

AGENDA

PLANNING, TRANSPORT AND DEVELOPMENT OVERVIEW & SCRUTINY COMMITTEE MEETING



Date: Tuesday 20 August 2013
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors: Chittenden, Collins (Chairman), McLoughlin, Munford,
Ross, Springett, Watson, de Wiggondene and
Mrs Wilson



Overview and Scrutiny

Page No.

- 1. The Committee to consider whether all items on the agenda should be web-cast.**
- 2. Apologies.**
- 3. Notification of Substitute Members**
- 4. Notification of Visiting Members**
- 5. Election of Vice-Chairman**

"The chairman and vice-chairman of each overview and scrutiny committee shall come from different political groups; in the case of a cabinet comprising members of more than one political group, the chairman and vice-chairman shall not both come from parties represented in the cabinet."

(Page 143, Maidstone Borough Council Constitution, 8 August 2013).

- 6. Disclosures by Members and Officers**
- 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information.**
- 8. Minutes of the Meeting Held on 18 June 2013** **1 - 7**
- 9. Public Consultation Approach for the Maidstone Borough Local Plan** **8 - 18**
Rob Jarman, Head of Planning and Development, Sue Whiteside, Team Leader, Spatial Policy and Emma Boshell, Planning Officer, Spatial Policy.
- 10. Maidstone Borough Local Plan Development Management Policies** **19 - 89**
Rob Jarman, Head of Planning and Development, Sue Whiteside, Team Leader, Spatial Policy and Sarah Anderton, Principal Planning Officer, Spatial Policy.

Continued Over/:

Issued on 12 August 2013

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

11. Future Work Programme

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MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE PLANNING, TRANSPORT AND DEVELOPMENT OVERVIEW & SCRUTINY COMMITTEE MEETING HELD ON TUESDAY 18 JUNE 2013

PRESENT: Councillors Chittenden, Collins (Chairman),
McLoughlin, Munford, Ross, Springett, Vizzard,
Watson, de Wiggondene and Mrs Wilson

1. The Committee to consider whether all items on the agenda should be web-cast.

It was resolved that all items be web-cast.

2. Apologies.

Apologies were received from Councillors Mrs Wilson and Councillor Harwood.

3. Notification of Substitute Members.

Councillor Vizzard and Councillor Chittenden substituted for Councillor Mrs Wilson and Councillor Harwood respectively.

4. Notification of Visiting Members.

Councillor Barned, Councillor Gooch and Councillor Nelson-Gracie were present as Visiting Members with an interest in all items on the agenda.

5. Election of Chairman and Vice-Chairman.

It was resolved that:

- a) Councillor Collins be appointed as Chairman for the municipal year 2013-14; and
- b) Councillor De Wiggondene be appointed as Vice-Chairman for the municipal year 2013-14.

6. Disclosures by Members and Officers.

There were no disclosures.

7. To consider whether all items should be taken in private because of the possible disclosure of exempt information.

It was agreed that all items be taken in public as proposed.

8. Cabinet Member for Planning, Transport and Development - Priorities for the Municipal Year 2013/14.

Councillor Paine, Cabinet Member for Planning, Transport and Development gave the Committee an update on his priorities for the year.

The Cabinet Member highlighted a number of key projects in relation to the Local Plan and the Integrated Transport Strategy (Attached at **Appendix A**).

The Committee felt that the opportunity for involvement in discussions on strategic site allocations including commercial sites should be given to all Members. It was recommended to the Cabinet Member that a process be put in place to ensure all ward Councillors have an early opportunity to feed into this pre planning process.

A Member highlighted issues regarding transport serving the rural community, particularly bus services and the use of community transport such as the Kent Carrier. The need for footpaths to be accessible and maintained to ensure that bus routes could be reached was emphasised. The Cabinet Member agreed to champion this with Kent County Council.

The Committee raised questions regarding the distribution of funding from Kent County Council (KCC) to Maidstone for transport projects. The Cabinet Member informed Members that KCC had made two bids to the Local Enterprise Partnership Funding (LEP) which would be allocated to Maidstone.

In response to Members questions on the resources available to specialist planning areas such as Conversation, the Cabinet Member explained that Local Government faced continuous pressures on its resources as a result of Government spending cuts. He informed Members that there were options that he intended to investigate further to ensure specialist areas were maintained, including partnership working. In addition to this, the Committee suggested that the knowledge and skills of Parish Councils could also be utilised for this purpose.

It was resolved that:

- a) The Cabinet Member for Planning Transport and Development would champion the transport needs of rural communities with KCC, in particular:
 - Bus Services and improved use of Community transport; and
 - Maintenance of access to rural transport links i.e. footpaths;
- b) The Cabinet Member for Planning Transport and Development ensuring that a process is put in place that ensures all ward Councillors have an early opportunity to feed into the pre planning discussions on strategic site allocations, including commercial sites.

9. Maidstone Landscape Character Assessment 2012 (2013 amended version)

Deanne Cunningham, Team Leader, Heritage Landscape and Design introduced the Maidstone Character Landscape 2012 (2013 amended version). Members were advised that the purpose of the document returning to the Committee was not to review the document in its entirety but to review the recommendations made by the Spatial Planning Advisory Group and the Member proofreading group and the amendments that had been made as a result.

Mrs Cunningham informed the Committee that the document identified and described the landscape but did not make an assessment of the quality of the landscape. The document did not quantify or rank, it was a descriptive tool.

A member of the Committee commented on the structure of the document, describing it as 'fragmented'. Helen Bradbury, Consultant and Principle Planner from Jacobs explained that the document had been formulated in accordance with the same up to date guidelines used at a county and national level and also used by Maidstone's neighbouring authorities (Landscape Character Guidance for England and Scotland, Scottish natural Heritage/the countryside Agency, 2002). Ms Bradbury explained that using the same consistent approach allowed the smaller landscape character areas to piece together into larger areas, building up a hierarchy to cover a wider, landscape that would allow strategic and local decision making.

Concerns were raised by Members that this approach removed the safeguard of areas of importance like the Kent Downs as a whole. Rob Jarman, Head of Planning explained that the guidance from the National Planning Policy Framework (NPPF) had been followed which stated that the Landscape Character Assessment (LCA) should contain 'criteria based assessment'. This prevented the 'blanket' descriptions of landscape that some Members offered as an alternative approach.

The Committee was also concerned about the sensitivity of assessments particularly where known areas of natural beauty had been described as 'scrubland' within the document. Ms Bradbury explained that such descriptions were not intended to be derogatory and scrubland could be a major asset in terms of ecological significance.

The Committee questioned the consultation undertaken and whether Parish Councils had been involved. Mr Jarman explained that as the LCA was an evidence base and was not subject to a prescribed consultation process, however, consultation was carried out at every opportunity as documented in paragraph 1.23.10 in the agenda report. The Draft Landscape Assessment Guidelines which would be a Supplementary Planning Document (SPD) would go out to full consultation which would include Parish Councils.

In response to Members questions Mr Jarman informed the Committee that the LCA was only the first step in the process. Once adopted the Landscape Area Guidelines would be produced which would address the quality issues that had been addressed by Members. He described the LCA as a 'material planning document' which would help provided a robust evidence base. The Landscape Area Guidelines would be a technical document with 'material weight'.

The Committee voted on the recommendation proposed in the report 'that the Cabinet Member for Planning, transport and Development adopts the Landscape Character Assessment 2012 (2013 amended version).'

The Committee voted in favour of the recommendation (6 in favour, 2 against with 1 abstention). Councillor Chittenden voted against the recommendation and his vote was noted as requested.

It was resolved that the Cabinet Member for Planning, Transport and Development adopts the Landscape Character Assessment 2012 (2013 amended version).

10. Work Programming 2013-14

Prior to the meeting the Committee had visited a Council department 'marketplace' and spoken to officers from Council departments relevant to it remit about important areas of work to be undertaken over the coming year.

The Committee agreed that the Local Plan should be its main focus for the year. Members stressed the importance of fully including all Substitute Members and for documents and reports to be circulated as early as possible.

The Committee also highlighted the need for a joint follow up meeting on Gypsy and Traveller Sites. The Regeneration and Economic Development and Communities Overview and Scrutiny Committees had formed a joint Committee during the 2012-13 Municipal Year to examine the topic.

It was resolved that:

- a) The Local Plan and supporting documents be the focus of the Committee's Work programme for the 2013/14 Municipal Year;
- b) A follow up joint meeting be arranged to focus on Gypsy and Traveller sites;
- c) Substitute Members of the Committee should be included fully in the Committees work; and
- d) All reports and documents should be circulated to the Committee and Substitute Members as early as possible.

11. Duration of meeting

7.00 p.m. to 8.40 p.m.

Councillor Paine Priorities for 2013/14

This year will be challenging, but it is essential that we complete and submit a number of strategic documents – including the Local Plan and ITS. In addition to these difficult documents, I want to conclude some of the successful pieces of work that I started last year.

Whilst the spotlight will always be on the “big ticket” items, I am determined to continue working away on a number of smaller, but no less significant, projects within my brief.

I have attached a self-review of last year, which I hope members find helpful. I have also bullet-pointed a number of key targets I have set myself for this year. This is certainly an ambitious list – but I hope it demonstrates the broad scope of work in which scrutiny members could get involved in due course!

1. Spatial Planning / Local Plan

- ✘ SHLAA process completed
- ✘ SHMA process completed
- ✘ Housing target clarified by the autumn (constraints identified).
- ✘ SEDLAA process completed and employment vision clarified
- ✘ Blue and Green Infrastructure Strategy agreed
- ✘ Town centre policies agreed
- ✘ Landscape policies agreed
- ✘ Improved Communications Strategy in effect
- ✘ Greater emphasis/support for Neighbourhood planning
- ✘ Effective consultation events
- ✘ Submission by June 2014

2. Development Control

- ✘ New (additional) staff in post to help manage workload
- ✘ Better sharing of expertise with neighbouring authorities
- ✘ Better measurement of planning performance (e.g. using median rather than mean to measure the time it takes to decide an application)
- ✘ Longer term planning applications (>9 months) reduced

3. Transport

- ✘ Deliver an improved ITS to accompany the Local Plan
- ✘ Continue to support and develop the Quality Bus Partnership. Seek to replicate its success with other local bus providers
- ✘ Continue to work with the Mall, Sainsburys and KCC to deliver further improvements and modernisation to the bus station
- ✘ Promote further investment in hybrid buses and other green public transport technologies – building on last year’s successes
- ✘ Re-tender Park and Ride, looking for creative solutions to an ongoing revenue problem. Tender should fit with revised ITS
- ✘ Continue work with the Highways Agency to deliver improvements to J5, J6 and J7 of the M20
- ✘ Work with KCC to improve the borough’s rail connectivity to London, and inter-station connectivity in Maidstone
- ✘ Work with Cllr Greer to bring forward a new train station at Maidstone East
- ✘ Deliver small but significant road improvements such as a new merge at Sheals Crescent, and a new filter lane off Farleigh Hill to serve Tovil Tip
- ✘ Lobby KCC for improvements in pedestrian and cycle environments
- ✘ Delivery of Maidstone’s first public Electric Car Charging Point
- ✘ Revise and begin delivering elements of the Cycle Strategy
- ✘ Expanding shared parking services to other authorities, where savings can be delivered and service standards improved.
- ✘ Review motorcycle facilities, speak with user groups and KCC, and seek out improvements where possible and deliverable
- ✘ Review bridleway provision across the Borough, speak with user groups and KCC, and seek out improvements where possible and deliverable.

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

PLANNING, TRANSPORT AND DEVELOPMENT OVERVIEW AND SCRUTINY COMMITTEE

20 AUGUST 2013

REPORT OF CHIEF EXECUTIVE

Report prepared by Emma Boshell

1. MAIDSTONE BOROUGH LOCAL PLAN PUBLIC CONSULTATION

1.1 Key Issue for Decision

1.1.1 To consider the council's approach towards public consultation on the Maidstone Borough Local Plan (MBLP).

1.2 Recommendation of the Chief Executive

1.2.1 That the Planning, Transport and Development Overview and Scrutiny Committee recommend that the Cabinet Member for Planning, Transport and Development approves the consultation plan for the Maidstone Borough Local Plan (MBLP) attached at Appendix A.

1.3 Reasons for Recommendation

1.3.1 The consultation plan sets out the methods that the council will employ in order to raise awareness of the MBLP, encourage feedback and to ensure that the consultation reaches out and involves as many of the borough's residents, businesses and other stakeholders as possible.

1.3.2 Background and introduction

1.3.3 In March 2013 Cabinet agreed to move forward with a single Local Plan for the period 2011 to 2031.

1.3.4 In accordance with the local plan programme, set out in the Local Development Scheme 2013, it is proposed to undertake a six week public consultation in November/December of this year, as set out under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This stage of public consultation is reasonably flexible and informal in that the document is still in draft form, and the regulations permit the council to make considerable changes to the local plan following

the public consultation. A further formal consultation (Regulation 19) is proposed for summer 2014, and only minor changes can be made to the local plan at this stage.

- 1.3.5 The consultation will be carried out by the Planning team with support from the Communications team. It is vital that a comprehensive consultation plan is put in place to provide opportunities for residents, businesses and any other interested parties to submit their comments and questions on the MBLP.
- 1.3.6 The council's recently adopted Statement of Community Involvement (SCI) is key in developing a successful consultation plan. The document identifies seven objectives for successful consultation:
- To involve stakeholders at the earliest opportunity, in time to shape preparation work;
 - That consultation takes place before decisions are made and in the open;
 - To develop and improve a flexible and accessible consultation process;
 - Everyone should have an opportunity to be involved if they choose;
 - Draw on local knowledge to improve decision making and help the realistic implementation of decisions;
 - Provide a greater deal of certainty for all involved through a plan led system; and
 - That the planning system should help implement the communities' vision for the area.
- 1.3.7 In addition, the SCI recognises that there can be barriers to effective public consultation such as managing expectations, technical terminology and the use of technology. It will be important to address and overcome these during the public consultation.
- 1.3.8 What will the council be consulting on at this stage?
- 1.3.9 The draft Maidstone Borough Local Plan sets the framework to guide the future development of the borough. It plans for homes, jobs, shopping, leisure and the environment, as well as the associated infrastructure to support new development. It explains why, what, when, where and how development will be delivered through a strategy that plans for growth and regeneration whilst at the same time protects and enhances the borough's natural and built assets.

- 1.3.10 In addition to the draft Maidstone Borough Local Plan, the public consultation will focus on the following documents which support the plan:
- Draft Infrastructure Delivery Plan (IDP);
 - Draft Integrated Transport Strategy (ITS);
 - Draft Green and Blue Infrastructure (GBI) Strategy; and
 - Community Infrastructure Levy (CIL) preliminary draft charging schedule.
- 1.3.11 The growth set out in the MBLP cannot be delivered in a sustainable manner without improvements to supporting infrastructure. The IDP and ITS list the schemes considered necessary to support the growth set out in the plan. This includes both improvements to existing infrastructure and the provision of new, where appropriate. The GBI Strategy aims to improve the network of green and blue spaces within the borough to meet the needs of existing and future communities. The key to unlocking the growth set out in the MBLP is the CIL preliminary draft charging schedule, which is the mechanism for the collection of developer contributions to pay for the identified major enabling infrastructure in the borough.
- 1.3.12 How will the council consult the public?
- 1.3.13 The council's previous consultations on the Core Strategy and Strategic Site Allocations included a variety of methods that brought forward a well-informed range of responses. The consultation plan incorporates these methods and lists the actions planned for the MBLP public consultation. These actions include exhibitions, meetings and workshops, promotional material and adverts, and use of the council's website and social media.
- 1.3.14 **Public exhibitions** – these will take place around the borough in areas where new development is proposed, primarily the rural service centres, larger villages and the urban area. They will be held in village halls, hotels or other venues and advertised widely. Officers will be on hand to provide information and answer questions. It is also proposed to hold a 'Big Debate' open to all members of the public to debate the key issues of the MBLP.
- 1.3.15 **Meetings with parish councils** – these will take place with parishes where development is proposed, primarily the rural service centres and larger villages. They will take the form of informal conversations, the primary objective being to explain the reasons behind the sites that have been selected for development. Officers will record notes of the discussions had, however it will be the responsibility of the parish councils to formally submit their

representations. For the non-parished areas, it is proposed to meet with representatives of the designated neighbourhood areas, and in addition, relevant ward members will be invited to attend the member drop-in session, and to attend the public exhibitions held in the non-parished area.

- 1.3.16 **Workshop with the Maidstone branch of the Kent Association of Local Councils** – it is proposed to run a workshop with this group as they provide a valuable link to the communities in the rural areas of Maidstone borough.
- 1.3.17 **Workshop with the Kent Joint Parishes Group (JPG)** – it is proposed to run a workshop with this group, who represents twelve parish councils throughout the borough.
- 1.3.18 **Workshops with developers/registered providers/infrastructure providers** – it is essential to gain the views of the council’s partner organisations and stakeholders, particularly where they are directly affected by the proposals set out in the MBLP.
- 1.3.19 **Duty to co-operate workshop with statutory bodies and adjoining authorities** – the council is required, under the duty to co-operate set out in the Localism Act (2011), to engage with other public organisations to consider joint approaches to plan making. It is proposed to run a workshop to discuss cross-boundary and county-wide aspects of the MBLP.
- 1.3.20 **Workshop with the business community** – it is essential to gain the views of the local business community, particularly regarding sites where economic development is proposed. It is proposed to run a business workshop with representatives of local businesses to discuss the key issues of the MBLP.
- 1.3.21 **Presentation to the Maidstone Joint Transportation Board** – it is proposed to present the ITS to the November meeting of the Maidstone Joint Transportation Board to obtain their views on the proposed transport improvements set out in the document.
- 1.3.22 **Member drop-in session** – it is proposed to run a member drop-in session at Maidstone House where officers will be on hand to provide information and answer questions about the MBLP. This session is for all members; however it is particularly important for ward members in the absence of parish councils.
- 1.3.23 **Promotional material and adverts** – a public notice will be placed in the Kent Messenger newspaper to publicise the consultation. This will include the dates of the consultation, how

the public can view and comment on the MBLP, and will list the schedule of planned events. Copies of the consultation documents and questionnaire will be placed in all libraries throughout the borough and in the Maidstone Gateway. In addition, posters detailing the planned events will be placed in all libraries, Maidstone Gateway and sent to all parish councils for posting on their parish notice boards. Pop-up banners will be erected at the public exhibitions, which summarise the key aspects of the MBLP and supporting documents. These are useful as a visual aid. Furthermore, the new edition of Planning Viewpoint newsletter will be sent to all contacts on the Spatial Policy consultation database and will contain full details of the public consultation.

- 1.3.24 **Use of the council's website and social media** – the consultation documents, questionnaire and schedule of planned events will be placed on the council's website. In addition, the public can submit their comments online (through the Objective software package) with all representations available for the public to view. Messages will be placed on Facebook and Twitter throughout the duration of the consultation to raise awareness.
- 1.3.25 The council has also produced four videos, each one minute long, which highlight the key messages of the MBLP on housing, economic development, transport and infrastructure and open space. These short videos will be available to view on the council's YouTube channel. They are aimed at local residents in order to raise awareness and address common questions.
- 1.3.26 With regard to targeting hard to reach groups e.g. people in areas of multiple deprivation or minority groups, the council has experience of using existing contacts through its various community development activities. The council will also use its own database of contacts and the Mosaic database to ensure that such groups are made fully aware of the consultation.
- 1.3.27 Past consultation experience indicates that the council is likely to receive thousands of representations following the consultation. All representations will be acknowledged, however, the council will not be able to guarantee individual responses to letters/comments received. This will be made clear on the consultation material.
- 1.4 Alternative Action and why not Recommended
- 1.4.1 Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires the council to consult the public on the MBLP. Whilst the regulations do not specify the length of the consultation, past experience shows that a six week period is sufficient.

- 1.4.2 There is a range of events proposed in the consultation plan. It is not recommended to undertake fewer events, primarily because the consultation would not reach as many residents. Equally, past experience has shown that there is little benefit in doing more in a less targeted way, such as dropping leaflets to all households in the borough, as this does not tend to yield informed responses.
- 1.5 Impact on Corporate Objectives
- 1.5.1 The MBLP consultation impacts on all three corporate objectives as set out in the Strategic Plan 2011-15.
- 1.5.2 **For Maidstone to have a growing economy** – residents, businesses and stakeholders will have an opportunity to comment on how best to achieve a growing economy in the borough. The MBLP will also address the transport issues important to Maidstone, giving an opportunity to comment on the effectiveness of the proposed policies.
- 1.5.3 **For Maidstone to be a decent place to live** – residents, businesses and stakeholders in the borough will have the best opportunity to comment on the policies that will shape how it will grow over the period until 2031.
- 1.5.4 **Corporate and customer excellence** – part of this priority deals with delivering cost effective services to the right people in the right places at the right time. The MBLP consultation will focus on reaching the relevant residents, businesses and stakeholders and will ensure that nobody is disadvantaged because of where they live or who they are.
- 1.6 Risk Management
- 1.6.1 The approval of the consultation plan that is the subject of this report will reduce the risk of being procedurally unsound, and legal advice has been sought on this matter. The consultation plan focuses on delivering accurate and informed messages to the public and media and the Spatial Policy team has recently recruited a Publicity Officer, who will support the team in delivering these positive messages.
- 1.6.2 The public consultation is expected to yield a large volume of responses. The Spatial Policy team will dedicate the majority of its time to managing the responses.
- 1.6.3 Depending on the outcome of the public consultation, major changes could be proposed to the MBLP. This will impact the

current timetable significantly. With regard to mitigation, the MBLP has been developed with full member and parish council engagement, and sites have been the subject of sustainability appraisal.

1.7 Other Implications

1.7.1

1.	Financial	X
2.	Staffing	X
3.	Legal	X
4.	Equality Impact Needs Assessment	X
5.	Environmental/Sustainable Development	X
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

1.7.2 **Financial** – the Local Plan budget can fund the MBLP consultation, including public exhibitions, promotional materials and copies of the documents.

1.7.3 **Staffing** – over the six week period, the Spatial Policy team will dedicate the majority of its time to the consultation, and other officers in the council will contribute where appropriate/relevant.

1.7.4 **Legal** - Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires the council to undertake an informal and flexible public consultation at this stage of plan preparation.

1.7.5 **Equality impact** – the MBLP consultation process will engage with all individuals and communities in line with the equalities legislation and the council’s equalities policy.

1.7.6 **Environment/sustainable development** – one of the main remits of national planning policy is to promote sustainable development. The MBLP will seek to deliver development in an

environmentally acceptable and sustainable manner. This consultation will enable members of the public to comment as to the degree which they consider it does this.

1.8 Relevant Documents

1.9 None.

1.9.1 Appendices

1.9.2 Appendix A – MBLP consultation plan.

1.9.3 Background Documents

1.9.4 None.

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, this is a Key Decision because: It affects all wards and parishes.

Wards/Parishes affected: All wards and parishes.

Maidstone Borough Local Plan
 Consultation Plan – November/December 2013

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1. EXHIBITIONS, MEETINGS AND WORKSHOPS		
ACTION	LOCATION	DATE
Public exhibitions	Identified rural service centres Identified larger villages Maidstone Gateway Maidstone Mall shopping centre Maidstone Leisure Centre	To be scheduled during weeks 3-5.
A 'Big debate' or similar conference to debate the key issues of the MBLP	TBC	To be scheduled during weeks 1-2.
Meetings with parish councils/designated neighbourhood areas	Identified rural service centres Identified larger villages Urban area	To be scheduled during weeks 1-4.
Workshop with the Maidstone branch of the Kent Association of Local Councils	Maidstone Borough Council offices	To be scheduled during week 3-4.
Workshop with the Kent Joint Parishes Group (JPG)	Maidstone Borough Council offices	To be scheduled during week 3-4.
Workshop with developers/registered providers/infrastructure providers	Maidstone Borough Council offices	To be scheduled during week 4-5.
Duty to co-operate workshop with statutory bodies and adjoining authorities	Maidstone Borough Council offices	To be scheduled during week 4-5.
Workshop with the business community	TBC	To be scheduled during week 3-4.
Presentation to the Maidstone Joint Transportation Board	Maidstone Town Hall	TBC (November meeting)
Member drop-in session	Maidstone Borough Council offices	To be scheduled during week 1-2.

2. PROMOTIONAL MATERIAL AND ADVERTS		
ACTION	LOCATION	DATE
Copies of the consultation documents (hard copy and CD)	All libraries throughout the borough Maidstone Gateway Council's website	Ongoing
Copies of the consultation questionnaire	All libraries throughout the borough Maidstone Gateway Council's website	Ongoing
Posters	All parish councils All libraries through the borough Maidstone Gateway	Ongoing
Pop-up banners for public exhibitions	Identified rural service centres Identified larger villages Maidstone Gateway Maidstone Mall shopping centre Maidstone Leisure Centre	Ongoing
Public notice	Kent Messenger	To be scheduled during week 1.
Planning Viewpoint	Newsletter to be sent to all contacts on Spatial Policy database	To be scheduled during week 1.

3. ONLINE CHANNELS		
ACTION	LOCATION	DATE
Consultation documents	Council's website Objective portal	Ongoing
Consultation questionnaire	Council's website Objective portal	Ongoing
Schedule of planned consultation events	Council's website	Ongoing

4. SOCIAL MEDIA		
ACTION	LOCATION	DATE
Facebook – upload messages	Council’s Facebook page	Ongoing
Twitter – upload messages	Council’s Twitter page	Ongoing
YouTube – upload videos	Council’s YouTube channel	Ongoing

MAIDSTONE BOROUGH COUNCIL

PLANNING, TRANSPORT AND DEVELOPMENT OVERVIEW & SCRUTINY COMMITTEE

TUESDAY 20 AUGUST 2013

REPORT OF CHIEF EXECUTIVE

Report prepared by Sue Whiteside

1. MAIDSTONE BOROUGH LOCAL PLAN DEVELOPMENT MANAGEMENT POLICIES

1.1 Issue for Consideration

1.1.1 To consider the proposed development management policies for the Maidstone Borough Local Plan attached at Appendix A. Officers are seeking the Committee's initial comments on this suite of policies, which provides part of the policy framework to assist with decisions on planning applications. These policies will complement the 'core' policies from the core strategy that are to be taken forward to the local plan for public consultation following approval by Cabinet on 13 March 2013 (attached at Appendix B for information).

1.2 Recommendation of Chief Executive

1.2.1 That Planning, Transport and Development Overview and Scrutiny Committee considers the proposed development management policies of the Maidstone Borough Local Plan (attached at Appendix A), and provides comments on the policies to officers.

1.3 Reasons for Recommendation

1.3.1 The draft core strategy 2011 set a broad policy framework for planning decisions, and the core policies within the document were the key development management policies within that framework. On 13 March 2013 Cabinet approved a revision to the council's Local Development Scheme. As a result, a single Maidstone Borough Local Plan is to be prepared for the period 2011 to 2031, and much of the work to date on the core strategy will be carried forward to the new plan. The local plan will retain the broad policy framework from 2011, together with the strategic site allocations that were subject to public consultation in 2012, but it will also

include additional detailed policies for development management, together with the balance of site allocation policies.

1.3.2 The Maidstone Borough Local Plan will have a similar format to the former core strategy:

- An introduction setting out the purpose of the document and the local plan process, with an explanation of how the public can submit their comments on the draft policies and draft site allocations;
- An explanation of which documents the council must have regard to in preparing their local plans, such as the National Planning Policy Framework and local evidence;
- A spatial portrait of the borough, which highlights key local issues for the council;
- The spatial vision and objectives for the local plan, which are influenced by the council's higher tier policies and strategies;
- The spatial strategy for the borough, which will set targets for housing and economic development and define where new development will be focused;
- The inclusion of spatial policies for the town centre, urban area, rural service centres and other larger village settlements, and the countryside;
- Detailed development management policies (including the core policies);
- An explanation of how the strategy will be delivered, including the delivery of (and priorities for) supporting infrastructure; and
- Site allocation policies, which will set out the what, where, when and how allocated development sites will be delivered.

1.3.3 Through the iterations of the core strategy, Members have previously given consideration at various stages of plan production to the spatial strategy and spatial policies, core policies, development delivery and strategic site allocations. Core policies, development delivery policies and strategic site allocations to the north west and south east of the urban area and at Newnham Park, all of which had been subject to sustainability appraisal and amended through public consultation, were approved by Cabinet in March for the next round of public consultation in the autumn. Some of these policies will require updating as a result of additional information received since they were last considered by Members, and redrafted in some instances to ensure consistency of format for a single local plan.

1.3.4 The key Committee dates for the Maidstone Borough Local Plan are:

- 20 August – feedback given to officers on new development management policies;
- 17 September – PowerPoint presentation to explain the methodologies for calculating housing and employment targets, together with the outputs from the Strategic Housing Market Assessment;
- 15 October – presentation of reports seeking recommendations to Cabinet to approve the Maidstone Borough Local Plan and supporting documents as fit for purpose to undertake public consultation; and
- 22 October – Cabinet to consider the proposed Maidstone Borough Local Plan for the purpose of public consultation.

1.3.5 Public consultation (known as “preparation” or Regulation 18¹ consultation) is an informal stage of public engagement and is expected to commence in November 2013. Following consideration of the comments received during this consultation, the local plan will be appropriately amended, and Member approval will be sought to undertake the more formal second round of public consultation next year (known as “publication” or Regulation 19²).

1.3.6 This report focuses on new development management policies (attached at Appendix A) that will be merged with the March core policies which have been approved for consultation purposes (attached at Appendix B for information). The reasoned justifications supporting the core policies contain text that is useful scene setting information for new development management policies. Hence, the new policies in Appendix A indicate where core policies will be inserted in the local plan.

1.3.7 Since the introduction of the new plan making system in 2004, local plans should be more succinct documents that focus on local issues, unlike old-style local plans that repeated national policy and needed to cross reference policies within the plans because of their volume. Policies in the Maidstone Borough Local Plan have been designed to avoid repetition, so the local plan should be read as a whole when determining planning applications. The suite of new development management policies addresses a range of local issues across the borough, within the town centre and in the countryside.

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

² At Regulation 19 the council will be consulting on the penultimate draft of the local plan before submitting the document to the Secretary of State for examination. It is important to note that the council would need to take a step back and re-consult the public on any major changes to the local plan following Regulation 19 consultation.

- 1.3.8 Borough wide policies focus on (*policies in italics refer to March policies attached at Appendix B*):

<i>DM1</i>	<i>Sustainable design and development (CS6)</i>
DM2	Design principles
DM3	Residential garden land
DM4	External lighting
DM5	Signage and shop fronts
DM6	Residential extensions, conversions and redevelopment
<i>DM7</i>	<i>Historic and natural environment (CS13)</i>
DM8	Open space and recreation
DM9	Community facilities
<i>DM10</i>	<i>Sustainable transport (CS7)</i>
DM11	Public transport
DM12	Park and ride
<i>DM13</i>	<i>Economic development (CS8)</i>
DM14	Retention of employment sites
DM15	Town centre uses
DM16	District centres, local centres and local shops and facilities
DM17	Residential premises above shops and businesses
DM18	Mooring facilities and boat yards
<i>DM19</i>	<i>Housing mix (CS9)</i>
<i>DM20</i>	<i>Affordable housing (CS10)</i>
<i>DM21</i>	<i>Local needs housing (CS11)</i>
<i>DM22</i>	<i>Gypsy, traveller and Travelling Showpeople accommodation (CS12)</i>

- 1.3.9 New development management policies define the town centre's primary and secondary shopping frontages, and identify the leisure and community uses the council would like to attract to the town centre.

DM23	Primary shopping frontages
DM24	Secondary shopping frontages
DM25	Leisure and community uses in the town centre

- 1.3.10 In the countryside, policies focus on:

DM26	New agricultural buildings and structures
DM27	Conversion of rural buildings
DM28	Rebuilding and extending dwellings in the countryside
DM29	Change of use of agricultural land to domestic garden land
DM30	Accommodation for agricultural and forestry workers
DM31	Holiday caravan and camp sites
DM32	Caravan storage in the countryside
DM33	Retail units in the countryside
DM34	Equestrian development

- 1.3.11 Additionally, as part of infrastructure delivery, a new policy supports the expansion of electronic communications networks and sets out criteria for development proposals involving new masts and antennae.

<i>ID1</i>	<i>Infrastructure delivery (CS14)</i>
ID2	Electronic communications

- 1.3.12 The Committee is recommended to give consideration to all new development management policies set out in Appendix A and to feedback comments to officers. These policies, as amended, will be included in the public consultation draft of the Maidstone Borough Local Plan, which will be presented to the Committee at its October meeting.

- 1.3.13 As part of this review, the identification of local issues that have not been addressed by the new policies (Appendix A) or core policies (Appendix B) is welcomed although, in some instances, detailed issues may be more appropriately dealt with through Supplementary Planning Documents (SPD) rather than the higher tier local plan. Following adoption of the local plan, the council will approve a suite of SPDs that expand or give more detail for a parent policy in the local plan.

1.4 Alternative Action and why not Recommended

- 1.4.1 The new development management policies (attached at Appendix A) could have been presented to the Committee in October for consideration as part of the Maidstone Borough Local Plan as a whole. However, deliberation of these policies at this point offers the opportunity for early debate, and the chance to identify new local issues that have not been addressed through these and/or other policies that will be carried forward to the local plan.

1.5 Impact on Corporate Objectives

- 1.5.1 The Maidstone Borough Local Plan will assist in delivering the spatial objectives of the Sustainable Community Strategy and the Strategic Plan. It will also have regard to objectives set out in other Council documents, such as the Economic Development Strategy and the Housing Strategy. The local plan will support the council's priorities for Maidstone to have a growing economy and to be a decent place to live, and the consultation processes will strive to meet corporate and customer excellence.

1.6 Risk Management

1.6.1 The council still has a local planning policy framework that comprises adopted development plan documents and supplementary planning documents, endorsed guidance, and saved policies from the Maidstone Borough Wide Local Plan 2000. These policies are still relevant and carry weight in the decision making processes provided there is no conflict with the National Planning Policy Framework (NPPF).

1.6.2 However, the council has a duty to maintain an up-to-date policy framework, and current policies are increasingly becoming outdated or are in conflict with the NPPF. The development management policies that are the subject of this report, together with other policies of the Maidstone Borough Local Plan, will provide a robust framework for the development management process and will reduce the risk of inappropriate development.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

X
X

1.7.2 Legal: Legal services have been retained to offer advice on document content and processes to ensure the Maidstone Borough Local Plan is found sound at examination. A number of meetings have been held with Counsel and regular meetings have been set up with the Head of Legal Services. These services can be managed within the existing budget for local plan production.

1.7.3 Environmental/Sustainable Development: A sustainability appraisal, incorporating a strategic environmental assessment, is

required for all local plan policies, including site allocations. Consultants have been appointed to undertake this technical exercise, and costs can be managed within the existing budget for local plan production. The sustainability appraisal is an iterative process, and the policies that are the subject of this report have undergone initial appraisal. The amendments arising from this exercise were minimal.

1.8 Relevant Documents

1.8.1 Appendices

Appendix A: Draft Maidstone Borough Local Plan Development Management Policies 2013

Appendix B: Maidstone Borough Local Plan Core Policies (approved by Cabinet March 2013 for public consultation)

1.8.2 Background Documents

None

<u>IS THIS A KEY DECISION REPORT?</u>		<u>THIS BOX MUST BE COMPLETED</u>	
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If yes, this is a Key Decision because:			
.....			
Wards/Parishes affected:			
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Development Management Policies for Maidstone Borough

Sustainable design and development

Policy DM 1

Sustainable design and development (ref CS6) - March 2013

Design principles

1.1 Good design is the fundamental principle underpinning good planning. It has a very important impact upon the quality of the environment and the way in which places function. The National Planning Policy Framework places great emphasis upon raising the quality of the built, natural and historic environment and the quality of life in all areas. It attaches great importance to the securing of high quality design and seeks to ensure that all development contributes positively to making places better for all.

1.2 The council aspires to achieve high quality design throughout the borough, and policy DM2 seeks to manifest this aim and will be used to assess all development requiring planning permission, both in urban and rural locations. In order to achieve high quality design, the council expects that proposals will respect and, where appropriate, enhance the character of their surroundings. It is important that development contributes positively to its context and to the sense of place.

1.3 Key aspects of built development will be the scale, height, materials, detailing, mass, bulk and site coverage. These features should relate well, and respond positively, to the context in which they are seen. In appropriate locations, local distinctiveness should be reinforced and natural features worthy of retention be sensitively incorporated. Good design should also address the functioning of an area, including accessibility to all, linkages to local services, and issues of crime. New development should integrate well into the built, natural and historic environment and should address the connections between people and places, including vehicle and pedestrian movement.

1.4 In assessing the appropriateness of design, the council will have regard to adopted Conservation Area Appraisals and Management Plans, Character Area Assessments and the Kent Design Guide, which provide specific information about local character and distinctiveness and give guidance on design principles. Regard will also be given to the Kent Downs Area of Outstanding Natural Beauty Management Plan.

1.5 Proposals which fail to take opportunities to secure high quality design will be resisted.

Policy DM 2

Design principles

Proposals which would create high quality design and meet the following criteria will be permitted:

- i. Create designs and layouts that are accessible to all, and maintain and maximise opportunities for permeability and linkages to the surrounding area and local services;
- ii. Respect and enhance the local, natural or historic character of the area, paying particular regard to scale, height, materials, detailing, mass, bulk and site coverage;
- iii. Create high quality public realm and, where opportunities permit, provide improvements, particularly in town centre locations;
- iv. Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties;
- v. Respect the topography of the site and sensitively incorporate natural features such as trees, hedges and ponds worthy of retention within the site;
- vi. Safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access;
- vii. Create a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour;
- viii. Incorporate measures for the storage of waste, including recyclable waste;
- ix. Provide adequate vehicular and cycle parking to meet adopted council standards; and
- x. Be flexible towards future adaptation in response to changing life needs.

Account should be taken of Conservation Area Appraisals and Management Plans, Character Area Assessments, the Kent Design Guide and the Kent Downs Area of Natural Beauty Management Plan.

Residential garden land

1.6 Within the borough, there is significant pressure for the development of residential garden land. Such development, typically involving the subdivision of existing residential curtilages, can often appear cramped and damage the existing pattern of development. The council wishes to resist development where it cannot be absorbed within the existing character, pattern and layout of the built environment without detriment to visual amenity. All new development

should respect the amenities of neighbouring occupiers and their quality of life. It should be designed to avoid an unacceptable loss of privacy, light or outlook and also excessive levels of noise from activities, processes and traffic movements.

Policy DM 3

Residential garden land

Development of domestic garden land to create new buildings will not be permitted unless the following criteria are met:

- i. The higher density resulting from the development is appropriate to its location;
- ii. The proposal would not result in harm to the character and appearance of the area;
- iii. There is no significant loss of privacy, light or outlook for adjoining properties and/or their curtilages;
- iv. Access of an appropriate standard can be provided to a suitable highway; and
- v. There would be no significant increase in noise or disturbance from traffic gaining access to the development.

External lighting

1.7 Lighting can be an important factor of good design. Appropriate types and levels of lighting can contribute positively towards a sense of place, whilst poorly designed lighting schemes can damage local amenity and biodiversity interests. The National Planning Policy Framework seeks to limit light pollution in locations which are particularly sensitive to light, such as intrinsically dark landscapes.

1.8 The council recognises that carefully designed external lighting can enhance the night-time economy and have benefits for security and the viability of recreational facilities. However, inappropriate and excessive external lighting can not only be both visually obtrusive and inefficient in energy terms, but can also damage rural character in areas containing little built development, and can have highway safety implications for drivers. Protected species, such as bats, tend to avoid well-lit areas and lighting schemes should ensure that ecological issues are fully considered in their design.

1.9 The council will seek to secure well-designed lighting schemes, which are suitable for their environments. Where appropriate the recommendations within the Institute of Lighting Engineers Technical Report Number 5 will be considered as a guide to maximum levels of luminance. Low level bollard lighting will be supported where appropriate. The council will also encourage the use of PIR motion sensor lighting for business development and public buildings, in order to provide energy efficiency savings.

Policy DM 4

External lighting

Proposals for external lighting which meet the following criteria will be permitted:

- i. The minimum amount of lighting necessary to achieve its purpose is proposed;
- ii. The design and specification of the lighting would minimise glare and light spillage and would not dazzle or distract drivers or pedestrians using nearby highways; and
- iii. The lighting scheme would not be visually detrimental to its immediate or wider setting.

Signage and shop fronts

1.10 Signage and shop fronts have a significant impact upon the attractiveness and vitality of shopping and other commercial areas. The National Planning Policy Framework requires that new development integrates well into the built environment. Advertisements which are poorly placed can result in visual clutter which both detracts from the quality of the built environment and leads to a more confused and less coherent visual presentation. Unsympathetic shop windows and signs can also damage the character of their locality, especially in historic areas.

1.11 The council wishes to support commercial and retail frontage and signage schemes which are in sympathy with, and contribute positively towards, the visual amenity of their locality. The scale, design and detailing of such schemes should respect and visually complement their surroundings, being appropriately designed for their context.

1.12 Solid external shutters which completely cover a shop or other commercial front are visually unattractive and generally detract from the vitality of commercial areas. In order to preserve the quality of the built environment, the council will seek alternative security solutions such as internal lattice grilles, security systems or use of laminated glass. In some cases, external roller shutters having an open grille design which let light on to the street may be acceptable, subject to the housing being unobtrusive and unlikely to harm the character of the building or street scene. Solid external roller shutters will only be approved where an overriding security need can be demonstrated. Such evidence is likely to include details of break-ins and correspondence from Kent police confirming that roller shutters are necessary and the only viable security solution.

Policy DM 5

Signage and shop fronts

Proposals for new signage and for shop (A1) or other commercial (A2-A5) fronts which meet the following criteria will be permitted:

- i. The size, design, positioning, materials, colour and method of illumination of signage would not be detrimental to the character and appearance of the building or the surrounding area;
- ii. The proposal would not result in the loss of a traditional shop front or features and details of architectural or historic interest;
- iii. The proposal would be in sympathy with the architectural style, materials and form of the building(s) of which it would form part and the character of the neighbouring properties; and
- iv. Where a fascia is to be applied, it would be of an appropriate height which would be in scale with the overall height of the shop front and other elements of the building.

Residential extensions, conversions and redevelopment

1.13 The conversion of larger residential properties to self-contained flats and houses in multiple occupation (HMOs) aids the provision of accommodation for smaller households and contributes towards a mix and choice of homes, advocated by the National Planning Policy Framework. HMOs differ from self contained flats as bedrooms/bed sitting rooms are private but other facilities, such as bathrooms and kitchens, are shared. The National Planning Policy Framework also places emphasis upon the quality of new residential development and requires a good standard of amenity to be provided for all existing and future occupants of land and buildings.

1.14 The council wishes to ensure that new residential units are attractive, high quality places to live, which respond positively to the local area. Good quality development should be of a scale and layout which provides attractive and comfortable places to live. The intensified use of dwellings to create smaller households can cause problems for nearby residents, for example noise and disturbance from increased traffic movements and requirements for parking. Policy DM6 seeks to control the potential problems arising from such proposals.

1.15 Residential extensions generally benefit the community by increasing the amount and quality of accommodation in the borough. However, careful design is necessary, in order to prevent a reduction in the quality of living conditions for adjoining residents and the built environment in general. The adopted Residential Extensions Supplementary Planning Document (May 2009) will be used to guide the assessment of proposals for residential extensions.

Policy DM 6

Residential extensions, conversions and redevelopment

1. Proposals for the extension, conversion or redevelopment of a residential property which meet the following criteria will be permitted:
 - i. The scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context;
 - ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced;
 - iii. The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded; and
 - iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.
2. Proposals for the conversion or redevelopment of a dwelling to self-contained flats or the use of a building as a house in multiple occupation which also meet the following criterion will be permitted:
 - i. The intensified use of the building and its curtilage would not significantly harm the appearance of the building or the character and amenity of the surrounding area.

Historic and natural environment

Policy DM 7

Historic and natural environment (ref CS13) - March 2013

Open space and recreation

1.16 Sports and recreation opportunities can contribute positively to the well-being and quality of communities. High quality open space can facilitate such opportunities, promoting social interaction and inclusion. The National Planning Policy Framework encourages the provision and retention of high quality open spaces and this stance is echoed by the council. The council will seek to secure open space provision for new housing and mixed use development sites, in accordance with the Green and Blue Infrastructure Strategy.

1.17 The loss of existing open space, sport and recreation facilities will be resisted, unless there is a proven overriding need for the development and there would be no deficiency, or net loss, of such facilities/space in the locality. Open space can also have a positive impact upon the quality of the built environment and can be of ecological value. In considering the impact of the loss of open space, the council will also have regard to the visual amenity and biodiversity value of the land in question.

1.18 It is important to ensure that any new open space and sports provision preserves the quality of life for existing residents and also the visual amenity of the locality, especially in rural areas. Intense sports uses, such as multi use games areas, can generate significant amounts of noise; and sports and other recreation uses may include lighting, such as floodlighting. This can be harmful to the living environment of nearby occupiers and to the visual amenity of the countryside where levels of artificial lighting are generally very limited. Policy DM8 also seeks to ensure that new open space and recreation areas are appropriate to their setting in these regards.

Policy DM 8

Open space and recreation

1. For new housing or mixed use development sites, the council will seek delivery of the following categories of open space provision in accordance with the Green and Blue Infrastructure Strategy:
 - i. Natural and semi natural areas of open space
 - ii. Amenity green space
 - iii. Provision for children and young people's equipped play areas
 - iv. Public and private outdoor sports facilities
 - v. Allotments.
2. Proposals for, and including, new open space and recreation provision shall respect the amenities of neighbouring occupiers, by ensuring that development does not result in excessive levels of noise or light pollution. New lighting relating to such development shall also preserve the character and visual amenity of the countryside.
3. Proposals for new development which would result in the net loss of open space or sport and recreation facilities will not be permitted unless there is a proven overriding need for the development and there would be no deficiency of open space or recreation facilities in the locality, or alternative provision of an equivalent community benefit can be provided to replace the loss.
4. In dealing with applications to develop existing open areas within the urban area and village settlements, the borough council will have regard to the contribution which the existing site and the proposed development will make to the character, amenity and biodiversity of the area, and the need to maintain and improve the appearance of the locality and conserve wildlife habitats.

Community facilities

1.19 In order to build well functioning, sustainable communities, it is essential that adequate community facilities are provided. The National Planning Policy Framework emphasises the importance of creating healthy, inclusive communities, with appropriate facilities, to create attractive residential environments.



Community facilities encompass educational, cultural and recreational facilities, including schools, libraries, places of worship, meeting places, cultural buildings (such as museums and theatres) and sports venues.

1.20 The council seeks to resist the net loss of viable community facilities, as this runs contrary to the aim of achieving sustainable, inclusive communities.

1.21 School premises are generally only in operation during particular hours. These sites offer opportunities to provide additional community uses outside of school hours. Such dual uses can increase the range of community facilities and can help to maximise land usage in a suitable manner. The council will therefore encourage dual usage of educational premises in appropriate circumstances.

Policy DM 9

Community facilities

The adequate provision of community facilities, including social, education and other facilities, is an essential component of new residential development.

1. Residential development which would generate a need for new community facilities or for which spare capacity in such facilities does not exist, will not be permitted unless the provision of new, extended or improved facilities (or a contribution towards such provision) is secured by planning conditions or through legal agreements.
2. Proposals which would lead to a loss of community facilities will not be permitted unless demand within the locality no longer exists or a replacement facility acceptable to the council is provided.
3. The council will seek to ensure, where appropriate, that providers of education facilities make provision for dual use of facilities in the design of new schools, and will encourage the dual use of education facilities (new and existing) for recreation and other purposes.

Sustainable transport

Policy DM 10

Sustainable transport (ref CS7) - March 2013

Policy DM 11

Public transport

1. Within the bus and hackney carriage corridors, as defined on the policies map, the council and the highway authority will develop preference

measures to improve journey times and reliability and make public transport more attractive, particularly on park and ride routes. Such measures may include:

- i. Dedicated bus lanes, including contraflow lanes where appropriate;
 - ii. Bus priority measures at junctions;
 - iii. Prioritisation within traffic management schemes; and/or
 - iv. Enhanced waiting and access facilities and information systems for passengers, including people with disabilities.
2. Proposals for major development will be permitted if adequate provision is made, where necessary and appropriate, within the overall design and site layout for the following facilities for public transport secured through legal agreements:
- i. Priority or exclusive provision for public service vehicle access to or through the proposed development area;
 - ii. Safe and convenient passenger waiting facilities, information systems and signed pedestrian access routes;
 - iii. Suitable provision for disabled access to the waiting facilities from all parts of the development area; and
 - iv. Suitable provision for disabled access onto buses from the waiting facilities.

Policy DM 12

Park and ride

1. The following sites, as defined on the policies map, are designated bus park and ride sites:
 - i. Old Sittingbourne Road (to serve the A249 corridor);
 - ii. London Road (to serve the A20 west corridor); and
 - iii. Willington Street (to serve the A20 east corridor).
2. The provision of new or replacement park and ride facilities should meet the following criteria:
 - i. Satisfactory access, lay-out, design, screening and landscaping; and
 - ii. Provision of suitable waiting and access facilities and information systems for passengers, including people with disabilities; and
 - iii. The implementation of complementary public transport priority measures both to access the site and moreover along the route. Measures will include dedicated bus lanes (including contraflow lanes where appropriate), together with bus priority measures at junctions.

Policy DM 13

Economic development (ref CS8) - March 2013

Retention of employment sites

1.22 In addition to new allocations of employment land, it is important that a stock of existing employment sites is maintained. A range of well located commercial premises and sites need to be secured so that they can continue to be available to meet the needs of existing and modernising businesses. Policy DM14 identifies Economic Development Areas across the borough designated specifically for B class uses, which include sites with planning permission as well as established, existing employment locations.

1.23 The demand for office, manufacturing and warehouse premises can be expected to fluctuate over the plan period in line with changes in the economic cycle. It is important that these designated, good quality and productive sites are not permanently lost to alternative uses as a result of only short term changes in demand, whilst recognising that the permanent protection of a site that has no prospect of coming forward for its designated use is counter-productive for the local economy. Recent changes to the General Permitted Development Order enable the conversion of office space to residential use without the need for planning permission for a limited 3 year period (until 30 May 2016). Policy DM13 identifies locations with higher quality office floorspace for retention in the longer term, recognising that in the short term conversion to residential use could happen without consent. The recent General Permitted Development Order changes also allow up to 500m² of B1 floorspace to be used for B8 uses without the need for planning permission.

1.24 Planning applications which seek alternative non B class uses in identified Economic Development Areas will be supported only where there is clear evidence that substantiates why the site should not be retained for its designated use. This must include evidence of, and the outcomes from, the concerted marketing of the site for its designated uses for a continuous period of at least 12 months prior to the applicant's submission via relevant commercial property publications and websites. In addition, applications should include an analysis of the on-going suitability of the site for its designated uses and its commercial viability for those uses. Both the suitability and viability assessments should evidence current market conditions and also the future prospects for the sectors for which the site is designated. The analysis of future prospects should look ahead at least 5 years to ensure a medium term view of market trends and employment land requirements is taken.

1.25 Exceptionally, a mixed use scheme which incorporates an element of non B class uses may be a means to achieve an overall upgrade in the quality of B class business premises on a designated site. The overall employment capacity of the site should be maintained or increased by such a scheme as measured by either the employment-generating floorspace provided or the number, permanence and quality of the jobs created. Any proposals for retail would also need to comply with policy DM13

1.26 There is also a significant stock of employment premises and sites outside the designated Economic Development Areas. In the Maidstone urban area and the rural service centres, the redevelopment or expansion of existing sites for employment-generating uses will be supported. Redevelopment of such sites for non-employment generating uses will be permitted where the existing use is inappropriately located in terms of impact on the amenity of surrounding properties, it does not provide safe access, and/or it is proven that there is no realistic prospect of its commercial reuse. This should be evidenced using the same approach as set out in paragraph 1.26 above or through the submission of a viability appraisal.

Policy DM 14

Retention of employment sites

1. The following locations, as defined on the policies map, are designated Economic Development Areas for use classes B1, B2 and B8:
 - i. Lordswood Industrial Estate;
 - ii. Forstal Road, Aylesford;
 - iii. 20/20 Allington;
 - iv. Parkwood Industrial Estate, Maidstone;
 - v. Tovil Green/Burial Ground Lane, Tovil
 - vi. Station Road/Lodge Road, Staplehurst;
 - vii. Pattenden Lane, Marden;
 - viii. Detling Airfield;
 - ix. Lenham Storage, Lenham;
 - x. Marley Works, near Lenham;
 - xi. Barradale Farm, near Headcorn;
 - xii. Station Road, Harrietsham;
 - xiii. Dove Hill Works, Boxley;
 - xiv. Lenham Triangle, Lenham;
 - xv. Tenacre Park, Harrietsham; and
 - xvi. Hart Street Commercial Centre, Hart Street, Maidstone.
2. The following locations, as defined on the policies map, are designated Economic Development Areas for use class B1:
 - i. South Park Business Village, Maidstone;
 - ii. Turkey Mill Court, Maidstone;
 - iii. Eclipse Park, Maidstone;;
 - iv. Albion Place and Sittingbourne Road, Maidstone;
 - v. East And West Of Lower Stone Street, Maidstone;
 - vi. Fairmeadow And Bishops Way, Maidstone; and
 - vii. County Gate, Staceys Street and Invicta House, Sandling Road, Maidstone.
3. Within designated Economic Development Areas, change of use or redevelopment of a site or premises to non B class uses will not be permitted unless it can be demonstrated that there is no reasonable

prospect of their take up or continued use for the designated uses in the medium term.

4. Within designated Economic Development Areas, mixed use proposals incorporating an element of non B class uses may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business and where the overall employment capacity of the site is maintained.
5. Outside the designated Economic Development Areas, the redevelopment and expansion of existing employment premises in Maidstone urban area and the rural service centres for employment-generating uses will be supported. Redevelopment of existing or vacant employment premises in Maidstone urban area and the rural service centres for non-employment uses will be permitted provided it can be demonstrated that the existing use is inappropriately located in terms of impact on the amenity of surrounding properties, it does not provide safe access, and/or there is no reasonable prospect of continuing or re-establishing an employment use.

Town centre uses

1.27 Main town centre uses are retail, leisure and entertainment, offices, arts culture and tourism, as defined in the National Planning Policy Framework . The town centre is the first choice location for these uses. Applicants will be expected to have actively and demonstrably followed a sequential approach when selecting development sites for town centre uses. This approach, whereby in centre and then edge of centre sites are selected above well connected out of centre sites, is underpinned by the principle that sites closest to existing centres are likely to be better served by public transport and be more accessible by walking and cycling. Development on such sites also increases the prospect of linked trips, whereby one journey into the centre can serve a number of purposes.

1.28 The National Planning Policy Framework provides the definitions of 'edge of centre' and 'out of centre' sites. For retail uses the site's relationship to the primary shopping area is the key factor in determining whether a site is in, edge or out of centre. This is defined on the policies map. For other town centre uses the key factor is the site's relationship to the town centre boundary, which is also shown on the policies map. Applicants should follow the approach to sequential sites' assessment set out in the Communities and Local Government (CLG) document 'Practice Guidance on Need, Impact and the Sequential Approach December 2009', together with the tests set out in the National Planning Policy Framework (paragraph 24). The local plan also identifies a number of district and local centres across the borough, which serve more localised shopping and service needs, and these should also be regarded as centres for the purposes of a sequential search for retail sites.

1.29 In assessing the impact of proposals, applicants should also follow the approach in the CLG practice guidance and the National Planning Policy Framework (paragraph 26). Additionally, applicants will be expected to give specific analysis to the impact of their proposals on the retailers in the primary shopping frontages

because maintaining the health of this core retail area is considered to be particularly important in sustaining the future vitality and viability of the town centre.

1.30 The Local Plan identifies the Maidstone East/Royal Mail Sorting Office, which is an important regeneration site, as its priority site for new retail development at the edge of the town centre. Out of centre retail proposals which would undermine the delivery of this key allocated site will not be supported.

Policy DM 15

Town centre uses

1. Proposals for main town centre uses should be located in an existing centre unless:
 - i. By means of a sequential approach, it is demonstrated that the proposal could not be accommodated first on a site within an existing centre and the proposal is located at the edge of an existing centre, or second it is demonstrated that the proposal could not be accommodated on a site within or at the edge of an existing centre and the proposal is located on an accessible out of centre site; and
 - ii. By means of an impact assessment it is demonstrated that a retail, office or leisure proposal would not result in a significant adverse impact on the vitality and viability of an existing centre or undermine the delivery of a site allocated for the use proposed.
2. Proposals located at the edge of an existing centre or out of centre should ensure the provision of specific measures which will improve the quality and function of sustainable connections to the centre, in particular walking and cycling routes and public transport links and specific measures which will mitigate the impact of the proposal on the identified centre or centres. The nature, extent and permanence of the measures will be directly related to the scale of the proposal.

District centres, local centres and local shops and facilities

1.31 Local convenience shops and other such facilities can play an important role in sustainable development, by meeting the day-to-day needs of local communities. The National Planning Policy Framework seeks to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet such needs.

1.32 Whilst the council recognises the importance of securing viable uses for premises, this must also be balanced against the needs of the community. Changes in socialising habits in particular sometimes lead to public houses

becoming vacant and alternative uses being sought. However, for some communities, especially in rural areas, these facilities provide both important services and leisure opportunities.

1.33 Where the loss of a local convenience shop or facility is proposed, the council will expect such an application to be supported by a viability report, prepared by a qualified professional within the relevant industry, together with financial accounts and marketing information illustrating that the use is no longer viable. Accounts should, where possible, cover a three year period. The council will also give consideration to the availability of comparable alternative facilities. In assessing this, the feasibility of such alternatives being used will be considered, including not only the distance from the potential users, but also the attractiveness and likelihood of the route being used. The impact of the loss of a local facility may be greater in village locations, where alternatives are less accessible. Well located local facilities can be positive assets, which are available to all, including those without cars and mobility problems.

1.34 Within the borough, the council has identified district and local centres which fulfil the function of providing essential local facilities as a group. District centres serve a wider catchment than a local centre and will typically cater for weekly resident needs. A district centre will usually comprise groups of shops, often containing at least one supermarket or superstore, and a range of non retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library. Local centres include a range of small shops serving a small catchment. Typically, amongst other shops, a local centre might include a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette. In rural areas, large villages may perform the role of a local centre. Additionally, there are small parades of shops throughout the borough of purely neighbourhood significance.

1.35 The council wishes to maintain the existing retail function together with supporting community uses in these locations, in the interests of securing sustainable, well-functioning communities. Within the defined district and local centres, new non A or D use classes⁽¹⁾ will be resisted at ground level in order to maintain the retail role of the centres. The provision of additional retail and/or community facilities, plus a new local centre to complement the new residential development scheme at Langley Park, will be supported for similar sustainability reasons.

Policy DM 16

District centres, local centres and local shops and facilities

1. The council will seek to maintain and enhance the existing retail function and supporting community uses in the following district centres, as defined on the policies map:
 - i. Mid Kent Centre, Castle Road, Allington;

1 A use classes comprise A1 shops, A2 financial and professional services, A3 food and drink, A4 pubs and bars, and A5 hot food takeaways; D use classes comprise non residential community uses and small scale leisure uses.

- ii. Grovewood Drive, Grove Green;
 - iii. Heath Road, Coxheath;
 - iv. The Square, Lenham;
 - v. High Street, Headcorn;
 - vi. High Street, Marden; and
 - vii. High Street, Staplehurst.
2. The council will seek to maintain and enhance the existing retail function and supporting community uses in the following local centres, as defined on the policies map:
- i. Ashford Road, Bearsted;
 - ii. The Green/The Street, Bearsted;
 - iii. Marlborough Parade, Beverley Road, Barming;
 - iv. Cherry Tree, Tonbridge Road;
 - v. Boughton Parade, Loose;
 - vi. Egremont Road, Madginford;
 - vii. Parkwood Parade;
 - viii. Sandling Lane, Penenden Heath;
 - ix. Senacre Square, Woolley Road;
 - x. Northumberland Court, Shepway;
 - xi. Snowdon Parade, Vinters Park;
 - xii. Mangravet, Sutton Road/Mangravet Avenue;
 - xiii. High Street/Benover Road, Yalding; and
 - xiv. Hermitage Walk, Hermitage Lane.
3. A new local centre will be provided as part of a new residential development scheme at Langley Park.
4. In considering planning proposals which would involve or require the loss of existing post offices, pharmacies, banks, public houses or class A1 shops selling mainly convenience goods outside local and district centres, consideration will be given to the following:
- i. Firm evidence that the existing uses are not now viable and are unlikely to become commercially viable;
 - ii. The availability of comparable alternative facilities in the village or the local area; and
 - iii. The distance to such facilities, the feasibility of alternative routes being used, and the availability of travel modes other than by private motor vehicle.

Residential premises above shops and businesses

1.36 'Living over the shop' can have a positive impact upon the vitality of town centres and other commercial areas. Once shoppers and workers depart, residential units to upper floors can provide a sense of life and occupation, which can add to a perception of security and vitality. 'Living over the shop' also helps to create a sense of place and mix of uses advocated by the National Planning Policy Framework.

1.37 The council wishes to support such proposals in all suitable locations, where good standards of living can be provided for future occupiers. New proposals will be required to meet the design criteria set out in policy DM2. The loss of residential accommodation above retail and business premises will be resisted, unless the circumstances of the site render it unsuitable for continued occupation.

Policy DM 17

Residential premises above shops and businesses

1. Change of use from residential accommodation in premises where the ground floor is (or last was) in class A retail or class B1 business uses within town, district or local centres will be permitted, provided it can be shown that the accommodation is no longer suitable or is potentially unsuitable for occupation because of location or design.
2. The council will permit 'living over the shop' projects in all suitable premises in the town centre, district and local centres, and village shops.

Mooring facilities and boatyards

1.38 Mooring facilities and boatyards can provide tourism and recreation facilities which can contribute positively towards the economy. The National Planning Policy Framework lends strong support to the building of a robust economy, including within rural areas. The River Medway, which runs through both the urban and rural parts of Maidstone Borough, is an important asset, which provides opportunities to enhance tourism and recreation facilities through additional and enhanced mooring facilities. The council wishes to safeguard existing boat yards, in order to protect water-based recreation facilities. The River Medway contributes positively towards a varied range of recreational facilities and this enhances the attractiveness and diversification of the borough for local communities and visitors.

1.39 However, in order to safeguard the rural character of the countryside and the quality of the built environment, it is important that such proposals are limited in scale and that their cumulative impact is not harmful to visual amenity. Much of the River Medway is seen in the context of highly sensitive townscape and landscapes, such as the Maidstone All Saints' Church Conservation Area, the valley formation of high landscape quality through Teston, East and West Farleigh and the Green Belt at Nettlestead.

1.40 The council will also have regard to the advice of the Environment Agency in assessing flooding issues.

Policy DM 18

Mooring facilities and boat yards

1. Small scale and short term mooring facilities will be permitted at the following locations as indicated, subject to the views of the Environment Agency:
 - i. Allington - overnight moorings;
 - ii. Maidstone town centre - overnight or short-stay moorings subject to an increase in the width of the navigable channel without loss of ecological value;
 - iii. Watlington - replacement of permanent moorings with short-stay moorings;
 - iv. East Farleigh - replacement of permanent moorings with short-stay moorings;
 - v. Yalding - short-stay moorings;
 - vi. Stoneham - overnight or short-stay moorings;
And provided that all of the following criteria are met:
 - vii. There is no loss of flood plain or land raising;
 - viii. The visual impact, including cumulative impact, shall preserve landscape quality, ecology and uses of the river and valley in the locality;
 - ix. Proposals create no operational problems for other river users, including fishermen;
 - x. Facilities are provided for disposal of boat toilet contents;
 - xi. The site is capable of being adequately screened and it being possible to provide appropriate landscaping with indigenous species; and
 - xii. The presence of any similar uses in the locality and the combined effect of any such concentration would be acceptable in terms of environmental impact and highway safety.
2. The council will not permit the redevelopment to other uses of boat yards that are in use, or have the potential to be used, in connection with water-based recreation.

Housing Development

Policy DM 19

Housing mix (ref CS9) - March 2013

Policy DM 20

Affordable housing (ref CS10) - March 2013

Policy DM 21

Local needs housing (ref CS11) - March 2013

Policy DM 22

Gypsy, Traveller and Travelling Showpeople accommodation (ref CS12) - March 2013

Development Management Policies for Maidstone Town Centre

Primary and secondary shopping frontages

1.41 The primary shopping frontages are the identified parts of the town centre where retail uses are concentrated. These primary frontages include the key shopping locations of Fremlin Walk and The Mall together with the connecting stretch of Week Street. In these frontages the proportion of ground floor floorspace ⁽²⁾ dedicated to retail uses (use class A1) is some 85% or above (at May 2013). This part of the town centre is principally occupied by national retailing chains and is where the town centre's supply of larger shop units (above 500m²) is predominantly found. The attraction of the town centre for shoppers is particularly influenced by the presence of national retailers, and retaining the overall and predominant retail character of this area and a critical mass of such operators is important in sustaining ongoing vitality. A further important factor in maintaining vitality is the presence of associated cafés and restaurants which encourage people to stay in the town centre for longer, as well as banks, buildings societies and other retail services such as hairdressers and travel agents for both day-to-day and more specialist needs. As well as retaining the predominant retail character of the central part of the town, existing retail floorspace also contributes to meeting predicted needs for the town centre.

2 the exception is The Mall where frontage figures for the lower ground floor, ground floor and upper floor have been estimated separately

1.42 The objective of policy DM23 is to ensure retail (A1) remains the predominant use in this area. In addition it allows for limited retail-based supporting uses in a manner so as not diminish the overall prime retail purpose of this part of the town centre.

1.43 Recent amendments to the General Permitted Development Order (2013) do enable A1 premises to be temporarily changed to A2 (professional and financial services), A3 (cafés and restaurants) or B1 (offices) without the need for planning permission. This change of use can be enacted for a finite period of 2 years after which the premises must revert to their previous lawful use. A permanent change of use for beyond the 2 year period would require the submission of a planning application, and the considerations of policy DM23 would apply.

1.44 In the secondary frontage areas, also shown on the policies map, the retail units are generally smaller (under 500m²) and occupied by a mix of both national and local independent retailers. The latter have an important role in adding to the diversity and distinctiveness of the shopping 'offer' in Maidstone town centre. The approach of policy DM23 is to enable a broader range of retail uses to include professional services (A2), cafés and restaurants (A3) and pubs and wine bars (A4) which contribute to the wider appeal of the town centre. Earl Street in particular has become popular for food and drink outlets making it a destination in its own right.

Policy DM 23

Primary shopping frontages

The primary shopping frontages are shown on the policies map. To ensure that retail (A1) remains the predominant use within the primary shopping frontages, development will be permitted where:

- i. The proposal is for retail (A1) use; or
- ii. The proposal is for a professional and financial services use (A2), a café and restaurant use (A3) or a drinking establishment (A4) and would not result in the percentage of ground floor retail (A1) floorspace in the frontage block in which the development would be located falling below 85%.

Policy DM 24

Secondary shopping frontages

The secondary shopping frontages are shown on the policies map. Development within the secondary frontages will be permitted where:

- i. The proposal is for a retail use (A1), a professional and financial services use (A2), a café and restaurant (A3) or a drinking establishment (A4);
or

- ii. The proposal is for a hot food takeaway (A5) provided it does not have an adverse impact on local amenity, including as a result of fumes, noise, hours of operation or the visual impact of ducting; or
- iii. The proposal is for a leisure or community use which accords with Policy DM25.

In all cases, proposals should establish or retain an 'active frontage' to the street.

Leisure and community uses in the town centre

1.45 Allowing for a variety of leisure uses (Class D2) as well as more community uses (class D1) such as health centres, crèches and community centres within the town centre will add to its diversity and will extend both its appeal and periods of activity throughout the day. Allowing these types of uses, including within the secondary shopping area, could similarly increase the prospects of vacant premises being brought into use. It is the case, however, that both these use class are quite broad and cover a wide variety of uses, so the impact of individual uses within the classes may be very different. The degree and nature of those impacts on local amenity need to be assessed as part of the overall assessment of proposals.

1.46 Changes of use can sometimes create concentrations of single uses, where the cumulative effects can also cause local problems. Proposals should be assessed not only on their positive contribution to diversification, but also on their cumulative effects on local amenity.

1.47 A feature of vibrant and attractive shopping streets is the prevalence of open, glazed frontages to premises at ground floor level. An open frontage to the street, with views in to and out of the premises, is an invaluable way of enlivening the street scene. This is a characteristic of retail type uses, and community and leisure proposals in the secondary shopping areas should also be specifically designed to incorporate such active frontages.

Policy DM 25

Leisure and community uses in the town centre

Proposals for leisure uses (Class D2) and community uses (Class D1) in the town centre which meet the following criteria will be permitted:

- i. The development, including in combination with any similar uses in the locality, will not have an adverse impact on local amenity, including as a result of noise and hours of operation;
- ii. The proposal establishes or retains an 'active frontage' to the street; and
- iii. The proposal is not located at ground floor level in the primary shopping frontage.

Development Management Policies for the Countryside

New agricultural buildings and structures

1.48 Certain agricultural and forestry developments do not require planning permission provided that the development falls within one of the categories set out in the Town and Country Planning (General Permitted Development) Order 1995 (as amended). However, most of these permitted developments need to be submitted to the council for their prior approval of siting, design and external appearance. Developments that are not covered by this Order require planning permission in the usual way. The National Planning Policy Framework lends strong support to the rural economy and seeks to promote agricultural and land based rural businesses. The maintenance of land in agricultural use generally aids the preservation of the rural character of the countryside and the rural economy.

1.49 Whilst the council generally seeks a positive approach towards agricultural development, it is important to ensure that new development is justified and appropriately sited, in order to minimise the impact upon the openness, character and appearance of the countryside.

Policy DM 26

New agricultural buildings and structures

Proposals for new agricultural buildings or structures on land in use for agricultural trade or business which meet the following criteria will be permitted:

- i. The proposal is necessary for the purposes of agriculture;
- ii. The proposal would not have an adverse impact on the amenity of existing residents; and
- iii. The building or structure would be located within or adjacent to an existing group of buildings, in order to mitigate against the visual impact of development, unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding. Where an isolated location is essential the site should be chosen to minimise the impact of the building or structure on the character and appearance of the countryside.

Conversion of rural buildings

1.50 Kent has a long agricultural history, with many buildings and structures having been constructed over the centuries to support the agricultural industry. However, changes in agricultural practices have rendered many of these vernacular buildings redundant, leaving them vacant and prone to dereliction. Government advice in the National Planning Policy Framework supports the re-use of redundant buildings where an enhancement to their setting would result. It also places emphasis upon the building of a strong, rural economy, which the conversion of redundant rural buildings can support.

1.51 However, the quantity and quality of buildings in the countryside in Maidstone Borough brings increasing pressure for their re-use. In line with the objective to protect the quality of rural landscapes for their intrinsic value and openness, it is necessary that buildings considered for re-use are of permanent and substantial construction, not requiring major or complete reconstruction and that their resulting form and appearance is in keeping with the simple, functional character inherent in rural areas.

1.52 The quality and condition of rural buildings in the borough varies considerably. This wide range of buildings also includes buildings such as oasthouses, which are indigenous only to the hop growing areas of the country and exemplify the historical development of agriculture in Kent. Many of these vernacular buildings have a degree of significance which merits consideration as a heritage asset. These functional buildings are often of simple form and character, so external alterations require careful consideration.

1.53 In order to support the objective of promoting a strong, rural economy, the council will seek to secure business or recreation uses for redundant rural buildings, unless it can be demonstrated that such a use is not suitable or viable. Such uses are of a more functional nature than residential uses, and typically require less physical changes, having a lesser impact upon the countryside and rural character. Residential conversions can be detrimental to the fabric and simple form and character of the building. They therefore require particular attention, in order to prevent a loss of rural character and local identity.

Policy DM 27

Conversion of rural buildings

1. Proposals for the reuse and adaptation of existing rural buildings which meet the following criteria will be permitted:
 - i. The building is of a form, bulk and general design which is in keeping with its rural surroundings;
 - ii. The building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction;
 - iii. Any alterations proposed as part of the conversion are in keeping with the rural character of the building in terms of detailed design, form and materials;
 - iv. There is sufficient room in the curtilage of the building to park the vehicles of those who will live there without detriment to the visual amenity of the countryside; and
 - v. No fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it are erected which would harm the visual amenity of the countryside.
2. Proposals for the reuse and adaptation of existing rural buildings for commercial, industrial, sport, recreation or tourism uses which meet the following criteria will be permitted:

- i. The traffic generated by the new use would not result in the erosion of roadside verges, and is not detrimental to the character of the countryside;
 - ii. In the case of a tourist use, the amenity of future users would not be harmed by the proximity of farm uses or buildings; and
 - iii. In the case of self-catering accommodation a holiday occupancy condition will be attached, preventing their use as a sole or main residence.
3. Proposals for the re-use and adaptation of existing rural buildings for residential purposes will not be permitted unless:
- i. Every reasonable attempt has been made to secure a suitable business re-use for the building;
 - ii. Residential conversion is the only means of providing a suitable re-use for a listed building, an unlisted building of quality and traditional construction which is grouped with one or more listed buildings in such a way as to contribute towards the setting of the listed building(s), or other buildings which contribute towards the character of the countryside or which exemplify the historical development of the Kentish countryside; and
 - iii. There is sufficient land around the building to provide a reasonable level of outdoor space for the occupants, and the outdoor space provided is in harmony with the character of its setting.

Rebuilding and extending dwellings in the countryside

1.54 The intrinsic character and beauty of the countryside is an important asset of the borough, which is recognised by the National Planning Policy Framework and which is highly sensitive to development. However, in order to support rural communities, a level of flexibility for certain forms of development in rural areas is required.

1.55 In appropriate circumstances, the council will support the rebuilding of a lawful residential dwelling or an extension to an existing dwelling. In considering such proposals, the council will have particular regard to the mass and visual prominence of the resulting building, including the cumulative impact of such changes. The volume of new development will be more critical than its footprint.

1.56 The term 'original dwelling' refers to the dwelling as it was on 1st July 1948 or, if built later, as it was when first erected and granted planning permission.

Policy DM 28

Rebuilding and extending dwellings in the countryside

1. Proposals for the replacement of a dwelling in the countryside which meet the following criteria will be permitted:
 - i. The present dwelling has a lawful residential use;

- ii. The present dwelling is not the result of a temporary planning permission;
 - iii. The mass and volume of the replacement dwelling is no more visually harmful than the original dwelling;
 - iv. The replacement dwelling would result in a development which individually or cumulatively is visually acceptable in the countryside; and
 - v. The replacement dwelling is sited to preclude retention of the dwelling it is intended to replace, or there is a condition or a planning obligation to ensure the demolition of the latter on completion of the new dwelling.
2. Proposals to extend dwellings in the countryside which meet the following criteria will be permitted:
- i. The proposal is well designed and is sympathetically related to the existing dwelling without overwhelming or destroying the original form of the existing dwelling;
 - ii. The proposal would result in a development which individually or cumulatively is visually acceptable in the countryside; and
 - iii. The proposal would not create a separate dwelling or one of a scale or type of accommodation that is capable of being used as a separate dwelling.

Change of use of agricultural land to garden land

1.57 Changes in the agricultural industry sometimes result in vacant agricultural land being sold off as individual plots. In some cases this land is simply retained as open pasture land. However, planning permission is required where agricultural land is used to form an enlarged domestic garden, for example, where land is regularly mown and laid to lawn or used as an outdoor seating and play area.

1.58 Significant swathes of the borough, particularly in the Medway valley and Greensand fruit belt, are graded as high quality agricultural land under the DEFRA classification. The National Planning Policy Framework recognises the benefits of best and most versatile agricultural land. Where agricultural land is highly graded (Grade 1 or Grade 2) and is functionally well located for agricultural purposes, such that future agricultural use is feasible, the council will seek to resist its irreversible loss to domestic use.

1.59 The change of use of agricultural land to domestic garden land is also, in principle, contrary to the objective of safeguarding the open, rural character of the countryside, which is advocated by the National Planning Policy Framework. The domestication of the countryside, through the replacement of open pasture with lawns, domestic plants and garden furniture is generally harmful to the integrity and character of rural landscapes. This policy of restraint will safeguard against inappropriate and excessive extensions to domestic gardens.

1.60 In some cases, applicants may seek development that results in the infill of an area between existing clear boundaries to existing built development. Where development constitutes such infilling and is in keeping with the layout of the existing built environment, the impact upon the countryside is likely to be minimised.

Policy DM 29

Change of use of agricultural land to domestic garden land

Planning permission will not be granted for the change of use of agricultural land to domestic garden if there would be harm to the character and appearance of the countryside and/or the loss of the best and most versatile agricultural land.

Accommodation for agriculture and forestry workers

1.61 The maintenance of land in agricultural use generally aids the preservation of the rural character of the countryside and the rural economy. The National Planning Policy Framework lends strong support to the rural economy and seeks to promote agricultural and land based rural businesses. It also recognises that residential development in the countryside may be justified when there is an essential need for a rural worker to live permanently at, or in the immediate vicinity of, their place of work.

1.62 In considering whether a dwelling is essential, the council will apply functional and, if appropriate, financial tests. It is the needs of the holding, not the preferences of the individuals concerned, which will determine whether a dwelling is essential or not. The council will condition any planning permission to ensure that proposed dwellings and, where appropriate, existing dwellings remain in agricultural occupancy.

1.63 If a new dwelling is essential to support a new farming activity, whether on a newly created agricultural unit or an established one, it should normally be provided by a caravan or other temporary accommodation for the first three years. This is to ensure that the enterprise is viable and to prevent the retention of unnecessary built development within the countryside.

Policy DM 30

Accommodation for agricultural and forestry workers

1. Proposals to site a caravan or other form of temporary housing accommodation for an agricultural or forestry worker in the countryside outside defined settlement boundaries which meet the following criteria will be permitted:
 - i. The dwelling and its siting on an agricultural or forestry holding are essential for the efficient development and running of the enterprise there;
 - ii. The need is for accommodation for a full time worker;
 - iii. There is clear evidence that the enterprise has been planned on a sound financial basis and that there is a firm intention and ability to develop it;

- iv. No other housing accommodation is already available locally to meet the need;
 - v. The necessary accommodation cannot be provided by the conversion of a building on the holding; and
 - vi. The necessary accommodation would be sited with any farmstead or other group of rural buildings on the holding.
2. Where a temporary planning permission is granted for a dwelling, the council will:
- i. Limit the permission to a term of no more than 3 years;
 - ii. Limit the occupation of the accommodation to a person solely or mainly working, or last working in the locality in agriculture or forestry, or a widow or widower of such a person and to any resident dependants;
 - iii. Require the removal of the temporary accommodation within 3 months after the expiry of the permission; and
 - iv. Require the restoration of the site within 12 months after the expiry of the permission in accordance with a scheme agreed with the local planning authority unless a permission is granted for a permanent dwelling there.
3. Proposals for a new permanent agricultural or forestry dwelling in the countryside outside defined settlement boundaries in support of existing agricultural or forestry activities on well-established units which meet the following criteria will be permitted:
- i. There is a clearly established existing functional need for the dwelling;
 - ii. The need relates to a full time worker or one who is primarily employed in agriculture and does not relate to a part time requirement;
 - iii. The unit and the agricultural or forestry activity have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
 - iv. The functional need could not be fulfilled by another dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the worker(s) concerned; and
 - v. The new dwelling is no larger in size than is justified by the needs of the enterprise or more expensive to construct than the income of the enterprise can sustain.

The council will limit the occupation of any dwelling to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow of such a person, and to any resident dependents.

Holiday caravan and camp sites

1.64 Holiday caravan and camp sites provide alternative forms of accommodation which can add to the tourist attraction of the borough. The National Planning Policy Framework recognises the importance of sustainable tourism for a prosperous rural economy. However, the provision of tourist facilities must be balanced against the need to protect the quality of the countryside for

the sake of its intrinsic character and beauty. Holiday caravan and camp sites should be located outside the borough's most sensitive landscape areas, in particular outside the Kent Downs Area of Outstanding Natural Beauty, and should not be prominent in the landscape and should be well screened.

1.65 In order to prevent the creation of isolated residential uses in rural areas, which would conflict with the aims of sustainable development, a holiday occupancy condition will be attached to any planning permissions.

Policy DM 31

Holiday caravan and camp sites

1. Proposals for sites for the stationing of holiday caravans and/or holiday tents which meet the following criteria will be permitted outside the defined urban area and villages:
 - i. The proposal would not be an intrusive feature in the landscape or detrimental by its siting or appearance to the visual or other amenity of the surrounding area; and
 - ii. The site would be capable of being adequately screened and would be internally landscaped with indigenous species.
2. A holiday occupancy condition will be attached to any permission, preventing use of any unit as a permanent encampment.

Caravan storage in the countryside

1.66 In many cases, it is impractical to store private caravans within the curtilage of dwellings. However, open storage of caravans can be an intrusive feature of rural landscapes. Within Maidstone Borough, the Kent Downs Area of Outstanding Natural Beauty is a highly sensitive and open landscape of national importance. In this area, the council will resist proposals for open storage of caravans, in order to preserve the quality of this valued landscape. In other locations, such development should be appropriately screened and sited, where it would not be isolated or prominent in the landscape.

Policy DM 32

Caravan storage in the countryside

Proposals for the open storage of private caravans in the countryside which meet the following criteria will be permitted:

- i. The site lies outside an Area of Outstanding Natural Beauty and its setting;
- ii. The site would provide comprehensive all year screening before the use commences, which may include bunding, tree and shrub planting, and

- fencing in appropriate locations, and there is no unacceptable impact on the landscape or environment;
- iii. Security arrangements (including lighting) would not be intrusive;
- iv. The proposal would not result in a concentration of sites; and
- v. The proposal is situated close to existing built development, including residential accommodation.

Retail units in the countryside

1.67 The creation and expansion of rural businesses can contribute towards a prosperous rural economy. However, whilst promoting a strong rural economy, the National Planning Policy Framework also recognises the intrinsic character and beauty of the countryside, which is a valuable asset. Retail development in the countryside, if not strictly controlled, can also run counter to the objectives of sustainable development, by creating additional journeys to rural locations. It is therefore necessary to restrict development to that which primarily actively supports the maintenance of land in agricultural and other appropriate land based uses, such as farm shops primarily retailing produce at, and produced upon, their holding.

1.68 In considering such development, the council will view positively proposals where a significant proportion of produce, in terms of turnover, would originate upon the farm holding where it would be sold and, in granting planning permission, will consider the imposition of conditions to restrict the type of goods and extent of produce which does not originate upon the holding, for sustainability reasons. The council will seek to resist retail proposals in rural locations where the business case is not considered to justify such a location.

Policy DM 33

Retail units in the countryside

1. Proposals involving retail sales outside defined settlement boundaries will only be allowed in the case of shops selling fresh produce at the point of production (or originating off the farm holding) provided that:
 - i. A significant proportion, based on annual turnover, of the range of goods offered for sale continues to be fresh produce grown and sold on the farm holding in question; and
 - ii. The range of any additional sale goods would be restricted to agricultural produce and the offer for sale of other goods, including packaged or preserved food products, would not exceed a minimal level; and
 - iii. The proposal is not demonstrably damaging to the viability of rural local centres and village shops.
2. In granting planning permission for farm shops, the council may impose conditions to restrict the amount of produce which originates outside the farm holding in which the proposed development is located and also

to restrict the proportion of non food and other items to be sold, unless the proposal provides for a more sustainable alternative for the local community.

Equestrian development

1.69 Horse riding remains a popular leisure activity in the borough. The National Planning Policy Framework advises that recreational facilities can make an important contribution to health and wellbeing of communities. Whether planning permission is needed for the use of land and buildings for horses and equestrian activities depends on whether the horses are used for agricultural, recreational or commercial purposes. The use of land for grazing (which is part of the definition of agriculture in Section 336 of the Town and Country Planning Act 1990) is widely taken to include the grazing of horses and so does not require planning permission. The need for planning permission arises when horses are kept on the land. Horses are considered to be 'kept' when their food is supplemented over and above any grazing that takes place or shelter is provided for them. This can be in the form of stables or field shelters. If these circumstances exist the land is no longer used for agricultural purposes but is used for the keeping of horses. Planning permission is necessary for this change of use.

1.70 In order to protect the openness of the countryside, the use of existing buildings is preferred to the erection of new structures for equestrian purposes. Where this is not possible, the scale, siting and finish should be chosen to minimise visual impact and avoid prominent and isolated development. Consideration must also be given to the security and safety of the animals being kept upon the land. In determining planning applications for equestrian development, the council will only grant consent where the owners of the horses live upon a parcel of land which either adjoins or is opposite the site or has clear sight of the area where the horses are kept.

Policy DM 34

Equestrian development

Proposals for domestic or commercial stables or associated equestrian development which meet the following criteria will be permitted:

- i. The conversion of existing buildings would be used in preference to new built development;
- ii. New stables and associated buildings would be grouped with existing buildings on the site wherever possible;
- iii. All new development is of a design which is sympathetic to its surroundings in terms of scale, materials, colour and details;
- iv. The proposal is accompanied by an integral landscaping scheme including boundary treatments which reflect the landscape character of the area;

- v. The proposal contains an appropriately sited and designed area for the reception of soiled bedding materials and provision for foul and surface water drainage;
- vi. Adequate provision is made for the safety and comfort of horses in terms of size of accommodation and land for grazing and exercising;
- vii. Adequate provision is made for the security of the site in terms of the location of the proposed development in relation to the owners of the animals; and
- viii. The site would have easy access to bridleways and/or the countryside.

The Delivery Framework

Infrastructure delivery

Policy ID 1

Infrastructure delivery (CS14) - March 2013

Electronic communications

1.71 Advanced, high quality communications infrastructure plays a key role in sustainable economic growth, and high speed communication networks, including broadband, are also an important element in the provision of local community facilities and services. The National Planning Policy Framework lends strong support to the expansion of electronic communication networks, including telecommunications and high speed broadband. The council recognises the importance of such development and similarly adopts a positive approach to such development.

1.72 Certain telecommunications developments do not require planning permission by virtue of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). However, local authorities are able to exercise some control over the siting and appearance of these developments. In these cases, and in the case of telecommunication developments subject to full planning control, the council will apply policy ID2.

1.73 In considering electronic communications development, the council will expect the operator to have regard to the Code of Best Practice on Mobile Network Development in England (published July 2013) or any subsequent Best Practice Guide. Development should be sited, where possible, to minimise visual impact.

Policy ID 2

Electronic communications

The council supports the expansion of electronic communications networks. Development of new masts and antennae by telecommunications and code systems operators will be permitted provided:

- i. It has been demonstrated that mast or site sharing is not feasible and that the apparatus cannot be sited on an existing building or other appropriate structure that would provide a preferable environmental solution;
- ii. It has been demonstrated that an alternative, less environmentally harmful means of providing the same service is not feasible;
- iii. Every effort has been made to minimise the visual impact of the proposal;
- iv. Proposals adhere to current Government advice on the health effects of exposure to radio waves; and
- v. Consideration has been given to the future demands of network development, including that of other operators.

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Policy CS6 - Sustainable construction standards

1.1 Recognition of climate change and its contributing factors will be central to the future of development across the borough. New developments will need to incorporate mitigating, climate based measures, while still achieving the high quality designs that make the borough a desirable place to live and work. Of particular concern in Maidstone is the stress placed on water resources.

1.2 The Climate Change Act 2008 sets two legally binding targets, a 34% reduction in greenhouse gas emissions by 2020, leading to an 80% emissions cut by 2050, both of which are set against a 1990 baseline. Maidstone Borough Council adopted the Kent Environment Strategy in 2011, which itself seeks a 60% cut in greenhouse gas emissions (measured as CO₂ equivalent) against 1990 levels by 2030.

1.3 It is more energy and cost efficient to design and develop buildings to an appropriate standard, than it is to develop them at a lower standard and retrofit them later in their life. The Code for Sustainable Homes (residential) and the Building Research Establishment Environmental Assessment Method (BREEAM) (non-residential) are the most appropriate/recognisable assessment methods by which to judge and require increased sustainability standards in new developments.

Policy CS 6

Sustainable design and development

Development proposals in the borough will:

1. If residential; be expected to achieve a minimum of Code for Sustainable Homes (or any future national equivalent) level 4. The council will encourage the achievement of higher Code for Sustainable Homes levels where it is a feasible element of the proposal;
2. If non-residential of 1000m² (gross) and above; be expected to achieve BREEAM (or any future national equivalent) very good. The council will encourage the achievement of higher BREEAM levels where it is a feasible element of the proposal;
3. If residential of 10 units and above, or non-residential of 1000m² (gross) and above; provide 10% of their energy from decentralised, energy from waste, renewable and/or low-carbon energy sources. Where applicable this requirement will count towards (1) and (2) above; and
4. [Relating to 1, 2, and 3] be permitted to achieve a reduced standard, to be negotiated with the council, only if it can be demonstrated on the grounds of viability or feasibility that the above standards are unattainable.

Delivery and monitoring

Delivery

Assessment against the Code for Sustainable Homes and BREEAM, which are independent design standards.

Monitoring

- % of development constructed to meet Code for Sustainable Homes requirements
- % of development constructed to meet BREEAM requirements
- % of development that makes provision for 10% of energy needs to come from decentralised, renewable and/or low carbon energy sources

Policy CS7 - Sustainable transport

Transport

1.4 Working in partnership with Kent County Council (the local transport authority), the Highways Agency, infrastructure providers and public transport operators, the Borough Council will facilitate the delivery of transport improvements to support the growth proposed by the local plan. An Integrated Transport Strategy (ITS), prepared by the council and its partners, will have the aim of facilitating economic prosperity and improving accessibility across the borough and to the town centre, in order to promote Maidstone as a regionally important transport hub.

Traffic Congestion

1.5 Traffic congestion is now one of the greatest single challenges facing Maidstone. It has a significant impact on the borough's economy, its air quality and the general health and well being of its population. These impacts are particularly felt on the main radial approaches to the town centre and at Junctions 5, 6 and 7 of the M20 at peak times.

1.6 A related issue is the impact of Heavy Goods Vehicle (HGV) traffic on the routes to and from the Rural Service Centres in the south of the borough and on the main radial routes to the town centre. Of particular note is the disproportionate impact that HGVs have on air quality in the town centre.

1.7 The local plan aims to focus development at Maidstone urban area and the Rural Service Centres. This will have the effect of minimising journey times and distances and will also improve the viability of public transport routes and associated infrastructure.

1.8 Traffic modelling results have demonstrated that the limited capacity of the existing road network to accommodate future growth means that both the existing and new highway infrastructure must be used more efficiently. This means increasing the capacity of the borough's roads to move more people and goods and not simply increasing its capacity to move more vehicles.

1.9 In order to achieve this, a significant increase in the uptake of sustainable transport modes will be required if traffic congestion and local air quality are to be effectively managed.

Integrated Transport Strategy (ITS)

1.10 The Local Transport Plan for Kent 2011 – 2016 has now been adopted by the local transport authority, Kent County Council (KCC), and is clear that the early provision of new and enhanced transport infrastructure is a prerequisite for local economic and housing growth. Maidstone's Economic Development Strategy identifies investment in transport as a priority action to strengthen the competitiveness of the borough's economy. Improved access into, out of, and around the town centre is seen as critical to strengthening the town centre's position as a retail and leisure destination and to revitalising the office property market. In addition, access to the Rural Service Centres needs to be improved to provide for the growth proposed at these centres. The ITS will play a central role in delivering these objectives and therefore has the aim of providing the framework for the delivery of transport infrastructure necessary to support the sustainable growth proposed by the local plan. Policy CS14 identifies investment in transport infrastructure as a priority for the Infrastructure Delivery Plan (IDP).

1.11 The ITS, developed in partnership with KCC, will consider the issues of managing the increase in traffic congestion; promoting a shift to more sustainable modes of travel; improving air quality; creating more bus priority measures; implementing more efficient parking management initiatives; developing low carbon transport infrastructure; and better managing and enhancing the council's park and ride service, with particular emphasis on the site at Eclipse Business Park where modelling has shown the demand for these facilities to be greatest. These will be combined with a range of sustainable transport measures to promote sustainable modes of travel.

1.12 Several measures to be implemented through the ITS have been identified in the IDP. The council will ensure it carefully targets limited available resources where they are needed most to ensure the borough receives the greatest transport benefits and to ensure the greatest value for money.

Air Quality

1.13 Vehicle emissions are a major contributor to poor air quality at both the local level and on a wider global scale. Indeed the entire Maidstone Urban Area has been declared an Air Quality Management Area, primarily due to the level of traffic congestion at peak times. The ITS will therefore support the delivery of many of the measures identified in the Maidstone Town Air Quality Action Plan (MAQAP) to deliver an improvement in the air quality of the urban area and to reduce pollutant levels below the Air Quality Objective Levels set out by European legislation.

Parking

1.14 The provision of an adequate supply of well located and reasonably priced car parking is essential to support the borough's retail economy; to provide a means of access to areas of the borough where access by other travel modes is unavailable; and to provide an improved accessibility for mobility impaired persons. However, parking provision also drives demand for limited road space and so has a direct link to traffic congestion. Further, parking provision can undermine the development of more sustainable modes of travel such as public transport, walking and cycling. Therefore it is crucial that the council ensures an appropriate level of parking provision is provided and that an over provision of parking is avoided to ultimately help support the economy, protect air quality through reduced congestion and to promote the development of more sustainable modes of transport.

1.15 Overall there are a number of strands that need to be drawn together in an integrated strategy for maximising the benefits and minimising the impacts of parking provision. To achieve this, the ITS aims to:

- Support economic growth through an appropriate level of parking provision
- Improve access to the town centre by better managing the council's park and ride service
- Protect on-street parking provision for the needs of residents and businesses
- Develop a parking standards supplementary planning document to direct parking provision for new development
- Ensure an over provision of parking is avoided so as not to undermine the development of sustainable modes of transport
- Better manage and consolidate Maidstone Borough Council owned parking assets
- Where necessary, use parking tariffs as a measure to manage travel demand
- Support advances in sustainable technologies through facilitating the creation of Plug-In vehicle parking infrastructure.

Rail Services

1.16 There are three rail routes serving the borough including the Medway Valley Line, the Ashford International to London Victoria Line (via Maidstone East) and the Kent Coast to London Charing Cross Line (via Headcorn, Staplehurst and Marden), serving a total of 14 stations. The average journey time from Maidstone East to London is approximately one hour. The Medway Valley line links Strood to Paddock Wood via Maidstone West connecting East Farleigh, Watlingbury and Yalding to the town.

1.17 Although three rail lines serve the borough, improvements are still needed to increase the frequency and improve journey times to London and other strategic locations. The council welcomes the planned introduction of Thameslink services between Maidstone East and City of London destinations from 2018. The council also supports the use of rail freight to transport goods and reduce the number of HGV movements on the borough's roads.

Bus Services

1.18 Across much of the borough, the main alternative to use of the private car is the bus. Although the area has a well established bus network, there has been a decline in service to the south of the borough due to cuts in central government subsidy. Buses offer a vital service to the public, providing an alternative to the car, but also ensure that those without access to a car, or those unable to use a car, can still travel within the borough. Commercial services are complemented by the Borough Council's park and ride services (providing some 1,500 spaces over three sites), and by County Council subsidies for some socially necessary services, mainly evening and Sunday services, and services to rural areas.

1.19 A voluntary Quality Bus Partnership between KCC, Maidstone Borough Council and Arriva has been in existence since 1999 and has helped to co-ordinate investment, particularly on the key corridors (Parkwood, Senacre, Shepway, Maidstone Hospital, London Road and Chatham Road), resulting in service improvements and increased usage. Thousands of people use bus transport every day, including students, workers and concessionary ticket holders. These movements support the prosperity of the town and rural areas of the borough. There are approximately 100 services that run within the borough boundaries, and at peak hours there are some 40 buses using the stops in each direction on Maidstone High Street.

1.20 Bus priority at traffic signal junctions in the town is controlled by the County Council's Urban Traffic Management and Control system that manages the road network as efficiently as possible. It also provides bus service information via real time passenger information signs at bus stops and information to all drivers via variable message signs.

1.21 In order to promote the improvement of the local bus services, the council, together with KCC, will continue to identify opportunities to develop new and existing routes through the development management process and Quality Bus Partnership. Several bus priority schemes will be implemented through the ITS to improve bus journey times and to enhance the economic viability of several bus routes.

Influencing Travel Behaviour

1.22 Through the ITS the council, together with KCC, will seek to promote and support a range of initiatives to influence travel behaviour in the borough. This can be achieved through the use of Travel Plans, behaviour change programmes and introducing improvements to encourage greater levels of walking and cycling and the use of transport, car sharing and car clubs.

1.23 The council, together with KCC, will continue to promote and support the use of Travel Plans as a way of influencing travel behaviour away from journeys by private car to more sustainable modes. Maidstone Borough Council and Kent County Council will continue to implement and monitor their own corporate Travel Plans as well as securing Travel Plans for new development as part of the planning process. Workplace and School Travel Plans will also continue to be developed, implemented and monitored through partnership working across the borough where appropriate.

Cycling and Walking

1.24 The urban area's cycle network connects some residential areas within the town centre but connections across the urban area are limited. The provision of attractive and safe walking and cycling routes with adequate cycle parking will be incorporated within the ITS.

1.25 The borough's walking environment, its walking routes and its public realm will be developed and improved through local plan policies, the ITS, the IDP, and through the Green and Blue Infrastructure Strategy. The Maidstone Cycling Strategy will be developed through the ITS. These strategies and documents will have the aim of increasing the proportion of trips made by walking and cycling in the borough by 2031.

Safe and Inclusive Public Environments

1.26 In order to protect the health and well being of the borough's population and those who pass through the borough, the safety of the public environment is paramount. The council and its partners will promote road user safety (including the safety of all pedestrians, cyclists, passengers and drivers) and ensure it is given the highest priority. In terms of access, priority will be given to people with disabilities, pedestrians, cyclists, and other road users. The council will also ensure new development schemes coming forward are accessible to these user groups.

Assessing the Transport Needs of Development

1.27 New developments have the potential to generate a considerable number of vehicular and pedestrian trips which in turn has both a direct and cumulative impact on the transport network. Improvements to public transport, walking, cycling and highway infrastructure to mitigate these impacts need to be in place to ensure the increase in trips generated will not lead to an unacceptable level of transport impacts. To further minimise these impacts, measures and initiatives must be incorporated into the design of development to minimise vehicular trip generation. Transport Assessments developed in accordance with KCC guidance will be expected to accompany all planning applications for new developments that reach the required threshold. New development proposals will also be expected to enter into legal agreements to mitigate both their direct and cumulative impact on the transport network. Transport infrastructure initiatives that developments will be expected to financially contribute towards are included in, but not limited to, the IDP in accordance with policy CS14.

Policy CS 7

Sustainable transport

1. Working in partnership with Kent County Council (the local transport authority), the Highways Agency, infrastructure providers and public transport operators, the Borough Council will facilitate the delivery of transport improvements to support the growth proposed by the local plan. An Integrated Transport Strategy, prepared by the council and its partners, will have the aim of facilitating economic prosperity and improving accessibility across the borough and to the town centre, to promote Maidstone as a regionally important transport hub.
2. In doing so, the council and its partners will:
 - i. Effectively manage and enhance the borough's transport infrastructure, including its road network, bus routes and the Park and Ride service, to increase the existing capacity of the road network to move people and goods, manage traffic congestion, improve the reliability of transport and enhance local air quality;
 - ii. Develop the strategic transport links to and from Maidstone, and connections to the Rural Service Centres;
 - iii. Continue to improve highway safety for all road users;
 - iv. Promote sustainable travel choices by prioritising walking, cycling, public transport, car sharing and car clubs;
 - v. Develop, maintain and promote a high quality and accessible pedestrian environment;
 - vi. Carefully manage the provision of car parking so that it balances the needs of local residents, the economy and the environment; and
 - vii. Ensure that the transport network provides inclusive access for all users.
3. Development proposals must:
 - i. Demonstrate that all significant impacts of trips generated to and from the development are remedied or mitigated; and
 - ii. Provide a satisfactory Transport Assessment and a satisfactory Travel Plan in accordance with the threshold levels set by Kent County Council's Guidance on Transport Assessments and Travel Plans.

A parking standards supplementary planning document will be produced to provide greater detail in support of the policy.

Delivery and monitoring

Delivery

This policy will primarily be delivered through the actions set out in the Integrated Transport Strategy and through the allocation of land for development.

Monitoring

- The delivery of this policy will be primarily monitored through the performance monitoring plan in the Integrated Transport Strategy, which consists of key targets and dates.
- Air quality exceedences will be monitored as part of the Local Air Quality Management (LAQM) statutory duty. This seeks to reduce air pollution at identified 'hotspots' whilst reducing the public's exposure to the pollution. It is delivered with partners through the Maidstone Air Quality Action Plan.

Policy CS8 - Economic development

1.28 The local economy is characterised by its strong base in administration and professional services, as well as public services, stemming in particular from Maidstone's county town role. The town centre is an established focus for shopping and leisure activities, drawing trade from both within the town and beyond. The local workforce is generally quite highly skilled and although a proportion of residents travel outside the borough to work this is more than matched by those who commute in. Whilst the average earnings of those who commute out of the borough is higher than that of those who work in the borough, because of the prevalence of higher paid jobs in London as well as a preponderance of lower wage employment in the borough, the gap has been narrowing over recent years ⁽¹⁾. In general unemployment in the borough is low when compared with the Kent and national picture ⁽²⁾.

1.29 For Maidstone Borough to grow in a sustainable manner the increase in house building needs to be aligned with growth in local employment. It is estimated that the borough's resident labour supply will increase by some 7,600 people between 2011 and 2031 based on a housing target of 14,800 dwellings over the same period ⁽³⁾. Economic growth will be achieved through a range of provision and for the purposes of the Local Plan, and in line with the NPPF, economic development includes the following uses:

- Uses within Class B of the Use Class Order including offices, research and development, warehouses and industry

1 Annual Monitoring Report 2011/12.

2 'Unemployment in Kent' Research & Evaluation Bulletin, Kent County Council (January 2013)

3 Population Forecasts, Kent County Council (October 2012)

- Public and social uses such as health and education
- Town centre uses such as retail, leisure, entertainment, arts, cultural and tourism development.

1.30 The net additional land requirements for B class uses to 2031 and retail to 2031 are to be delivered through the allocation of sites and the granting of planning permissions. Other economic growth will be created through tourism, social infrastructure provision such as education and health care, construction and other small scale opportunities such as the conversion or extension of rural buildings that will not necessarily require the allocation of land. The council's Economic Development Strategy (2008) provides the economic vision for the borough and sets out how prosperity will be achieved across the range of business sectors. This strategy is currently being reviewed.

1.31 A significant proportion of Maidstone's growth in B class uses is expected to come from office-based employment. The first choice location for new office development will be the town centre. The council is aiming to create the right conditions for growth in the town centre through a comprehensive approach, improving accessibility, enhancing the public realm and encouraging a range of commercial uses, primarily retail, office and leisure related. This will be directed through the specific policies of the Local Plan. A particular issue is the quantity of long-term vacant office stock in the town centre and the identification of appropriate alternative uses for such stock. An initial estimate is that some 5,100sqm of currently vacant office stock in the town centre and elsewhere may no longer be fit for purpose ⁽⁴⁾.

1.32 In addition to town centre office sites, there is a complementary role for offices at beyond centre sites which are well connected to the highway network, such as Eclipse Park, in recognition of the differing market demand that such sites meet.

1.33 The proposed strategic site allocation at Junction 7 is a particular opportunity to create a hub for medical related businesses, capitalising on the development of the Kent Institute of Medicine and Surgery, to attract high value, knowledge intensive employment and businesses as a boost to the local economy. The further specific sites allocated for additional employment development, including storage, warehousing and industrial development in line with identified needs, will help provide for a range of jobs of differing skill and wage levels as a way of helping to maintain relatively low unemployment rates going forward.

1.34 With the exception of some of the secondary office stock within the town centre, existing business sites and industrial estates are an important and appropriate part of the business stock for the future which can also help to provide for the range of employment needs. Policy CS8 directs the retention, intensification and regeneration and expansion of the identified economic development areas as well as existing business premises more generally at Maidstone urban area and the RSCs.

1.35 Retail development makes a big contribution towards the economic health of the borough and reinforces Maidstone's role as County Town. Maidstone Town Centre is the primary focus for retail development within the borough with the

4 Revised Employment Land Forecast (2013)

RSCs also providing appropriate local levels of retail facilities as set out in the Centre Hierarchy. Retail provision elsewhere in the borough currently comprises district centres and a degree of out of town development. Future development will be located in accordance with the 'town centre first' sequential approach.

Centre hierarchy

Primary regional town centre – Maidstone town centre

District centres – will serve a wider catchment area than a local centre and will cater for weekly resident needs. Such a centre will comprise groups of shops often containing at least one supermarket or superstore, and a range of non-retail services such as banks, building societies and restaurants, as well as local public facilities such as a library.

Existing district centres include:

- Mid-Kent Centre, Castle Road, Allington
- Grovewood Drive, Grove Green
- Heath Road, Coxheath
- High Street, Headcorn
- The Square, Lenham
- High Street, Marden
- High Street, Staplehurst

Local centres are defined as centres that include a range of small shops of local nature, serving a small catchment. Local centres may include a small supermarket, a newsagent, a sub-post office, and a pharmacy. Other facilities could include a hot-food takeaway.

1.36 Within the countryside and away from existing settlements the emphasis for economic development will be on the conversion and extension of existing suitable buildings and established sites, farm diversification and tourism where this can be achieved in a manner consistent with local rural and landscape character in order that a balance is struck between supporting the rural economy and the protection of the countryside for its own sake. There is also a trend towards greater homeworking which allows for a reduced impact on transport infrastructure.

1.37 Opportunities for further tourist related development will be supported in particular within the town centre as well as small scale initiatives that support the rural economy. The council will also promote education, leisure and cultural facilities, again within the town centre in particular, to retain a higher proportion of young and well educated people within the borough and in turn enhance the prospects of creating a dynamic local economy

Policy CS 8

Economic development

1. The council is committed to supporting and improving the economy of the borough and providing for the needs of businesses. This will be achieved through the allocation of specific sites and through:
 - i. The retention, intensification, regeneration and planned expansion of the existing industrial and business estates identified as Economic Development Areas at Maidstone urban area and the Rural Service Centres, as defined on the policies map;
 - ii. The retention, intensification, regeneration and expansion of the existing economic development premises in Maidstone urban area and the Rural Service Centres provided the site is in an appropriate location and suited to the economic development use in terms of scale, impacts and economic viability;
 - iii. Enhancing the vitality and viability of Maidstone town centre and maintaining the hierarchy of retail centres;
 - iv. Supporting proposals that encourage highly skilled residents to work in the borough to reduce out-commuting;
 - v. Improving skills in the workforce in particular by supporting further and higher education provision within Maidstone's urban area with a preference for a town centre location;
 - vi. Supporting improvements in information and communications technology to facilitate more flexible working practices; and
 - vii. Supporting proposals for the expansion of existing economic development premises in the countryside, including tourism related development, provided the scale and impact of the development is consistent with its countryside location and the terms of policy CS5 are met.
2. Permission will be granted for retail, office and leisure uses in well connected out of centre locations only where it is proven that the development cannot be located within an in-centre location first, followed by edge of centre locations.

Delivery and monitoring

The Local Plan will define detailed boundaries of Economic Development Areas and will allocate sites to meet the future needs of business and retail development and define the boundaries of district centres.

Monitoring

- Net increase in B1, B2 and B8 employment and retail floor space.
- Net loss of floor space within the Economic Development Areas to non-economic development uses⁶⁹

Policy CS9 - Housing mix

1.38 The key requirements for of a mixed community are a variety of housing, particularly in terms of tenure and price, and a mix of different households such as families with children, single person households and older people. Maidstone Borough Council recognises that to truly promote sustainable communities there must be a mix of types of housing that are provided in any given development or location. The council will actively seek to balance communities where particular house sizes or tenures have become prevalent beyond an evidenced need.

1.39 Evidence detailed in the Maidstone SHMA (2010) guides the profiles of development that are required in urban and rural locations. This evidence is valuable in determining the local housing picture and as a consequence which types and tenures of housing are required. The council will not, however, set specific targets within policy because these would result in inflexibility and a situation where imbalances could begin to occur over time.

1.40 Developers will need to access a range of sources, including the SHMA, to help shape their proposals. Local stakeholders, including parish councils, may often be able to provide targeted information that assists an applicant to submit a locally relevant scheme. Where affordable housing is proposed or required, the housing register may provide additional guidance.

Policy CS 9

Housing mix

Maidstone Borough Council will seek to ensure the delivery of sustainable mixed communities across new housing developments and within existing housing areas throughout the borough.

1. A sustainable mixture of house sizes, types and tenures will be sought that reflects the needs of those living in Maidstone now and in years to come.
2. Accommodation profiles detailed in the Strategic Housing Market Assessment will be used to help inform developers to determine which house sizes need to be delivered in urban and rural areas, across market and affordable housing sectors. The council will expect the submission of details of how this information has been used to justify the proposed mix.
3. Gypsy and Traveller accommodation requirements will form part of the borough need for housing.

An affordable and local needs housing supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Delivery and monitoring**Delivery**

Supporting statements will accompany development proposals of 10 dwellings or more that indicate how the latest household profile information has been incorporated.

Monitoring

- Annual dwelling size percentages related to the changes required in the Strategic Housing Market Assessment.

Policy CS10 - Affordable housing

1.41 Maidstone Borough has a clear affordable housing need. The Strategic Housing Market Assessment (SHMA) supports the approach of seeking a proportion of dwellings to be provided on site for affordable housing needs. The on site provision of dwellings is necessary to aide community integration.

1.42 Viability testing indicates that affordable housing is achievable with a one dwelling threshold. For practical purposes, the threshold will be set at 10 dwellings. Affordable housing will be provided on site. Alternative provision will not be accepted unless there are exceptional circumstances that justify it. Any proposals for off site or financial provision must be made at the time of the application.

Targets by area

1.43 Affordable housing targets will differentiate across the borough by geographical area and existing land use, this is due to relative issues such as land price and policy considerations. Previously developed land, within the urban area, will be required to provide the lowest level of affordable housing contribution, primarily for two different reasons – existing use value and as a fiscal incentive to regenerate sites and areas that may otherwise remain unused or under used. On greenfield and private residential garden sites in the urban area and around the urban periphery, the council recognises that land may be relatively more expensive because of the expectation of policy coming forward to develop these sites, giving a hope value. Sites at urban periphery locations can also reasonably expect to contribute to a wide range of infrastructure requirements as well as affordable housing. Evidence has indicated that in rural locations and on the edge of rural settlements, although land values are higher, so are the values of the developments. In these areas development remains viable when factoring in higher affordable housing targets, still returning acceptable profits for landowners and developers.

Policy CS 10

Affordable housing

On housing sites or mixed use development sites of 10 residential units or more, the council will seek the delivery of affordable housing.

1. The target rates for affordable housing provision are:
 - i. Previously developed land - urban - 15%
 - ii. Greenfield and private residential gardens - urban and urban periphery - 30%
 - iii. Rural and rural settlements - 40%

This provision will consist of:

2. The integrated on site provision of dwellings or, where proven necessary in exceptional circumstances, off site provision in the following order of preference:
 - i. An identified off site scheme;
 - ii. The purchase of dwellings off site; or
 - iii. A financial contribution towards off site affordable housing.
3. Of the affordable dwellings provided, not less than 50% will be affordable rented housing, social rented housing or a mixture of the two. The balance of up to 50% of the affordable dwellings provided will be a mixture of shared ownership and intermediate rented housing, with a target split of 40%/10% respectively.
4. In cases where the required provision cannot be achieved on the grounds of viability, the council will negotiate a reduced contribution. This will be subject to viability evidence.

An affordable and local needs housing supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Delivery and monitoring**Delivery**

This policy will be delivered primarily through affordable housing requirements placed on new residential developments.

Monitoring

- % of developments where full affordable housing is secured;
- % of affordable housing secured across all developments;
- Tenure composition of new affordable housing across new developments; and
- % of developments where off site provision is agreed to.

Policy CS11 - Local needs housing

1.44 Market housing in the borough's rural settlements can be both expensive and in limited supply. Affordable housing, although addressing the issue of expense, can also be in limited supply.

1.45 This means that local people can often be forced to move away from the settlement that they call home, or that they must share a dwelling beyond a point that is reasonably comfortable for them to do so.

1.46 Outside of Maidstone and the five rural service centres the amount of market housing that is planned will be more limited. This means that many rural communities may not benefit from a general supply of affordable housing as provided for in CS10.

1.47 The council must therefore work in close partnership with parish councils and local stakeholders in order to maintain and promote sustainable, mixed and inclusive communities.

1.48 Local needs housing seeks to address the lack of general supply by allowing the development of exception sites under agreed local needs, sustainability and environmental criteria. The housing must remain affordable in perpetuity and priority will be given to occupants who have a specified connection to the settlement – often being residential, employment or family.

1.49 Rural service centres will benefit from some general affordable housing as a result of planned development, but there may also be cases where local needs housing is required.

Policy CS 11

Local needs housing

The council will work with parish councils and local stakeholders to bring forward sustainably located local needs housing in its rural communities, where this has been proven necessary by a local needs housing survey undertaken by or on behalf of the parish council(s) concerned.

1. People meeting the relevant occupation criteria will be given priority to occupy local needs housing (under the council's housing allocation scheme).
2. Local needs housing will remain available in perpetuity to meet the need for which it was permitted. This will be secured by planning conditions and/or legal agreements as appropriate.
3. Sustainability of the site and its settlement will be a prime consideration in decision making. The council will give preference to settlements and communities where a range of vital and viable facilities including shops, health and education are present. Settlements must be effectively served by public transport.
4. Developments must be provided on sites that enable an appropriate scale and setting in the built context of their settlement.
5. Where national landscape, ecological and heritage designations are affected by the proposed development, the necessity for development must be proven to outweigh the purpose for which the designation was made.

An affordable and local needs housing supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Delivery and monitoring**Delivery**

This policy seeks to guide the delivery of local needs housing rather than seeking to deliver the housing itself.

Monitoring

- Delivery of local needs housing where a need is identified and acceptable sites have been put forward.
- Retention in perpetuity of local needs housing delivered under the guidance of CS11 (this may not be a constant source of information, but where any local needs housing may have been released from the perpetuity requirement this would inform the local plan).

Policy CS12 - Gypsy, Traveller and Travelling Showpeople accommodation

1.50 Accommodation for Gypsies and Travellers is a specific type of housing that councils have the duty to provide for under the Housing Act (2004). Gypsies and Travellers historically resorted to the Maidstone area because of their involvement in agriculture, particularly hop and fruit picking. These patterns have prevailed, especially in the Weald area, and the borough has a significant number of pitches mostly on small, privately owned sites. Going forward, the aim for the Local Plan is to contribute towards the creation of sustainable communities by making an appropriate scale of pitch provision which balances the reasonable need for lawful accommodation with the responsibility to protect countryside for its own sake.

1.51 National guidance in 'Planning Policy for Traveller Sites' sets out the definitions of 'Gypsies and Travellers' and 'Travelling Showpeople' to be used for planning purposes.

1.52 A new Gypsy and Traveller and Travelling Showpeople Accommodation Assessment ⁽⁵⁾ for the borough was completed in January 2012. This assessment reveals an arising need for some 157 pitches between October 2011 and March 2026 and for some 9 Travelling Showpeople plots over the same timeframe. The need figures have been rolled forward a further 5 years to take account of the extension of the plan period to 2031. These total target figures break down into 5 year periods as set out below:

5 Gypsy and Traveller and Travelling Showpeople Accommodation Assessment: Maidstone (January 2012)

	Oct 2011 – March 2016	April 2016 – March 2021	April 2021 – March 2026	April 2026-March 2031	Oct 2011 – March 2031
Gypsy and Traveller pitches	105	25	27	30	187
Travelling Showpeople plots	7	1	1	2	11

Table 1.1

1.53 These pitches and plots will be delivered through the granting of planning consents and through the allocation of sites. The provision of both privately-owned and affordable pitches on publicly owned sites will contribute towards the targets. As from March 2013, local authorities are directed to demonstrate a 5 year supply of deliverable sites and the council’s 5 year supply position will be set out and updated in its Annual Monitoring Report. Allocated sites must be available for the use proposed and where this is the case, these sites should be developed in preference to granting consent on windfall sites.

1.54 The criteria in the policy below will guide the determination of planning applications and also the allocation of specific sites. It is preferable for sites to be located close to existing settlements where there are community facilities such as schools and health services. Frequently, because of land availability, more rural sites are proposed. Where such sites are proposed, the impact of development on the landscape and rural character is an important factor in respect of the wider objective of protecting the intrinsic character of the countryside.

Policy CS 12

Gypsy and Traveller accommodation

Through the granting of permanent planning permissions and the allocation of sites, 187 Gypsy and Traveller pitches and 11 Travelling Showpeople plots will be provided between October 2011 and March 2031.

Planning permission for Gypsy and Traveller and Travelling Showpeople accommodation will only be granted if the site is allocated for that use or if the following criteria are met:

1. Local services, in particular school and health facilities, are accessible from the site preferably on foot, by cycle or on public transport;
2. The development would not harm the landscape and rural character of the area, in particular the Kent Downs Area of Outstanding Natural Beauty, and the openness of the Metropolitan Green Belt. Impact on these aspects will be assessed with particular regard to:
 - i. Local landscape character;
 - ii. Cumulative effect - the landscape impact arising as a result of the development in combination with existing caravans; and
 - iii. Existing landscape features - development is well screened by existing landscape features and there is a reasonable prospect of such features' long term retention.

Additional planting should be used to supplement existing landscaping but should not be the sole means of mitigating the impact of the development.

3. The site can be safely accessed to and from the highway by all vehicles using the site on a regular basis;
4. The site is not located in an area at risk from flooding (zones 3a and 3b) based on the latest information from the Environment Agency or a specific Flood Risk Assessment which has been agreed by the Environment Agency; and
5. The ecological impact of the development has been assessed through appropriate survey and a scheme for any necessary mitigation and enhancement measures confirmed.
6. In addition to the above criteria the following applies to Travelling Showpeople accommodation only:
 - i. The site should be suitable for the storage and maintenance of show equipment and associated vehicles.

Delivery and monitoring

Delivery

Delivery of Gypsy and Traveller pitches and pitches for Travelling Showpeople will be delivered by:

- the allocation of sites
- the granting of planning permissions.

Monitoring

This policy will be monitored through the implementation of planning permissions and via the bi-annual caravan counts.

Policy CS13 - Historic and natural environment

1.55 Maidstone's historic and natural environment is a fundamental part of the borough's economic wealth and social well being, the benefits of which are far-reaching. It is essential to ensure these historic and natural asset bases remain robust and viable.

Historic Environment

1.56 Maidstone has been shaped and influenced by a long past history, the legacy of which is a strong and rich cultural heritage. The Archbishop's Palace and Leeds Castle are two high profile heritage assets but the borough also abounds with many other historical buildings. These heritage assets contribute to the strong sense of place which exists across the borough. However, this rich historical resource is very vulnerable to damage and loss. The Local Plan allows some flexibility for the re-use and conversion of historic assets but care must be taken to ensure this does not lead to unacceptable adverse impacts. Small scale changes over time, especially the standardisation of building materials and practices can erode the special character and appearance of places, and the setting of historic features such as listed buildings and scheduled monuments, which can be crucial in maintaining historic integrity.

1.57 The Local Plan will ensure the qualities and local distinctiveness of the historic environment are recognised and protected. This will be achieved in part through the protection of Scheduled Ancient Monuments, Listed Buildings and Conservation Areas from inappropriate development. The Local Plan will seek to encourage a greater understanding of designated and non-designated heritage assets and their values through partnership working with communities, developers and asset managers. The council will encourage mutually beneficial and sustainable proposals to conserve and enhance heritage assets for future generations whilst acknowledging the social and economic challenges faced by land owners and managers.

1.58 All development proposals will be expected to be accompanied by an initial survey to establish what on-site assets there are. Sufficient information to assess the direct and indirect effects of development on past or present heritage assets together with any proposed prevention, mitigation or compensation measures will also be required. Without this there will be a presumption against granting permission.

Green and blue infrastructure (GBI)

1.59 A green and blue infrastructure is a network of natural components which lie within and between the borough's towns and villages and which provide multiple social, economic and environmental benefits. Maidstone Borough contains a wide range of green open spaces together with a number of rivers and streams. Key assets include the Kent Downs AONB, the River Medway and its tributaries, Mote Park, and the distinctive green corridors which help shape Maidstone Town. Amongst other things, these green spaces and blue corridors provide reservoirs for biodiversity and quiet recreation; act as corridors for the movement of animals, plants and people; and provide opportunities for the protection and enhancement of the local landscape and historic assets; water management, green education, and the mitigation of climate change impacts.

1.60 Green and blue infrastructure has the capacity to deliver a wide range of positive outcomes in line with the objectives of the Sustainable Community Strategy including:

- Helping to attract and retain higher paying employers;
- Helping in the creation of an efficient, sustainable, integrated transport system
- Helping to tackle climate change
- Creating healthier communities.

1.61 The green and blue infrastructure is considered to be of such vital importance that a Green and Blue Infrastructure Strategy (GBIS) will be produced. The strategy will look to encourage the creation of links and stepping stones to help in the movement of people and wildlife across the built up urban area. In the rural areas the focus will be more on land management, and creating and enhancing habitat networks. The strategy will also seek to identify those areas of the borough where deficiencies exist and look to provide guidance on how these can be overcome. The council will promote a partnership approach with developers, land owners and neighbouring local authorities, including Kent County Council, to help achieve the objectives of the GBIS.

1.62 The growth proposed in the borough provides a chance to increase the value of green spaces and blue corridors. New development will be expected to contribute towards the goal of a linked network which extends across the borough and beyond. Development schemes will be expected to contribute towards improved connectivity through the provision of footpaths and cycle routes that are part of a strategic network; space for nature that contributes to the larger landscape-scale pattern of connected habitat; and the provision of imaginative recreational facilities that give educational and physical health benefits to local people. The council will liaise with neighbouring local authorities, including Kent County Council, to ensure potential linkages at all scales and across administrative

boundaries are recognised in the development of specific proposals. Developers will also be expected to provide details of how the green and blue infrastructure elements of their proposal, including public open spaces, sites managed for their biodiversity, geodiversity or heritage interest, will be managed and maintained over the long-term. The council will provide further advice on this in the Landscape Character Guidelines supplementary planning document.

1.63 Open space, recreation and tourism are essential elements of sustainable communities, contributing towards health, quality of life, sense of place and overall well-being. Spaces and facilities form a part of the overall green and blue infrastructure network and within built up areas can provide local linkage between the town centre, urban neighbourhoods and the surrounding countryside. The needs and deficiencies in open spaces and facilities have been identified in the Green Spaces Strategy 2005 and used to base the local open space set out in the Open Space Development Plan Document (DPD) 2006. The DPD will remain part of the development plan until such time as it is superseded.

Climate Change

1.64 Climate change is resulting in ever more variable weather patterns, the outcomes of which include flooding and drought. Natural systems are able to adapt to these consequences. However, adverse changes to the natural systems can result in increases in damage to property and compensation costs, and a decrease in water resource resilience. A green and blue infrastructure approach represents a means to positively tackle these issues. It can offer alternative flood mitigation strategies, such as Sustainable Urban Drainage Systems (SUDS) and the creation of water meadows. It is able to provide the means to capture and store rainwater, as well as help improve water quality. Development proposals will be expected to take full account of climate change and mitigate for any anticipated climate change impacts.

Water Framework Directive

1.65 The Water Framework Directive (WFD) looks to improve the local water environment for people and wildlife, and promote the sustainable use of water. The Directive applies to all surface water bodies, including lakes, streams and rivers as well as groundwater. The overall aim of the WFD is for all water bodies to reach good status by 2027. In Maidstone this would mean improving their physical state, preventing deterioration in water quality and ecology, and improving the ecological status of water bodies. The WFD introduced the concept of integrated river basin management and such plans should influence development plans. Maidstone lies within the Thames River Basin District and in December 2009 the Environment Agency published the Thames River Basin Management (RBMP).

1.66 The council will continue to work in partnership with the Environment Agency and other bodies to help achieve the goals of the WFD and actions of the Thames RBMP. The council will also actively encourage development proposals to include measures to mitigate against the deterioration of water bodies and adverse impacts on Groundwater Source Protection Zones, and/or incorporate measures to improve the ecological status of water bodies as appropriate.

Biodiversity

1.67 Maidstone is a biodiverse district endowed with a variety of habitats including heathlands and chalk downlands; orchards and ancient woodland, river valleys and ponds, wildflower meadows and parklands. All of these are underpinned by an equally diverse array of soils. Soils are a fundamental element of the ecosystems found within these habitats but one which is highly susceptible to damage. The council will work in partnership with land owners, land managers and developers to encourage better soil handling practices to avoid the degradation of soil and ensure soil functions are maintained as appropriate.

1.68 The broad range of habitats forms an extensive network across rural and urban areas, including previously developed land. Many of sites are important for their nature conservation and geological interest, and are designated for their protection. In Maidstone, these include a site of international importance, namely the North Downs Woodlands Special Area of Conservation (SAC), nationally important Sites of Special Scientific Interest (SSSI), locally important Local Wildlife Sites (LWS) and Local Nature Reserves (LNR). Current designated nature conservation sites will be noted on the policies map.

1.69 As a result of increasing development pressures in the past many of the borough's biodiversity assets have been lost, damaged or fragmented. In response to this decline Maidstone Borough Council has acted in partnership with other bodies to undertake surveys of the borough's habitats and ancient woodlands. It has also adopted the Maidstone Local Biodiversity Action Plan (LBAP), a key element of which is the establishment of a connecting network of sites and corridors on a landscape scale. By reconnecting fragments of habitats to form a mosaic, the natural environment is provided with the means to become self-sustaining as well as being better able to respond to and adapt to climate change.

1.70 Development proposals will be expected to be supported by an initial survey of on-site assets. Surveys must be undertaken at the appropriate time of year for the relevant habitats, species, flora and fauna. Where harm to protected species or habitats is unavoidable, developers must ensure suitable mitigation measures are implemented to enhance or recreate the features, either on on or off-site, and bring sites into positive conservation management. Sufficient information to assess the direct and indirect effects of development on protected sites, species, biodiversity or geology, and any proposed prevention, mitigation or compensation measures must be provided. There will be a presumption against granting permission without this information. Proposals should particularly seek to avoid damaging and fragmenting existing habitats. Opportunities to contribute towards the UK priority habitats and species in Maidstone and any additional Maidstone LBAP habitats and species should be maximised.

1.71 Development likely to have an adverse effect on the integrity and conservation objectives of internationally important nature conservation sites is unlikely to meet the requirements of Habitats Directive. Such development will not be considered favourably. Damage must be minimised in those exceptional cases where the strategic benefits of a development clearly outweigh the importance of a local nature conservation site, species, habitat or geological

feature. Any remaining impacts must be fully mitigated and a mitigation strategy accompany the planing application. Compensation will only be acceptable in exceptional circumstances.

Landscape

1.72 The Local Plan will adopt a character approach to landscape. The borough can be broadly divided into 4 distinct areas, namely the North Downs, the Greensand Ridge, the Low Weald and the Medway Valley, each of which has a strong visual identity and sense of place. The visual character of Maidstone's landscape is highly valued by those living, working and visiting here. A significant proportion of the borough benefits from high quality landscapes. A large area of the borough lies within the Kent Downs AONB, a nationally important landscape designation and a strong level of protection will be given to this designation and its setting (see policy CS5). However, all of the landscapes play an important role in contributing to the borough's environmental, economic and social values. Therefore all landscapes, rather than just those that are designated, will be viewed as a natural asset. This is in line with the European Landscape Convention.

1.73 The landscape character approach represents the best way to conserve and enhance valued landscape characteristics, and improve or reinstate positive features where they have been eroded. At the same time, it can also address social, cultural and economic issues. It is not always possible to retain the landscape in exactly the same form that is currently valued. Climate change for instance will lead to small but continuous changes in biodiversity. Some landscape change is inevitable and Local Plan policies for a living landscape allow for certain forms of development to take place.

1.74 Development proposals will be expected to be informed by the emerging guidance provided in the Maidstone Landscape Character Assessment 2012 and the proposed Landscape Character Guidelines Supplementary Planning Document. New development should be well designed and sympathetic to the character of the landscape types identified within the borough. Policy CS13 sets out the broad policy framework for the local landscape approach being taken by the council. This will be reinforced by detailed development plan policies in the Local Plan.

Policy CS 13

CS13 – Historic and Natural Environment

1. To enable Maidstone to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the historic and natural environment, where appropriate, by incorporating measures to:
 - i. Protect positive historic and landscape character, heritage assets and their settings, areas of Ancient Woodland, veteran trees, trees with significant amenity value, important hedgerows, features of biological or geological interest, and the existing public rights of way network from inappropriate development and ensure that these assets do not suffer any adverse impacts as a result of development;
 - ii. Avoid damage to and inappropriate development within or adjacent to:
 - Cultural heritage assets protected by international, national or local designation and other non-designated heritage assets recognised for their archaeological, architectural or historic significance, or their settings; and
 - Internationally, nationally and locally designated sites of importance for biodiversity; and
 - Local Biodiversity Action Plan priority habitats.
 - iii. Enhance, extend and connect designated sites of importance for biodiversity, priority habitats and fragmented Ancient Woodland; support opportunities for the creation of new Biodiversity Action Plan priority habitats; create, enhance, restore and connect other habitats, including links to habitats outside Maidstone, where opportunities arise;
 - iv. Provide for the long term maintenance and management of all heritage and natural assets, including landscape character, associated with the development;
 - v. Mitigate for and adapt to the effects of climate change; and
 - vi. Positively contribute to the improvement of accessibility of natural green space within walking distance of housing, employment, health and education facilities and to the creation of a wider network of new links between green and blue spaces including links to the Public Rights of Way network.
2. The character, distinctiveness, diversity and quality of Maidstone's landscape and townscape will be protected and enhanced by the careful, sensitive management and design of development.

3. Where appropriate, development proposals will be expected to appraise the value of the borough’s historic and natural environment through the provision of the following:
 - i. An ecological evaluation of development proposals and any additional land put forward for mitigation purposes to take full account of the biodiversity present; and
 - ii. Heritage and arboricultural assessments to take full account of any past or present heritage and natural assets connected with the development and associated sites.
4. Development proposals will provide new public open space in line with policy OS1 of the Open Spaces Development Planning Document until such time as it is superseded. Public open space should be designed as part of the overall green and blue infrastructure and layout of a site,taking advantage of the potential for multiple benefits including enhanced play, wildlife, sustainable urban drainage, tree planting and landscape provision. The form and function of green infrastructure will reflect a site's characteristics, nature, location and existing or future deficits.
5. Development proposals will not be permitted where they lead to adverse impacts on natural and heritage assets for which mitigation measures appropriate to the scale and nature of the impacts cannot be achieved.

A landscape character guidelines supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Delivery and monitoring

Delivery

Policy CS13 will operate alongside other policies to fulfil aims such as environment and landscape protection and enhancement and regeneration. It will also be positively delivered by the development management system via applications for development.

Monitoring

- Coverage of historic and natural assets through the Annual Monitoring Report

Policy CS14 - Infrastructure delivery

Providing the infrastructure needed to support growth

2.1 Infrastructure can be separated into three main categories; physical infrastructure (such as highways and public realm improvements), community infrastructure (such as schools, adult social services and cultural facilities) and green infrastructure (such as play spaces and parks).

2.2 The local plan shapes where new development should be located and also manages the pressure relating to speculative proposals through policy. It will provide new homes, jobs, services and thereby support social, economic and environmental objectives. The impact of development on local communities and the fabric of the existing built and natural environment is an important consideration. Managing this impact involves protecting existing infrastructure and securing the timely investment of new infrastructure.

2.3 The council has actively engaged with the main providers of infrastructure including parish councils at the Rural Service Centres and has a good understanding of existing infrastructure in the borough and its associated constraints to further development. The product of this engagement process is the Infrastructure Delivery Plan, which sets out the type, location and phasing of the infrastructure required to support the overall strategy for development in the local plan. It also details those who have responsibility for delivering the infrastructure, potential funding sources and estimated delivery timescales.

Dedicated planning agreements

2.4 Where new development creates a need for new or improved infrastructure, contributions from developers (through S.106 legal agreements) will be sought to make the development acceptable in planning terms. The key requirements of dedicated planning agreements are that they must be:

- a. Necessary to make the proposed development acceptable in planning terms;
- b. Directly related to the development; and
- c. Fairly and reasonably related in scale and kind to the proposed development.

2.5 Site specific infrastructure requirements arise when there is a direct link between development and supporting infrastructure that is required to make the development happen. It will usually be provided within the development site boundary or exceptionally may be provided in an off-site location or in the last resort by in-lieu contributions.

2.6 In Maidstone, some forms of infrastructure provision have historically not kept pace with development. This has been a contributory factor to some issues such as a congested road network, a shortage of affordable housing, deficiencies in open space provision and poor access to key community facilities in certain areas. There is concern that future growth will intensify this problem unless a co-ordinated effort is made to address identified deficiencies and that essential infrastructure accompanies new development at all times.

2.7 Where there are competing demands for developer contributions towards the delivery of infrastructure for new development proposals, the council will prioritise these demands in the manner listed below, which ranks infrastructure types in order of importance:

Infrastructure Priorities for Residential Development:

1. Affordable Housing
2. Transport
3. Open Space
4. Public realm
5. Health
6. Education
7. Social Services
8. Utilities
9. Libraries
10. Emergency Services

Infrastructure Priorities for Business and Retail Development

1. Transport
2. Public Realm
3. Open Space
4. Education
5. Utilities

2.8 The prioritisation of infrastructure provision has been designed to address essential requirements first. This should not be taken to imply that the infrastructure at the lower end of the list is of lesser importance rather that the precise timing of providing it is not critical to the phasing of development.

Community Infrastructure Levy (CIL)

2.9 It is important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. The Infrastructure Delivery Plan provides the evidence that the council has an understanding of the costs required in meeting anticipated growth set out in the local plan. Funding for the infrastructure schemes listed in the Infrastructure Delivery Plan is expected to comprise a number of components:

- Existing resources (i.e. current/outstanding Section 106 Contributions)
- New Homes Bonus
- Mainstream public funding
- Future site specific provision (Including Section 106 contributions)
- Community Infrastructure Levy

2.10 It would be extremely unlikely that the finance from the first 4 funding sources listed above would be sufficient to fund the total amount of infrastructure provision that is being sought. The Community Infrastructure Levy is intended to fill the funding gap that exists once existing resources (to the extent that they are known) have been taken into account. If a funding shortfall remains once the CIL charging levy is determined there will be a need to prioritise key

infrastructure projects to ensure that the overall strategy within the local plan can be delivered. The list of key infrastructure projects considered necessary to support the local plan (identified through consultation with infrastructure providers) is included in the Infrastructure Delivery Plan, which accompanies this document.

2.11 The local plan focuses development at the Maidstone urban area and the Rural Service Centres. Infrastructure is needed at a strategic level to support this growth. Strategic elements of the infrastructure required will be provided for by the Community Infrastructure Levy. This could include but is not limited to:

- Environmental improvements to Maidstone Town Centre
- Improvements needed to Maidstone's transport infrastructure
- Additional education and community facilities or expansion to existing facilities
- Open space requirements

2.12 New development will add incrementally to the need for strategic infrastructure. The Community Infrastructure Levy allows local authorities to raise funds from developers undertaking new development within the council's area. This is a fair, transparent and accountable levy which will be payable by the majority of new housing developments. The levy gives developers a clear understanding of what financial contribution will be expected towards the delivery of infrastructure. Some types of development are automatically exempt from the charge and the council can determine whether to charge the levy for other forms of development.

2.13 As the council moves towards developing its Community Infrastructure Levy it will need to make decisions about which types of development it wishes to place the charge on. Proceeds from the levy will be applied to identified projects within the Infrastructure Delivery Plan, with contributions being pooled and generally applied on an off-site basis.

2.14 The council will produce a Charging Schedule setting out the levy rate(s). This will comprise part of the Local Development Framework but it will not be part of the Statutory Development Plan. Viability testing will be undertaken to ensure a levy is set that strikes an appropriate balance between the desirability of funding infrastructure from the levy and the potential impacts of the levy on the viability of development across the borough. Once the levy is set, it will be applied to all development that meets the qualifying criteria.

2.15 Section 106 Agreements will continue to be used for site specific infrastructure on development sites, such as local provision of open space, connection to utility services (as required by legislation), habitat protection, flood mitigation and access roads. Provision of affordable and local needs housing is dealt with in detail in policy CS10 and policy CS11.

Policy CS 14

Infrastructure delivery

1. Where development creates a requirement for new or improved infrastructure beyond existing provision, developers will be expected to provide or contribute towards the additional requirement (as specified in the Infrastructure Delivery Plan) being provided to an agreed delivery programme.
2. Detailed specifications of the site specific contributions required will be included in the Strategic Site policies and other site allocation policies. Development proposals should make provision for all the land required to accommodate any additional infrastructure arising from that development. Dedicated Planning Agreements (S.106 of the Town and Country Planning Act,1990) will be used to provide the range of site specific facilities which will normally be provided on site but may in exceptional circumstances be provided in an off site location or as a last resort via an in-lieu financial contribution. In some cases, separate agreements with utility providers may be required.
3. Where there are competing demands for developer contributions towards the delivery of infrastructure for new development proposals, the council will prioritise these demands in the manner listed below, which ranks infrastructure types in order of importance:

Infrastructure priorities for residential development:

- i. Affordable housing
- ii. Transport
- iii. Open space
- iv. Public realm
- v. Health
- vi. Education
- vii. Social services
- viii. Utilities
- ix. Libraries
- x. Emergency Services

Infrastructure priorities for business and retail development:

- xi. Transport
- xii. Public realm
- xiii. Open space
- xiv. Education
- xv. Utilities

4. The Community Infrastructure Levy will be used to secure contributions to help fund the strategic infrastructure needed to support the sustainable growth proposed in Maidstone. Once the levy is set, it will be applied to all development that meets the qualifying criteria. Following viability testing, the Community Infrastructure Levy rate(s) will be set out in the Charging Schedule to accompany the Publication version of the local plan.

Delivery and monitoring

Delivery

The Infrastructure Delivery Plan sets out the lead agency responsible for the delivery of each project. Where each agency will be responsible for delivering the relevant projects the Borough Council will monitor the timely delivery of all projects. Partnerships such as the Local Enterprise Partnership will also be involved in effective project delivery.

Monitoring

The Borough Council will be required under the regulations regarding the Community Infrastructure Levy to publish a report each year stating how much money has been collected under the levy and where it has been spent. The council will also continue to monitor the effectiveness of Section 106 Legal Agreements to ensure that they continue to be directed to specified relevant local projects directly related to the specific development from which they arose.

Agenda Item 11

Maidstone Borough Council

Planning, Transport and Development Overview and Scrutiny Committee

Tuesday 20 August 2013

Future Work Programme

Report of: Overview & Scrutiny Officer

1. Introduction

- 1.1 To consider the Committee's future work programme.
- 1.2 To consider the information update given by the Chairman.

2. Recommendation

- 2.1 That the Committee considers the draft future work programme, attached at **Appendix A**, to ensure that it is appropriate and covers all issues Members currently wish to consider within the Committee's remit. Any items on the draft future work programme, highlighted in bold, are provisional items for the Committee to approve.
- 2.2 That the Committee considers its continuous professional development needs and recommends possible training or development sessions it would like to undertake.

3 Future Work Programme

- 3.1 Throughout the course of the municipal year the Committee is asked to put forward work programme suggestions. These suggestions are planned into its annual work programme. Members are asked to consider the work programme at each meeting to ensure that it remains appropriate and covers all issues Members currently wish to consider within the Committee's remit.
- 3.2 The Committee is reminded that the Constitution states under Overview and Scrutiny Procedure Rules number 9: Agenda items that 'Any Member shall be entitled to give notice to the proper officer that he wishes an item relevant to the functions of the Committee or Sub-Committee to be included on the agenda for the next available meeting of the Committee or Sub-Committee. On receipt of such a request the proper officer will ensure that it is included on the next available agenda, the Member must attend the meeting and speak on the item put forward.'

4 List of Forthcoming Decisions

- 4.1 The List of Forthcoming Decisions (**Appendix B**) is a live document containing all key and non-key decisions.
- 4.2 Due to the nature of the List of Forthcoming Decisions, and to ensure the information provided to the Committee is up to date, a verbal update will be given at the meeting by the Chairman. The Committee can view the live document online at:
<http://meetings.maidstone.gov.uk/mgListPlans.aspx?RPId=443&RD=0>

5. Impact on Corporate Objectives

- 5.1 The Committee will consider reports that deliver against the following Council priority:
- 'For Maidstone to have a growing economy.'
- 5.2 The Strategic Plan sets the Council's key objectives for the medium term and has a range of objectives which support the delivery of the Council's priorities.

Planning, Transport and Development Overview and Scrutiny Committee Work Programme 2013-14

Meeting Date	Agenda Items	Details and desired outcome
18 June 2013	<ul style="list-style-type: none"> • Appointment of Chairman and Vice-Chairman • Leader & Cabinet Member Priorities for 2013/14 Municipal Year • Maidstone Landscape Character Assessment • Work Programming Workshop 2013-14 	<ul style="list-style-type: none"> • Appoint Chairman and Vice-Chairman for 2013-14 • Ascertain work plan for the year and strategic direction for the Council & Select and develop review topics focusing on achievable outcomes.
23 July 2013	CANCELLED	CANCELLED
20 August 2013	<ul style="list-style-type: none"> • Development Management Policies for Local Plan • Public Consultation Approach for the Maidstone Local Plan 	<ul style="list-style-type: none"> • To consider the reports and information presented and make recommendations as appropriate.
TRAINING 28 August 2013	<ul style="list-style-type: none"> • PowerPoint presentation to explain the methodologies behind the SHMA/SLAA/SEDLAA and how the Sustainability Appraisal fits into the process 	<ul style="list-style-type: none"> • Background and preparation for the September and October meetings
17 September 2013	<ul style="list-style-type: none"> • PowerPoint presentation on the draft outputs of the SHMA – Housing and Employment targets 	<ul style="list-style-type: none"> • Background and reparation for the September and October meetings
15 October 2013	<ul style="list-style-type: none"> • Maidstone Borough Local Plan • Infrastructure Delivery Plan • Integrated Transport Strategy Green & Blue Infrastructure Strategy. 	N.B. Two meetings proposed for October for the Committee consider 3 reports, ahead of October Cabinet.
17 October 2013	<ul style="list-style-type: none"> • Maidstone Borough Local Plan • Infrastructure Delivery Plan • Integrated Transport Strategy Green & Blue Infrastructure Strategy. 	N.B. Two meetings proposed for October for the Committee consider 3 reports, ahead of October Cabinet.
19 November 2013		
17 December 2013		
21 January 2014		

18 February 2014		
18 March 2014	<ul style="list-style-type: none">• Key issues on the Local Plan arising from representations made during the public consultation.	
15 April 2014	<ul style="list-style-type: none">• Evaluations of Cabinet Member Priorities for 2013/14 Municipal Year	



LIST OF FORTHCOMING DECISIONS

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Democratic Services Team
E: democraticservices@maidstone.gov.uk

Publication Date: **23 July 2013**

List of Forthcoming Decisions

INTRODUCTION

This document sets out the decisions to be taken by the Executive and various Committees of Maidstone Borough Council on a rolling basis. This document will be published as updated with new decisions required to be made.

KEY DECISIONS

A key decision is an executive decision which is likely to:

- Result in the Maidstone Borough Council incurring expenditure or making savings which is equal to the value of £250,000 or more; or
- Have significant effect on communities living or working in an area comprising one or more wards in Maidstone.

At Maidstone Borough Council, decisions which we regard as "Key Decisions" because they are likely to have a "significant" effect either in financial terms or on the community include:

- (1) Decisions about expenditure or savings which equal or are more than £250,000.
- (2) Budget reports.
- (3) Policy framework reports.
- (4) Adoption of new policies plans, strategies or changes to established policies, plans or strategies.
- (5) Approval of portfolio plans.
- (6) Decisions that involve significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether Borough-wide or in a particular locality.
- (7) Changes in fees and charges.
- (8) Proposals relating to changes in staff structure affecting more than one section.

Each entry identifies, for that "key decision" –

- the decision maker
- the date on which the decision is due to be taken
- the subject matter of the decision and a brief summary
- the reason it is a key decision
- to whom representations (about the decision) can be made

List of Forthcoming Decisions

- whether the decision will be taken in public or private
- what reports/papers are, or will be, available for public inspection

EXECUTIVE DECISIONS

The Cabinet collectively makes its decisions at a meeting and individual portfolio holders make decisions independently. In addition, Officers can make key decisions and an entry for each of these will be included in this list.

DECISIONS WHICH THE CABINET INTENDS TO MAKE IN PRIVATE

The Cabinet hereby gives notice that it intends to meet in private after its public meeting to consider reports and/or appendices which contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended). The private meeting of the Cabinet is open only to Members of the Cabinet, other Councillors and Council officers.

Reports and/or appendices to decisions which the Cabinet will take at its private meeting are indicated in the list below, with the reasons for the decision being made in private. Any person is able to make representations to the Cabinet if he/she believes the decision should instead be made in the public Cabinet meeting. If you want to make such representations, please email janetbarnes@maidstone.gov.uk. You will then be sent a response in reply to your representations. Both your representations and the Executive's response will be published on the Council's website at least 5 working days before the Cabinet meeting.

ACCESS TO CABINET REPORTS

Reports to be considered at the Cabinet's public meeting will be available on the Council's website (www.maidstone.gov.uk) a minimum of 5 working days before the meeting.

HOW CAN I CONTRIBUTE TO THE DECISION-MAKING PROCESS?

The Council actively encourages people to express their views on decisions it plans to make. This can be done by writing directly to the appropriate Officer or Cabinet Member (details of whom are shown in the list below).

Alternatively, the Cabinet are contactable via our website (www.maidstone.gov.uk) where you can submit a question to the Leader of the Council. There is also the opportunity to invite the Leader of the Council to speak at a function you may be organising.

List of Forthcoming Decisions

WHO ARE THE CABINET?



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Councillor John A Wilson
Cabinet Member for Community and Leisure
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List of Forthcoming Decisions

Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary:	Key Decision and reason (if applicable):	Contact Officer:	Public or Private (if Private the reason why)	Documents to be submitted (other relevant documents may be submitted)
<p>Cabinet Member for Economic and Commercial Development</p> <p>Due Date: Before 2 Aug 2013</p>	<p>Town Centre Management Nomination</p> <p>To nominate a new officer representative for the Town Centre Management Board</p>		<p>Alison Broom, Chief Executive, alisonbroom@maidstone.gov.uk</p>	<p>Public</p>	<p>Town Centre Management Nomination</p>
<p>Council</p> <p>Due Date: 24 Jul 2013</p> <p>06</p>	<p>Members' Broadband Allowance</p> <p>To consider increasing the Basic Allowance for Members to incorporate an allowance for broadband</p>		<p>Janet Barnes janetbarnes@maidstone.gov.uk</p>	<p>Public</p>	<p>Members' Broadband Allowance</p>
<p>Cabinet Member for Corporate Services</p> <p>Due Date: 31 Jul 2013</p>	<p>Lease of Giddyhorn Lane Tennis Courts</p> <p>Lease renewal to Maidstone Lawn Tennis Club of the tennis courts at Giddyhorn Lane Playing Fields</p>		<p>Lucy Stroud lucystroud@maidstone.gov.uk</p>	<p>Private because of commercially sensitive information.</p>	<p>Lease of Giddyhorn Lane Tennis Courts</p>

Forthcoming Decisions
July 2013 - May 2014

Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary	Key Decision and reason (if applicable)	Contact Officer:	Public or Private <i>if Private the reason why</i>	Documents to be submitted <i>(other relevant documents may be submitted)</i>
<p>Leader of the Council</p> <p>Due Date: 2 Aug 2013</p>	<p>Residents Survey 2013</p> <p>Bi-annual residents consultation</p>		<p>Angela Woodhouse, Head of Policy and Communications angelawoodhouse@maidstone.gov.uk</p>	<p>Public</p>	<p>Residents Survey 2013 Enc. 2 for Residents Survey 2013 Enc. 3 for Residents Survey 2013</p>
<p>Cabinet Member for Environment</p> <p>Due Date: Before 2 Aug 2013</p>	<p>Review of Fees and Charges - Waste Services</p> <p>Review of garden waste and bulky charges to consolidate charges across the Mid Kent Waste Partnership area.</p>	<p>KEY Reason: Fees & Charges</p>	<p>Jennifer Shepherd jennifershepherd@maidstone.gov.uk</p>	<p>Public</p>	<p>Waste and Recycling Strategy 2010-2015 Review of Fees and Charges - Waste Services Appendix A: Risk Management Strategy</p>
<p>Leader of the Council</p> <p>Due Date: 2 Aug 2013</p>	<p>Use of 2012 13 Revenue Underspend</p> <p>This report presents proposals for uses of the net revenue underspend.</p>	<p>KEY Reason: Expenditure > £250,000</p>	<p>Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk</p>	<p>Public</p>	<p>Use of 2012 13 Revenue Underspend</p>

Forthcoming Decisions
July 2013 - May 2014

Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary	Key Decision and reason (if applicable)	Contact Officer:	Public or Private <i>if Private the reason why</i>	Documents to be submitted <i>(other relevant documents may be submitted)</i>
Cabinet Member for Corporate Services Due Date: 2 Aug 2013	Discretionary Housing Payment Future policy for the award of discretionary housing payments.		Stephen McGinnes stephenmcginnes@maidstone.gov.uk	Public	Discretionary Housing Payment
Cabinet Due Date: 14 Aug 2013 100	Budget Strategy 2014 15 Onwards To give initial consideration to a Budget Strategy for 2014 15 and beyond	KEY Reason: Budget Reports	Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Budget Strategy 2014 15 Onwards
Cabinet Due Date: 14 Aug 2013	Budget Monitoring - First Quarter 2013/14 Budget Monitoring - First Quarter 2013/14		Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Budget Monitoring - First Quarter 2013/14
Cabinet Due Date: 14 Aug 2013	Corporate Planning Timetable Report to determine the timetable for refreshing the Strategic Plan for 2013/14		Angela Woodhouse, Head of Policy and Communications angelawoodhouse@maidstone.gov.uk	Public	Corporate Planning Timetable

Forthcoming Decisions
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Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary	Key Decision and reason (if applicable)	Contact Officer:	Public or Private <i>if Private the reason why</i>	Documents to be submitted <i>(other relevant documents may be submitted)</i>
Cabinet Due Date: 14 Aug 2013	Quarter 1 Performance Report 2013/14 Quarterly performance monitoring		Clare Wood clarewood@maidstone.gov.uk	Public	Quarter 1 Performance Report 2013/14
Cabinet Due Date: 14 Aug 2013 101	Annual Governance Statement To agree the Annual Governance Statement for 2012 13	KEY Reason: Policy Framework Document	Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Annual Governance Statement
Cabinet Due Date: 14 Aug 2013	Local Code of Corporate Governance To consider and approve an amended Local Code of Corporate Governance		Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Local Code of Corporate Governance

Forthcoming Decisions
July 2013 - May 2014

Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary	Key Decision and reason (if applicable)	Contact Officer:	Public or Private <i>if Private the reason why</i>	Documents to be submitted <i>(other relevant documents may be submitted)</i>
Cabinet Member for Community and Leisure Services Due Date: 16 Aug 2013	CCTV Operational Protocol Operational Protocol for Maidstone Borough Council owned CCTV.		John Littlemore, Head of Housing & Community Services johnlittlemore@maidstone.gov.uk	Public	CCTV Operational Protocol
Cabinet Member for Community and Leisure Services Due Date: 30 Aug 2013	Review of the Housing Assistance Policy To review and update the council's Policy for providing housing assistance.	KEY Reason: Affects more than 1 ward	John Littlemore, Head of Housing & Community Services johnlittlemore@maidstone.gov.uk	Public	Review of the Housing Assistance Policy
Cabinet Member for Corporate Services Due Date: 30 Aug 2013	Commissioning & Procurement Strategy 2013-16 To consider the Council's Commissioning	KEY Reason: Policies, Plans, Strategies	David Tibbit davidtibbit@maidstone.gov.uk	Public	Commissioning & Procurement Strategy 2013-16 Enc. 1 for Commissioning & Procurement Strategy 2013-16

Forthcoming Decisions
July 2013 - May 2014

Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary	Key Decision and reason (if applicable)	Contact Officer:	Public or Private <i>if Private the reason why</i>	Documents to be submitted <i>(other relevant documents may be submitted)</i>
Licensing Act 2003 Committee Due Date: 4 Sep 2013	Delegation of Functions To recommend to Council a minor amendment to the delegations to the Committee		Lorraine Neale lorraineaneale@maids.tone.gov.uk	public	Delegation of Functions
Licensing Committee Due Date: 4 Sep 2013	Street Trading Consent - Mr Ian Young To extend Mr Youngs provisional 6 month consent		Lorraine Neale lorraineaneale@maids.tone.gov.uk	public	Street Trading Consent - Mr Ian Young
Licensing Committee Due Date: 4 Sep 2013	Hackney Carriage Licence - Unmet Demand Survey To consider the outcomes of the Unmet Demand Survey into the numbers of Hackney Carriage Licences		Lorraine Neale lorraineaneale@maids.tone.gov.uk	Public	Hackney Carriage Licence - Unmet Demand Survey

Forthcoming Decisions
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Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary	Key Decision and reason (if applicable)	Contact Officer:	Public or Private <i>if Private the reason why</i>	Documents to be submitted <i>(other relevant documents may be submitted)</i>
Cabinet Member for Planning, Transport and Development Due Date: 6 Sep 2013	Public Consultation Approach for the Maidstone Borough Local Plan The report considers the council's approach to public consultation on the draft Maidstone Borough Local Plan.		Sue Whiteside suewhiteside@maidstone.gov.uk	Public	Public Consultation Approach for the Maidstone Borough Local Plan
Cabinet Due Date: 11 Sep 2013	Regeneration and Economic Development Plan Consultation To consider the draft Regeneration and Economic Development Plan for the Borough and agree its release for public consultation.	KEY Reason: Affects more than 1 ward	John Foster, johnfoster@maidstone.gov.uk	Public	Regeneration and Economic Development Plan Consultation

Forthcoming Decisions
July 2013 - May 2014

Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary	Key Decision and reason (if applicable)	Contact Officer:	Public or Private <i>if Private the reason why</i>	Documents to be submitted <i>(other relevant documents may be submitted)</i>
<p>Cabinet</p> <p>Due Date: 11 Sep 2013</p> <p>105</p>	<p>Maidstone Enterprise Hub</p> <p>To allocate £500,000 from the Capital Fund as match funding to support the Council's bid to Kent County Council for Regeneration Funding to establish an Enterprise Hub in Maidstone town centre.</p>	<p>KEY Reason: Expenditure > £250,000</p>	<p>Karen Franek, karenfrank@maidstone.gov.uk</p>	<p>Public</p>	<p>Maidstone Enterprise Hub</p>