Maidstone lived here. This was followed by High Street, and then Fant. In Maidstone, lone parent households with dependent children made up the higher proportion of lone parent households (68.9%), and lone parent households with all non-dependent children made up 31.1% of all lone parent households. Park Wood had the highest proportion of lone parent households with dependent children (10.8%), and Shepway North had the highest proportion of lone parent households with non-dependent children (7.2%). High Street was second for both groups. Barming had the lowest proportion of households with a lone parent overall, and also when looking at lone parent households with dependent children, but also amongst lone parent households without dependent children⁶.

Sexual orientation

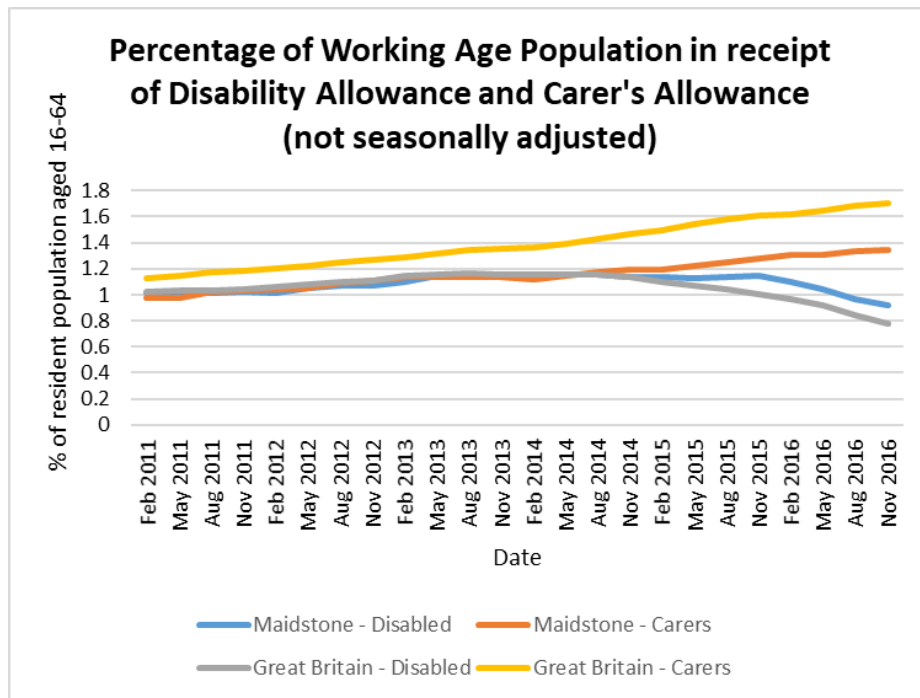
- 2.32. There is no data available on the distribution of LGBTQ+ people in Maidstone. However, the actual extent of this population is likely to be different to the data recorded in the previous census (2011) on same-sex civil partnership data. One reason for this is because census data is somewhat dated. Secondly, it is possible that people may hide their sexuality from others. In addition, same-sex civil partnership data is not likely to provide an accurate indication of sexual orientation or gender identity. Furthermore, it is difficult to establish any obvious places of congregation of LGBTQ+ groups in order to gain further information about the LGBTQ+ community in Maidstone.
- 2.33. However, the 2021 census shall have additional voluntary questions for people aged 16 and over about their sexual orientation and gender identity which may be more relevant to the society we live in²⁰.

Gender reassignment

- 2.34. There is no known data relating to gender reassignment in the Maidstone Borough population. Gender reassignment data is not captured by the Census (2011).

Disability

- 2.35. In the 2001 census, 15.2% of Maidstone's population had a limiting long-term illness⁹. According to the 2011 census, 23.5% of all households in Maidstone had one person in the household with a long-term health problem or disability¹⁰. The most recent census also showed that, in Maidstone, 24,505 people's day-to-day activities were either limited a little, or a lot, by a long-term health problem or disability¹¹. That is, 15.2% of all usual Maidstone residents living in households had their day-to-day activities being limited due to a long-term health problem or disability. This figure is slightly lower than the figure of 17.2% seen in England³. The DWP 5% sample data (February 2020) demonstrates that, in Maidstone, 93.7% of disability benefits claimants had a physical disability, 31.1% had a health condition relating to mental health, and 20.7% had a learning difficulty³. Census data from 2011 also suggests that 10.1% of those people aged 16-74 in Maidstone who were economically inactive were long-term sick or disabled³. On the other hand, the latest ONS annual population survey data that is available for Maidstone (July 2017 to June 2018) highlights that 28.5% of those aged 16-64 were economically inactive because they were long-term sick; the figure for Great Britain is lower at 22.4%¹².
- 2.36. According to the 2011 census, 15.8% of all usual residents in Maidstone stated that they had a long-term health problem or disability. The wards which had the highest number of people whose day-to-day activities were limited by a long-term health problem or disability were Shepway North, High Street, and Shepway South. The wards with the highest, and lowest, proportions of usual residents whose day-to-day activities were limited due to a long-term health problem or disability were Shepway South (25.3% of the population were affected) and Downswood and Otham (this ward also had the lowest number of people with a long-term health problem or disability), respectively¹¹.
- 2.37. The 2011 census data also suggests that Downswood and Otham ward had the highest proportion of usual residents aged 16 and over who had a long-term health problem or disability and were economically active. This was followed by Boxley and Fant wards. Barming had the lowest figure across all wards; 53.1% of all usual residents aged 16 and over with a long-term health problem or disability were economically active. 55.5% of Shepway South's usual residents aged 16 and over with a long-term health problem or disability were economically active²¹.
- 2.38. Across Maidstone, when looking at those with a long-term health problem or disability, the retired population made up 65.0% of the economically inactive population. 7.7% of the economically inactive population was made up of those who were long-term sick or disabled²¹.
- 2.39. Data on DWP benefit claimants (2011 to 2016) – working age client group – on disabled, and carers, benefit claimants can be seen in the diagram below¹³.



Source: Produced by Maidstone Borough Council (2021); DWP – benefit claimants - working age client group¹³

Carers

2.40. In addition, 2011 census data highlights that 10.2% of all usual residents in households in Maidstone provided unpaid care, compared with 10.4% in England as a whole³. In Maidstone, 23.3% of unpaid carers were aged 65 or more, and 2.3% were between 0 and 15 years of age (inclusive)³.

2.41. Of the 10.2% of Maidstone’s usual residents provided unpaid care; with 67.3% of these providing 1 to 19 hours, 11.1% providing 20 to 49 hours, and 21.6% spending 50 hours or more, on unpaid care per week²².

2.42. The data suggests that the highest proportion of unpaid carers who provided 1 to 19 hours of unpaid care per week resided in Bearsted, whereas the lowest proportion lived in Downswood and Otham. The highest proportion of unpaid carers who provided 20 to 49 hours of unpaid care per week lived in Shepway North, and the lowest proportion lived in Barming followed closely by Boughton Monchelsea and Chart Sutton. Shepway North also had the highest proportion of unpaid carers who provided 50 or more hours of unpaid care per week living there. Similarly, Barming had the lowest proportion of unpaid carers who provided 50 or more hours’ unpaid care per week living there and this was followed closely by Leeds²².

2.43. Data from the 2011 census also demonstrates that the 35 to 49 age group was the most common age group for an unpaid carer to fall into in Maidstone. Fant had the highest proportion of unpaid carers in this age group living there, followed by North, and Barming had the lowest. The 50 to 64 age group was the second most popular age group for an unpaid carer to fall into in Maidstone. The highest proportion of unpaid carers in this age group were usual residents in Boxley, followed by Marden and Yalding. Downwood and

Otham had the lowest proportion of unpaid carers in this age bracket living there. The 0 to 15 age group was the third most common age group for an unpaid carer to fall into in Maidstone, followed by the 65 and over age group, the 25 to 34 age group, and finally the 16 to 24 age group²³.

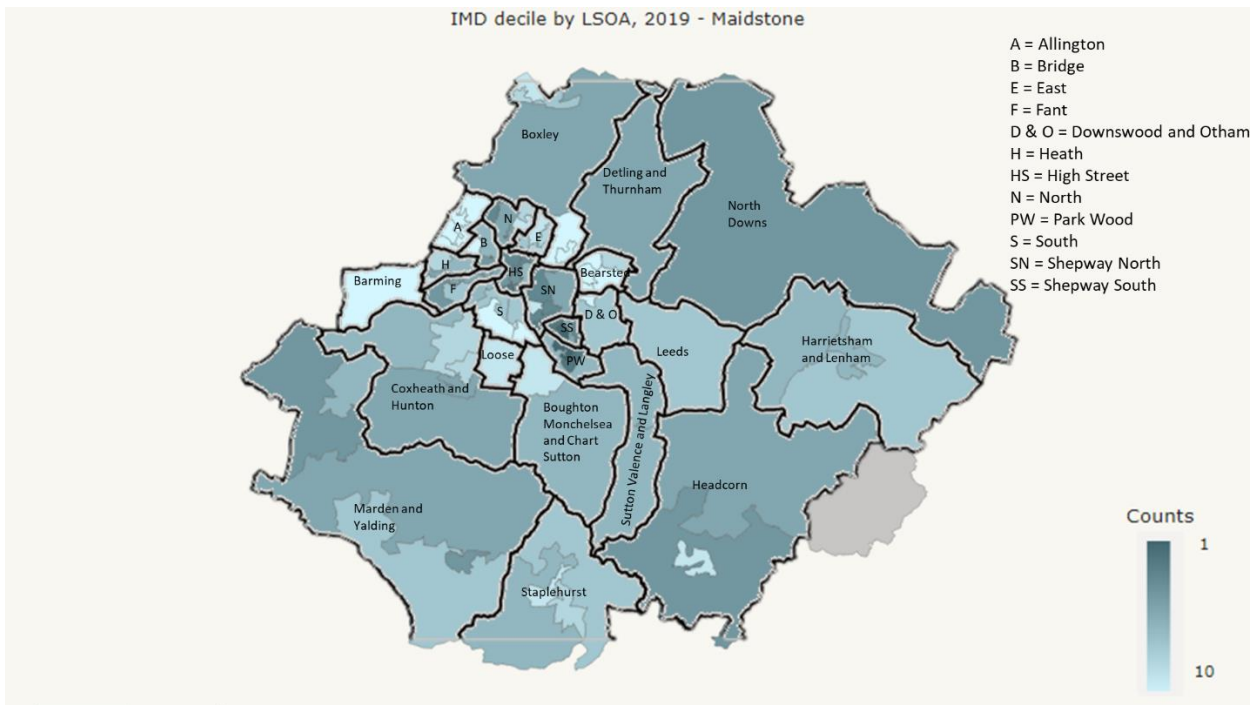
2.44. Data on DWP benefit claimants (2011 to 2016) – working age client group – suggests that, over time, the percentage of the working age population in receipt of Carer’s Allowance has increased in both Maidstone and Great Britain, although the percentage of the working age population in receipt of Disability Allowance has decreased for both¹³. The DWP Longitudinal Study (February 2020) demonstrates that 0.5% of people aged 16+ in Maidstone claim Carer’s Allowance. In both Kent and Great Britain, this figure is slightly lower at 0.4%³.

Other

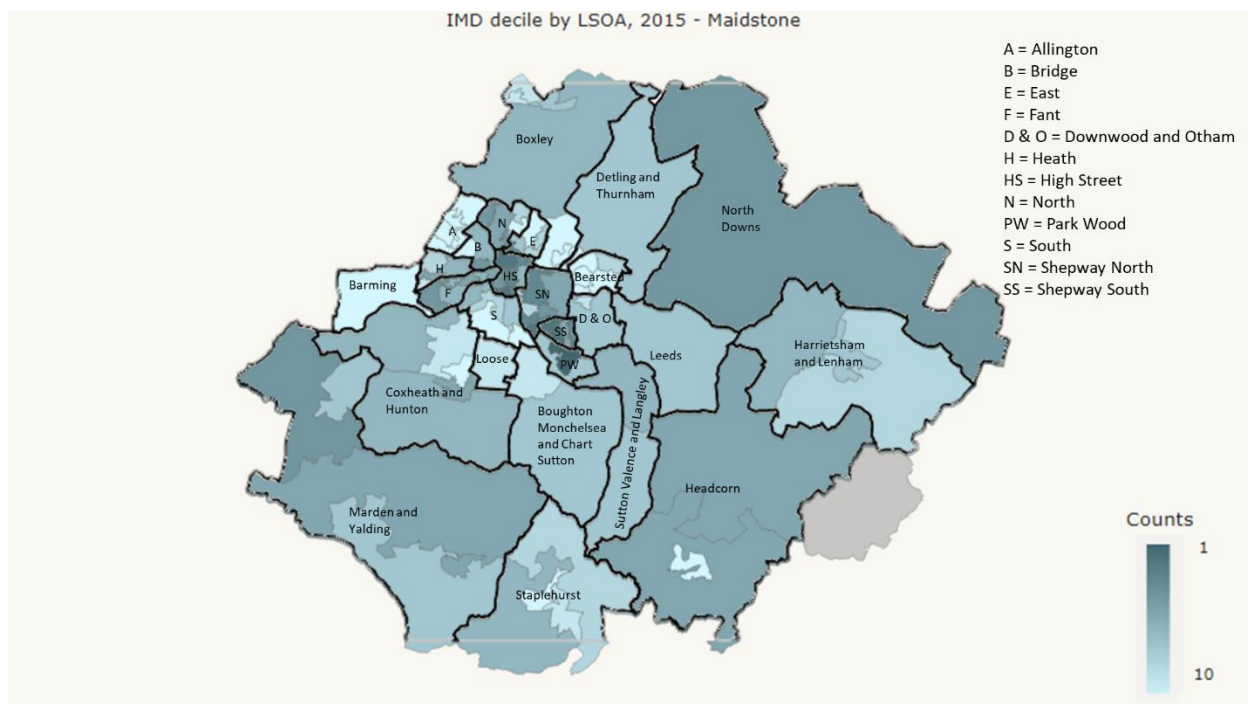
Index of Multiple Deprivation

2.45. In the Index of Multiple Deprivation (IMD) for 2019, Maidstone was given a rank of average rank of 188 nationally (out of 317 local authority districts in England), and it was behind three other Kent local authorities¹⁷. Hence, Maidstone ranks within England’s least deprived half of authorities. In 2015, the rank of average rank for Maidstone was 206 nationally, which suggests that the borough’s level of deprivation has increased, relative to other areas in England, over time. Maidstone was behind the same three Kent local authorities in 2015 as it was in 2019²⁴. When measured by the extent of the population living in the most deprived LSOAs, Maidstone ranked at 170th in England in the 2019 indices¹⁷, down from 173rd seen nationally in the 2015 indices²⁴.

2.46. The diagrams below show which decile Maidstone’s LSOAs fall into nationally, for the IMD. The colour code system is such that relatively more deprived areas (with a relatively lower decile figure) are a darker blue in colour, and those areas which are relatively less deprived (as they have a relatively higher decile figure) are a lighter shade of blue, in the maps. The first diagram looks at the English Indices of Deprivation data for 2019, and the second diagram looks at the English Indices of Deprivation data for 2015²⁵.



Source: Produced by Maidstone Borough Council (2021); Ministry of Housing, Communities & Local Government – The English Indices of Deprivation (2019)¹⁷



Source: Produced by Maidstone Borough Council (2021); Ministry of Housing, Communities & Local Government – The English Indices of Deprivation (2015)²⁴

Occupation

2.47. In Maidstone, according to data from the 2011 census, the highest proportion of all people aged 16-74 in employment happened to be in a professional occupation (16.4%). 14.1% were in an associate professional and technical occupation, whilst 10.6% were in elementary occupations. 12.1% came under the 'Managers, directors and senior officials' occupation.

Collectively, this makes up 53.2% of all people aged 16-74 in Maidstone in employment³.

Crime

2.48. In the Residents' Survey (2017) carried out by Maidstone Borough Council, 93.2% of respondents said they felt either very, or fairly, safe in their own home. 100% of respondents living in Boughton Monchelsea and Chart Sutton, Downswood and Otham, Heath, and Loose wards felt safe in their own home, whereas Shepway South ward had the lowest figure (82.6%). When asked how worried they were about someone breaking into their home, over half of Maidstone's respondents said they were not worried. East ward (68.1%), followed by Heath ward (66.8%), had the highest proportion of people who were not very, or not at all, worried. Shepway South had the lowest proportion of people being not very, or not at all, worried, about someone breaking into their home (34.8%)²⁶.

3. Part 3 - The equality impact assessment

Methodology

3.1. At each stage of the Design and Sustainability DPD process the Council has sort to test its policies and approaches via the public sector duty outlined above. How this has been done is via pre-consultation and post-consultation analysis.

Stage 1. - Pre-consultation

3.2. Before a consultation the content and process of the consultation were assessed to define if there are to be any equalities impacts. The content is the proposed consultation document, and the process were the consultation methods. The impacts are defined as positive negative or neutral based on the protected characteristics. Once an impact is defined recommendations for changes are made to the document and process. This enables equalities impacts to clearly be part of the Design and Sustainability DPD development process.

Stage 2 - Post-consultation

3.3. Following a consultation, the content and process were again analysed for their equalities impact. The content analysed were the responses received, both in terms of those that comment on an issue that may impact a person with a protected characteristics and responses from those who have an identified protected characteristic. While the process was the consultation methods undertaken. The analysis is done via the protected characteristics groups identified through the Equality Act 2010.

Design and Sustainability DPD Equality Impact Assessment
Regulation 18 Scoping, Themes and Issues Consultation

Pre-consultation Considerations

Content

3.4. The Scoping, Themes and Issues consultation document did NOT set out specific policies. It is only when the Design and Sustainability DPD reaches Regulation 18b (the second consultation stage) that policies are set out. Indeed, the purpose of the consultation is purely to help establish the matters that should be considered in the Regulation 19 version of the Design and Sustainability DPD. Instead, the document contained 7 identified issues, with a range of questions associated with these.

3.5. The table below sets out the issues that were identified in the consultation document. Each issue also contains questions that assist the public in providing their thoughts on each issue.

Issues		Relevant Plan Strategic Priority	Strategic Priority
1	Ensure that Maidstone Borough is delivering attractive and distinctive places that people want to live, work and play in	2 & 4	
2	creating safe and secure places where people of all ages want to spend time and develop a sense of pride in where they live and work.	2 & 4	
3	Ensure that development in Maidstone Borough is attractive with distinctive and easy to navigate streets and public spaces.	1, 2 & 4	
4	Ensure that Maidstone Borough is integrating green spaces and infrastructure at every scale of design, and that these are making a genuine and significant contribution to the net gain of biodiversity, the causes and effects of climate change, and the health and wellbeing of communities	2 & 4	
5	Ensure that the Borough of Maidstone is delivering a connected network of streets that prioritises journeys by active and sustainable transport modes, whilst allowing the use of streets for essential private vehicle movements. Maidstone's streets should be attractive and safe for all users with a clear and legible movement hierarchy of primary, secondary and quiet streets.	1, 2 & 4	
6	Ensure that new development in the Borough of Maidstone is delivered with	2 & 4	

	net-zero carbon, and that buildings are able to mitigate the effects and adapt to the rapidly changing climate.	
7	Ensure the delivery of great buildings and landscapes that are robust and adaptable enough to stand the test of time, enhancing the borough's identity. This includes new homes that have sufficient space to allow for a good standard of living and meeting the needs of current and future lifestyles. Ensure the use of high quality and appropriate materials that last throughout a development's lifespan.	2 & 4

3.6. Taking each of the protected characteristics in turn -

Age:

- Identifying the needs of the borough to help deliver places that work for a range of ages.
- The provision of accessible infrastructure and places.

Disability:

- That buildings and new environments will be designed to encourage wellbeing amongst new and existing residents and to encourage the good health of all our residents.

Gender reassignment:

- No impact identified.

Marriage and civil partnership:

- No impact identified.

Pregnancy and maternity:

- No impact identified.

Race:

- No impact identified.

Religion and belief:

- No impact identified.

Sex:

- To deliver places that feel safe regardless of sex.

Sexual orientation:

- No impact identified

Process

- 3.7. The consultation will seek the opinion of different sectors of the community and a considered and accessible Communication and Consultation Strategy in line with the Council's Statement of Community Involvement to ensure that it reaches seldom heard and minority groups.
- 3.8. The findings of the consultation will influence the evolution of the plan and associated policies and will therefore inform the proposals contained in future iterations of the Design and Sustainability DPD, including the consultation on Regulation 18b
- 3.9. It is the Council's intention that the Design and Sustainability DPD will have a positive impact upon the lives of the borough's residents. This will be evidenced by the consultation process, responses and in demonstrating the correlation between the policies and the needs and future needs of our residents.
- 3.10. It is apparent that the consultation is on a document that is wide-ranging and potentially complex. It is also lengthy. This could have the impact of deterring those with protected characteristics from expressing their views on the document.
- 3.11. In order to address this, a series of targeted questions have been inserted into the consultation document. These relate to the main issues set out above and help to illustrate some of the main purposes of the consultation. The questions are also contained separately on a standard response form, which makes it easier to provide responses and easier to access the questions themselves. It is intended that, in addition to the below consultation methods, this will make the consultation as accessible as possible to all groups with protected characteristics.
- 3.12. A further measure to improve accessibility will be the addition of a Summary Document. This document has been produced using accessible language and also reduces the time required to grasp the main issues and purposes of the consultation. The Summary Document also provides the main consultation questions and highlights the proforma that contains all questions and provides the most accessible way to respond to the consultation.
- 3.13. The methods of consultation have also been enhanced to maximise the opportunity for those with protected characteristics to get involved. The legislation regarding this stage of Design and Sustainability DPD production doesn't require a formal consultation to take place. However, Maidstone Borough Council has produced a Statement of Community Involvement that applies *inter alia* to the Design and Sustainability DPD production stages. At this stage of production (on the Scoping, Themes and Issues), the Statement

of Community Involvement goes significantly beyond the legislative requirements.

3.14.A summary of the Statement of Community Involvement consultation methods is provided below.

Engagement and Consultation Methods	How the Council will achieve this? (any important dates or information have been included)
Undertake a minimum of 6-week voluntary consultation	<p>A 6-week consultation commencing on 28th April.</p> <p>Statutory bodies: Notification emails will be sent to all statutory consultees (see table below for details).</p> <p>Generic bodies Stakeholders: Notification emails will be sent to all generic bodies (see table below for details).</p> <p>Dedicated letters will be sent to all Parish Councils and the North Loose Residents' Association</p> <p>Dedicated email to be sent to Councillors.</p> <p>Consultation database: Objective notification email and letters will be sent².</p> <p>Public Notice.</p>
Publish information on the website	<p>The Design and Sustainability DPD webpage will provide:</p> <ul style="list-style-type: none"> - Links to summary and technical documents - Links to response form - Links to consultation portal - Links to the public notice - Closing date for representations - Data protection information
Use the consultation portal for the submission of comments	<p>Database will be set up the consultation questions and links to the summary document, technical document and public notice</p>

² Notifications will not be sent to individuals who have selected no further contact, wish not to be notified or who are inactive.

Place material at inspection points	Documents will be delivered to the 12 libraries across the borough on week commencing 24 th April.
-------------------------------------	---

3.15. Maidstone Borough Council will go further in order to maximise integration and awareness from all groups. This includes:

- An article in Borough Insight will be published,
- Email to be sent to all MBC employees,
- Advertising the consultation on social media,
- Presentations to made to the Parish Councils and local members.

3.16. The methods illustrate that notification and awareness raising of the consultation is as widespread as possible given available resources. Documents are available online but also at key locations in the borough so they are locally available to those without online access. Councillors were also provided with all information so they were able to assist the public, including those with protected characteristics.

3.17. Paper copies were also available at a cost to anyone upon request.

3.18. In addition, Maidstone Borough Council has a consultation database that goes far beyond the minimum consultee requirements set out in legislation. The table below includes a cross-section of consultees that illustrates how the Council has sought to obtain comments from a wide variety of, including hard-to-reach, groups.

Stakeholder Groups Others	Registered providers
	Optivo; Golding Homes; Gravesend Churches Housing Association; Medway Housing Association; Hyde Housing Association and Town and Country Housing Group; Moat Homes Limited; Clarion Housing Group; and Sanctuary Housing Association
	Gypsy and Traveller agents and representative bodies
	National Federation of Gypsy Liaison Groups; Canterbury Support Group; The Gypsy Council; Friends, families and travellers; The Showmen’s Guild of Great Britain and Planning agents
	Objective consultation database
	This includes hard to reach groups or people who could access to those communities. E.g. The Gypsy Council, area groups, religious

	organisations, disabled person liaison committee and ethnic minority community advisory group.
--	--

Impact

3.19. At Regulation 18 Scoping, Themes and Issues Stage the Strategic Planning Team worked with colleagues internally in the Policy and Engagement Team to assess the consultation and design the questionnaire. This was to ascertain whether there were any equalities impacts through the consultation. This process resulted in none being identified.

Content

3.20. There was no change to the content of the consultation document once it was published per the above section. This means that the content was also heavily weighted to the Council's Strategic Plan and its themes and objectives.

3.21. As noted above, this document was around setting the scope of the matters to be considered in future iterations of the Design and Sustainability DPD, as it was developed. It therefore set out questions, rather than providing answers. It also set out context to help inform respondents answers to the questions.

3.22. Whilst the content of the document did not change as a result of publication, it is possible to consider the potential future implications on equalities matters via the responses received to the consultation.

3.23. Responses to the consultation included the following issues around the content of the consultation document that may have implications for those with protected characteristics:

Comments received at consultation were broadly supportive of the aims of the DPD, key themes to emerge from the comments related to:

- Identification of ways that the document can contribute to wider biodiversity networks that might extend beyond the borough's boundaries.
- The DPD needs to ensure sustainable and walkable communities.
- Historic environment and its context should be embedded in new development.
- New development should seek to bring benefits to existing communities.
- The need for off street parking in new development.
- Consideration of waste generation in the development phase of new build.
- The DPD should take a holistic and integrated approach to tackling climate change.
- Landscape setting in rural areas should be an important consideration for new development.

3.24. It will be important to ensure, where possible, that these issues are considered and taken forward in Design and Sustainability DPD Regulation 19 document.

3.25. It is also possible to use the personal information provided by respondents about themselves in their representations to consider whether there are particular matters that impact on protected groups or if there is a significant difference of opinion between protected groups

Sex:

- None identified.

Age:

- National Planning Practice Guidance identifies the "critical" need for housing for older people, the only type of housing to be accorded this level of need in the guidance. Due to the size, nature and scale of the buildings that are required to meet this critical housing need it is often challenging to adhere to overly prescriptive design policies which do not allow for the enhanced density and scale necessary to deliver housing for older people.
- Good design, but also viable developments which meet the needs of an ageing population.
- It is paramount that all new builds adhere to strict high-quality design, that they are sustainable and future proofed to meet the needs of all possible occupants paying particular attention to the needs of disabled and older occupants.
- All age groups need consideration.
- Need to meet the needs of an ageing population. There is a high demand for bungalows in the borough.
- believe that given the way places are designed has a significant influence over whether communities can live healthy lives in addition to Maidstone Borough Council having a cross-cutting Strategic objective of reducing health inequalities an issue missing here.

Race:

- None identified

Health:

- It is paramount that all new builds adhere to strict high-quality design, that they are sustainable and future proofed to meet the needs of all possible occupants paying particular attention to the needs of disabled and older occupants.
- The County Council considers that the way places are designed has a significant influence over whether communities can live healthy lives, in addition to Maidstone Borough Council having a cross-cutting strategic objective of reducing health inequalities. It is therefore advised that a section on 'Design for Healthy Places' is included within the DPD.

Religion or belief

- None identified

Sexual orientation

- None identified

Gender reassignment

- None identified

Pregnancy and maternity

- None identified

Marriage or civil partnership

- None identified

Process

- 3.26. The methods used accorded with the those set out in the previous section of this assessment. This meant that the Council made the consultation as accessible as possible within the resources available. In addition, an email was sent to all Council employees to notify them of the consultation.
- 3.27. Positive feedback was also received from Parish Councils regarding the presentations that they received at the start of the consultation process, meaning that they were able to assist those who came to them with questions, or wishing to get involved with the consultation.
- 3.28. The Council used its Borough Insight magazine to make reference to the Design and Sustainability DPD. This magazine is sent to all properties in the Borough, maximising opportunities for groups with protected characteristics to get involved.
- 3.29. During the consultation period a total of 56 written representations were received.
- 3.30. Email was the preferred method of response. Comments were received during the consultation on the accessibility of the portal and consultation responses were received which stated that the consultation could have been made more accessible to those who have limited ICT skills.

Impact

- 3.31. Following the consultation, the responses received were reviewed. Any comments were considered as per the method set out in the Consultation Statement. Equalities comments were considered as part of that holistic approach.

4. Part 3 - The equality impact assessment

- 4.1. The following table lists the draft policies in the Regulation 18b (Preferred Approaches) consultation document. It assesses each policy for its potential impact on those with protected characteristics.

Reg 18b Proposed Policy	Equalities impact	Explanation & Evidence	Recommendations
PM1: Placemaking	Positive	Promotes healthy communities, play facilities, and promotes community engagement	No change
PM2: Maidstone Town Centre	Neutral	This policy sets broad design framework for the town centre.	No change
S1: Built Form	Positive	Promotes active travel	No change
S2: Tall Buildings	Neutral	Sets policy for tall buildings.	No change
S3: Optimising Density	Neutral	Development to reflect the density of its surroundings.	No change
S4: Mixed Uses and Local Centres	Positive	Promotes walkable neighbourhood and good access to services.	No change
S5: High Quality Public Realm and Streetscene	Positive	Requires development to provide places for pedestrians to rest and gather.	No change
S6: Off-Street Parking	Neutral	Sets the design requirements for off-street parking.	No change
S7: On-Street Parking	Neutral	Sets the design requirements for on-street parking.	No change
S8: Settlement Edges	Neutral	Sets the design requirements for settlement edges.	No change
S9: Servicing layout and access	Neutral	Design requirements for roads.	No change
S10: Integrating refuse and recycling storage	Neutral	Sets the requirements for refuse and recycling storage.	No change
ON1: Landscape and the Setting of Places	Neutral	Requires landscape to be a key consideration to design.	No change
ON2: Open Spaces	Positive	Should be designed to attract all ages.	No change
ON3: Biodiversity, Geodiversity and Nature Recovery	Neutral	Sets the standard for natural environment	No change

Reg 18b Proposed Policy	Equalities impact	Explanation & Evidence	Recommendations
ON4: Biodiversity Net Gain	Neutral	Sets out the requirements for the implementation of biodiversity net gain.	No change
ON5: Sustainable Drainage Systems (SuDs)	Neutral	Sets out the requirements for SuDs.	No change
ON6: Green Infrastructure	Neutral	Prescribes developments approach to the incorporation of green infrastructure.	No change
ON7: Protection of Dark Skies	Neutral	Limits lighting where there is a need to protect dark skies.	No change
ON8: Building on Sloping sites	Neutral	Design based approach to sloping sites.	No change
ON9: Providing External Amenity Space for All Homes	Neutral	Requires all new homes to have external amenity space.	No change
MO1: Layout and Movement	Neutral	Promotes sustainable travel and interaction.	No change
MO2: Design for All	Positive	Requires development to reflect mix of society. Enables participation. Meets needs of wheelchair users and mobility impaired.	No change
MO3: Plan for cyclists	Neutral	Requires provision for cycle storage.	No change
SB1: Sustainable Design and Construction	Neutral	Sets requirements for design sustainability in new buildings.	No change
SB2: Minimising Greenhouse Gas emissions in New Development	Neutral	Low water and energy use in new buildings.	No change
SB3: Passive Design of Buildings	Neutral	Design and layout to maximise natural solar gain and shading.	No change
DQ1: Design led approach	Neutral	Sets design requirements in new development.	No change

Reg 18b Proposed Policy	Equalities impact	Explanation & Evidence	Recommendations
DQ2: Masterplanning	Neutral	Major development to be supported by a site wide masterplan.	No change
DQ3: Form Based Design Codes	Neutral	Major developments to set design codes.	No change
DQ4: Maintaining Design Quality	Neutral	Design quality to be maintained through the lifetime of the development.	No change
DQ5: Materials and Detailing	Neutral	Development to respond to its context in terms of materials.	No change
DQ6: Modern Methods of Construction	Neutral	Sets standards for Modern Methods of Construction.	No change
DQ7: Houses in Multiple Occupation	Neutral	Sets space standards for HMO's.	No change
DQ8: Mixed Communities	Positive	New residential developments should address the needs and access requirements of people with disabilities	No change

5. Conclusions

- 5.1. The aim of this EqIA has been to assess whether the policies within the Design and Sustainability DPD have the potential to be discriminatory to any of those persons with protected characteristics within the borough and to see how the needs of such groups have been considered in the policies themselves.
- 5.2. The assessment to date shows that for most policies contained within the Design and Sustainability DPD have no adverse impacts on the protected equality characteristics are identified, although for several policies significant positive effects have been established. This was particularly obvious in respect of the age and disability characteristics, whereby several policies specifically address the needs of children and young people, the elderly and people with compromised mobility. No negative impacts specific to any of the protected groups were identified.

References

- ¹ Office for National Statistics (ONS): Estimates of the population for the UK, England and Wales, Scotland and Northern Ireland (Mid-2019: April 2020 local authority district codes); Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates>
- ² Kent County Council (KCC): 2019 Mid-year population estimates: Ward level population in Kent (September 2020); Available at: <https://www.kent.gov.uk/about-the-council/information-and-data/facts-and-figures-about-Kent>
- ³ Kent County Council (KCC): Kent District Profiles (accessed January 2021); Available at: <https://www.kent.gov.uk/about-the-council/information-and-data/facts-and-figures-about-Kent>
- ⁴ NOMIS: Ethnic group (2001 census); Available at: <https://www.nomisweb.co.uk/census/2001>
- ⁵ Kent County Council: Facts and Figures 2020; Available at: https://www.kelsi.org.uk/_data/assets/pdf_file/0009/108738/Facts-and-Figures-Booklet-2020.pdf
- ⁶ NOMIS: Household composition (2011 census); Available at: <https://www.nomisweb.co.uk/census/2011>
- ⁷ NOMIS: Economic activity by sex (2011 census); Available at: <https://www.nomisweb.co.uk/census/2011>
- ⁸ Office for National Statistics (ONS): Civil partnership formations; Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/marriagecohabitationandcivilpartnerships>
- ⁹ NOMIS: Sex and age and limiting long-term illness and general health by ethnic group (2001 census); Available at: <https://www.nomisweb.co.uk/census/2001>
- ¹⁰ NOMIS: Adults not in employment and dependent children and persons with long-term health problems or disability for all households (2011 census); Available at: <https://www.nomisweb.co.uk/census/2011>
- ¹¹ NOMIS: Long-term health problem or disability (2011 census); Available at: <https://www.nomisweb.co.uk/census/2011>
- ¹² NOMIS: Economically inactive – long-term sick (accessed February 2021); Available at: https://www.nomisweb.co.uk/reports/lmp/la/1946157316/subreports/einact_time_series/report.aspx
- ¹³ NOMIS: Working-age client group – main benefit claimants – not seasonally adjusted [Discontinued] – ‘Disabled’ and ‘Carers’; Available at: https://www.nomisweb.co.uk/reports/lmp/la/1946157316/subreports/dwp_time_se

[ries/report.aspx](#) and
https://www.nomisweb.co.uk/reports/lmp/la/1946157316/subreports/dwp_time_series/report.aspx

¹⁴ NOMIS: Ethnic group (2011 census); Available at:
<https://www.nomisweb.co.uk/census/2011>

¹⁵ NOMIS: Religion (2011 census); Available at:
<https://www.nomisweb.co.uk/census/2011>

¹⁶ NOMIS: Age structure (2011 census); Available at:
<https://www.nomisweb.co.uk/census/2011>

¹⁷ Ministry of Housing, Communities & Local Government: The English Indices of Deprivation (2019); Available at:
<https://www.gov.uk/government/collections/english-indices-of-deprivation>

¹⁸ NOMIS: Ethnic group by sex by age (2011 census); Available at:
<https://www.nomisweb.co.uk/census/2011>

¹⁹ ONS: Ward-level population estimates (Experimental Statistics); Available at:
<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates>

²⁰ House of Commons Library: Preparing for the 2021 census (England and Wales) (October 2020); Available at:
<https://researchbriefings.files.parliament.uk/documents/CBP-8531/CBP-8531.pdf>

²¹ NOMIS: Economic activity by hours worked by long-term health problem or disability (2011 census); Available at: <https://www.nomisweb.co.uk/census/2011>

²² NOMIS: Provision of unpaid care (2011 census); Available at:
<https://www.nomisweb.co.uk/census/2011>

²³ NOMIS: Provision of unpaid care by age (2011 census); Available at:
<https://www.nomisweb.co.uk/census/2011>

²⁴ Ministry of Housing, Communities & Local Government: The English Indices of Deprivation (2015); Available at:
<https://www.gov.uk/government/collections/english-indices-of-deprivation>

²⁵ Ministry of Housing, Communities & Local Government: The English Indices of Deprivation (2019 and 2015); Available at:
<https://www.gov.uk/government/collections/english-indices-of-deprivation>

²⁶ Maidstone Borough Council: Residents' Survey (2017)

In addition to the above resources, the following document has also been consulted:

Newham London: Evidence Base – Equalities and the Local Plan (February 2017); Available at: <https://www.newham.gov.uk/>

Biodiversity Net Gain Topic Paper

Planning is a technical process, driven by legislation and government policy and advice. This topic paper uses several technical terms, so the below definitions have been prepared to assist the reader.

The two principal concepts for this topic paper are:

- **Biodiversity Offsetting.** Biodiversity offsetting is a conservation activity designed to give biodiversity benefits to compensate for unavoidable losses - ensuring that when a development damages nature (and this damage cannot be avoided or mitigated), new nature sites will be created. Where appropriate, biodiversity offsetting is an option available to developers to fulfil their obligations under the planning system's mitigation hierarchy.
- **Biodiversity Net Gain.** Net gain is an approach to development which uses biodiversity offsetting to ensure that any unavoidable impacts on biodiversity are compensated for to a level that is over and above the value of the existing biodiversity being affected. Importantly net gain, as currently proposed by government, gives value to common unprotected habitats which have not previously been given a value in the planning system. Importantly, both offsetting and net gain do not undermine the strategic biodiversity policies which seek to ensure important habitats and species are protected from harmful development. They are used when development proposals comply with these policies, but will nevertheless lead to unavoidable impacts which would not otherwise be accounted for.

1. Background/ Context

This draft paper explores possible approaches for the scope of policy in the Design and Sustainability Development Plan Document (DPD) in setting requirements on Biodiversity Net Gain.

The topic paper is structured as follows:

- Background/ Context
- Legislative Requirements
- National Policy and Guidance
- Local Context
- Experience in other Authorities Elsewhere; and
- Discussion and Conclusions

Interest in biodiversity offsetting and net gain has grown in recent years as a way to mitigate against widespread biodiversity decline across the UK and respond to the inability of the planning system to account for cumulative environmental losses. Evidence for this is ubiquitous and specific evidence from Kent is considered below. Biodiversity net gain represents a significant change for managing biodiversity through the planning system.

The current system relies on ensuring no net loss to biodiversity by protecting designated sites and priority habitats and species from harmful development. We consider that this likely avoids the most severe impacts on biodiversity and protect the best sites for wildlife but is probably less effective at preventing the gradual erosion of lower value and more common habitats which benefit a broad range of flora and fauna. Cumulatively, even ‘insignificant’ losses of habitat at a development scale add up to significant rates of biodiversity loss overall. Evidence of continued biodiversity loss in England indicates that this policy is contributing to significant biodiversity losses occurring throughout England.

As proposed, biodiversity net gain gives value to all habitats, even common non-priority habitats (e.g. scrub, grassland, undesignated woodland arable fields etc.) which have not previously been recognised in the planning system and their loss not given any weight in decision making. Although the policy does not propose to protect these habitats, it does require that their losses are accounted and compensated for in a way which results in net gain.

2. Legislative Requirements

2.1 The Environment Act 2021

The Environment Act 2021 sets out the following key components of **mandatory biodiversity net gain (BNG)**:

- Amends Town & Country Planning Act (TCPA), most specifically Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England;
- Minimum 10% gain required, as calculated using the Biodiversity Metric and approval of a biodiversity gain plan;
- Habitat secured for at least 30 years via planning obligations or conservation covenants;
- Delivered on-site, off-site or via a new statutory biodiversity credits scheme; and
- National register for net gain delivery sites.

It does not change existing legal protections for important habitats and wildlife species. It maintains the mitigation hierarchy of avoid impacts first, then mitigate and only compensate as a last resort. It will apply to Nationally Significant Infrastructure Projects (NSIPs) but not marine development.

The mandatory requirement is to come into place in Winter 2023. The Government's response to the 2018 consultation on net gain sets out that there would be a 2-year implementation period for mandatory BNG once the Environment Bill received Royal Assent and became the Act (which happened on 9 November 2021). The Act includes provision for secondary legislation to set a date for the requirement to come into force.

The biodiversity gain plan is referred to in the Environment Act 2021. Planning applications subject to mandatory BNG will be required to submit a biodiversity gain plan for planning authority approval. The Environment Act 2021 sets out that the biodiversity gain plan should cover:

- How adverse impacts on habitats have been minimised
- The pre-development biodiversity value of the on-site habitat
- The post-development biodiversity value of the on-site habitat

- The biodiversity value of any off-site habitat provided in relation to the development
- Any statutory biodiversity credits purchased; and
- Any further requirements as set out in secondary legislation.

More information on what biodiversity gain plans will entail to be included in a forthcoming Defra consultation on BNG secondary legislation.

The Environment Act 2021 makes provision for the Secretary of State to set up a system of statutory biodiversity credits that will be invested in habitat creation. The credits can be bought by developers as a last resort when on-site and local off-site provision of habitat cannot deliver the BNG required. It is suggested that the price of biodiversity credits will be set higher than prices for equivalent biodiversity gain on the market. The intention is that this system will be run by a national body, not at the local level. We expect more information on the national biodiversity credits scheme to be included in the forthcoming Defra consultation on BNG secondary legislation.

Details of how the government intend to use the metric to achieve biodiversity net gain in secondary legislation and policy have not yet been finalised. The national 2018/19 consultation included a general introduction, and the government response in July 2019 provides more certainty, but there are still potential policy areas for adjustment. These policy areas are summarised below:

- **Threshold:** At what scale of development is it reasonable to require the policy be achieved? The government are not proposing to introduce broad exemptions beyond permitted development and householder development, but may introduce narrow exemptions for the most constrained development types, such as brownfield sites that meet certain criteria.
- **Maintenance:** The government has stated habitat enhancement should be maintained for a minimum of 30 years and will encourage longer term protection where acceptable to the landowner. Legislation for conservation is in the Environment Act.
- **Managing off-site enhancements:** The Biodiversity Metric scoring is onerous and many development sites may need to offset their impacts off-site, since to rely on on-site provision may reduce the developable area so significantly that development could become unviable. A process for identifying sites for off-site BNG would therefore need to be established to optimise benefits for biodiversity. The government have proposed a series of Local Nature Recovery Strategies (LNRSs) across England (expected to be prepared at a county or unitary authority level – these would help local plan policies set priorities for nature recovery and biodiversity enhancement, and positively influence BNG delivery.

The LNRS can thus be used as to determine the ‘strategic significance’ score, as part of the Biodiversity Metric scoring approach. The ‘strategic significance’ score is a landscape scale factor, which gives additional unit value to habitats that are located in preferred locations for biodiversity and other environmental objectives.

Prior to implementation of LNRS, local authorities may use tools such as Green Infrastructure strategies and biodiversity opportunity mapping (potentially prepared by a Local Nature Partnership (LNP), depending on what is available locally.

2.2 DEFRA Consultation on Biodiversity Net Gain Regulations and Implementation

DEFRA's consultation on BNG suggests that requirements will be relevant to development proposals that require planning permission under the Town and Country Planning Act 1990. This is typically development for which a planning application is made to a planning authority and will include most residential and commercial development and some (non-Nationally Significant Infrastructure Project) infrastructure development.

Page 15 of the DEFRA Consultation on Biodiversity Net Gain Regulations and Implementation January 2022 indicates the following approach to implementation, suggesting that going beyond 10% may be related to the aspirations of developers (rather than a policy requirement?)

“How will it be achieved?”

*Mandatory biodiversity net gain will be implemented through the planning system. Developers will be required to demonstrate that they will deliver a minimum 10% net gain of biodiversity units for area-based habitats and any relevant linear habitats (hedgerows, lines of trees, and watercourses). Prior to the commencement of a development, a biodiversity gain plan must be submitted to the relevant planning authority for approval. We maintain the view that 10% strikes the right balance between the UK Government's ambition for development and the pressing need to reverse environmental decline. **The 10% will be a mandatory requirement but should not be viewed as a cap on the aspirations of developers that want to voluntarily go further or do so in the course of designing proposals to meet other local planning policies.***

The biodiversity gains and losses of a development will be measured in 'biodiversity units', using a metric which uses habitats as a proxy for biodiversity and calculates units by taking account of the type, extent and condition of habitats. Natural England has recently published biodiversity metric 3 which, subject to further consultation and any further updates, is expected to be the metric specified for mandatory biodiversity net gain. Biodiversity net gain complements and works with the biodiversity mitigation hierarchy set out in the National Planning Policy Framework paragraph 180a. To achieve net gain in a way that is consistent with the mitigation hierarchy and reflecting the 'spatial hierarchy' preference for local enhancements, developers should follow these steps in order:

- 1. aim to avoid or reduce biodiversity impacts through site selection and layout*
- 2. enhance and restore biodiversity on-site*
- 3. create or enhance off-site habitats, either on their own land or by purchasing biodiversity units on the market, and*
- 4. as a last resort to prevent undue delays, purchase statutory biodiversity credits from the UK Government where they can demonstrate that they are unable to achieve biodiversity net gain through the available on-site and off-site options.*

Developers will set out on-site and off-site measures in a 'biodiversity gain plan'. We intend to align this plan submission process with the digitisation of the planning system when this is possible.”

The requirement to show how at least a 10% biodiversity gain is to be achieved will be a condition which is to be for planning permissions granted in England (and also planning consents for nationally significant infrastructure projects).

However, the consultation suggests that even the 10% requirement will not apply to planning permissions granted by a development order including under the General Permitted Development Order and in respect of any urgent Crown development.

The consultation also proposes that an exemption from the requirement to provide the biodiversity net gain for:

- development proposals which result in negligible impacts or minimal impacts to low or medium ‘distinctiveness’ habitats such as agriculturally productive land;
- householder applications; and
- change of use applications.

The consultation is considering if exemptions should also be made for the creation of biodiversity gain sites, self-builds and custom housebuilding.

Based on the consultation, brownfield sites, temporary permissions and some permitted developments will be subject to the biodiversity gain requirement.

In relation to **smaller sites**, in the 2019 response to the 2018 net gain consultation, the UK Government committed to keeping minor development in scope of the biodiversity gain requirement, but pledged to consider whether minor developments should be subject to four themes of variation:

- a potentially longer transition period (than the general 2-year period, which means net gain would start in late 2023) for the commencement of the biodiversity gain condition
- a potentially lower percentage net gain requirement
- simplification of the net gain administrative process
- a simplified biodiversity metric

The 2019 net gain consultation response presented a narrower definition for ‘small development’ (than that for minor development) when determining whether the use of the simplified ‘small sites biodiversity metric’ would be appropriate: ‘Sites of fewer than 10 residential units or an area of less than 0.5 hectares for other types of development (unless priority or protected habitats are present).’

Natural England published a beta version of the Small Sites Metric in July 2021, together with a short consultation on the metric and its scope. The biodiversity metric to be used for small sites would be subject to further consultation before being published as a biodiversity metric for use in mandatory biodiversity net gain.

The Consultations suggests that DEFRA will take forward a simplified biodiversity metric for developments on small sites, as defined in the 2019 consultation response. They do not consider a lower percentage gain appropriate, as all sites should make a proportionate contribution to biodiversity net gain. Additionally, for smaller sites, the UK Government have been seeking feedback on whether a longer transition period (up to 12 months longer) would be of practical benefit to planning authorities and developers.

3. National Policy and Guidance

3.1 National Planning Policy Framework

The starting point for considering this issue is National Policy in the NPPF:

Para 179 of the NPPF says that:

To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶¹; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶²; and*
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify **and pursue opportunities for securing measurable net gains for biodiversity.***

Para 180 sets out the National policy approach to securing gains in relation to planning applications.

180. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, **especially where this can secure measurable net gains for biodiversity** or enhance public access to nature where this is appropriate.*

Although the NPPF raised the issue of BNG, it is far from definitive, and confined to pursuing opportunities for achieving BNG.

3.2 National Planning Policy Guidance

National Planning Practice Guidance (PPG) does not add anything further on BNG. Additionally, the advice on planning applications does not yet reflect the Environment Act 2021, given the Act requires secondary legislation anticipated for Winter 2023.

Nonetheless, it does set out guidance in relation to matters of: biodiversity, geodiversity and ecosystems; green infrastructure; landscape, agricultural land, soil and brownfield land of environmental value.

Biodiversity and geodiversity. Development plans and planning decisions have the potential to affect biodiversity or geodiversity outside, as well as inside, relevant designated areas. The PPG notes that, to achieve opportunities to conserve and enhance biodiversity and geodiversity and contribute to the wider area (as part of the Nature Recovery Network), it is useful to consider the following¹:

- the latest government policies that are relevant, including the commitments in the 25 Year Environment Plan
- the contents of existing up-to-date plans and strategies for biodiversity and nature recovery
- the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list
- whether an ecological survey is appropriate
- opportunities to restore or enhance local ecological networks, including those that contribute to the wider Nature Recovery Network
- **how to secure net gains for biodiversity as part of green infrastructure provision;** and
- opportunities to work strategically in order to streamline development decisions: for example, by establishing a ‘zone of influence’ around protected sites.

The PPG also provides evidence² which is relevant to the identification and mapping of local ecological networks. It also highlights that local ecological networks can make a significant contribution to developing a Nature Recovery Network.

Within plan-making, the PPG outlines opportunities to map local ecological networks and set out policies identifying appropriate levels of protection and opportunities to create, restore or enhance habitats or improve connectivity within local ecological networks.

The PPG also includes the following guidance for planning policy and decisions related to biodiversity net gain:

- Plans can set out approaches to encouraging biodiversity and wider environmental net gain, including how it will be achieved, and which areas present the best opportunities to deliver gains. These areas could be those identified in: natural capital plans; local biodiversity opportunity or ecological network maps; local green infrastructure strategies; strategic flood risk assessments; water cycle studies; air quality management plans; river basin management plans; and strategic protected species licensing areas³. PPG states that consideration may also be given to local sites including where communities could benefit from improved access to nature⁴.

¹ PPG Paragraph: 010 Reference ID: 8-010-20190721

² PPG Paragraph: 012 Reference ID: 8-012-20190721

³ PPG Paragraph: 021 Reference ID: 8-021-20190721

⁴ PPG Paragraph: 021 Reference ID: 8-021-20190721

- Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development⁵.
- Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures⁶. While there is flexibility in the balance of on or off-site provision, approaches need to ensure that any benefits will lead to ‘genuine and demonstrable gains for biodiversity’⁷.
- Planning conditions and obligations can be used as a mechanism to require net gains⁸.
- When assessing opportunities and proposals to secure biodiversity net gain, local authorities must have regard to all relevant policies, especially those on open space, health, green infrastructure, Green Belt and landscape.
- Off-site measures can sometimes be secured from ‘habitat banks’, which comprise areas of enhanced or created habitats which generate biodiversity unit ‘credits’⁹.
- Using existing biodiversity values, the Biodiversity Metric 3.0¹⁰ can be used to demonstrate the impacts of development and the net gain that can be achieved¹¹. This enables calculation of losses and gains by assessing habitat, in terms of distinctiveness, condition and extent.
- New or improved habitat needs to be located where it can best contribute to local, national and international biodiversity restoration, including the Nature Recovery Network, locally identified ecological or green infrastructure networks and biodiversity opportunity areas¹².
- It is good practice to establish a detailed management plan to ensure appropriate management of the habitat in the long term, and to arrange for regular but proportionate monitoring on how the habitat creation or enhancement is progressing, indicating any remedial action necessary¹³.
An important consideration for management plans is whether provisions for biodiversity net gain will be resilient to future pressures from further development or climate change¹⁴.
- Where landscapes have a particular local value, it is important that policies identify their special characteristics and are supported by proportionate evidence such as assessment criteria or mitigation measures (e.g. design principles) for development¹⁵.

⁵ PPG Paragraph: 022 Reference ID: 8-022-20190721

⁶ PPG Paragraph: 022 Reference ID: 8-022-20190721

⁷ PPG Paragraph: 023 Reference ID: 8-023-20190721

⁸ PPG Paragraph: 023 Reference ID: 8-023-20190721

⁹ PPG Paragraph: 023 Reference ID: 8-023-20190721

¹⁰ Natural England (2021) The Biodiversity Metric 3.0 <http://publications.naturalengland.org.uk/publication/6049804846366720>

¹¹ PPG Paragraph: 025 Reference ID: 8-025-20190721

¹² PPG Paragraph: 027 Reference ID: 8-027-20190721

¹³ PPG Paragraph: 027 Reference ID: 8-027-20190721

¹⁴ PPG Paragraph: 023 Reference ID: 8-023-20190721

¹⁵ PPG Paragraph: 036 Reference ID: 8-036-20190721

3.3 Other National Guidance - Natural England's Biodiversity Metric

As referenced in section 3.2, at the heart of BNG is Natural England's Biodiversity Metric. This is a tool that measures the biodiversity value of a habitat parcel on the basis of its area and quality.

The metric measures habitat:

- Distinctiveness
- Condition
- Strategic significance; and
- Habitat connectivity

The metric works by applying a score to each of these elements, then multiplying these together to give a number of biodiversity units that represents the biodiversity value of that habitat parcel. The initial calculation determines the 'baseline' or 'pre intervention' value in biodiversity units. The process is then repeated using a 'post development' or 'post intervention' scenario to account for the impact of the development or intervention (including any on-site measures to retain, enhance or create additional biodiversity within the development site).

At this point, additional risk factors associated with creating, restoring or enhancing habitats are considered. These risk factors include:

- Difficulty of creating or restoring a habitat;
- The time needed to restore or create the habitat and interim environmental losses; and
- Spatial risk.

The relative value in biodiversity units 'post development' is then deducted from the 'baseline' to give a value for the extent of change. If a 'net gain' is achieved on-site, there is no need to consider off site measures. However, if the calculation does not result in a sufficient 'net gain' in biodiversity units, the development proposal can be revisited to improve the number of biodiversity units obtained or, if there is no scope for additional on-site compensation or enhancement, off-site measures will need to be considered.

If off-site measures are required, a similar process is undertaken to establish biodiversity unit values on the off-site land 'pre intervention' and 'post intervention' to calculate how many units that land can contribute as compensation. The change in biodiversity units on-site is then added to the change in units off site to provide a total change in biodiversity units for the development. The total change in units needs to be sufficient to ensure a 'net gain' is achieved.

The Biodiversity Metric lists the different types of habitats that can either be present within the application site, or that could be provided as measurable BNG. This includes locally important habitats such as lowland calcareous grassland, broadleaved woodland and mixed scrub.

The Metric also lists a variety of habitats that are specifically found or could be provided as BNG within an urban context. This includes allotments, biodiverse green roofs, green walls, shrubs, urban trees and sustainable urban drainage features. Some of these habitats and measures may be more achievable for proposals situated within the built-up area of Maidstone. The assumption is that all proposed measures should be appropriate to the development, site location and surroundings.

Although species-based measures such as swift bricks do not count as measurable BNG, these types of measures are still important for biodiversity and should be provided where possible.

4. Local Context

4.1 Emerging Local Plan Review

The Regulation 19 Draft Local Plan Review (LPR), currently at the early stages of Examination, already proposes several requirements in relation to BNG. A summary of the main policy references in the draft LPR are given below.

Proposed draft LPR Policies currently at Examination

POLICY LPRSP14A – NATURAL ENVIRONMENT

a. Deliver a minimum 20% on site Biodiversity Net Gain on new residential development, having regard to Biodiversity Opportunity Areas and/or Nature Recovery Networks. Biodiversity Net Gain should be calculated in accordance with the latest Natural England biodiversity metric or equivalent.

POLICY LPRSP4(A) – HEATHLANDS GARDEN SETTLEMENT

c) 20% biodiversity net gain will be expected to be achieved on-site;

POLICY LPRSP4(B) – LIDSING GARDEN COMMUNITY

b) A minimum of 20% biodiversity net gain will be expected to be delivered on-site;

POLICY LPRSA146 - MAIDSTONE EAST, MAIDSTONE TOWN CENTRE

Having regard to the site's size, measures for positive biodiversity net gain shall be incorporated into the scheme

POLICY LPRSA303 – EIS OXFORD ROAD, MAIDSTONE

Any on-site landscaping shall incorporate specific measures to enable biodiversity net gain.

POLICY LPRSA366 – SPRINGFIELD TOWER, ROYAL ENGINEERS ROAD

Any proposal shall respect any existing trees on site and should be accompanied by an arboricultural assessment. The removal of any existing trees shall be fully justified and accompanied by a replacement planting scheme. Such a scheme shall include measures to incorporate biodiversity net gain.

POLICY LPRSA266 - LAND AT WARE STREET, MAIDSTONE

A minimum of 0.7 ha of natural/semi-natural open space shall be provided and dedicated to habitat creation/biodiversity net gain in accordance with national and local targets.

POLICY LPRSA265 - LAND AT ABBEY GATE FARM, SOUTH WEST OF MAIDSTONE

Semi/natural open space of no less than 3.0 ha shall be provided, the function of which will focus upon habitat creation and biodiversity net gain.

POLICY LPRSA270 - LAND AT PESTED BARS ROAD, SOUTH OF MAIDSTONE

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.

Semi/natural open space of no less than 5.0 ha shall be provided, the function of which will focus upon habitat creation and biodiversity net gain.

POLICY LPRSA172 - LAND NORTH OF SUTTON ROAD (WEST OF RUMWOOD COURT), SOUTH EAST OF MAIDSTONE

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

POLICY LPRSA362 – MAIDSTONE POLICE HQ, SUTTON RD, MAIDSTONE

Development should incorporate a level of biodiversity net gain in accordance with national and local policy.

POLICY LPRSA310 – MOTE ROAD, HEADCORN

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.

Provision shall include no less than 1.9 ha of semi/natural open space the principle focus of which shall be to contribute to biodiversity net gain. The location and layout of such areas shall be designed to avoid conflict with accessible residential amenity spaces.

POLICY LPRSA260 – ASHFORD ROAD, LENHAM

Development will be subject to the incorporation an appropriate level of biodiversity net gain in accordance with national and local policy.

POLICY LPRSA295 - LAND AT COPPER LANE & ALBION ROAD, MARDEN

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.

Provision of new open space on site in accordance with Policy LPRSP13 & LPRINF1. Provision shall include not less than 1.25 ha of open space, with typologies in accordance with Policy LPRSP13. The strategy shall ensure that areas designed to support biodiversity net gain shall not be publicly accessible.

POLICY LPRSA066 - LAND EAST OF LODGE RD, STAPLEHURST

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.

POLICY LPRSA114 - LAND AT HOME FARM, STAPLEHURST

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.

POLICY LPRSA312 - LAND NORTH OF HEATH RD – BEACON PARK

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.

Provision shall include no less than 1.3 ha of semi/natural open space the principle focus of which shall be to contribute to biodiversity net gain.

POLICY LPRSA204 - LAND SOUTH EAST OF BRICKFIELD'S CLOSE, EYHORNE STREET, EYHORNE ST (HOLLINGBOURNE)

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.

POLICY LPRSA078 – LAND AT HAVEN FARM / SOUTHWAYS, SUTTON VALENCE

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.

The development shall deliver no less than 0.9ha of semi/natural open space the principle focus of which shall be to contribute to create new woodland and biodiversity net gain. The location and layout of such areas shall be designed to avoid conflict with accessible residential amenity spaces.

POLICY LPRSA248 - LAND NORTH OF KENWARD ROAD, YALDING

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.

4.2 Local Plan Review Evidence Base on BNG

Underpinning the LPR stance, there are three pieces of documentary evidence:

- The Kent Nature Partnership Biodiversity Strategy 2020 – 2045
- Justification for a Biodiversity Net Gain target of 20% in Kent, September 2020; and
- Viability Assessment of Biodiversity Net Gain in Kent, June 2022.

The **Kent Biodiversity Strategy** provides a guiding framework for the delivery of biodiversity net gain, the LNRS and Nature Recovery Networks within the county as a whole. In doing so, it sets out the clear context of need and opportunity for BNG. However, it does not set any specific targets beyond the general promotion of BNG.

The **justification** document suggests the following:

- There are pressures on land use which are specific to Kent's location, such as its proximity to London and as a gateway to Europe, through road, rail, sea and air links. Of these, the most significant pressure is the unprecedented levels of growth. In 2018, the Kent and Medway Growth and Infrastructure Framework identified the need for 178,600 additional homes, to accommodate 396,300 additional people by 2031 (amounting to 24% and 23% of growth respectively), along with associated transport, education, health and social care, utilities and community facilities.
- The Kent Habitat Survey 2012 showed that land covered by development in Kent had increased from 10.7% in 1961 to 17.3% in 2008. A recent study by the Centre for Ecology & Hydrology (2020) also found that Kent had the largest net rise in urban land cover in terms of geographical area (136km² between 1990 and 2015)
- This continuous growth in development and urbanisation means the county now has a highly fragmented landscape with small pockets of habitat supporting rare and vulnerable species. Fragmentation impairs species movement and migration, meaning these isolated populations are less able to survive or adapt to changing climate conditions and are put at further risk.
- An assessment of Kent's wildlife in 2011 reported that in the last century there have been major losses in Kent's wildlife with 30 species of wild plant, eight species of butterfly, one amphibian, one reptile, 10 bird species, and two species of bat all becoming extinct in the county. In addition to this, many of the remaining species have experienced significant population declines including many species of butterflies and moths, birds and wildflowers of farmland, wetland plants, adders and common toads. In response, ecological emergencies have been declared across the county.

With these exceptional pressures for the county, the justification considers that a 20% biodiversity net gain target is a proportionate response and one that illustrates the county's commitment to tackling the ecological crisis that faces Kent. Furthermore, it suggests the scale of previous biodiversity losses require aspirational levels of gain as compensation.

The **Viability Assessment of Biodiversity Net Gain in Kent** provides an independent assessment of the potential effect of a 15% or 20% BNG target on the viability of residential-led development

in Kent. The purpose of this assessment was to determine if an uplift from the mandatory 10% BNG will materially affect delivery of development in the county from a viability perspective.

The key headline findings are as follows:

- A shift from 10% to 15% or 20% BNG will not materially affect viability in the majority of instances when delivered onsite or offsite.
- The biggest cost in most cases is to get to the mandatory minimum of 10% BNG. The increase to 15% or 20% BNG in most cases costs much less and is generally negligible.
- As BNG costs are low when compared to other policy costs, in no cases are they likely to be the factor that renders development unviable.
- Nonetheless, developers are already having issues delivering BNG on some of their sites, which demonstrates the importance of considering BNG from the outset during masterplan stage to efficiently provide BNG on-site.
- The above conclusion reflects the viability position where BNG requirements have been considered and factored in throughout the land acquisition and planning application process. In the short term, BNG policy changes may cause greater levels of disruption and viability impact where the cost and land take requirements of increased levels of BNG provision have not been factored into existing proposals.
- As a consideration for local authorities, on-site BNG provision could have implications on land take. Three typologies tested in the assessment required additional land – these were all greenfield sites and comprised 500, 100 and 25 unit scenarios. As such, increasing land take may result in the lowering of average housing densities and so more land may be required to deliver housing. However, the majority of this burden relates to reaching the mandatory 10% BNG and so may not be a reason for local authorities to go beyond the mandatory 10% BNG.
- In certain situations where the starting biodiversity baseline is low (i.e. on cleared brownfield sites), it might prove easy for developers to provide considerably larger increases over 20%. LPAs may wish to consider this when developing new policy and could, for example, consider a minimum threshold for BNG applied in absolute terms, in addition to a percentage increase. This may allow them to capture even more BNG where appropriate.

Overall, the three documents add up to a coherent evidence base, now being considered through the LPR Examination. If Maidstone Borough specific evidence is sought, this could take the form of a viability assessment, given values are likely to vary across Kent and the assessment could be more specific to context. This may assist planning decisions since the issue of BNG does not appear to have been considered in the adopted Local Plan viability study undertaken by Aspinal Verdi.

Nonetheless, putting costs to BNG measures may also be challenging and may be better suited to a specific site by site assessment undertaken in partnership with site promoters. The potential for BNG could also be used at an earlier as site selection criteria, which may also have the effect of incentivising commitment by site promoters.

5. Experience in other Authorities Elsewhere

From our review of other Local Planning Authorities, we are not aware of other authorities that have taken a target higher than 10% BNG in planning policy through Examination¹⁶.

However, there are examples of where 20% has been agreed in relation to specific developments. Moreover, Lichfield are pursuing 20% BNG on the basis of an SPG and Swindon are proposing 20% in draft local plan policy. These two cases are considered further below.

In 2019 **Lichfield District Council** won the Local Government *Changing the Way We Work* award for its biodiversity net gain model. The judging panel recognised that Lichfield District Council's work on biodiversity net gain has been instrumental in demonstrating that gains could be delivered through development and has shown how local planning policy could be designed to enable this. And in doing so has played a significant role in influencing the introduction of a mandate for biodiversity net gain in England.

Lichfield's approach includes a policy in the 2016 Adopted Local Plan and a SPD. The policy NR3 is reproduced below¹⁷ Although the policy supports BNG the specification of a 20% target in in SPD¹⁸ rather than the adopted plan. The approach set out in para 6.33 of the SPD is specified as follows:

“6.33 On site compensation and biodiversity offsetting schemes must produce habitats of measurably greater biodiversity value than will be lost through the development. Lichfield District Council considers the minimum increased amount or ‘replacement percentage’ to be set at 20% above the biodiversity unit value of the habitats lost. Hence habitats to be lost valued at 10 biodiversity units, must be compensated for by the creation of habitats valued in total at no less than 12 biodiversity units. This is the minimum that would be accepted and the replacement percentage may be increased if for example: ecological networks have to be maintained or to avoid fragmentation of important existing habitats.”

In adopting this approach, no specific evidence is evidence for 20% is provided although the general justification seems to be similar to Maidstone's Draft Local Plan. Lichfield were an early adopter of such an approach. Interestingly the requirement has not been explicitly translated into policy in the local plan review¹⁹ where BNG is listed in explanatory text as a requirement for masterplanning (see page 70).

Overall, the approach seems to be being implemented in development proposals as reflected in the award that the Council received. It is a common approach to use SPD to specify standards, but such an approach cannot carry the full weight of policy.

¹⁶ There may also have been other research by MBC which we have not seen

¹⁷ [Lichfield District, Local Plan Strategy 2008 - 2029 \(lichfelddc.gov.uk\)](https://www.lichfelddc.gov.uk/Local-Plan-Strategy-2008-2029)

¹⁸ [Biodiversity and Development SPD \(lichfelddc.gov.uk\)](https://www.lichfelddc.gov.uk/Biodiversity-and-Development-SPD)

¹⁹ [local-plan-2040-publication-document \(lichfelddc.gov.uk\)](https://www.lichfelddc.gov.uk/local-plan-2040-publication-document)

Policy NR3: Biodiversity, Protected Species & their Habitats

Development will only be permitted where it:

- Protects, enhances, restores and implements appropriate conservation management of the biodiversity and/or geodiversity value of the land and buildings;
- Minimises fragmentation and maximise opportunities for restoration, enhancements and connection of natural habitats (including links to habitats outside Lichfield District); and
- Incorporates beneficial biodiversity and/or geodiversity conservation features, including features that will help wildlife to adapt to climate change where appropriate
- Delivers a net gain for biodiversity and /or geodiversity in the district

Proposals should particularly seek to contribute towards the United Kingdom Biodiversity Action Plan (UK BAP) priority habitats and species in Lichfield District, and any additional Staffordshire or National Forest Biodiversity Action Plan species.

Development proposals that would have a direct or indirect adverse effect on local designated sites, non-protected sites and priority protected species that are considered to have geological and biodiversity value, will not be permitted unless:

- They cannot be located on alternative sites that would cause less or no harm;
- The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of wider habitats; and
- Prevention, mitigation and compensation (biodiversity offsetting) measures are provided which ensure there is no net loss of such sites.

Development proposals where the principal objective is to conserve or enhance biodiversity or geodiversity and deliver a net gain for such objectives will be supported in principle where this accords with other policies in the Local Plan.

This Policy must be read in conjunction with Policy BE1: High Quality Development.

The Swindon Reg 19 Draft Local Plan²⁰ (reproduced below as DM32) adopts a similar approach to Maidstone in seeking a 20% gain as below – and recognises the role of legislation. The Council has not so far published any evidence, but the broad justification in the plan appears to be similar to Maidstone. The Swindon Plan has yet to be submitted for Examination.

Policy DM 32

Biodiversity

1. All development shall minimise its impact upon and must secure measurable net gains for biodiversity, including protecting, restoring, and establishing coherent ecological networks that are more resilient to current and future pressures.
2. The effect of development proposals on the sites and species identified in the table below must be assessed and protection commensurate with their designation or status (identified in the table below) and in accordance with national policy will be given.
3. National policy and applicable legislation on habitats and biodiversity – including the ‘mitigation hierarchy’ of avoid, mitigate, compensate – will be applied in the determination of planning applications. Irreplaceable habitat should not be lost unless there are wholly exceptional reasons and a suitable compensation strategy exists.
4. All developments must secure a minimum of 20% measurable net gains for biodiversity or as set out in legislation, whichever is the greater.
5. The ecological, landscape and recreational value of watercourses will be protected and enhanced. Development proposals that are likely to have an adverse impact on the functions (including across their catchments) and settings of watercourses and their corridors will not be permitted.

Note: the data sources below are not exhaustive and applicants should seek appropriate professional advice.

Internationally/European designated sites	<p>There are no such sites within the Borough, but the potential cross-boundary and in-combination impacts on sites outside of the Borough should be considered. These sites include:</p> <ul style="list-style-type: none"> i) Special Protection Areas and Special Areas of Conservation ii) potential Special Protection Areas and possible Special Areas of Conservation iii) Listed or proposed Ramsar sites iv) Sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas and possible Special Areas of Conservation, and listed or proposed Ramsar sites. <p>The location of sites can be found on DEFRA's MagicMap: https://magic.defra.gov.uk/MagicMap.aspx</p>
Nationally designated sites	<p>Sites of Special Scientific Interest as shown on the DEFRA's MagicMap: https://magic.defra.gov.uk/MagicMap.aspx</p>
Irreplaceable habitats or ecological features	<p>Include ancient woodland which is mapped in DEFRA mapping https://magic.defra.gov.uk/MagicMap.aspx and species-rich grassland, ancient and veteran trees, hedgerows derived from ancient woodland, wood-pasture and parkland. Also refer to the Woodland Trust website https://ati.woodlandtrust.org.uk</p>
Protected and priority species and priority habitats	<p>European protected species and UK priority species and habitats ⁽¹¹⁾.</p>
Locally designated sites	<p>County Wildlife Sites and Local Nature Reserves as shown on the policies map</p>
Other sites	<p>Existing green infrastructure where this could constitute an ecological network, wildlife corridor, nodes and stepping stones for wildlife. Green infrastructure corridors are shown on the policies map (see Policy DM28 Green Infrastructure).</p>

²⁰ [Swindon Borough Council - C- Swindon Borough Local Plan Submission Draft - 7.9 Landscape and Biodiversity \(objective.co.uk\)](https://www.objective.co.uk)

6. Discussion and Conclusions

6.1 Implications of legal, policy and Local Plan precedent review

Beyond additional viability work specific to Maidstone, we do not think there is any additional biodiversity type evidence that is needed to support the incorporation of BNG into the DPD.

The emerging Local Plan Review policies (as listed in section 4) takes the approach of setting an overarching biodiversity requirement for residential development and allocation-specific requirements. It also goes beyond the mandatory 10% BNG requirement, requiring 20% BNG.

It is likely that some amendments to draft LPR policy will occur through the Examination process to improve consistency with the Environment Act 2021, although there is no obvious need to repeat statutory requirements. If this consistency is deemed necessary, this probably includes: clarifying the types of development that are subject to BNG requirements, setting out the hierarchy of means to deliver the gain, and allowing viability considerations for requirements in excess of the mandatory 10% prescribed in the Environment Act 2021. It may also be necessary to redraft policy to suggest that the minimum 20% is an aspirational target rather than mandatory minimum for reasons given below.

The justification for this is broadly (a) the fact that the Environment Act is a minimum, (b) the scale of biodiversity loss in Kent (and Maidstone), and (c) the fact that is viable to deliver 20%, particularly as the Kent viability study found that the cost of 20% was not significantly greater than 10%. We assume the Examination Inspector will give their thoughts on the validity of this in due course which may act as a steer for the DPD²¹. At this stage, we assume the DPD would restate the requirement agreed in the LPR, albeit the policy might be more broadly specified and address more detail in relation to the preferred approach.

More generally, our review of other plans and precedents suggests that there are opportunities to develop policy towards achieving biodiversity more broadly. This might include specific policy topics for which there are other plan precedents and which could be relevant to Maidstone such as:

- **Nature Conservation and Nature Recovery**, including the role of development in restoring a coherent ecological network, (alongside achieving Biodiversity Net Gain and contributing to environmental net gains).
- **Multi-functional Green and Blue Infrastructure**, supporting the integrity and connectivity of the strategic green and blue infrastructure network and ensuring it will be maintained, protected, enhanced and restored as part of BNG.
- **Achieving Biodiversity Gains and the Mitigation Hierarchy** (consideration of delivery on-site, offsite biodiversity gain or biodiversity credits.)
- **Meeting Standards for Green and Blue Infrastructure**, including perhaps open space standards and mix of uses, allotments/community gardens/local food growing requirements and use of water features
- **Retention/provision of Trees, Shrubs and Hedgerows**

²¹ There is also a remote possibility of a conflict with CIL Reg 122 in that the policy is seeking mitigation that is not specific to the development or covered by other Acts(?)

- **Development adjacent to waterways and waterbodies** (from an ecological perspective)
- **Development of Private Outdoor Spaces** including private residential gardens and balconies

Our suggested approach would be to use precedents, existing material such as the Kent Nature Partnership Biodiversity Strategy 2020 – 2045 (and policies in the LPR) to draft a set of policies and their justification for consideration by Members and through the Reg 18b consultation. Ultimately it depends upon objectives of the Council. Most of the policy issues suggested above are broadly addressed in the draft LPR, so the issue is also one of being more specific.

6.2 Conclusions for DPD policies

On balance, there are compelling reasons for pursuing net gain within the D&S DPD, so long as there is built-in flexibility to accommodate the provisions of secondary legislation and any future updates to national policy.

For the DPD policies, to build on the Local Plan Review approach and remain consistent with National Policy, it should set out:

- The development for which net gain will be sought – it is recommended that BNG is sought from all major development proposals (except those defined as exempt in secondary legislation)
- The preference of BNG delivery to be on-site, then off-site and then as a contribution in-lieu. Lower preference delivery routes should only be allowed where a more preferential option is not possible or that evidence demonstrates the contribution will deliver greater environmental benefit
- Natural England’s Biodiversity net gain metric will be used to calculate enhancements
- Minimum maintenance period expected for enhancements; and
- Off-site enhancements will need to be carefully controlled including controls over any independent landowner.

Although DPD policy should set the above framework of requirements, it is recommended that detailed guidance of how net gain will be calculated and delivered is left to a supplementary planning document which can be updated independently of the DPD.

Additionally, biodiversity compensation should be planned for a sustained Net Gain over the longest possible timeframe. For development in the UK, the expectation quoted by professional bodies is that compensation sites will be secured for at least the lifetime of the development (e.g. often 25-30 years or more) with the objective of Net Gain management continuing in the future.

Climate Change and Sustainable Buildings Topic Paper

Planning is a technical process, driven by legislation and government policy and advice. This topic paper uses several technical terms, so the below definitions have been prepared to assist the reader.

The principal concepts for this topic paper are:

- **Net Zero Carbon** - A state where the amount of carbon emissions associated with a building or other system are zero or negative. For buildings, net zero carbon may be considered at the construction or operational phases, or over its whole lifecycle¹.
- **Climate Change Mitigation** - Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions².
- **Climate Change Adaptation** - Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities³.
- **Regulated and Unregulated Energy** – Regulated energy is ‘controlled’ by Part L of the Building Regulations (such as lighting, ventilation and heating space and water), whereas unregulated energy consumption is not ‘controlled’ by Building Regulations (such as that used by electrical appliances)⁴.
- **Low Carbon Energy Supply** - Energy generated using non-fossil fuel sources⁵.
- **Renewable Energy** - Energy generation technologies which use natural energy sources (such as solar and wind power) to generate electricity or power heating and/or cooling systems⁶.
- **Carbon Offsetting** - Where a proposal cannot achieve a target carbon emissions level through interventions on site, carbon offsetting is the process of compensating for the

¹ UK Green Building Council (2019). Net Zero Carbon Buildings: A Framework Definition, p23. Available at: <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2019/04/08140941/Net-Zero-Carbon-Buildings-A-framework-definition.pdf> [Accessed on 24/03/23]

² MHCLG (2021). National Planning Policy Framework, p65. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf [Accessed on 24/03/23]

³ MHCLG (2021). National Planning Policy Framework, p65. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf [Accessed on 24/03/23]

⁴ CIBSE (2018) Unregulated energy – why we should care. Available at: <https://www.cibsejournal.com/opinion/unregulated-energy-why-we-should-care/> [Accessed on 24/03/23]

⁵ UK Green Building Council (2019) Net zero carbon: one-pager for new buildings. Available at: <https://www.ukgbc.org/ukgbc-work/net-zero-carbon-one-pager-for-new-buildings/> [Accessed on 24/03/23]

⁶ LETI (2020) LETI Climate Emergency Design Guide, p153. Available at: <https://www.levitbernstein.co.uk/site/assets/files/3494/leti-climate-emergency-design-guide.pdf> [Accessed on 24/03/23]

remaining carbon emissions balance by reducing emissions elsewhere or through financial contributions⁷.

- **Operational Carbon** – Operational greenhouse gas emissions arising from all energy consumed by a building while in use over its lifecycle⁸.
- **Embodied Carbon or Life Cycle Embodied Carbon** – Total greenhouse gas emissions and removals associated with the materials and construction processes through the whole life cycle of a building⁹.
- **Whole Life Carbon Emissions** – Total greenhouse gas emissions and removals, including operational and embodied emissions over the lifecycle of a building, including its disposal¹⁰.
- **Circular Economy** – In the context of development proposals, a circular economy approach treats building materials as resources rather than waste, and puts in place a clear hierarchy, prioritising the retention of existing structures above demolition, where this is the more sustainable and appropriate approach¹¹.

1. Background/ Context

1.1 Document overview

This draft paper explores possible approaches for the scope of policy in the Design and Sustainability Development Plan Document (DPD) in setting requirements on climate change and sustainable buildings.

The technical note is structured as follows:

- Background/ Context
- Legislative Requirements
- National Policy and Guidance
- Local Context
- Experience in other Authorities Elsewhere

⁷ LETI (2020) LETI Climate Emergency Design Guide, p153. Available at: <https://www.levittbernstein.co.uk/site/assets/files/3494/leti-climate-emergency-design-guide.pdf> [Accessed on 24/03/23]

⁸ WLCN, LETI, CIBSE, RIBA, RICS, IStructE, ICE, and UKGBC (2023) Carbon Definitions for the Built Environment, Buildings & Infrastructure, p5. Available at: https://www.leti.uk/files/ugd/252d09_04f3e91a9a1a431b8dbaf35a0a1a81f3.pdf [Accessed on 24/03/23]

⁹ WLCN, LETI, CIBSE, RIBA, RICS, IStructE, ICE, and UKGBC (2023) Carbon Definitions for the Built Environment, Buildings & Infrastructure, p5. Available at: https://www.leti.uk/files/ugd/252d09_04f3e91a9a1a431b8dbaf35a0a1a81f3.pdf [Accessed on 24/03/23]

¹⁰ WLCN, LETI, CIBSE, RIBA, RICS, IStructE, ICE, and UKGBC (2023) Carbon Definitions for the Built Environment, Buildings & Infrastructure, p5. Available at: https://www.leti.uk/files/ugd/252d09_04f3e91a9a1a431b8dbaf35a0a1a81f3.pdf [Accessed on 24/03/23]

¹¹ Greater London Authority (2022) Circular Economy Statement Guidance. Available at: <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance/circular-economy-statement-guidance#:~:text=View%20the%20document-,What%20is%20the%20Circular%20Economy%20Statement%20Guidance%3F,and%20adapted%20over%20their%20lifetime.> [Accessed on 24/03/23]

- Discussion and Conclusions

1.2 Background

In 2018, the Intergovernmental Panel on Climate Change (IPCC) released a Special Report 15 (SR15)¹² which outlined advice that global temperature increases should be limited to below 1.5°C and that action would be needed to reduce global greenhouse gas emissions by over half of their 1990 levels in just over a decade (by 2030). The targets are challenging, but the benefits are clear. Change now will help globally, halting rising global and sea temperature rise and preventing regular severe weather events. Locally, action responding to the challenge of climate change will benefit communities by avoiding flood damage costs, enhancing green spaces and improving air quality, lowering energy bills and reducing fuel poverty, and creating new jobs in the green economy.

Maidstone have committed to becoming as close to carbon neutral as possible by 2030. Carbon Neutrality (or ‘Net Zero’) can be achieved through reducing existing emissions and actively removing greenhouse gases. Maidstone have committed to achieving Net Zero for their own operations by 2030, with the long-term aspiration to become carbon negative or a footprint less than neutral. The latter aspiration would have the net effect of removing carbon dioxide from the atmosphere.

At a Borough-wide level, in accordance with national government targets and based on Tyndall Centre data, Maidstone have set out carbon reduction milestones to reduce CO₂ emissions by 13.4% each year across the Borough to reach near to Net Zero by 2041. The achievement of this target is contingent on many factors and not the sole responsibility of the Council due to the far-reaching behaviour change required across the private sector, transport sector, and communities. Effective collaboration will be essential for delivering the scale of change needed.

Maidstone’s overall strategy for net zero is set out in its Biodiversity and Climate Change Action Plan.

2. Legislative Requirements

The national legislative context is underpinned by the Climate Change Act (2008)¹³, which introduced a statutory target for the UK to reduce greenhouse gas emissions by 80% by 2050. This has since been updated in June 2019 under the Climate Change Act 2008 (2050 Target Amendment) Order¹⁴ to a 100% reduction (or net zero) by 2050. The current legislation allows for a limited amount of greenhouse gas emissions to be addressed through offsetting to meet the net zero target, such as through removal of carbon from the atmosphere and/or trading in carbon units. The Climate Change Act places obligation on central Government (but not local Government) to prepare policies to meet these targets. In order to reach emissions targets, the Climate Change Act established carbon budgets within the UK. Carbon budgets are a cap on the amount of carbon which the country can produce, set in 5-year periods. This is a stepped target in which the budget gets

¹² IPCC (2018) Special Report 15 (SR15), 05/08/20. Available at: <https://www.ipcc.ch/srcc/> [Accessed on 24/03/23]

¹³ UK Government (2008) The Climate Change Act. Available at: <https://www.legislation.gov.uk/ukpga/2008/27/contents> [Accessed on 24/03/23]

¹⁴ UK Government (2019) The Climate Change Act 2008 (2050 Target Amendment) Order 2019. Available at: <https://www.legislation.gov.uk/ukpga/2008/27/contents> [Accessed on 24/03/23]

progressively tighter. The UK has succeeded in meeting the first two budgets and is on track to meet the third budget set for 2018- 2022 (a 37% reduction).

In April 2021, the UK Government announced that it will set in law the world's most ambitious climate change target for its sixth Carbon Budget (2033 to 2037), cutting emissions by 78% by 2035 compared to 1990 levels. The figure aligns with the recommendation from the Climate Change Committee and will take the UK more than three-quarters of the way to reaching net zero by 2050. Notably, the emissions boundary for the sixth Carbon Budget has been expanded to include the UK's share of aviation and shipping emissions for the first time. The UK Government is legally obliged to assess and prepare for the impacts of climate change.

The Climate Change Act also sets out a framework for climate change adaptation. It requires the UK Government to produce a UK Climate Change Risk Assessment (CCRA) every five years, which assesses current and future risks and opportunities arising from climate change. In response to the CCRA, the Government must produce a National Adaptation Programme (NAP) detailing the actions that Government and others will take to adapt to the challenges posed by climate change. The NAP recognises that there are synergies between taking adaptive action and mitigating climate change, and that these should be sought out wherever possible. For example, maintaining high quality natural environments can reduce the severity of heatwaves, while also sequestering carbon from the atmosphere.

The UK's climate change commitments have been reflected within planning legislation to enable plan-making and planning decisions to help achieve these commitments. For local planning, the UK climate commitments are reflected in The Planning Act (2008) and the Planning and Compulsory Purchase Act (2004).

This includes Section 182 of the Planning Act 2008 which places a legal duty on Local Planning Authorities (LPAs) to incorporate policies on climate change mitigation and adaptation in Development Plan Documents, thereby amending the Planning and Compulsory Purchase Act (2004).

Additionally, the Planning and Energy Act (2008) sets out powers for LPAs to have development plan policies which impose reasonable requirements for a proportion of energy used by developments in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development. As such, this allows LPAs to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the Part L Building Regulations. While Government considered withdrawing this power from LPAs (via Section 43 of the Deregulation Act 2015), they determined not to enact this. This is especially important for ambitious local authorities who are striving to reach net zero ahead of national targets.

Nonetheless, the role of local policy in setting energy efficiency requirements may be revisited with upcoming changes to Parts L and F of the Building Regulations. These changes were first consulted on in 2020, under the guise of the Future Homes Standard¹⁵. The Government set out its intention to “introduce in 2020 a meaningful but achievable uplift to energy efficiency standards as a steppingstone to the [2025] Future Homes Standard”. In 2021, the Government published the

¹⁵ UKGBC (2019) The Policy Handbook. Available at: <https://www.rockwool.com/sys/siteassets/rw-uk/downloads/reports/the-policy-playbook-v.1.5-march-2020.pdf> [Accessed on 24/03/23]

outcome of the Future Homes consultation¹⁶, outlining what changes will be made and at what pace. This will be followed by a more detailed consultation in 2023, where the Government will consult on the technical elements of the Future Homes Standard, before the legislation comes into force in 2025.

It is anticipated that the new Standard will ensure that all new homes built from 2025 will produce 75-80% less CO₂ emissions than homes delivered to current Building Regulations standards, with low carbon heating and very high fabric standards. From 2025, all new homes will be 'zero-carbon ready', so that no further retrofit work is required to adapt homes to the emerging decarbonised electricity grid.

Nonetheless, it is important to note that the Future Homes Standard only applies to emissions arising from regulated energy, and not unregulated energy, meaning that a proportion of domestic operational emissions are still unaccounted for. The Government recognises this limitation in its response to the consultation, stating that it will “carry out wider work to consider the future of energy efficient and low carbon buildings, looking beyond the scope of Building Regulations...examin[ing] some of the broader and more fundamental questions around how we can ensure that all new buildings are designed and constructed to be fit for a zero-carbon future”¹⁷. No date is given by which this work can be expected, although the Government’s intention seems to be to include not just unregulated energy but also construction emissions in its future analysis.

Prior to the Future Homes Standard being introduced in 2025, interim Building Regulations have been implemented which require new homes built from June 2022 to produce 31% less carbon emissions compared to current standards. Exceptions to this apply if a building notice, initial notice, or full plans for building work were submitted to a local authority before 15 June 2022. If this is the case, providing the building work commences by 15 June 2023, work on that individual building is permitted to continue under the previous Building Regulations.

For non-residential developments, the Government also intends to introduce higher energy efficiency standards nationally through the Future Buildings Standard 2025. In December 2021, the Government published its response to the Future Buildings Standard consultation on proposed changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations¹⁸. Prior to 2025, interim Building Regulations (implemented in June 2022) now require an uplift in energy efficiency in non-residential buildings, requiring a 27% reduction in emissions compared to current standards. This will rely on increased efficiency as well as fabric improvements.

¹⁶ Department for Levelling Up, Housing and Communities (2021) The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings, p10. Available at: <https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings> [Accessed on 24/03/23]

¹⁷ MHCLG (2021) Written evidence submitted by the Ministry of Housing, Communities and Local Government (with the Department for Business, Energy and Industrial Strategy) [PNZ 048]. Available at: <https://committees.parliament.uk/writtenevidence/26906/html/> [Accessed on 24/03/23]

¹⁸ Department for Levelling Up, Housing and Communities (2021) The Future Buildings Standards Consultation. Available at: <https://www.gov.uk/government/consultations/the-future-buildings-standard> [Accessed on 24/03/23]

3. National Policy and Guidance

3.1 UK Government policies and strategies

In response to its climate change commitments, the UK Government has produced numerous sector-specific policies and strategies relevant to this study, including the Clean Growth Strategy (2017), Industrial Strategy White Paper (2017), draft UK National Energy & Climate Plan (2019), Decarbonising Transport Plan (2021), Net Zero Strategy (2021), Heat and Buildings Strategy (2021) and the Ten Point Plan for a Green Industrial Revolution (2020). The Ten Point Plan for a Green Industrial Revolution, published in November 2020, set out Government's Plan for a green industrial revolution which will create up to 250,000 jobs. The plan will mobilise £12 billion of Government investment, and potentially three times as much from the private sector, to invest in making the UK a “global leader in green technologies.” The plan focuses on increasing ambition in the following areas: advancing offshore wind; driving the growth of low carbon hydrogen; delivering new and advanced nuclear power; accelerating the shift to zero emission vehicles, green public transport, cycling and walking, ‘jet zero’ and green ships; greener buildings; investing in carbon capture, usage, and storage; protecting our natural environment; green finance; and innovation. The plan formed the foundation for a suite of new publications, including the Energy White Paper (2020), the National Infrastructure Strategy (2020), the Industrial Decarbonisation Strategy (2021) and the Decarbonising Transport Plan (2021), each of which highlight decarbonisation as an overarching priority.

The Net Zero Strategy (2021) set out Government’s vision for transitioning to a net zero economy, building on the various sectoral plans published in 2020/21. It detailed key policies for achieving net zero by 2050, including:

- Ending the sale of new petrol and diesel cars and vans by 2030;
- Powering the UK entirely with clean electricity by 2035;
- Providing grants to upgrade home heating systems from gas boilers to heat pumps and other low-carbon heating systems; and
- Tripling the rate of woodland creation in England, by planting at least 30,000 hectares of new woodland per year.

The Energy White Paper, published in December 2020, provided further detail on the Government's preferred direction for energy development. The overarching objective is to transform the UK's energy system to support reaching net zero by 2050. In the paper, Government states that it is not targeting a particular energy generation mix for 2050, yet it places particular emphasis on the following technologies: offshore wind; electric heat pumps; hydrogen; and nuclear. Carbon capture, utilisation and storage also receives special attention and will benefit from Government investment.

The Community Energy Strategy was published in 2014. The strategy aims to make a step towards meeting the UK’s commitment to encourage community owned renewable energy schemes. The strategy focuses on creating a supportive environment for community energy and removing specific barriers to growth. The strategy supports communities to produce, reduce use of, manage and purchase energy. National planning policy stipulates that the planning system should support the transition to a low carbon and resilient future.

3.2 UK Guidance Documents

The Climate Change Committee has published multiple guidance documents aimed at central and local Government, which identify focus areas for climate action and the pathway to net zero. In 2019, the UK Climate Change Committee (CCC) released two reports of relevance: ‘UK Housing: Fit for the future?’ and ‘Net Zero – The UK’s contribution to stopping global warming’. The following year, the CCC followed up with three further key publications: ‘The Sixth Carbon Budget - The UK’s path to Net Zero’ (2020), ‘Local Authorities and the Sixth Carbon Budget’ (2020) and ‘Land use: Policies for a Net Zero UK’ (2020). The CCC Housing Report warns that the UK housing stock is not contributing sufficiently to emissions reductions and that without the near-complete elimination of greenhouse gas emissions from buildings, national climate targets will not be met. Progress to date in reducing building emissions has been slow; and energy use in homes - which accounts for 14% of total UK emissions - increased between 2016 and 2017. The report also finds that the rate of adapting UK housing stock to climate risks is currently too slow. For new build homes, the report calls for an ambitious trajectory of standards, regulations and targets, by identifying low carbon/renewable heat systems, energy efficiency, passive cooling measures and improved water efficiency. Additionally, the report states that greater emphasis must be placed on reducing the whole-life carbon impact of homes, including embodied and sequestered carbon.

The issue of decarbonising buildings is also picked up in the CCC’s ‘The Sixth Carbon Budget - The UK’s path to Net Zero’ report. This report presents the Committee’s recommendations to Government for the UK’s Sixth Carbon Budget, which will run from 2033 to 2037. The report considers ambitious but realistic sector-based ‘pathways’ (scenarios) for reaching net zero. To be on track for the ‘Balanced Net Zero Pathway’, four priorities are identified over the coming decade for residential buildings: deliver on plans to upgrade all properties to EPC C; scale up the market for heat pumps as a vital technology for decarbonising space heating; expand the rollout of low-carbon heat networks in dense areas; and prepare for a potential role for hydrogen in heating.

The Balanced Pathway requires investment across all buildings (residential and non-residential) at an average rate of around £12 billion per year to 2050, partly offset by reductions in operating costs of around £5 billion per year. At a household level, total investment costs are less than £10,000 per home, with 63% of homes needing to spend no more than £1,000 on retrofitting energy efficiency measures. Upgrading the building stock will not only reduce emissions, but also deliver significant wider benefits in terms of improved health and comfort levels and adapting to a changing climate.

Additionally, by 2030, the Committee concluded that current Government plans are insufficient, given that they are projected to deliver only half of required emissions reductions. “Clear, stable and well-designed policies” to reduce emissions must therefore be implemented rapidly and across the whole economy¹⁹. The report stressed that emissions reductions cannot be left to central Government departments; every level of Government must contribute. It adds that city and local authorities are well placed to understand the needs and opportunities in their local area, and they have important roles on transport planning, including providing high-quality infrastructure for walking and cycling, provision of charging infrastructure for electric vehicles, and ensuring that new housing developments are designed for access to public transport.

¹⁹ Climate Change Committee (2019) Net Zero – The UK’s contribution to stopping global warming. Available at: <https://www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming/> [Accessed 24/03/23]

The need for bottom-up action, enacted at the local authority level, is reinforced in the CCC's 'Local Authorities and the Sixth Carbon Budget' report²⁰. It identifies that, while emissions reduction progress to date has largely been driven through central policy to phase out coal for electricity production, more than half of the required emissions cuts (in the Sixth Carbon Budget) rely on people and businesses taking up low-carbon solutions. These decisions - such as installing low-carbon heating or switching to an electric vehicle - are made at a local and individual level, and often depend on having supporting infrastructure and systems in place. Local authorities have a key enabling and encouraging role in this behaviour change. Moreover, through their duties and powers, the report finds that local authorities have power or influence over roughly one third of emissions within their local area.

To ensure that local authorities have sufficient power, capacity and finance to deliver the changes needed for net zero, as well as that local plans and policies are coordinated (rather than fragmented), the report makes four priority recommendations for central Government.

3.3 National Planning Policy Framework

The National Planning Policy Framework (NPPF) (2021) is the key guiding document in local authority plan-making and development management. It requires plans to take a proactive approach to climate change mitigation and adaptation, in line with the objectives and provision of the Climate Change Act (2008). Climate change is referenced throughout the NPPF, including acknowledgment that climate change adaptation and mitigation is one of the key pillars of sustainable development. Other guidance includes encouraging the reduction of greenhouse gas emissions, encouraging the reuse of existing resources, supporting renewable and low carbon energy, supporting community-led initiatives for renewable and low carbon energy development, and guidance on utilising Section 106 and Community Infrastructure Levy contributions for climate change mitigation.

Relevant paragraphs from the NPPF are as follows:

*152. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. **It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.***

Planning for climate change

153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures⁵³. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

154. New development should be planned for in ways that:

²⁰ UK Climate Change Committee (2020) The Sixth Carbon Budget - The UK's path to Net Zero. Available at: <https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf> [Accessed 24/03/23]

a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and

*b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. **Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.***

155. To help increase the use and supply of renewable and low carbon energy and heat, plans should:

a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);

b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and

53 In line with the objectives and provisions of the Climate Change Act 2008.

c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

156. Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.

157. In determining planning applications, local planning authorities should expect new development to:

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

158. When determining planning applications for renewable and low carbon development, local planning authorities should:

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

3.4 National Planning Practice Guidance

National Planning Practice Guidance (NPPG) provides additional guidance to support the understanding and implementation of the NPPF. On climate change, the NPPG provides examples of how local plans can mitigate climate change by promoting a reduction in emissions, as well as adapt to climate risks:

- Reducing the need to travel and providing for sustainable transport
- Providing opportunities for renewable and low carbon energy technologies e.g. through district heating networks that include tri-generation (combined cooling, heating and power)
- Providing opportunities for decentralised energy and heating e.g. maximising summer cooling through natural ventilation in buildings
- Promoting low carbon design approaches to reduce energy consumption in buildings, such as passive solar design
- The provision of multi-functional green infrastructure; and
- Considering future climate risks when allocating development sites to ensure risks are understood over the development's lifetime.

The Renewable and Low Carbon Energy NPPG²¹ expands upon paragraph 155 of the NPPF, which states that plans should maximise the potential for renewable energy generation. The guidance sets out how local plans should account for renewable and low carbon energy and heat, including through the provision of a positive strategy, and considering the identification of suitable areas for energy generation and supporting infrastructure.

The guidance acknowledges that community led renewable energy initiatives are likely to play an increasingly important role and that these should be encouraged as a way of providing positive local benefits. Additionally, it suggests that local planning authorities may wish to establish policies which give positive weight to renewable and low carbon energy initiatives which have clear evidence of local community involvement.

The Housing Standards Review (2015)²² was intended to consolidate the numerous standards, regulations and guidance surrounding housing development. Crucially, one outcome of the review was that the Code for Sustainable Homes could no longer be required within planning conditions and instead was replaced by Building Regulations. As a result, Building Regulations Part L energy requirements were then set equivalent to the CSH level 4 (equivalent to a 19% improvement on the dwelling emission rate over previous regulations). This 19% improvement is now commonly seen in recent local plans. As the UK Government stated in their 2021 Response to the Future Homes Standard consultation, local authorities will maintain the ability to set their own energy performance standards beyond the 19% improvement in their planning policies.

²¹ UK Government (2015) Renewable and Low Carbon Energy. Available at: <https://www.gov.uk/guidance/renewable-and-low-carbon-energy> [Accessed on 24/03/23]

²² UK Government (2015) Housing standards review: technical consultation. Available at: <https://www.gov.uk/government/consultations/housing-standards-review-technical-consultation> [Accessed on 24/03/23]

4. Local Context

4.1 MBC Strategies

In April 2019, MBC declared a Biodiversity and Climate Emergency. The Council then agreed a Biodiversity Climate Change Strategy and action plan to address the Emergency in October 2020.

The Action Plan identifies nine themes where the Council could control or influence actions. These are:

- Creating a travel plan and building supporting infrastructure for electric vehicles.
- Supporting residents and businesses to move away from using fossil fuels, reduce emissions and improve the energy efficiency of buildings.
- Generating renewable energy to support the move away from fossil fuels.
- Reducing waste and energy used for processing waste.
- Adapting to climate change.
- Enhancing and increasing biodiversity by providing ecosystem services including clean water, clean air, rainwater absorption and flood mitigation.
- Making the Council's estate carbon neutral.
- Providing information to residents, organisations and businesses, including signposting to grant funding.
- Ensuring climate change and biodiversity are considered when all decisions are made.

MBC have committed to becoming as close to carbon neutral (or 'Net Zero') as possible by 2030. The long-term aspiration is also to become carbon negative or a footprint less than neutral, so that there would be a net removal of carbon dioxide from the atmosphere.

At a borough-wide scale, in accordance with national government targets, and based on Tyndall Centre data, carbon reduction milestones have been set out to reduce CO₂ emissions by 13.4% each year across the borough to reach near to Net Zero by 2041. The Tyndall Centre data typically provides the net zero pathway consistent with national policy.

4.2 Emerging Policy in the Local Plan Review

Maidstone's emerging Local Plan Review (LPR) policy supports the Council's ambition of becoming a carbon neutral Borough by 2030, by delivering sustainable and low carbon growth which protects the Borough's natural environment. It will also seek to facilitate the necessary infrastructure to enable residents and businesses to minimise their impact on and respond to climate change. Developments will have considered the potential for the site to be delivered in a low carbon way, by incorporating zero or low carbon technologies, enabling future technologies and facilitating climate change adaptation. Additionally, development will give high regard to the protection and enhancement of biodiversity.

We assume the policy (reproduced below as Policy LPRSP14(C)) provides a typical framework for actions, particularly if supported by further guidance on implementation in supplementary planning documents and monitoring data.

POLICY LPRSP14(C) – CLIMATE CHANGE

To ensure that development in the borough mitigates and adapts to climate change, the council will:

1. Adopt a strategy for growth which delivers development in sustainable locations, well supported by or capable of delivering better services and public transport which will minimise the need to travel.
2. Encourage the delivery of sustainable buildings and a reduction of CO2 emissions in new development, having regard to the Kent and Medway Energy and Low Emissions Strategy.
3. Encourage and support the delivery of low carbon energy and low carbon heat networks in new developments.
4. Support the provision of renewable energy infrastructure within new development.
5. Require the integration of blue-green infrastructure into qualifying new development in order to mitigate urban heat islands, enhance urban biodiversity, and to contribute to reduced surface water run off through the provision of SuDS.
6. Require development involving the creation of new dwellings, retail, and/or employment space to encourage a shift towards sustainable travel through:
 - a) prioritising active travel by ensuring good provision and connectivity of walking and cycling routes;
 - b) ensuring public transport accessibility and;
 - c) through the provision of electric vehicle infrastructure.
7. Require high levels of water efficiency in new residential development to ensure that water consumption should not exceed 110l per person per day.
8. Require new development involving the creation of new dwellings, retail floorspace and/or employment floorspace to plan for and respond to the impacts of climate change.
9. Require new development to include a Flood Risk Assessment where the site is located within Flood Zones 2 or 3, or is over 1 hectare in size.

Climate change issues are also addressed through Policy LPRQ&D1 for sustainable design (as below). The Policy considers the lifecycle of development, as well as the short-term construction phase, through the use of the Building Research Establishment Environmental Assessment Method (BREEAM) as an industry-standard assessment method by which to judge and require increased sustainability standards in new non-residential developments. It seeks proposals should achieve a minimum of the Very Good BREEAM standard.

BREEAM captures many elements of sustainable design, going beyond building design to promote sustainable land use, habitat protection and creation, and long-term biodiversity for a building's site and surrounding land. Similarly, BREEAM encourages access to sustainable means of transport for building users, specifically with a focus on the accessibility of public and active transport and designing to support a reduction in car journeys. Efficient use of resources is also an integral part of sustainable design principles captured by BREEAM, for example, encouraging measures to reduce future waste arising from the construction and operation of the building, and encouraging

sustainable water use in the operation of the building and its site (including means of reducing potable water consumption and minimising losses through leakage).

In terms of energy efficiency and carbon emissions for residential development, the plan correctly assumes this will be achieved through a strengthening of the energy performance requirements in Part L of the Building Regulations (incorporating carbon compliance, energy efficient fabric and services).

The evidence underlying these climate policies is not explicit, beyond the Council's climate change action plan. However, the policies are not particularly controversial and seem to us to be sufficiently justified by a combination of national policy and other adopted local plan precedents. Some authorities have gone further and published evidence base documents which combine reviews of legislation and policy with local modelling of carbon/local greenhouse gas emissions.

Additionally, the Policy emphasis on water efficiency is noted. It is assumed that this has been aligned with the Building Regulations Part G 'optional' requirement of 110 litres water consumption per day per person for new residential development. Any additional requirements in the DPD might need to be supported by a Water Cycle Study - we have not yet identified a study later than one by Halcrow in 2010²³. However, on the assumption that Maidstone is not facing issue of water or nutrient neutrality, the 110L/d per person looks typical and is unlikely to require further justification, or increasing in the DPD.

Policies LPRQ&D1 and LPRINF3 also address renewable energy. The MBC Climate Change and Biodiversity Strategy and Action plan in 2020 committed the Council to explore potential partners to support delivery of Combined Heat and Power and District Heating Scheme developments across the Borough. We therefore consider that capacity for renewable energy is not a matter for the DPD.

²³ Halcrow Group Limited (2010) Water Cycle Study – Outline Report. Available at: https://maidstone.gov.uk/_data/assets/pdf_file/0019/12088/Water-Cycle-Study-Outline-Report-2010.pdf [Available at: 24/03/23]

Policy LPRQ&D 1: Sustainable design

Applications for new development involving the erection or conversion of a building should demonstrate how sustainability has been incorporated into the design, construction, and operation of the development.

1. Proposals for new development shall demonstrate how the scheme has adopted a 'fabric first' approach to sustainable design, by incorporating energy efficiency measures into new buildings.
2. New dwellings should meet the Building Regulations optional requirement for tighter water efficiency of 110l per person, per day.
3. Non-residential development, where appropriate and technically feasible and viable, should meet BREEAM Technical Standard (2018) Very Good rating including addressing maximum water efficiencies under the mandatory water credits.
4. Proposals for new non-domestic buildings should achieve BREEAM Very Good for energy credits where appropriate and technically and financially viable. Should BREEAM be replaced, or any national standards increased, then this requirement will also be replaced by any tighter standard appropriate to the borough.
5. All developments will be expected to incorporate 10% on-site renewable or low carbon energy production where appropriate. This shall be measured as a percentage of overall consumption.
6. Where possible new development should be designed and orientated so as to ensure that it responds to or allows for future adaptation to the impacts of climate change over its lifetime.
9. New development proposals shall incorporate into the fabric of the building bird, bat and bee habitats, and shall provide the planting of native tree and shrub species, wildflower grasses, and habitats for insects and invertebrates where appropriate.
10. All development where on-site renewable energy is provided will be expected to incorporate battery energy storage where feasible.

Policy LPRINF3: Renewable and low carbon energy schemes

1. Applications for larger scale renewable (as defined by the Planning Policy Advice Note (2014): Domestic and medium scale solar PV arrays (up to 50kW) and solar thermal; and Planning Policy Advice Note: Large scale (>50kW) solar PV arrays) or low carbon energy projects will be required to demonstrate that the following have been considered in the design and development of the proposals:
 - i. The cumulative impact of such proposals in the local area;
 - ii. The landscape and visual impact of development;
 - iii. The impact on heritage assets and their setting;
 - iv. The impact of proposals on the amenities of local residents, e.g., noise generated;
 - v. The impact on the local transport network; and
 - vi. The impact on ecology and biodiversity including the identification of measures to mitigate impact and provide ecological or biodiversity enhancement.
2. Preference will be given to existing commercial and industrial premises, previously developed land, or agricultural land that is not classified as the best and most versatile.
3. Provision for the return of the land to its previous use must be made when the installations have ceased operation.
4. Proposals for Combined Heat and Power and District Heating Schemes will be supported where any above ground infrastructure is acceptable on amenity and design grounds, and where such developments accord with policies elsewhere in the plan.

5. Experience in other Authorities Elsewhere

Our reviews of policy elsewhere suggest that The London Plan 2021 is perhaps at the leading edge of climate change policy – indeed we have yet to find any other planning policy that is as comprehensive. Other areas such as Cornwall²⁴ are producing specific climate emergency policy (in Cornwall’s case, as a DPD) but are not as ambitious. We begin to consider the additional areas of policy that the DPD might cover based on analysis of The London Plan below.

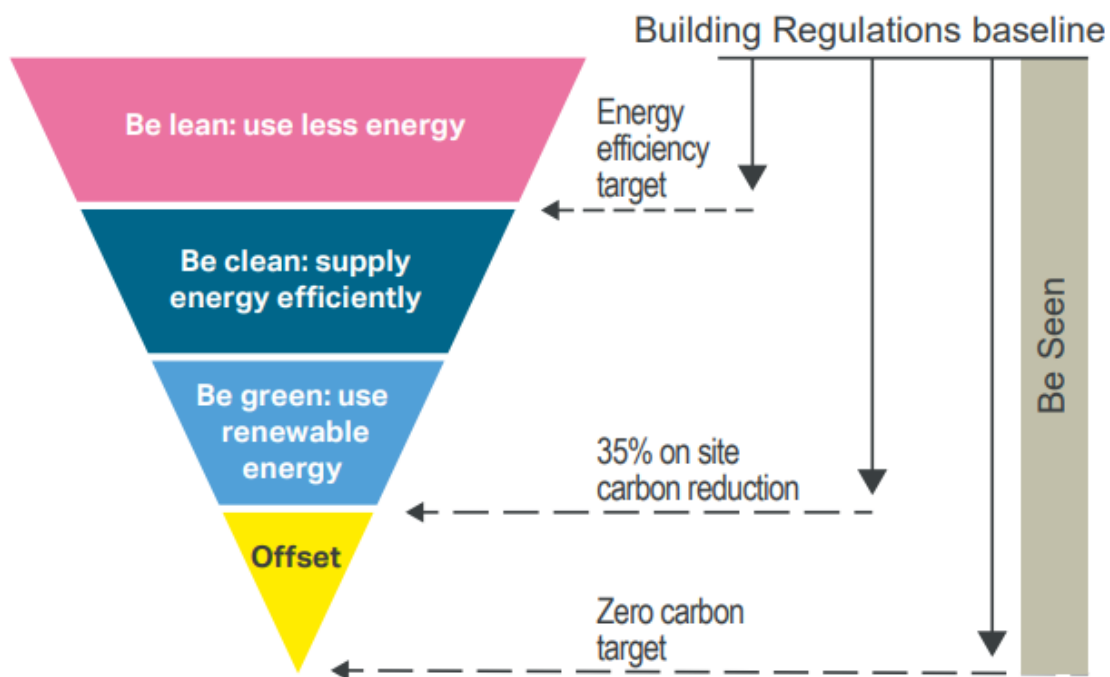
5.1 Energy Hierarchy

The London Plan’s approach provides an example of a potentially more comprehensive approach than Maidstone’s emerging Local Plan Review, particularly in respect of employing an energy hierarchy. The hierarchy is intended to guide the design, construction and operation of new buildings through the application of a prioritised set of decision-making principles. These principles are accompanied by specific targets, notably a minimum 35% reduction in on-site carbon emissions beyond the Building Regulations requirements for major developments.

²⁴ Cornwall Council (2022) Climate Emergency Development Plan Document, Pre-Submission Consultation. Available at: <https://www.cornwall.gov.uk/media/z2mhbpbb/sd01-1-cedpd-draft-master-with-additional-edits-may-22-1.pdf> [Accessed on 24/03/23]

Following the hierarchy in order of highest priority, ‘Be lean’ refers to reducing energy demand, through designing a building’s fabric and orientation to maximise daylight, passive heating and cooling, as well as managing demand during operation. Secondly, ‘Be clean’ relates to utilising available local energy sources such as connecting to a local district heat network, and supplying energy efficiently. ‘Be green’ then encourages the maximisation of on-site renewable energy generation and storage. Once it has been demonstrated that these options have been exhausted and net-zero has not been achieved, residual emissions can be offset through payment to a London Borough carbon offset fund, or a verified local alternative. The final hierarchy component, ‘be seen’, requires energy performance to be monitored, verified and reported.

Figure 9.2 - The energy hierarchy and associated targets



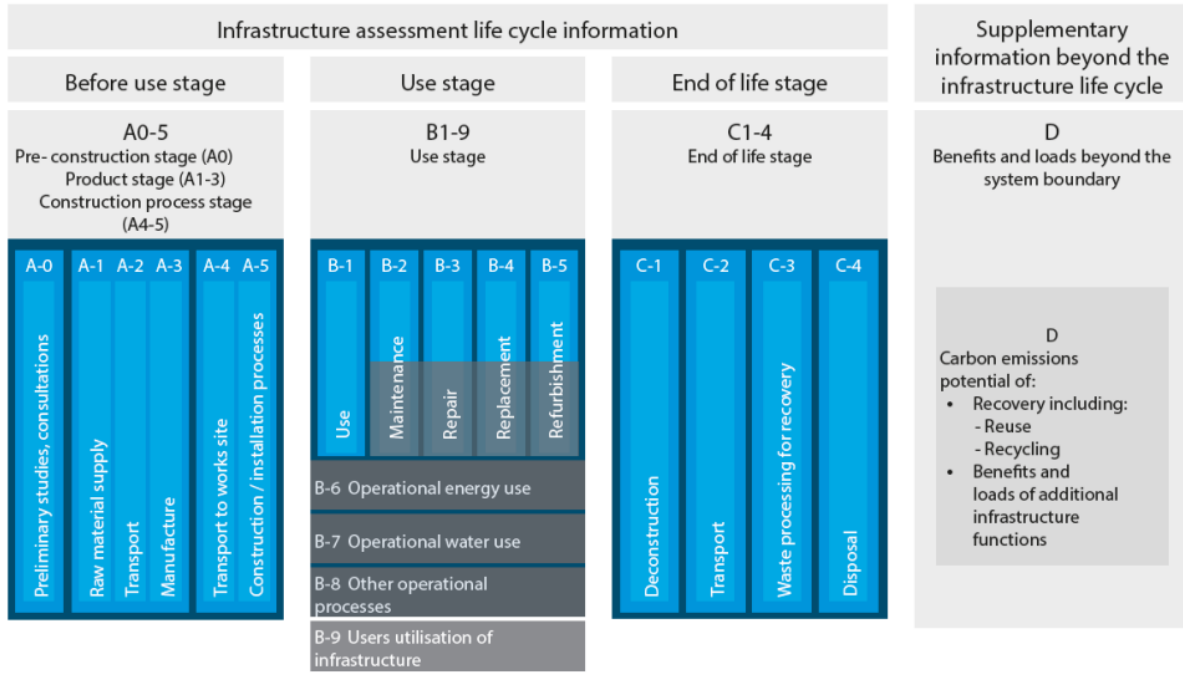
Source: Greater London Authority

Maidstone’s emerging LPR broadly adopts similar objectives, by supporting development proposals that are ‘lean’, ‘clean’ (maximise use of low-carbon local energy sources), and ‘green’ (reduce on-site energy demands and maximise on-site generation). The policy falls short of requiring development proposals to include an energy strategy, setting out how operational performance will be monitored, verified and reported. Subject to viability testing, such a requirement could be proportionate for major residential and non-residential development. An energy monitoring plan could also be included in the Sustainability Statement.

5.2 Embodied Carbon

Embodied carbon are starting to be addressed in other Local Plans. It is currently suggested that embodied carbon accounts for between 22-34% of total annual built environment emissions in the UK. This is expected to rise to 40% by 2050.

To account for embodied carbon, developers could provide a whole life-cycle carbon assessment. This supplies a more accurate reflection of the complete carbon impact of a building by accounting for regulated, unregulated, and embodied emissions over the lifecycle of a building i.e. from raw material extraction through to end of life (see figure below from PAS2080:2016 Carbon Management in Infrastructure, BSI, 2016).



- Capital carbon
- Operational carbon
- User carbon

Note: Figure 1 provides a framework for the quantification of GHG emissions for an infrastructure asset or programme of works and corresponds to the modular structure for information reporting used for Environmental Production Declarations (EPD) for construction products, processes and services following a structure consistent with the principles set out in BS EN 15978:2011 and BS 15804:2012.

As an example, the approach to carbon (including embodied carbon) is demonstrated by London Plan Policy SI 2 below²⁵. It addresses embodied carbon through the requirement for a whole carbon assessment in Part F.

Policy SI 2 Minimising greenhouse gas emissions

- A Major development should be net zero-carbon.¹⁵¹ This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- 1) be lean: use less energy and manage demand during operation
 - 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
 - 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
 - 4) be seen: monitor, verify and report on energy performance.
- B Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.
- C A minimum on-site reduction of at least 35 per cent beyond Building Regulations¹⁵² is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:
- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
 - 2) off-site provided that an alternative proposal is identified and delivery is certain.
- D Boroughs must establish and administer a carbon offset fund. Offset fund payments must be ring-fenced to implement projects that deliver carbon reductions. The operation of offset funds should be monitored and reported on annually.

¹⁵¹ Where zero-carbon is used in the Plan it refers to net zero-carbon – see [Glossary](#) for definition.

¹⁵² Building Regulations 2013. If these are updated, the policy threshold will be reviewed. <https://www.gov.uk/government/publications/conservation-of-fuel-and-power-approved-document-1>

²⁵ Greater London Authority (2021) The London Plan 2021, pp.342-343. Available at: <https://www.london.gov.uk/programmes-strategies/planning/london-plan/new-london-plan/london-plan-2021> [Accessed on 24/03/23]

- E Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions.
- F Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

The Whole Life Carbon Assessments (WLC) London Plan Guidance Note²⁶ provides guidance on addressing Part F of the above Policy. This requires proposals referable to the Mayor of London to calculate WLC emissions through a nationally recognised WLC assessment; and to demonstrate actions taken to reduce life-cycle carbon emissions. The guidance was developed with technical expertise from consultants Cundall and Targeting Zero, and via thorough engagement with a wide range of stakeholders including developers and industry experts.

WLC emissions are the carbon emissions resulting from the materials, construction and the use of a building over its entire life, including its demolition and disposal. A WLC assessment provides a fuller picture of a building's carbon impact on the environment. The guidance sets out how WLC information should be collected and reported at different stages of the design and development process. This is an innovative approach that captures carbon emissions of the built environment that are not currently well understood or reported and sits alongside the long-established and successful approach to reducing the operational carbon emissions of buildings in successive London Plans.

The technical detail set out in the WLC LPG is considered critical to the implementation of the London Plan policy to reduce greenhouse gas emissions and will help to embed consideration of WLC in the design of buildings.

5.3 Commentary on the London Approach

The Low Energy Transformation Initiative (LETI) is a network of over 200 built environment professionals that are working together to drive a zero carbon future. This voluntary group is made up of developers, engineers, housing associations, architects, planners, academics, sustainability professionals, contractors and facilities managers, with support and input provided by the GLA and London Boroughs. LETI was established to work collaboratively to put together evidence-based recommendations for two pieces of policy – the new London Environment Strategy and the rewrite of the London Plan.

Based on LETI's response to adopted London Plan policy (see figure below), they consider that it will not deliver on Net Zero for new buildings by 2030. Instead, LETI consider that all new

²⁶ Mayor of London (2022) London Plan Guidance – Whole Life-Cycle Carbon Assessments. Available at: https://www.london.gov.uk/sites/default/files/lpg_-_wlc_a_guidance.pdf [Accessed on 24/03/23]

buildings should have zero carbon emissions in operation by 2030, in line with their one-pager on the topic (see Appendix A).

LETI believes that the following policy changes are required to deliver operational Net Zero Carbon for new buildings by 2030:

1. 'Operational Zero Carbon' by 2030 for all new buildings - this moves beyond the current definition of a 'design prediction' using a 'percentage CO₂ reduction', to deliver actual operational and measured zero carbon buildings.
2. An absolute kWh metric - to allow the full range of stakeholders involved in the design, operation and delivery of our buildings to understand and therefore fully contribute to reducing energy consumption.
3. Adding a 'Be Seen' stage to the energy hierarchy - we fully support the inclusion of energy monitoring, this is seen as fundamental to achieving operational zero emissions and thus should be elevated into policy SI 2 A.
4. Energy strategies to demonstrate future-proofing to 'Operational Zero Carbon' on-site by 2030 - we support clause 9.2.10 i of the draft London Plan, but believe leaving it until 2050 will only encourage further lock-in to fossil fuel and urban combustion pollution.
5. Addressing whole life embodied carbon to be explicitly included in Policy SI 2 - to drive innovation addressing what will become the largest building carbon emissions challenge once operation carbon is reduced.
6. A zero emissions by 2030 transition plan to be provided for all district heat/energy networks, alongside disclosing energy usage and efficiency data to ensure that networks are part of the solution to delivering operational zero emissions.
7. The heating hierarchy to be renamed and rearranged to emphasise the changing priorities of a trajectory to a zero carbon London.
8. The importance of minimising energy demand peaks to be strengthened.
9. 'Mayor's Energy Advocates' to be available for boroughs to assist in ensuring sustainable design is embedded, as a parallel to the Mayor's Design Advocates.

5.4 Circular Economy

A further issue addressed by The London Plan 2021 is that of the circular economy²⁷. The circular economy model concept aims to decouple economic growth from resource consumption. In a circular economy, renewable materials are used where possible, energy is provided from renewable sources, natural systems are preserved and enhanced, and waste and negative impacts are designed out. Materials, products and components are managed in repetitive loops, maintaining them at their highest useful purpose as long as feasible, which minimises resource waste.

Circular economy principles of minimising resource use and waste are likely to be increasingly embedded in policies throughout a local plan. Policies promoting the harvesting and recycling of rainwater, for example, embody circularity. Similarly, policies promoting the integration of renewable energy technologies or sustainable modes of transport equally embody the principles of circularity.

The London Plan recognises that the circular economy is essential to achieving 'Good Growth' - growth that is socially and economically inclusive and environmentally sustainable. The Plan seeks to be a catalyst for the circular economy by requiring major developments to provide evidence that they are hard-wiring circular economy principles into schemes (Policy SI7).

London Plan policy requires that all strategic developments (those referable to the Mayor of London) will be required to submit a Circular Economy Statement and Boroughs are encouraged to adopt a similar approach for non-strategic/non-referable schemes, setting their own threshold.

The Circular Economy Statement must demonstrate:

²⁷ Mayor of London (2022) London Plan Guidance – Circular Economy Statements. Available at: https://www.london.gov.uk/sites/default/files/circular_economy_statements_lpg_0.pdf [Accessed on 24/03/23]

- how all materials arising from demolition and remediation works will be re-used and/or recycled
- how the proposal’s design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life
- opportunities for managing as much waste as possible on site
- adequate and easily accessible storage space and collection systems to support recycling and re-use
- how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy
- how performance will be monitored and reported.

The supporting text recognises that incorporating circular economy principles into the design of developments will be crucial, referencing Policy SD3 ‘Optimising site capacity through the designed approach’, which requires development to “take into account the principles of the circular economy”.

The Circular Economy Statements London Planning Guidance explains how to prepare a Statement, as required by Policy SI 7 of the London Plan. A key aspect of this Guidance concerns approaches to reusing and demolishing existing buildings. It sets out a hierarchy, with retention and retrofit of existing buildings at the top and demolition at the bottom. A ‘decision tree’ sets out a series of questions for a proposed scheme, which inform the approach to retention and/or demolition. A crucial question is whether the existing building (or parts of it) is suited to the requirements for the site, and the guidance explains that, where disassembly or demolition is proposed, applicants should set out how the options for retaining and reconstructing existing buildings have been explored and discounted, and show that the proposed scheme would be a more environmentally sustainable development.

This aspect of the guidance reflects the balance that needs to be struck when considering the most sustainable approach to designing a development where existing buildings are involved – on one hand, the importance of keeping embodied carbon in situ; on the other hand, the need to accommodate Good Growth through sustainable patterns of development. While there are scenarios where refurbishing existing buildings is preferable, there may still be other scenarios where refurbishment would fail to optimise a site – for example, a low-density retail park close to public transport. The guidance thus recognises that different approaches will need to be taken on different sites.

The extent to which Maidstone might wish to follow The London Plan, or other LPAs, on circular economy is a matter for discussion.

6. Discussion and Conclusions

Emerging Maidstone LPR policy is comprehensive and considered justifiable by the UK Government's legal commitments and policy on addressing climate change. The Aspinall Verdi viability assessment²⁸ also appears to suggest that net zero requirements are broadly viable. Policy is also similar to many other authorities' approaches.

Additional DPD Policies on climate change and sustainable buildings could include the following:

- **Setting energy efficiency standards on all development.** The DPD could include planning policies to set energy efficiency standards that exceed the target emission rates of the Part L Building Regulations. MBC could also require new developments to be net zero, specifying a minimum percentage of this net zero target to be achieved through emissions reductions above Building Regulations and through on-site renewable energy. Carbon offsets could also be used to make up any shortfall.
- **Setting specific energy efficiency standards on non-residential development.** Effectively update MLP Policy LPRQ&D 1: Sustainable Design to require major and minor development to meet Future Buildings Standard emissions reductions as a minimum with preferential support for BREEAM 'Excellent'.
- **Whole Life-Cycle Carbon Assessments.** The DPD could require whole lifecycle carbon assessments (WLC) for major applications. The WLC would quantify the emissions arising through the construction, use and disposal of a building over its entire life. Planning applications could be expected to demonstrate through their WLC that efforts have been made to reduce all emission types. Guidance on how to undertake WLCs would probably need to be provided in the Sustainable Design and Construction SPD or similar.
- **Sustainability Statements.** Sustainability Statements could be required with planning applications to demonstrate how development is contributing to tackling climate change, including consideration of the energy hierarchy, whole life cycle considerations (for major development) and how monitoring and reporting on performance will be delivered.
- **On-site renewable energy potential.** On-site renewable energy generation and storage is already encouraged, but DPD policy could ask for Energy assessments (as part of the Sustainability Statements) to explain how the opportunities for producing, storing and using renewable energy on-site will be maximised.
- **Circular Economy.** DPD Policy could cover demolition strategies, specification of construction materials, proportions of reused and reusable materials, and mandatory whole life-cycle calculation. MBC could require the submission of Circular Economy Statements, either standalone or as part of the Sustainability Statement, to support circular economy adoption.

The potential for **viability** arguments to undermine future policy objectives will need to be considered in full. The higher standards considered above are required to meet climate change targets but could impact on viability of schemes themselves or local plan proposals/allocations. Further, it is possible that some developers might seek to argue against the increased costs incurred

²⁸ Aspinall Verdi (2021) Local Plan Review Viability Assessment & CIL Review. Available at: https://drive.google.com/file/d/1jiHiRwCMiv_PJyWo2KHyENK4rSzCz4T0/view [Accessed on 24/03/23]

by having a policy requirement to meet higher than minimum standards on buildings. This should be reviewed as part of an overall viability review process of the Development Plan to ensure it is aligned with the local market.

However, it could also be argued that the policy recommendations draw on best practice and are underpinned by research and assessments to support the decision-making process to maximise the likelihood of such standards being achieved. The context review highlights the international and national legislative, policy and strategic context within which need for challenging targets and policy wording is required. It also recognises the advice from organisations such as the UK Committee on Climate Change and BREEAM. This context provides a broad evidence base upon which policies can be based and referenced to the legislative, policy and strategic context.

Appendix A. Example Key Requirements for Net Zero Buildings (LETI, 2020²⁹)

Net Zero Operational Carbon

Ten key requirements for new buildings

By 2030 all new buildings must operate at net zero to meet our climate change targets. This means that by 2025 all new buildings will need to be designed to meet these targets. This page sets out the approach to operational carbon that will be necessary to deliver zero carbon buildings. For more information about any of these requirements and how to meet them, please refer to the: UKGBC - Net Zero Carbon Buildings Framework; BBP - Design for Performance initiative; RIBA - 2030 Climate Challenge; GHA - Net Zero Housing Project Map; CIBSE - Climate Action Plan; and, LETI - Climate Emergency Design Guide.

Low energy use

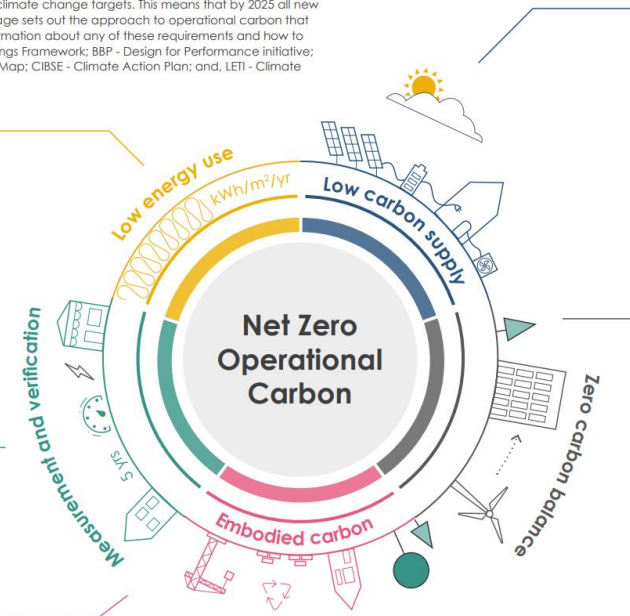
- Total Energy Use Intensity (EUI) - Energy use measured at the meter should be equal to or less than:
 - 35 kWh/m²/yr (GIA) for residential¹
 For non-domestic buildings a minimum DEC B (40) rating should be achieved and/or an EUI equal or less than:
 - 65 kWh/m²/yr (GIA) for schools¹
 - 70 kWh/m²/yr (NLA) or 55 kWh/m²/yr (GIA) for commercial offices^{1,2}
- Building fabric is very important therefore space heating demand should be less than 15 kWh/m²/yr for all building types.

Measurement and verification

- Annual energy use and renewable energy generation on-site must be reported and independently verified in-use each year for the first 5 years. This can be done on an aggregated and anonymised basis for residential buildings.

Reducing construction impacts

- Embodied carbon should be assessed, reduced and verified post-construction.³



Low carbon energy supply

- Heating and hot water should not be generated using fossil fuels.
- The average annual carbon content of the heat supplied (gCO₂/kWh) should be reported.
- On-site renewable electricity should be maximised.
- Energy demand response and storage measures should be incorporated and the building annual peak energy demand should be reported.

Zero carbon balance

- A carbon balance calculation (on an annual basis) should be undertaken and it should be demonstrated that the building achieves a net zero carbon balance.
- Any energy use not met by on-site renewables should be met by an investment into additional renewable energy capacity off-site OR a minimum 15 year renewable energy power purchase agreement (PPA). A green tariff is not robust enough and does not provide 'additional' renewables.

Notes:

Note 1 - Energy use intensity (EUI) targets
The above targets include all energy uses in the building (regulated and unregulated) as measured at the meter and exclude on-site generation. They have been derived from: predicted energy use modelling for best practice; a review of the best performing buildings in the UK; and a preliminary assessment of the renewable energy supply for UK buildings. They are likely to be revised as more knowledge is available in these three fields. As heating and hot water is not generated by fossil fuels, this assumes an all electric building until other zero carbon fuels exist. kWh targets are the same as kWh/m²/yr. Once other zero carbon heating fuels are available this metric will be adapted.

Note 2 - Commercial offices
With a typical net to gross ratio, 70 kWh/m² NLA/yr is equivalent to 55 kWh/m² GIA/yr. Building owners and developers are recommended to target a base building rating of 6 stars using the BBP's Design for Performance process, based on NABERS.

Note 3 - Whole life carbon
It is recognised that operational emissions represent only one aspect of net zero carbon in new buildings. Reducing whole life carbon is crucial and will be covered in separate guidance.

Note 4 - Adaptation to climate change
Net zero carbon buildings should also be adapted to climate change. It is essential that the risk of overheating is managed and that cooling is minimised.

Developed in collaboration with:



Developed with the support of:



357

²⁹ LETI (2022) Net Zero Operational Carbon One-Pager. Available at: https://www.leti.uk/_files/ugd/252d09_0f7760d9a2ba4ab8920f69f8cee3e112.pdf [Accessed on 24/03/23]

Agenda Item 8

LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

18 April 2023

Shop Front Design Guidance

Timetable	
Meeting	Date
Executive meeting	18 April 2023
PI PAC	5 April 2023

Will this be a Key Decision?	Yes
Urgency	Not Applicable
Final Decision-Maker	Lead Member for Planning and Infrastructure
Lead Head of Service	Rob Jarman
Lead Officer and Report Author	Janice Gooch
Classification	Public
Wards affected	All

Executive Summary

Historically MBC had a Design Guide for shop fronts (c.1990s) in the form of supplementary planning guidance (SPG) but no current guidance exists. The proposed guidance provides an understanding of the development of shop fronts and introduces the elements that make a good shop front with a heritage setting, it also provides initial guidance on the other factors that require consideration, such as planning, building control and licensing authorisations.

The reason for the guidance is to aide shop owners/ occupiers to provide high-quality, suitable design shop fronts, and to offer design support for case officers when dealing with planning applications.

The guidance could be adopted in the Council's DPD for "Design & Sustainability" and the Town Centre Strategy.

Purpose of Report

Decision

This report makes the following recommendations to the Lead Member for Planning and Infrastructure:

1. That the proposed guidance document, attached at Appendix 1 to the report, be agreed as a material planning consideration
 2. That the guidance should be promoted for inclusion in the forthcoming Design and Sustainability DPD
-

Shop Front Guidance

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <ul style="list-style-type: none"> • Accepting the recommendations will materially improve the Council's ability to achieve growth and thriving place. 	Rob Jarman
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation(s) supports the achievement(s) of encouraging heritage within the town centre</p>	Rob Jarman
Risk Management	Already covered in the risk section	Rob Jarman
Financial	<ul style="list-style-type: none"> • The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation. 	Section 151 Officer & Finance Team
Staffing	<ul style="list-style-type: none"> • We will deliver the recommendations 	Rob Jarman

	with our current staffing.	
Legal	There are no specific legal implications arising from the report at this time. In due course as the guidance is progressed (if approved) into the future DPD then the relevant statutory and regulatory processes will need to be adhered to.	Cheryl Parks Mid Kent Legal Services (Planning)
Information Governance	<ul style="list-style-type: none"> The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes. 	Information Governance Team
Equalities	<ul style="list-style-type: none"> The recommendations do not propose a change in service therefore will not require an equalities impact assessment 	Equalities & Communities Officer
Public Health	<ul style="list-style-type: none"> We recognise that the recommendations will not negatively impact on population health or that of individuals. 	Housing and Inclusion Team Leader
Crime and Disorder	Higher quality shopfronts can reduce perceptions of crime	Rob Jarman
Procurement	None required	Rob Jarman
Biodiversity and Climate Change	<p>The implications of this report on biodiversity and climate change have been considered and are;</p> <ul style="list-style-type: none"> There are no implications on biodiversity and climate change. 	Biodiversity and Climate Change Officer

2. INTRODUCTION AND BACKGROUND

2.1 Whilst historically MBC had a Design Guide for shop fronts (c.1990s), at present we have no guidance. The proposed guidance provides an understanding of the development of shop fronts and introduces the elements that make a good shop front with a heritage setting. The guidance also provides initial guidance on the other factors that require consideration, such as planning, building control and licensing.

2.2 The reason for the guidance is to aid shop owners/ occupiers to provide high-quality, suitable design shop fronts, and to offer design support for Case

Officers when dealing with planning applications. The guidance will therefore form a bench mark for future applications within the borough's retail areas.

- 2.3 Officers are looking for the guidance to ultimately be adopted in the Councils emerging DPD for "Design & Quality" and be fundamental to the Town Centre Strategy. It is the intention of the Economic Development Team to use the guidance with the roll out of a shop front grants scheme for the Town Centre, subject to the approval of the Economic Regeneration and Leisure PACs and subsequent approval by the Executive.
- 2.4 The document is designed to support the planning process and help improve the retail frontages within Maidstone Town Centre, and the smaller areas.
- 2.5 Whilst this is not, and cannot be used as a policy, it will provide guidance for owners/ occupiers and for Case Officers to ensure good quality, suitable shop fronts (and associated advertising, etc) to our retail areas to encourage footfall by creating attractive places to visit.
- 2.6 By creating attractive areas, it is envisaged to encourage public to visit and spend time (dwell time) within the Town Centre, and the other retail areas within the Borough. By creating the guidance, this will give assistance to both the public and case officers on best practice to encourage a high level of quality and design.
- 2.7 Press release could be undertaken. (A recent press release for Canterbury Council has been undertaken as part of a big push of Enforcement works within the city centre).

3. AVAILABLE OPTIONS

- 3.1 The Committee could choose to recommend that the Lead Member for Planning and Infrastructure agree the recommendations as set out in the report; or
- 3.2 The Committee could choose not to recommend that the Lead Member for Planning and Infrastructure agree that the guidance be approved for use in consideration of planning applications and for other economic development and town centre projects and promoted for inclusion in the forthcoming Design and Sustainability DPD

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is option 3.2.
- 1.1 By approving the guidance, a clear steer on design for shopfronts will be given to those making applications to change shop fronts as well as providing

a valuable tool for officers in assessing such proposals. There is currently a policy vacuum on what is an important matter.

- 1.2 There will also be benefits to wider projects run by the Economic Development Team and as part of the Town Centre Strategy.
-

5. RISK

5.1. There is not anticipated to be any discernible risk associated with the report and its recommendations. Any risk has been assessed in regard to the Council's risk management principles.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Consultation has been undertaken within the HLD Team, William Cornall. At the time the guidance is incorporated into the Design and Sustainability DPD it will be subject to specific consultation as part of the relevant plan making regulations.
- 6.2 This matter was considered by the Planning and Infrastructure Policy Advisory Committee on 5 April 2023, with the recommendations on this report recommended for approval. The appendix attached to this report has been updated to reflect that committees comments.
- 6.3 No formal public consultation has been undertaken to date on the document.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 The report and guidance, if approved, will be available on the MBC's website. If approved by the Lead Member the guidance will be used to assist consideration of planning applications where it is appropriate to do so.

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Shop Front Design Guidance
-

9. BACKGROUND PAPERS

N/A

Shop fronts and advertisements:

Historic buildings and conservation areas

1. Introduction

Shop fronts originally had a very specific purpose: to entice potential buyers into the shop and this reason still exists today. Shop fronts are also vital elements in the character and appearance of a street scene.

This guidance aims to avoid bland, soulless shops and reinstate the individualism of Maidstone Town Centre, and the rural service centres of Yalding, Marden, Staplehurst, Headcorn, Harrietsham and Lenham. The purpose of this guide is to enable businesses, their designers, shopfitters, and other professionals to design shop fronts that will enhance the street scene and their location.



Figure 1 – attractive setting encouraging the public into the spaces.

[Alt text: an row of large window openings, behind a colonnade of tall arches which provides an outdoor seating area for the restaurant within the building. The chairs and tables, with the simple lighting feature offers a welcoming impression]

2. A guide to shop fronts and advertisements

Shop fronts have plenty of scope for variety, but the relationship between the shop front and the existing building is of great importance. The shop front should be integrated into the whole building, reflecting its period and style. Shopfronts form part of the character and appeal of Maidstone and the design approach adopted should aim to capture the spirit and character of the town.

The shop front should respect the scale, style, and materials of the settlement, with high standards of design, materials, and workmanship.

Shop front and advertisement design can, if handled with skill and care, enhance conservation areas and improve the appearance of historic buildings. Handled badly, it can have the opposite effect. An attractive shopping environment can have a beneficial effect on the vitality and viability of a shopping area.

3. Purpose of this guide

The purpose of this design guide is to encourage and promote good practice in shop front and advertisement design within Maidstone Town Centre and within the borough. It aims to provide a clear indication of the criteria against which the Council will assess applications for new shop fronts and advertisement within the town.

Its purpose is not to stifle or limit innovative designs, although there is an emphasis on appropriate styles and materials, but to create a shopping environment which respects the character of Maidstone. In considering individual proposals, the Council will use this guide as a basis for assessing their merits.

This guide will also provide information on consents that may be required by the owner or occupant of the shop, or the agents that they may employ. Other consents may include listed building consent, conservation area consent, planning, building control and advertising. A licence will be required if you propose to have an external display or have chairs and tables outside of your shop. We encourage early discussion to help guide you through the process and proposed scheme.

4. Existing character

Maidstone District has two main types of shopping and retail areas, Maidstone Town Centre and the smaller villages and market towns, such as Headcorn and Staplehurst. Local shops are an important part of sustainable village life, and whilst this guide is focused on Maidstone Town Centre, the same principle can be applied to the other retail areas.

5. Brief history of shop fronts –

a. guidance on styles

People have traded from their own properties or simple markets with the use of barrows and stalls, from pre-Roman times. By the late 18th century, permanent sales areas, and shops as we know them today had developed.

The Georgian style became the most popular approach for shop fronts, which are now considered to be ‘traditional’, and by the 19th century, there was the introduction of ‘modern’ materials and technologies, introducing decorative iron work, tiling and more extensive glazing.

The availability of materials, especially glazing, has been the main influence on the change of

fashion. Glass was taxed from 1746 until 1845, and therefore shops reflected this in the smaller size of their windows. The development of manufacturing of plate glass from the early 20th century provided larger and larger panes of glass.

New techniques allowed decorative glass at the top of the shop window to be etched with details of the shop and the goods that it supplied. Coloured glass was introduced by the early twentieth century.

All these buildings have their place in the development of our towns, especially in Maidstone, and therefore should be appreciated for their individual style. A general understanding of the type and age of property is required to ensure that the correct style of shop front is fitted.

Georgian – late 18th century/ early 19th century

- Small, domestic windows or slightly enlarged windows sometimes with bow fronts
- Timber board for sign or narrow fascia
- Small panes of glass
- Limited display and poor natural light
- Some Classical detailing such as pilasters or arched openings
- By the 1830s and 1840s window size was increasing

Victorian – mid to late 19th century

- Cornice, sometimes moulded, may be of timber or stone and may have a lead flashing for weather-protection
- Larger panes of glass with the introduction of plate glass
- Fascia, may be flat or angled or curved and usually of timber
- Console brackets, which mark the end of the shop fascia. May be of a variety of designs but is typically timber.
- Decorative 'Bookend' consoles (found in the late 19th century)
- Pilasters which may be plain, fluted or decorated with geometric designs
- Use of cast iron pillars and other decorative ironwork
- Use of encaustic and geometric tiles in lobbies
- Roller blinds and shutters became integral to the shop front design

Edwardian and early 20th century

- Art Nouveau influences evident with flowing plant forms
- High quality joinery using hardwoods such as mahogany and teak
- Entrance to shop started to have curved glass frontages
- Showcases in entrance and ceilings to lobbies are decoratively panelled
- Clerestory making use of stained or coloured glass or sometimes with small square panes at the top of the windows
- Shop fronts tall and elegant
- Entrances have mosaic tiled floors, sometimes with name incorporated
- High quality brass door fittings

Interwar

- Use of smooth, glossy materials such as Vitrolite (coloured glass), polished granite, marble and faience (tin glazed pottery)
- Little decoration to shop front, although consoles in an elongated and stylised form may be used
- Marble, terrazzo, and mosaic used for lobby floors.
- Black and white geometric tiles also favoured in 1930s
- Use of Art Deco inspired designs, including stepped fascia
- Etched and sandblasted glass, particularly in geometric designs such as zig-zags
- Many shops designed and fitted by specialist shop fitters rather than architects
- Use of window screens to the back of the window, sometimes with opaque glass

Post War

- Mix of styles from the previous generations, mainly undertaken with an 'interpretation' of the surrounding styles
- Introduction of larger shopping malls and centres and the introduction of public pedestrian

Spaces

- Use of modern materials, such as concrete and steel frames for the construction of the buildings allowing large open shop fronts
- Large expanses of fenestration
- Standardized design
- Either monochrome or multi-coloured shop fronts



Figure 2 – post-modern building with simple shop front of large areas of glazing.

[Alt. Text: A modernist, concrete building, set within a high street area, has a simple shop front that works with the host building]

b. Elements of a traditional

shop front

There are several elements that make up a shop frontage – the cornice, fascia, capital, and pilasters and stall riser. Each of these elements should be in proportion to give a balanced and pleasing appearance.

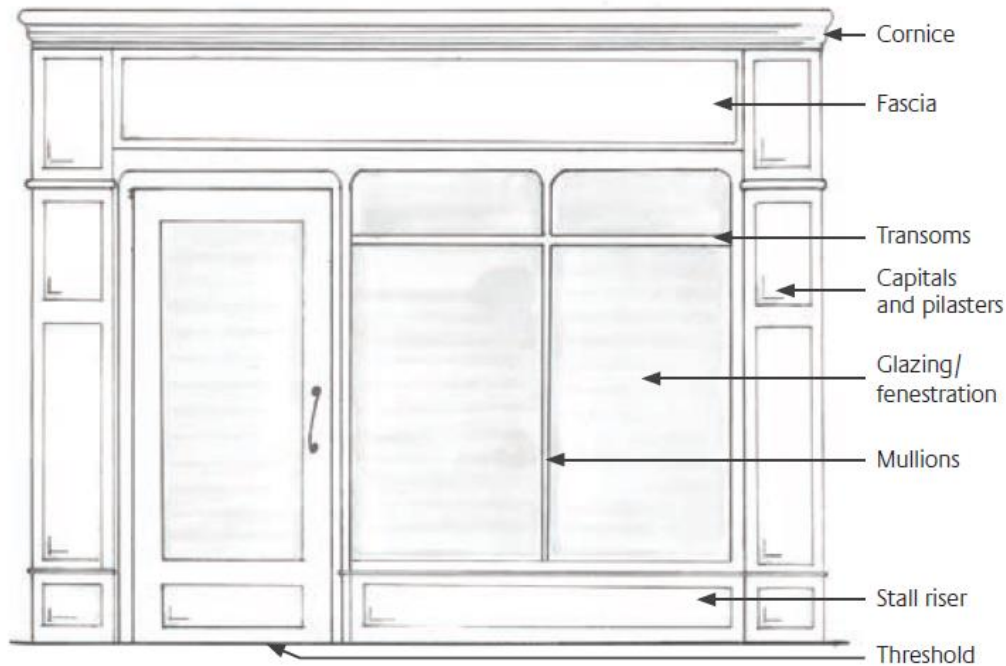


Figure 3 – labelled traditional shop front.

Cornice

The cornice is the decorative or moulded ledge along the top of the fascia. Its purpose is to provide weather protection to the fascia and provides a horizontal visual break to the building.

The fascia is the section that normally has the shop name located on it. It should be approximately 10% of the shop front height, any larger, and the fascia overpowers the front.

Capital and pilasters

The capital and pilasters provide the vertical break or edge to the shop front. The capitals sometimes referred to as corbels or consoles, sit on top of the pilaster, a flat version of a column.

Stall riser

The stall riser is the section beneath the shop window usually constructed in timber, brick, or stone, or covered with glazed tiles.

Glazing/ fenestration

The glazing forms the main plane of the shop windows. The glazing is held in a frame which can vary in thickness and detail.

Mullions

Traditionally timber, though in later shop fronts can be of metal, mullions provide vertical structural support to the shop glazing.

Transoms

Traditionally timber, though later shop fronts can be of metal, transoms provide horizontal structural support to the shop glazing.

Threshold

The threshold is the entrance to the shop.

c. Design style

By understanding the style of the period, it is possible to ascertain the appropriate design for any proposed works.

The influencing factors may include:

- the age and the style of the existing building
- the age of the existing shop front
- the materials previously used and to be used in the new shop front, the business or purpose of the shop – original shop fronts often reflected the goods they were selling, such as a high stall riser to draw the eye to small items such as jewellery or lower stall risers for furniture or larger items
- the location of the shop, either within the centre of the High Street, or a smaller lane off the High Street.

As part of the overall design, it is the little details that make the buildings interesting. Many of these items, such as door handles, patterns in glass or sign writing on the side of a building, may be original and an important part of the historic value. These features should be retained and incorporated into the proposed design.

The layout of the shop front should start with the placement of the door, which is generally either to the centre or the side. From here the type of fenestration should be decided including the height and construction of the stall riser.

Many shops showed their wealth by having a recessed doorway or threshold, as it provided more display area but less sales space.



Figure 4 – good example of shop frontage, with each building having its own frontage.



Figure 5 – poor street scene, with overlarge shop front and a combined shop front across two buildings.

It is important when designing the new shop front that it should be in proportion to the building. Shop frontage that covers, cuts, or removes existing features such as pilasters, date stones, windows to the first floor, or other important architectural details will lose the integrity of the building. The individual identity of each separate building must be retained.

New shop fronts (and fascia's) should not cut across the frontages of different buildings. Where two buildings are to be occupied by the same business, the shop fronts should be designed to identify the separation between the buildings either with different height stall risers, fascia levels and careful positioning of window transoms where appropriate.

The vertical sightlines should stop at the top of the shop front, typically with the cornice, without

interfering with the building above. This visual break will vary in height with the building. The symmetry of a building should be taken into consideration.

A Georgian building generally has a symmetrical style, whereas vernacular buildings have a tendency to asymmetrical. This will affect the horizontal and vertical relationships of door placement, fascia's, transoms & mullions, signage, and other details.



Figure 6 – a good example of a shop front as it is proportion to the building.

[Alt Text: a row of buildings, formed of a mock Tudor, timber framed building, with a stone shop front, with a red-brick polite building, with sash windows and overhanging eaves. The shop front to this building reflects the polite architecture of the buildings, with the openings and details responding to the sash windows above to create an attractive and appealing shop front.]

Colour choice, like design, is not only subjective but allied to the image the designer wishes to project. Colours are often used to reflect the type of shop, such as red and white for Barbers, or British Racing green is deemed as a classic colour, or yellow seen as vibrant and easy going. Colours do not have to be deemed as traditional or heritage, but should be complimentary to the surroundings, the materials, the building, its neighbours and to the period of the property. The use of stained or varnished timber was mainly used during late Victorian and early Edwardian periods when the trading of hard woods made these timbers accessible. This finish is now extremely unusual, and therefore painted timber will be the preferred option for the majority of replacement shop fronts. The use of hardwoods today would be discouraged unless it has been resourced from a sustainable source.

Large areas of undivided glass should, in general, be avoided within older buildings as they are of less visual interest and can detract from the overall character of an older building. However, in contemporary shop fronts, larger glass panes are a characteristic of their appearance.

Consideration of the age and style of the building will influence the size of the fenestration selected. The details of the mullions and transoms will be dictated by the form of the frontage. Georgian details are very delicate and simple, with Victorian details thicker and are of more solid appearance. The use of metal frames and transoms was only developed in the late Edwardian period.

Although there is a wide range of design solutions to any given place, the design of the fenestration, the detailing, the choice of materials and the balance of new to old should relate to the building as a whole. The installation of a 'traditional' shop front will not always be appropriate. Some premises are constructed in a style where a contemporary design would be more suitable. The individualism of each buildings frontage can be important to the overall appearance of the street and therefore alternative styles may be acceptable, subject to the character of the building in which they are proposed.

d. Corporate Identity

People expect to see retail chains in our high streets, but it may be necessary for these retail outlets to adapt their use of corporate images/logos to retain the harmony of the individual building and street scene. Most now recognise that this adds value to their customer perception of their brand. The use of internally lit fascia signs and projecting signs are actively discouraged. The use of individually designed shop fronts that work with the setting and the building is encouraged.

A standard 'heritage' solution may be offered by retailers, but these are often designed for a specific historic period (generally Victorian) and may not be appropriate for other properties.

The use of corporate colours provides shoppers with an instant visual connection with the chain store. Corporate colour schemes will generally be acceptable, though the scheme should not conflict with the building or the setting.

We expect to see the individual property and its setting considered as part of the design. The justification for the design should be included in the Design & Access Statement and the Heritage Impact Assessment.

e. Materials and workmanship

Materials used in shop fronts need to be compatible with the building and the selection of the appropriate materials should be guided by the age of the building.

Traditional materials, such as timber, were used because they could be easily painted to give the shop a quick, cheap make over. Paint also allowed for features to be picked out in contrasting colours, making the shop front more interesting and distinguishable.

The use of metals, such as bronze and cast iron tended to be used from the Edwardian era onwards, and therefore, would only be considered appropriate for a building of this era or later. Plastic or polished aluminium frames are generally discouraged within historic buildings, conservation areas except where specific circumstances justify, but would be suitable for the more modern buildings within the town.



Figure 7 – Art Deco inspired building, with the Crittal windows above would suit metal shop front.

{Alt. Text: An Art Deco building with a simple curved brick façade, with horizontal render bands, contrasts with the modern shopping mall elevation, which has a grey elevation, with yellow vertical, asymmetrical lines which project from the main elevation. To the Art Deco building, the shop front responds to the metal framed windows which form part of the design.

Small details, such as good quality fixings with neat returns, trims and mouldings can be critical to successful design. Good quality workmanship will enhance the appearance of both the shop and the street.

f. Accessibility

When altering an existing access or creating a new shop front, there is a statutory requirement under the Equality Act 2010 to ensure ease of accessibility for both wheelchair users and the ambulant disabled (such as mobility problems or poor vision). Detailed guidance on items such as the size of door openings, ease of door openings and height of latches, etc can be obtained from Building Regulations (Part M) or Building Control Officers.

In some cases, it may be necessary to install ramps, clearly readable signage, including brail or foreign language, etc., all of which will require careful consideration in respect of location, size and materials used. The location of call pads for wheelchair assistance or to open automatic doors will require careful setting to be accessible without causing visual harm. Ramps should be located internally. Where this is not possible a temporary and removable access ramp will comply with regulations.

Traditionally the threshold for the door is set back from the pavement and this should be retained or re-instated where appropriate. This can be used to personalise the threshold, eg placing name in tiles.

g. Summary

- Design of shop front should complement the building, street, and location
- Consideration should be given to the smaller details that can make the building interesting and distinctive
- Layout of the shop front should be in proportion to the building
- Each building should be clearly identifiable
- Colours should complement the building and reflect the type of shop
- Materials used should be compatible to building age and style
- Good quality workmanship and materials will be encouraged
- Standard corporate schemes will need to be amended to ensure it enhances and protects conservation areas and is of a suitable scale/ design for the building.

Inspiration could be taken from the historic photographs of Maidstone, which are available from the Historic England's 'Red Boxes', which has photographs of the High Street and surrounding streets - [https://historicengland.org.uk/images-books/photos/englands-places/gallery/6323?place=Maidstone%2c+Kent+\(Place\)&terms=Maidstone&searchtype=englandsplaces&i=0&wm=1&bc=2|5|10|11](https://historicengland.org.uk/images-books/photos/englands-places/gallery/6323?place=Maidstone%2c+Kent+(Place)&terms=Maidstone&searchtype=englandsplaces&i=0&wm=1&bc=2|5|10|11)

6. Canopies

Canopies and blinds can add interest to the appearance of shopping streets as well as shading goods and customers. They should be historically accurate, simple in form and retractable. The colour and material choice should reflect the overall colour scheme. The use of bright plastic or highly reflective materials is unlikely to be appropriate.

Fixed material canopies are likely to be inappropriate, unless they were part of the original design of the building. The reinstatement or refurbishment of fixed metal canopies, particularly favoured in the Edwardian period, will be encouraged if evidence can be found for the proposed style.



Figure 8 – attractive pair of shop fronts, complete with retractable canopy to provide shade for the Barbers,

[Alt. Text: a pair of painted, two-storey, brick-built buildings, with the ground floor used by different businesses. To the right-hand side, a barber's pole is visible with its twisting strip of red, white and blue. To provide screening from the sunlight, there is a large canopy of blue and white strips, which whilst not only serving a practical purpose, adds interest and form to the street scene.]

7. Signage and lettering

Signage that is clear and instantly recognisable is essential but is too often driven solely by the corporate identity of national companies.

Traditionally the name of the shop would have been in the centre of the fascia board. Victorian and Edwardian signs were busy and highly decorative, advertising the trade or products sold within, whilst other periods chose a simpler, plainer style.

The selection of the font and type of lettering used will be influenced by the design of the shop front, with the selection ranging from traditional hand painted lettering on fascia's and windows to the use of raised three-dimensional lettering and lettering on metal plaques.

The colour of lettering should be clearly contrasting from the fascia colour. Lettering applied directly to the building should ideally be raised metal letters. Plastic, highly reflective and back lit fascia's will be discouraged.

As a general rule the size of lettering should be designed to relate to the overall size of the building and to the depth and length of the fascia. The lettering should be well spaced and well proportioned.

8. Projecting or hanging signs

Projecting or hanging signs are traditional forms of advertisement and can add character to and enliven a shopping street. A hanging sign should ideally be constructed of timber or metal and painted with details of the shop. They can be made more individual by being applicable to the type of retail unit e.g. cut in the shape of a boot for a cobbler or shoemaker.



Figure 9 – Shop signage responds to the building and the product for sale.

[Alt. Text: above the shop front of a shoe shop is an elaborate cast iron bracket holding a simple board with the name of the shop 'Golden Boot', on which rests a giant golden boot, reflecting what the shop sells. This provides further visual interest to the street scene and creates a simple way finder]

9. A' boards

A licence is required if you wish to put an external display, chairs, tables, outside of your shop. This is controlled by Kent County Council. Further details can be found here -

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-highways-permit-or-licence/highways-permit-and-licence-terms-and-conditions/tables-and-chairs-on-the-highway-terms-and-conditions>

10. Internal advertisements

Signs set behind windows are in most cases subject to the same regulations and control as those fixed externally. Permanent window advertisements, such as telephone numbers and email addresses can be acceptable if sensitively designed, coloured, and positioned.

Blanking out windows with advertising is strongly discouraged as this reduces active frontage. Open window displays allow potential customers a view into the shop. At night, this will also allow for active security.



Figure 10 – clever use of the shop front and private doors allows for sensitive advertising.

{Alt. text: a narrow shop building, within a much grander terrace of the different buildings, offers both a public entrance to the shop, with a curved narrow window display, and a private door to the accommodation above. On this door is an advertising poster for glasses, which allows for a more active street scene, rather than a plain domestic door.]

11. Lighting

Good lighting enhances the shop and neighbourhood by picking up architectural features, lighting up the signage or lighting the display in the shop window. Light fittings are a relatively new invention so there is no historically correct style. They should be carefully selected and located to suit the style of the shop and be as discreet as possible such as trough lighting or spotlights. Internally lit projecting signs and fascia's do not enhance the building and are unlikely to be appropriate for historic buildings or conservation areas.

Light pollution can have a negative effect on the shop, ecology and neighbours so light levels should be carefully considered. General 'flood' lighting will be discouraged and there are laws governing light pollution.

Appropriate forms of illumination can include, depending on individual circumstances:

- Externally front-lit or 'halo' back-lit individual letters, depending on the quality of the design and the position of the sign when fixed to the building
- Discreet use of spotlighting of fascia's and hanging signs
- Signs painted on to shop windows which are internally lit

- Some types of independent or freestanding illuminated signs behind window glass. Such signs are subject to control if less than 1 metre from the glass.

12. Security grilles and shutters

Effective security methods can be justified to safeguard premises and goods; however, their installation should be considered carefully and should not be to the detriment of the street. The preferred means of achieving security is to use toughened glass, which has a negligible impact on the appearance of the street.

For higher forms of security and protection, additional glazing bars and internal window grilles, which allow views through are the preferred options. They not only keep the street scene open, and therefore, visually attractive, but also provide added security as people can see into the shop. The cumulative effect of numerous external grilles or shutters along a street is unsightly and can lead to a reduction in 'active frontage', which may lead to a drop in footfall and possible anti-social behaviour.

The use of permanently fixed external grills will not be permitted in public places. Installation of these grills at the rear of a property may create an accessible climbing system enabling illegal access to this or adjoining buildings.

13. Alarms

The Council recognises the need for an Intruder Alarm boxes. The location of the external box and the wires require consideration. A neat solution is for the box to be located within or directly above the fascia, with the cables running discreetly along the top of the fascia.

14. Mechanical and electrical plant

Careful setting of mechanical and electrical fixtures and fittings, including air conditioning condenser units, etc will be required. Locating the units to the rear, or areas screened from view which do not harm the fabric of a historic building, or the street scene will be encouraged.

15. External displays and street furniture

Use of the property frontage for external displays and street furniture will normally be encouraged because it can enliven the character of a street. Use of the public highway including footways for this purpose requires a licence, and this is available from the local authority (refer below).



Figure 11 – external setting with simple demarcation.

[Alt. Text: a wide shop front in a traditional, Georgian building, offers outdoor seating on mock-grass, with simple wooden screens to form a welcoming out door seating area for the restaurant.]

16. Cash points

The installation of external ATMs will be encouraged, though careful placement within the shop front should be undertaken as part of the overall design. Where they are being considered as a later addition, they should be placed to respect the existing shop front, with careful detailing to the surround and any associated advertising. In a select number of situations, it may be more appropriate to consider installing the ATMs internally in a lobby which will also provide security for the user.

17. Summary

- Canopies should fit with the building and use appropriate colours and materials
- Good access should be provided into the shop
- Signage should be written in a suitable font and size for the building. The fascia should be approximately 10% of the shop front height with the lettering written on the fascia
- Backlit fascia boards and internally lit projecting signs will be discouraged as they distract from the building
- Projecting or hanging signs are encouraged. The brackets for the signs should reflect the style and age of the property
- 'A' boards are discouraged as they can add clutter to the street
- External lighting should be small and discreet

- If security grills are required, they should be retractable, internal to the shop front and open grilled
- External alarm boxes and other plant should be carefully located to ensure that any architectural features can be seen
- External displays and street furniture requires a licence
- ATMs should be installed within the shop, preferably within a lobby area.

18. Internal fit out works

If a building is listed, listed building consent will be required for works to the property. It is a common misconception that it is only the façade or external elevations that are listed. In fact, the whole of the property is protected by the listed status. Any historical internal features should be retained, and this may restrain the use to which the building can be put, particularly if the works affect the fabric or layout of the property, such as removal of (historic or significant) fixtures, forming new openings, such as doors, hatches, large holes for extract fans, etc., plastering over walls, dry lining and insertion of new walls and fixed counters.

The installation of freestanding units and display racks, replacement of kitchen units or general like for like repairs will not require Listed Building Consent.

Early discussion should be undertaken with the Planning Department is encouraged as they will be able to guide you through the process and provide advice. For works to historic buildings early contact should also be made with the Heritage, Landscape and Design Team for specialist advice.

19. Do I need consent?

Before undertaking any work, it is always advisable to contact the Council to discuss your proposals. This can be undertaken as part of a pre-application process for Planning, which could include Conservation Officer guidance (<https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/apply-for-planning-permission/primary-areas/pre-application-advice>).

Depending on the proposed works and the building, there may be other consents that may be required. When planning the project, it would be beneficial to programme in the time to submit and obtain consents. Planning and Listed Building Consent has a statutory period to allow for consultation with the public and statutory consultees. Once the application has been registered, the process will take between 8-12 weeks depending on the complexity of the project.

a. Listed Building Consent

Listed Building Consent will be required for all works which affect the character or fabric of a listed building (other than repair), this usually includes:

- new or replacement signs as well as changes to shop fronts
- internal works, apart from standard shop 'fit out' works, which will affect the character and/ or fabric of the building
- investigation works, such as the removal of fixed display units and wall coverings.

To confirm if your building is listed, you could either look at Historic England's Search the List website (but check the surrounding area as sometimes the blue triangle is on an adjacent building, Maidstone Town Centre – Shop front design Guidance – DRAFT r3

or could include a terrace or row of listed buildings) - <https://historicengland.org.uk/listing/the-list/map-search> or you could contact the Conservation Department to request confirmation.

Listed Building Consent can be applied for online via the Planning Portal and is free. It is worth noting that the Planning Portal will ask to calculate the fee but will confirm no cost. A list of information required for the application is included below (with Planning Permission).

As part of the process, you will need to undertake a Heritage Statement. Details on how to undertake a simple assessment is available on our website. For more complex works to listed building, it is recommended to employ or consult the services of a Heritage Specialist. Commissioning a statement, or having architectural drawings produced, will add to length of the process, and this should be included within any preparation of the programme of works, and could impact on proposed opening or commissioning the works to be undertaken.

Undertaking work to a listed building without consent is a Criminal Act (under the Planning (Listed Building and Conservation Area) Act 1990. Should you have any concerns, please contact the Heritage Department or request guidance from a Heritage professional.

b. Conservation Area Approval

Works to a non-listed building in a Conservation Area (Maidstone Centre; Chillington House, Ashford Road & Holy Church, details - <https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/heritage-and-landscape/tier-3-primary-areas/conservation-areas>) may require planning permission if one of the following is involved:

- Change of colour to external shop front
- New shop front
- Installation of any external fittings or advertising boards

As part of the consideration of the application, we are looking to retain or enhance the character of the area. Some conservation areas have appraisals available which provide some guidance on the character and what makes them special. Details of these (including maps) can be found on the web link above.

c. Planning Permission

Installing new shop fronts, grilles, shutters, and projecting blinds will require Planning Permission, in addition to either of the above consents (if applicable). If the shop is to have a change of use, such as conversion into a takeaway from a retail unit, then Planning Consent will also be required.

Planning permission can be applied for via the Planning Portal (<https://www.planningportal.co.uk/>) which provides a step-by-step guidance to how to apply. To allow the application to be registered, we do require certain information.

In summary you will need to provide:

- Site Location Plan (Scale 1:1250 or 1:2500)
- Block Plan or (Scale 1:500) Site Plan (Scale 1:200)
- Existing & Proposed Elevation Drawings (Scale 1:50 or 1:100) – if there is a proposed change to the elevations

- Existing & Proposed Floor/Roof Plans (Scale 1:50 or 1:100) – if there is a proposed change to the floor or roof plan
- Site Levels and Sections (Scale 1:50 or 1:100) – if there is a proposed change of level
- Design and Access Statement
- Heritage Statement – to provide details of the significance of the heritage asset (listed building or conservation area) and to undertake an impact assessment of the proposed works on the significance or setting of the heritage asset
- Community Infrastructure Levy (Form 1) Additional Information and (Form 2) Assumption of Liability

Further details on the requirements can be found our website -

<https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/apply-for-planning-permission/primary-areas/apply-for-planning-permission> If pre-application advice has been sought, the Case Officer will confirm the information required.

To apply for planning permission there is a fee which will be calculated during the application process on the Planning Portal. A joint planning and listed building consent application can be made on the Planning Portal.

d. Building Control

Building Regulations are there to ensure that buildings are safe, healthy, accessible, and sustainable for current and future generations.

Therefore, permission is required for:

- Changes to the means of escape, including reposition of doorway/ changing from a double door to a single,
- some alterations to shop fronts, including reposition of doorway,
- for any internal structural alterations
- any works effecting the health and safety of the public and employees, such as fire protection.

The building regulations do not apply to advertisements.

Building Control applications can be submitted to Maidstone Borough Council -

<https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/building-control> . Building Control services can also be undertaken by Approved Inspectors.

e. Advertisement Consent

Advertisement Consent is required for most types of new or replacement shop front signage, especially if it is to be illuminated. The consent process is via the Planning Portal, but a separate application will need to be submitted from the Planning or Listed Building Consent application.

Information on the type of proposed advertisement will need to be included, together with plans and drawings, which could be the same drawings as the planning application (if required) together with a location plan. A fee is payable for this application.

f. Licensing

A licence is required if you wish to put an external display, chairs, tables, outside of your shop. This is controlled by Kent County Council. Further details can be found here -

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-highways-permit-or-licence/highways-permit-and-licence-terms-and-conditions/tables-and-chairs-on-the-highway-terms-and-conditions>

20. Relevant policy

- National Planning Policy Framework
- The Town and Country Planning
- Control of Advertisements (England) Regulations 2007
- Town and Country Planning Act 1990
- Planning (Listed Buildings and Conservation Areas) Act 1990
- The Adopted Maidstone Local Plan - Policies

21. Contacts

Lead Member for Planning and Infrastructure

18 April 2023

Declaration of Local Nature Reserves

Timetable	
Meeting	Date
Planning and Infrastructure PAC	Wednesday 5 April 2023
Lead Member on the Executive for Planning and Infrastructure	Tuesday 18 April 2023

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Lead Member of the Executive for Planning and Infrastructure
Lead Head of Service	William Cornall, Director of Regeneration and Place
Lead Officer and Report Author	Jennifer Stevens, Head of Environment and Public Realm
Classification	Public
Wards affected	Fant, Bridge, Boxley, South, Bearsted, Downswood and Otham,

Executive Summary

This report provides an update on progress to declare Local Nature Reserves within the Borough. Five have now progressed, with three ready to be declared and the other two to follow once Natural England's assent has been received.

The report seeks to obtain approval to make the official declaration for all five sites as stated in 2.9.

Purpose of Report

Decision

Recommendation to the Lead Member for Planning and Infrastructure:

1. That the three sites, Allington Millennium Green, Fant Wildlife Site and the combined site of Weaving Heath, Five Acre and Wents Wood, are officially declared as Local Nature Reserves;
 2. That the two sites, Hayle Park and Spot Lane, are officially declared as Local Nature Reserves following assent from Natural England.
-

Declaration of Local Nature Reserves

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p>Impact on Corporate Priorities</p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The recommendation of this report supports the Council’s strategic green objective through the creation of five new local nature reserves with bespoke management plans agreed by Natural England.</p>	<p>Head of Environment and Public Realm</p>
<p>Cross Cutting Objectives</p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation supports the achievement of the biodiversity and environmental sustainability cross cutting objective by protecting open spaces and their wildlife and ecosystems through the creation of LNRs.</p>	<p>Head of Environment and Public Realm</p>
<p>Risk Management</p>	<p>As the work on development of five LNR has been completed, there are no remaining risks associated with the recommendation within this report.</p> <p>There is a risk to the Council’s reputation and its ability to protect the natural environment if it does not take the action to declare these valuable sites as LNRs.</p>	<p>Head of Environment and Public Realm</p>

Financial	Funding was already identified to carry out the work developing the LNRs. The declaration and ongoing management of the LNRs will be delivered within current revenue budgets.	Section 151 Officer & Finance Team
Staffing	The recommendation will be delivered within the current staffing arrangements and with the ongoing support from Mid Kent Legal Services.	Head of Environment and Public Realm
Legal	The statutory provisions of the National Parks and Access to the Countryside Act 1949 sections 19 and 21 provide for the declaration process and set out that a local authority shall have power to provide, or secure the provision of, nature reserves on any land in their area.	Senior Legal Advisor – Corporate Governance
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.	Information Governance Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	No identified implications	Head of Environment and Public Realm
Procurement	No procurement requirement	Head of Environment and Public Realm
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and are aligned fully with Enhancing and increasing biodiversity action 6.2 of the Biodiversity and Climate Change Action Plan.	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 LNRs are a statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 by principal local authorities. They are places with wildlife or geological features that are of special

interest locally and are a natural resource which makes an important contribution to England's biodiversity.

2.2 There are currently three formally adopted LNRs in the Borough: Vinters Valley Park (declared 1 April 1993) Boxley Warren (declared 27 April 2005) and River Len (declared 29 October 2014).

2.3 In 2018, the Heritage, Culture and Leisure Committee resolved that a detailed evaluation and feasibility assessment of LNRs be carried out. The outcome of this was presented to the Communities, Housing and Environment in December 2019 and it was agreed to progress a programme of new LNRs. Progress against this was reported to the Committee in April 2021, confirming that the following six sites would be declared:

- Fant Wildlife Area
- Allington Millennium Green
- Weaving Heath
- Five Acre and Wents Wood
- Hayle Park
- Spot Lane

2.4 As set out in the original feasibility study, there is a comprehensive list of requirements for establishing and declaring a LNR:

1. A legal agreement with the landowner to be secured if not a Council owned site
2. Management plan to be reviewed or drafted and approved by the Council.
3. Council to authorise declaration to make a LNR.
4. Draft documents submitted to Natural England with consultation
5. Representations considered and Council to make final declaration of LNR
6. Declaration to be sent to Natural England. LNR announced in local paper and copy of documents to be made available for public inspection and site added to website.
7. LNR officially opened.
8. For third party owned sites with existing community groups in place, Management Committee to be set up and maintained. For Council sites with no existing Friends group, engagement with the community will be needed, potentially through the formation of a Friends group, plus a Management Committee.
9. If required, byelaws to be drafted and formally approved by the Secretary of State. Council officers will be responsible for enforcement.

2.5 Since 2021, significant work has been undertaken to progress the six sites including site surveys, the preparation of management plans, development of community support, definition of land boundaries and the preparation of legal paperwork, including draft declarations and public notices.

2.6 Two of the proposed LNRs discussed in 2021, Weaving Heath and Five Acre and Wents Wood, have also now been combined as one nature reserve.

- 2.7 The draft management plans for three LNRs (Fant, Allington Millenium Green and the combined site of Weaving Heath, Five Acre and Wents Wood) have been submitted to the Government’s Advisors on Nature, Natural England. Letters of Assent were received in February 2023 from Natural England enabling the Council to make the formal declarations and publish notices.
 - 2.8 Hayle Park and Spot Lane are more complex sites requiring additional work and their management plans are now being finalised to be sent to Natural England for assent.
 - 2.9 This report seeks approval to progress with the formal declarations of five LNRs, three now (Fant, Allington Millenium Green and the combined site of Weaving Heath, Five Acre and Wents Wood) and the remaining two (Hayle Park and Spot Lane) when assent from Natural England is received.
-

3. AVAILABLE OPTIONS

- 3.1 Option 1: That the five proposed LNRs are declared upon receipt of Natural England’s assent, public notices are issued and they are officially opened.
 - 3.2 Option 2: No further action is taken and the declarations are not made.
 - 3.3 Option 3: The three sites that have received Natural England’s assent (Fant, Allington Millenium Green and Weaving Heath, Five Acre and Wents Wood) are declared as LNRs, but the other two sites are not progressed.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended that Option 1 is agreed and that all five identified sites are progressed and declared as LNRs. The three sites that have already been given Natural England’s assent should be declared immediately and then the other sites are declared following receipt of Natural England’s assent.
 - 4.2 Given the previous committee support for this, the approval from Natural England and the benefit this will create for the identified open spaces, it is not recommended that this work is now abandoned as therefore options 2 and 3 should not be considered.
-

5. RISK

- 5.1 The risks associated with the declarations of LNRs have been considered throughout the process and this has enabled the list of sites to be refined.
- 5.2 The greatest risk is if the decision is not taken to declare these sites as LNRs, particularly where the Council does not own the land and therefore the future protection of the land would not be assured. This would also

pose a reputational risk to the Council as it has been committed to delivering these LNRs for the past 5 years.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 There has been significant Member consultation through three reports to Heritage, Culture and Leisure Committee and Communities, Housing and Environment Committee. This issue was considered by the Planning and Infrastructure Committee on the 5 April 2023 with the recommendations supported.
 - 6.2 In line with the official process, Natural England has also been formally consulted and provided with the draft management plans for each site.
 - 6.3 In all areas, there has been support for these declarations.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Following approval of the declarations, Mid Kent Legal Services with progress with the declaration process including issuing the declarations and public notices.
 - 7.2 Work will continue with the remaining two sites to finalise the management plans and submit these to Natural England.
 - 7.3 Official opening of the sites will be arranged following the declarations.
-

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

Communities, Housing and Environment Report – Local Nature Reserves Feasibility Study – 16 December 2019

Communities, Housing and Environment Report – Declaration of Local Nature Reserves – 6 April 2021