

Retail and Leisure Strategy Topic Paper

Planning is a technical process, driven by legislation and government policy and advice. This topic paper uses a number of acronyms and technical terms, so the glossary below has been prepared to assist the reader.

Acronym	Term	Description
	Comparison (A1 use)	retail items not bought on a frequent basis, for example televisions and white goods (fridges, dishwashers etc.)
	Convenience (A1 use)	the provision of everyday essential items, such as food
	Development Plan	Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.
DPD	Development Plan Document	A DPD is a spatial planning document that is subject to independent examination. Under new regulations, DPDs are now known as local plans.
	Experian	Detailed monthly forecasts with supporting qualitative reports to help understand more about the UK economy - specifically how it will perform over the next cycle.
FEMA	Functional Economic Market Area	key economic markets broadly corresponding to sub-regions or city regions
	Garden Settlement	<ul style="list-style-type: none"> • a purpose built new settlement, or large extension to an existing town • a community with a clear identity and attractive environment • it provides a mix of homes, including affordable and self-build • planned by local authorities or private sector in consultation with the local community
GEA	Gross external area	Broadly speaking the whole area of a building taking each floor into account. GEA will include: <ul style="list-style-type: none"> • perimeter wall thickness and external projections

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		<ul style="list-style-type: none"> • areas occupied by internal walls (whether structural or not) and partitions • columns, piers, chimney breasts, stairwells, lift wells etc • lift rooms, plant rooms, tank rooms, fuel stores, whether or not above roof level • open-sided covered areas (should be stated separately)
LIS	Local Industrial Strategy	Local Industrial Strategies will be long-term, based on clear evidence and aligned to the national Industrial Strategy. They should set out clearly defined priorities for how cities, towns and rural areas will maximise their contribution to UK productivity. Local Industrial Strategies will allow places to make the most of their distinctive strengths. They will better coordinate economic policy at the local level and ensure greater collaboration across boundaries.
LP17	Maidstone Borough Local Plan	The Maidstone Borough Local Plan is the key document that 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 the 'why, what, where, when 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. The plan covers the period from 2011 and 2031.
	Main town centre uses	Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).
NPPF	National Planning Policy Framework	The NPPF was published in February 2019 and it sets out the government's planning policies for England and how these must be applied. Local plan policies must be in conformity with the NPPF.
	Neighbourhood Plan	A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.
	Previously Developed Land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land

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		in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
PF	Primary Frontage	Primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods.
PSA	Primary Shopping Area	Area where retail development is concentrated.
PPG	Planning Practice Guidance	The PPG provides additional guidance on how the national policies in the National Planning Policy Framework should be interpreted and applied.
SF	Secondary Frontage	Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.
SA	Sustainability Appraisal	The SA is a tool for appraising policies to ensure they reflect sustainable development objectives, including social, economic and environmental objectives.
SME	Small and Medium Sized Enterprise	A category of micro, small and medium-sized enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding 50 million euro, and/or an annual balance sheet total not exceeding 43 million euro
SELEP	South East Local Economic Partnership	LEPs are business led public-private partnerships entrusted with public funds and responsibilities to drive growth across England. As legal entities they are required to follow relevant legislation and governance arrangements which align to the model they adopt.
SPD	Supplementary planning documents	An SPD provides further detail to a policy or a group of policies set out in a local plan. A SPD can provide additional detail about how a policy should be applied in practice. SPDs are a material consideration in planning decisions but are not part of the development plan.
	Use classes	Use classes The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'
	Windfall site	Sites not specifically identified in the development plan.

Background/Context

This topic paper considers matters relating to retail and leisure provision in the borough, **from a spatial perspective only**. This includes understanding the objectively assessed needs for main town centre uses¹ (retail and town centre leisure uses) – both quantitative and qualitative – and considers how to accommodate such requirements spatially. It also highlights what is required in terms of identifying centre hierarchies and retail designations. Non-strategic matters are dealt with separately.

Legislative Requirements

Planning and Compulsory Purchase Act 2004 (as amended) - Basis for making local plans and relevant requirements for producing plans; duty to cooperate requirements; and requirements for sustainability appraisals.

Environmental Assessment of Plans and Programmes Regulations 2004 - Sustainability appraisals incorporate the requirements of these regulations.

Localism Act 2011 - Introduced the duty to cooperate.

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) - Prescribes the general form and content of local plans, policies maps, monitoring reports; the process for preparing local plans; the requirement to review local plans; consultation/notification; public participation; and examination.

National Policy and Guidance Requirements

National Planning Policy Framework (NPPF)

The NPPF (paragraph 11) indicates that councils should positively seek opportunities to meet the development needs of the area, and local plans should meet objectively assessed needs. In doing so, policies should support the role that town centres play by taking a positive approach to their growth, management and adaptation. Designated town centres should be the first choice for retail, leisure and main town centre uses.

Retail

Local Planning Authorities are required to: define a network and hierarchy of town centres; define the extent of town centres and primary shopping areas and make clear the range of uses permitted in such locations; allocate a range of suitable sites in town centres (or sequentially edge of centre or other accessible locations) to meet the scale and type of development likely to be needed, looking at least ten years ahead; and to recognise the important role that residential development often plays in ensuring town centre vitality.

¹ The national Planning Policy Framework defines 'main town centre uses' for use in planning terms. It is important to note that, from a spatial perspective, such uses may be located outside of designated town centres.

Frontages & Permitted Development Rights

The NPPF requires councils to define the extent of the primary shopping area (PSA) and councils may, where appropriate, wish to define primary and secondary retail frontages where their use can be justified in supporting the vitality and viability of particular centres (NPPG). This approach differs slightly from the current LP17, where it was a requirement and not an option to define the primary and secondary frontages (LP17 policies DM27 and DM28).

Leisure

The NPPF includes "leisure, entertainment and more intensive sport and recreation uses" within the definition of main town centre uses. For the purposes of this topic paper, this includes: cinemas; restaurants; drive-through restaurants; bars and pubs; nightclubs; casinos; health and fitness centres; indoor bowling centres and bingo halls. It would not include facilities such as swimming pools, leisure centres or parks and playing pitches. These are considered separately under the Infrastructure Topic Paper. For the purposes of this topic paper, the collective 'retail and leisure' terminology used by the NPPF will simply be referred to as 'town centre uses'.

LP17 does not allocate land for leisure purposes as there was no strategic need identified for such uses during the plan preparation. LP17 identifies that a flexible approach to allowing leisure uses in the secondary areas of the town centre will help improve unit occupation and encourage people to extend their length of visit to the town centre.

Impact assessment

The NPPF states that in determining applications for retail and leisure development outside of the town centre which are not in accordance with an up to date local plan, an impact test is required for development over a proportionate, locally set threshold. If there is no local threshold, as is the case for Maidstone borough, the default threshold is anything exceeding 2,500 sqm GEA. At present, LP17 does not set a locally appropriate threshold, although there is evidence to suggest that the default threshold may be inappropriate to apply across the whole of the borough, because a retail or leisure development smaller than 2,500sqm (GEA) could have a significant adverse impact on some of the smaller centres. As part of the Local Plan Review (LPR), a reduced locally set threshold of 400sqm GEA should be considered for retail and leisure development applications outside of the Maidstone urban area.

National Planning Practice Guidance (PPG)

The PPG suggests that we can take a leading role in promoting a positive vision for town centres, bringing together stakeholders and supporting sustainable economic and employment growth. In doing so, we will need to consider structural changes in the economy, in particular changes in shopping and leisure patterns and formats.

A wide range of complementary uses can help to support the vitality of town centres, including residential, employment, office, commercial, leisure/entertainment, healthcare and educational development. Evening and night-time activities also have the potential to increase economic activity and provide additional employment opportunities, as well as allowing town centres to diversify and develop their unique brand and offer services beyond retail.

The key approach to set out a vision and strategy for town centres is through the development plan and (if needed) supplementary planning documents. Through planning policies, the Council is expected to define the extent of the primary shopping area. Where appropriate, the Council may also wish to define primary and secondary retail frontages where their use can be justified in supporting the vitality and viability of the town centre. If it is not possible to accommodate all forecast needs for main town centre uses in a town centre, the Council should plan positively to identify the most appropriate alternative strategy for meeting the identified need, having regard to the sequential and impact tests.

Ministerial statements

There are no Ministerial Statements that significantly change the overall approaches set out in this paper.

Maidstone Borough Local Plan 2017 (LP17) policies: Strategic vs Non-Strategic

The location, scale, quality and provision of development for town centre uses within Maidstone Borough is defined by the NPPF (paragraph 20) to be a strategic matter which needs to be addressed by the LPR's strategic policies.

Key Strategic Policies

There are a number of existing strategic policies pertaining to the location of town centre uses across the borough within the plan period which either relate to the borough as a whole (**policy SS1**) or to specific areas (**SP1-16**) of the borough where retail will be accommodated.

SS1 (Maidstone Borough spatial strategy) and supporting text sets out the borough's retail floorspace requirement up to 2031: 6,100sqm (net) convenience A1 use and 23,700sqm (net) comparison A1 use. There is currently no floorspace allocation requirement set out for A3-A5 uses or other town centre uses.

SP1 (Maidstone urban area) seeks to maintain and enhance the retail hierarchy set out in LP17, i.e. Maidstone Town Centre, five Rural Service Centres and five Larger Villages.

SP21 (Economic Development) is primarily focused on the borough's economic development, but the policy seeks to enhance the vitality and viability of Maidstone Town Centre and maintain the hierarchy of retail centres.

SP23 (Sustainable transport) seeks to facilitate the delivery of strategic transport links to Maidstone Town Centre including bus services across radial routes and railway stations.

Specific mixed-use (including retail) allocations are included as part of strategic policy **RMX1**, with sites **RMX1(1)**, **RMX1(2)**, **RMX1(3)** and **RMX1(5)** allocated to deliver a total of 25,700m² retail floorspace.

Non-strategic Policies

DM16 (Town centre uses).

DM17 (District centres, local centres and local shops and facilities).

DM18 (Signage and shop front).

DM27 (Primary shopping frontages).

DM28 (Secondary shopping frontages).

DM29 (Leisure and community uses in the town centre).

DM40 (Retail units in the countryside).

LPR1viii (Reconsideration of the approach to the Syngenta and Baltic Wharf sites if these have not been resolved in the interim).

Relevant Supplementary Planning Documents (SPD) and Planning Policy Advice Notes

None is relevant to this topic area.

Maidstone Strategic Plan Requirements

The Strategic Plan sets out the Council's aspirations through to 2045. The vision is '*Maidstone: a vibrant, prosperous, urban and rural community at the heart of Kent where everyone can realise their potential*'. The relevant priority based on the vision is:

A Thriving Place

- The outcome of which is a vibrant leisure and culture offer, enjoyed by residents and attractive to visitors. The focus between 2019–24 is reviewing and delivering leisure and cultural services that meet future needs.

The requirements in meeting this priority are:

- Ensuring sufficient land and floorspace is provided to support economic growth in the borough and to contribute to the needs of the wider economic market area.

- Ensuring that Maidstone has a vital and vibrant town centre which maintains its role in the sub-region and that a network of local centres continue to serve local retail and service needs.

Kent County Council (KCC) Policy Framework

No policies/guidance are directly related to the topic area.

Other Key Plans and Strategies (incl. Neighbourhood Plans)

Neighbourhood Plans - Form part of the Maidstone Development Plan. There are four made plans:

- North Loose Neighbourhood Plan 2015 – 2031 (2016)
- Staplehurst Neighbourhood Plan 2016 – 2031 (2016)
- Loose Neighbourhood Plan 2018 – 2031 (2019)
- Marden Neighbourhood Plan 2017 – 2031 (2020).

The neighbourhood plans have consideration for the retail and leisure needs of the neighbourhood plan area.

Maidstone Destination Management Plan 2015 (updated Action Plan 2019)

Strategic priorities:

- Increase the value of tourism by targeting higher-spend markets with growth potential.
- Use tourism to reinvent what a County Town means for the 21st century.
- Encourage more overnight visitors to the borough to come into the town centre – including in the early evening – and to explore Maidstone’s countryside and villages.
- Connect the town with its surrounding countryside in tangible ways that encourage visitors to explore further and stay longer.
- Strengthen potential visitors’ awareness and image of the borough by using the Shared Story to develop a strong brand positioning.

Action strand:

- Improving the County Town’s appeal to visitors
- Improving the impact of events on the visitor economy
- Making more of the countryside.

Maidstone Economic Development Strategy 2015-2031 - Sets out the vision: *‘A model 21st century county town, a distinctive place, known for its blend of sustainable rural and urban living, dynamic service sector based economy, excellence in public services and above all quality of life’* to be achieved by 2031.

This strategy sets out five priorities:

- Retaining and attracting investment
- Stimulating entrepreneurship
- Enhancing Maidstone Town Centre
- Meeting the skills needs
- Improving Infrastructure.

Democratic Resolutions (Full Council/Committees)

Town Centre Article 4 Directions (SPI 10.09.2019) - Non-Immediate Article 4 Directions were made on 14 town centre sites to remove permitted development rights on office to residential development.

Business rates retail relief (Full Council 26.02.20) - Government recognised changing consumer habits and the need to intervene to help the high street to evolve. For this reason, changes to retail business rates were adopted.

Town Centre Opportunity Sites (SPI 05.11.2019) - Planning Guidelines were adopted as material planning considerations for 5 town centre sites.

Meeting Objectively Assessed Need

The NPPF (paragraph 11) indicates that councils should positively seek opportunities to meet the development needs of their areas, and local plans should meet objectively assessed needs.

For leisure in Maidstone borough, there is theoretical capacity for a medium sized or boutique cinema over the plan period. Alternatively, there is scope for the provision of additional screens at Lockmeadow Entertainment Centre. There is also scope for 4 to 5 additional medium sized gyms in the borough over the plan period. However, there is no strategic need to allocate land for these specific purposes. Rather, the plan policies should be flexible enough to respond to emerging opportunities for new leisure facilities.

For retail (all A-uses), the intention is to meet all of the borough's identified needs in full, with allocations to meet the floorspace requirements for a minimum of 10 years. This means, as a minimum, allocating land to accommodate 10,838m² (gross) floorspace to 2032. This requirement is primarily fuelled by population growth. The full need to 2037 is 16,146m² (gross) floorspace across all A-uses.

Supporting Evidence (Current and Future)

Economic Development Needs Study (2019 & 2020) - Identifies that Maidstone Borough falls within a Functional Economic Market Area (FEMA) that is largely consistent with the borough boundary, extending slightly into the neighbouring authorities of Tonbridge & Malling and Medway. It will be important for the Council to actively engage with authorities in these areas on any cross-boundary issues arising in relation to town centre uses provision through the preparation of the LPR.

Retail

Maidstone Town Centre is a Major Regional Centre, only falling below Bluewater in the regional hierarchy. The town centre is classified as having a “middle” market position, suggesting it does not compete with other centres such as Bluewater, Tunbridge Wells and Canterbury, which are classified as having an “upper middle” market position². This alludes to the fact that Maidstone has a significant draw in terms of the “middle” market, with few competitors equal in scale locally. Maintaining this position and market offering is important to the continued success of the town centre.

The recently updated projections for all A-use floorspace are much lower than those quoted in LP17, even when taking account of a revised end date of 2037 and net rather than gross floorspace figures used in 2013. By 2037, the Council will require 6,057m² (gross) A1 convenience (38%); 1,020m² (gross) A1 comparison (6%); and new for this LPR, 9,069m² (gross) A3/A4/A5 food/beverage (56%) floorspace. This is a total of 16,146m² (gross) of all A uses to 2037. Choices will need to be made as to where this floorspace is located, with allocations required to accommodate at least the first 10 years of floorspace requirements (10,838m² (gross)). RMX1 policies may require diversification to allow for the new food and beverage (A3-A5 use) floorspace requirement as opposed to purely A1 convenience/comparison.

Town centre assessments/healthchecks

A qualitative assessment or ‘healthcheck’ of the existing town centre, RSCs and LVs in the borough was undertaken in 2019. This looked at factors such as the range of shops and services in each location and the vacancy rates. Overall, it concluded that residents have good access to local shops and services, which is supplemented by Maidstone town centre and other smaller local centres/parades. There was no suggestion that any of the centres required radical changes.

Leisure

The EDNS identifies theoretical capacity for a medium sized or boutique cinema over the plan period. Alternatively, there is scope for the provision of additional screens at Lockmeadow Entertainment Centre. There is also scope for 4 to 5 additional medium sized gyms in the borough over the plan period. However, there is no strategic need identified to justify allocation of land for these specific purposes. Rather, the plan policies should be flexible enough to respond to emerging opportunities for new leisure opportunities as they occur. Developing a leisure/entertainment complex – either new or repurposing LP17 allocation RMX1(1) to allow A3-A5 uses and complementary D-uses, might be a potential strategy.

² EDNS Stage 1 report 2019

Primary and Secondary Frontages

Evidence³ produced for the LPR assesses the suitability of current policies DM27 and DM28. For secondary retail frontages, the current approach remains robust, employing a suitably flexible approach to allow for a more diverse range of town centre uses than in the primary frontage.

For primary retail frontages, there is no evidence to suggest the need for a more restrictive policy than is currently in place. The Council's most recent monitoring report⁴ shows the percentage of A1 uses remains at or above the 85% target in the primary frontage. However, with changes in permitted development rights, the Council's ability to control non-A1 uses within the primary frontage will diminish.

Whilst these are detailed as opposed to strategic policies, they impact upon strategic spatial matters in terms of where the Council may choose to allocate sites for different town centre uses to accord with the frontage policies.

Economic Development Strategy 2015-2031 - The current EDS sets out the vision: *'A model 21st century county town, a distinctive place, known for its blend of sustainable rural and urban living, dynamic service sector based economy, excellence in public services and above all quality of life'* to be achieved by 2031. This strategy sets out five priorities:

- Retaining and attracting investment
- Stimulating entrepreneurship
- Enhancing Maidstone Town Centre
- Meeting the skills needs
- Improving Infrastructure.

The EDS will be reviewed and updated in line with the LPR. This may result in a different focus or strategy for the borough, and it will be important to incorporate any shift in direction into the LPR. Progress of the EDS review has been delayed by 3 months due to the current Covid-19 situation. For now, the LPR will need to align with the current EDS but on the assumption that revisions may be required at a later stage.

Strategic Land Availability Assessment (SLAA) Draft - The purpose of the SLAA is to identify and assess the land which is available to meet all objectively assessed needs for the LPR. This includes meeting needs for housing, employment, retail, and infrastructure purposes. This will draw together the outputs from:

- Call for Sites 2019
- Call for Sites - Site Assessments
- Annual Monitoring Report into existing Local Plan progress
- Windfall Assessment update
- Retail, Employment, Housing, and G&T Needs Assessments
- Alternative sources of sites

³ EDNS stage 2 report – Feb 2020

⁴ Maidstone AMR 2018-19

- Garden Settlement Assessments.

The SLAA lists all site assessments of Call for Sites proposals, looking into the suitability and achievability of sites to be allocated in the LPR. A sub-section of the SLAA will include an assessment of Garden Settlement proposals. In terms of sites put forward for retail/town centre uses, it has been assumed that all town centre sites will contribute to the provision of retail floorspace as part of mixed-use schemes. The SLAA is a working document and will be published when finalised.

LP17 Retail Hierarchy - An assessment of the hierarchy through recent evidence work shows the existing hierarchy of centres remains appropriate should the LP17 approach be rolled forward. Should one or more Garden Settlements be included in the LPR, this hierarchy may require the addition of new centres, depending upon the settlement size and subsequent retail floorspace provision required.

Duty to Cooperate

The NPPF identifies retail development as a strategic cross-boundary issue, for which the duty to cooperate applies. Whilst there is currently no statement of common ground (SOCG) in place, there has been agreement on appropriate geographic areas (FEMA). The Council also shared its proposed EDNS evidence base methodology in advance of undertaking evidence gathering to ensure all neighbouring Local Planning Authorities (LPA) were happy with the Council's approach, and no issues were raised.

As the LPR is progressed through to preferred approaches and Regulation 19 consultation, it will be important to continue to engage actively and on an on-going basis with neighbouring LPAs to ensure that any issues are identified and resolved as early as possible.

Development Management (DM) Input

- **SP4** – Unlike the RSCs, there is no infill policy for the town centre – clarification that infill is supported in the town centre is requested.
- **DM17** – District centres, local centres and local shops and facilities: this is part-spatial, in that it designates the district and local centres. It should be amended as such in the LPR. There was question the as to the relevance of the policy given latest PD rights and whether there should remain such a strong focus on retail as opposed to seeking vibrancy and community focus in the centres.

Regulation 18a (Scoping Themes and Issues) References

Maidstone town centre - Sustaining the town centre is a priority; to protect it from systemic change, it will most likely have to become more diverse.

Transport - Several measures are necessary for the improvement of transport as this is one of the highest priorities in the borough. This will require the

identification for different measures with some prioritised over the others. Some of the measures to be considered are:

- Smart City
- Public Transport
- Parking Control
- Design healthy places.

Public Consultation Regulation 18a

OQ1: What can the Local Plan Review do to make the growth we need 'good growth'?

- Support for a holistic approach to housing, infrastructure and community facilities, with mixed residential, commercial and leisure buildings supported as a priority in the town centre. Residents (14); Developers (3); Councillor (2); Residents Association (1); Parish Council (6)

OQ2: What could the Local Plan Review do to help make our town and village centres fit for the future?

- Contain policies to deliver a mix of uses within defined centres. Developers (2).
- Support allocation of sustainable sites, not only within settlement boundaries, but adjacent or close to town centres. Residents (5); Expert Agency (2)
- Support for adequate parking provision. Residents (4)
- Incorporate green and blue infrastructure into centres. Residents (1); County Council (1)
- Broadband: KCC welcomes the proposal to promote full fibre (fibre-to-the-premise connections) in both new and existing development, in line with current Government policy. It is recommended that full fibre connections are also delivered within town and village centres. Ashford Borough Council has developed a full fibre policy, (EMP6) which is widely promoted nationally as best practice, whilst being in line with the current National Planning Policy Framework.

OQ4: What overall benefits would you want to see as a result of growth?

- More local facilities to reduce the need to travel to larger towns. Residents (124); Expert Agency (1); Councillor (1); Resident Association (1); Parish Councils (11)

OQ5: What infrastructure and services, including community services and facilities, do you think are the most important for a successful new development?

- Support for community and retail facilities for all ages and within walking distance. Residents (223); Developers (6); Expert Agency (4); Councillor (2); Parish Council (7); County Council (1)

OQ6: How can the Local Plan Review help support a thriving local economy, including the rural economy?

- Ensure sufficient commercial land is retained in the town centre. Residents (2)
- Recognise that leisure and tourism are increasingly key to supporting socio-economic well-being of rural areas. County Council (1)
- Broadband: Full fibre broadband infrastructure should be developed to encourage a thriving local economy, including the rural economy. The County Council is pleased to see that its role in the delivery of full fibre broadband is included within the Local Plan Review and would welcome further discussions with the Borough Council to seek to deliver full connectivity as far as possible across the Borough.

TQ9: What approaches could we use to identify sites in and at the edge of the town centre for future shopping and leisure needs?

- Invest more in the town centre to combat their decline. Residents (28); Developers (1); Expert Agency (1); Councillor (1); Resident Association (1); Parish Council (7)
- Make TC sites more accessible by main roads, public transport and cycle routes. Residents (13); County Council (2); Expert Agency (2); Councillor (1); Resident Association (1); Parish Council (4)
- Reduce parking charges in the Town Centre. Residents (4); Parish Council (2)
- Support for better quality built and landscape design, and ethical considerations such as sustainability to be acknowledged. Expert Agency (2)

TQ10: Do you think there should be changes to the current settlement hierarchy? If yes what evidence do you have for your answer?

- Suggested change to settlement hierarchy to take into account the number and change in services in the area. Residents (274); Developers (5); Expert Agency (1); Parish Council (4); Petition (1); Resident Association (1)
- Support for existing settlement hierarchy as per LP17. Residents (6); Developers (14); Expert Agency (3); Parish Council (3); Resident Association (1); Councillor (1)
- Support for hierarchy changes. Residents (16); Developers (14); Expert Agency (1); Councillor (1); Parish Council (8)

TQ18: How can the Local Plan Review help ensure that local economic growth benefits everyone?

- Suggestion that retail developments should not be located to out of town sites, due to increase in private vehicle use to access them. Therefore, supports town centre first approach. Residents (1); Developers (2)
- Protect and enhance Maidstone Town Centre, which should be the focus for new development. Residents (267); Parish Council (2)

- Support for flexible tourism policies to meet the changing demands of tourism industry. Residents (3); Expert Agency (1)

TQ19: How can the Local Plan Review help sustain our town and local centres?

- Reduce traffic and improve public transport. Residents (8); Developers (1); County Council (1); Councillor (1); Resident Association (1); Parish Council (7)
- Protect and enhance Maidstone town centre, as the focus for new development [Residents (225), County Council (1), Expert Agency (2), Councillor (2), Developer (2), Resident Association (1) and Parish Council (7)]
- Encourage mixed use developments in the town centres and edge of centres. Residents (5), Developers (1), Expert Agency (1), County Council (1) and Parish Council (2)
- KCC would welcome a renewed focus on creating mixed use town centres that are sustainable, resilient and fit for the future, with policies that have sufficiently flexibility to enable town centres to respond to changes in market conditions. Town and local centres should be accessible, with user friendly public transport links, electric vehicle charging and car club provision.

Public Consultation Regulation 18b

To be completed following Regulation 18b consultation.

Public Consultation Regulation 19

To be completed following Regulation 19 consultation.

Deliverability

The retail industry is very precarious and uncertain, many businesses going into administration. Uncertainties surrounding Brexit, followed by Covid-19, has meant that already struggling comparison retailers are now failing to survive. These factors, among others, have also impacted upon the food and beverage industry, with Patisserie Valerie, Jamie's Italian and Carluccio's being just a few recent examples to suffer. Convenience A1 will remain a necessity and is largely fuelled by population growth of an area, although it is still not without its own challenges such as the rise of the discount supermarkets and the competition between the 'big' supermarkets to retain customers.

In the short term, new development is likely to be slower to come forward as the market attempts to recover. However, there will remain a longer-term need for retail development.

Floorspace projections are based on the latest Experian projections, which account well at a macro-economic scale, but are less reliable at a micro-economic scale. They will include Brexit-related assumptions about the market, but not the implications arising from exceptional circumstances such as those

currently being experienced as a result of Covid-19. Also, the further forward these floorspace requirements are projected, the less reliable/certain they become. That said, they are the most accurate projections of floorspace requirements available based on long-term market assumptions, which the Council can reasonably expect to be delivered over the plan period to meet assessed needs. The projections are significantly reduced compared to those used to base the LP17 on. Regular review will remain an important and essential part of plan making.

Potential Objective(s)

The following objectives in the current Local Plan are pertinent:

3: To transform the offer, vitality and viability of Maidstone town centre including its office, retail, residential, leisure, cultural and tourism functions together with significant enhancement of its public realm and natural environment including the riverside.

This objective remains relevant, but could require the strengthening of the town centre office renaissance if that is the preferred reasonable approach. It may be beneficial to change 'transform' to 'improve'.

4: To reinforce the roles of the rural service centres through the retention of existing services, the addition of new infrastructure where possible, and the regeneration of employment sites including the expansion of existing employment sites where appropriate.

This objective remains appropriate.

Reasonable Alternative Approaches

As demonstrated through the LP17 allocations, existing planning permissions, Call for Sites and the SLAA, there is sufficient availability and suitability of land across the borough to meet the objectively assessed retail need (all A-Uses) over the plan period. The main choice to be made in this regard is where the growth is allocated within the borough. The current LP17 strategy allocates retail development to Maidstone Town Centre sites and to M20 J7, Newnham Park. Appropriate scale town centre uses are also supported in RSCs/LVs to support their sustainable growth and serve local needs. LP17 allocates land for retail/mixed-uses at two key sites in Maidstone Town Centre – Maidstone East & former Royal Mail Sorting Office, and King Street Car Park & former AMF bowling (RMX1(2) and RMX1(3) respectively)). These are for up to 10,000m² A1 retail floorspace and 1,400m² A1 retail floorspace at the two sites. The Powerhub building and Baltic Wharf within the town centre are also allocated for mixed use, but no quantities are set out. A further allocation for mixed-use including retail is at Newnham Park (RMX1(1)), which is for up to 14,300m² replacement retail floorspace. This totals 27,500m² floorspace and would provide in excess of the floorspace requirement to 2037.

Approach A: Continue with LP17 approach

This approach maintains the current hierarchy of retail centres and continues to roll forward the existing LP17 allocations. These, plus the extant permissions and increased occupation of currently vacant stock would provide in excess of the floorspace required to 2037. It assumes the allocations are viable to come forward over the plan period. Any new allocations, if needed for choice in the market, would use the 'town centre first' approach: in Maidstone TC, then edge of centre, then out of centre subject to a sequential impact assessment.

The existing Primary Shopping Area and frontage designations of Maidstone Town Centre would broadly be retained, but they would be reviewed as part of the LPR to ensure they remain fit for purpose. Although not a requirement to designate Primary Frontage and Secondary Frontage, they are a useful tool in maintaining a strong retail core in the borough's strategic town centre.

A locally set impact assessment threshold of 400m² (gross) for proposals for retail and leisure development outside Maidstone Urban Area would be required (ref: EDNS proposal).

Approach B: Allocate retail development to one or more Garden Settlement (GS) locations

This approach would see the allocation of new retail floorspace appropriate to the size (expected population) of any Garden Settlement. This would likely also require alterations to retail centre hierarchy to include Garden Settlement centre(s); but would retain Maidstone Town Centre at the top of the borough's centre hierarchy.

Depending on the scale of the new Garden Settlement(s), some town centre need from Maidstone would be absorbed in the new settlement(s). This would vary based on the scale of the new settlements, but is unlikely to change the retail hierarchy beyond adding a new RSC-level centre.

Depending on how much new retail floorspace would be allocated to any new GS, there would be potential scope to roll forward, amend or de-allocate some of the current LP17 allocations; whilst acknowledging that re-occupation of vacant town centre retail floorspace would go some way to meeting the floorspace requirements.

The existing Primary Shopping Area and frontage designations of Maidstone Town Centre would broadly be retained, but they would be reviewed as part of the LPR to ensure they remain fit for purpose. Although not a requirement to designate Primary Frontage and Secondary Frontage, they are a useful tool in maintaining a strong retail core in the borough's strategic town centre.

A locally set impact assessment threshold of 400m² (gross) for proposals for retail and leisure development outside Maidstone Urban Area would be required.

Approach C: Allocate retail and leisure development to out-of-town complex

This approach would see the allocation of A-use floorspace to a new out-of-town centre location, creating a new leisure destination. Given that approximately 56% of the floorspace requirement to 2037 is for A3/A4/A5 food and beverage uses, there is scope to accommodate this as part of a leisure complex which could offer flexible opportunities for entertainment/leisure D-class uses, as well as meeting the projected food and beverage needs. An impact assessment would be required. Consideration must also be given to potential impact on existing Lockmeadow Centre.

Potential locations might include further development/ diversification at J7 of the M20 (Newnham Park) or at M20 J8 (potentially adjusting allocation EMP1(4) Woodcut Farm), or using land as part of a potential Garden Settlement.

To review the current LP17 allocations and either roll forward, amend, or de-allocate as necessary.

The existing Primary Shopping Area and frontage designations of Maidstone Town Centre would broadly be retained, but they would be reviewed as part of the LPR to ensure they remain fit for purpose. Although not a requirement to designate Primary Frontage and Secondary Frontage, they are a useful tool in maintaining a strong retail core in the borough's strategic town centre.

Locally set impact assessment threshold of 400m² (gross) for proposals for retail and leisure development outside Maidstone Urban Area would be required.

Approach D: Town Centre intensification and diversification

This approach would build upon the existing LP17 Town Centre Broad Location and incorporate the identified town centre opportunity sites. It sees the transformation of Maidstone Town Centre, significantly bolstering its retail and leisure offer by allocating over and above the A-uses floorspace required; accompanied by an ambitious strategy to diversify the town centre uses, enhancing the leisure and cultural offer. This could represent a genuine opportunity to reinvigorate and reinstate the role of Maidstone Town Centre as the County Town.

Town centre sites located west of the riverside could be allocated for mixed use residential and town centre uses, primarily focused on food and beverage uses, promoting a vibrant riverside café culture. Existing allocation RMX1(5) Powerhub and Baltic Wharf, plus additional new allocations along the town centre riverside could comprehensively seek to meet the floorspace requirements to 2037. This would be in addition to reviewing the remaining LP17 town centre allocations and assessing the scope for town centre sites submitted in the Call for Sites to accommodate maximum A-use floorspace. Maximising the retail/A-use floorspace across all town centre sites would likely come at the expense of other uses, such as residential or office space. This in turn may have implications for site viability.

This ambitious approach would still seek to maintain the borough's sub-regional retail hierarchy, with an aspiration to raise the market offering to "upper middle"; and would significantly diversify the town's cultural offering. The town centre would be a leisure destination beyond traditional retailing.

Tests of Soundness

1. **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

All of the Reasonable Alternatives set out in this topic paper meet the requirements as identified through the Economic Development Needs Study. The issue of meeting need across wider market areas is also considered in the 'Meeting Objectively Assessed Need' section of this topic paper.

2. **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

All of the Reasonable Alternatives set out in this topic paper are based on meeting the needs identified in the recent EDNS and maintain and/or enhance Maidstone's place in the regional retail hierarchy. The spatial approaches will be subject to transport modelling and sustainability appraisal to ensure that the most appropriate strategy is identified as a preferred approach.

3. **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.

Comments/feedback on both the proposed FEMA and methodology for undertaking the retail assessment were sought from neighbouring authorities, and no issues have been raised. Engagement with neighbouring planning authorities will become more focused as the potential development approaches progress. Effective and on-going engagement with neighbouring LPAs should ensure that any cross-boundary issues of a strategic nature are identified as early as possible, and resolutions sought.

All Reasonable Approaches in this topic paper are deliverable over the plan period as the Council anticipates being able to meet its objectively assessed needs in their entirety within the borough boundary. Consequently, the Council is not relying on neighbouring LPAs to help deliver its needs over the plan period.

4. **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework (the NPPF).

The evidence produced is based on the current NPPF and NPPG guidance, and

all reasonable alternatives put forward are based on that evidence and are therefore compliant with the Framework (NPPF).

Unreasonable alternatives

An unreasonable alternative would be to not allocate sites for retail, leisure and town centre uses, but to rely entirely on the market to determine where and when such development should occur in the borough.

Sustainability Appraisal (SA)

The SA will provide input to help select a preferred approach.

What Mitigations Are Required including Infrastructure and Design

To be completed following publication of the SA.

Are the Preferred Approach and Alternatives Reasonable (Yes/No)

To be completed following publication of the SA.

Matrix

	Criteria	Approach A: LP17 continued	Approach B: Allocate to one or more Garden Settlement	Approach C: Out-of-town leisure complex	Approach D: Transform Maidstone Town Centre
Policy	NPPF/ NPPG consistency	GREEN: Consistent with NPPF/NPPG. AMBER: Review of existing PSAs, PF and SF to ensure continued fit for purpose.	GREEN: Consistent with NPPF/NPPG – hierarchy might require amending, but new centres would complement existing hierarchy and serve localised needs. AMBER: Review of existing PSAs, PF and SF to ensure continued fit for purpose.	AMBER: Would need to be subject to impact test – possibility of undermining hierarchy. Sequentially preferable sites closer to TC. AMBER: Review of existing PSAs, PF and SF to ensure continued fit for purpose.	GREEN: Consistent with NPPF/NPPG – town centre first approach. AMBER: Review of existing PSAs, PF and SF to ensure continued fit for purpose.
	Legislative compliance	GREEN: Compliant with current legislation.	GREEN: Compliant with current legislation.	GREEN: Compliant with current legislation.	GREEN: Compliant with current legislation.
	Strategic Plan alignment	GREEN: Maintains sub-regional role of Maidstone TC and the network of local centres to serve local retail/service needs. AMBER: Is not overly ambitious in terms of increasing inward investment. No strong strategy for actively fostering a vibrant leisure and cultural offer.	GREEN: Maintains sub-regional role of Maidstone TC and the network of local centres to serve local retail/service needs (albeit with additional centres to service GS). GREEN: Provides opportunity to increase commercial and inward investment in new GS.	AMBER: Could undermine sub-regional role of Maidstone TC by drawing trade away. May also negatively harm other town and village centres, rendering smaller villages unviable. GREEN: Provides a vibrant leisure and cultural offer. With a focused, strong strategy, this could lead to significant increased commercial and inward investment.	GREEN: Bolsters sub-regional role of Maidstone TC and maintains the network of local centres to serve local retail/service needs AMBER: Potentially overly ambitious in terms of allocating above and beyond identified need – must be strong strategy to ensure sites delivered. GREEN: Would foster/enhance a vibrant leisure and cultural offer and increase commercial and inward investment.
	KCC Policy support	N/A	N/A	N/A	N/A
	Other Plans & Strategies	GREEN: LP17 is in alignment with the current EDS.	AMBER: EDS would require updating to reflect GS.	AMBER: EDS would require updating to reflect new approach to leisure/entertainment provision.	AMBER: EDS would require updating to reflect new approach to town centre transformation.
Political & Public	SPI	GREEN: this approach supports SPI resolutions	AMBER: This approach may undermine the potential for the TC opportunity sites to be redeveloped if other opportunities for retail development exist in GS	AMBER: This approach may undermine the potential for the TC opportunity sites to be redeveloped if other opportunities for retail/leisure development exist elsewhere	GREEN: this approach supports SPI resolutions
	Full Council	GREEN: Retail business rates relief should encourage retail business and support the approach to delivering retail floorspace	GREEN: Retail business rates relief should encourage retail business and support the approach to delivering retail floorspace	GREEN: Retail business rates relief should encourage retail business and support the approach to delivering retail floorspace	GREEN: Retail business rates relief should encourage retail business and support the approach to delivering retail floorspace
	Public Consultation - Reg 18a	GREEN: Mixed use town centre buildings. AMBER: Does not go particularly far in recognising leisure and tourism in the TC.	GREEN: Mixed use town centre buildings. GREEN: Provision of walkable local community and retail facilities to serve local needs. AMBER: Does not go particularly far in recognising leisure and tourism in the TC.	AMBER: Potentially not walkable/ preference would be access by private vehicle if near strategic motorway junction/ out of town.	GREEN: Mixed use town centre buildings. GREEN: Provision of walkable local community and retail facilities to serve local needs. GREEN: Recognises town centre leisure opportunities.
	Public Consultation - Reg 18b	N/A	N/A	N/A	N/A
	Public Consultation - Reg 19	N/A	N/A	N/A	N/A

Technical	Meeting Objectively Assessed Need	GREEN: Meets objectively assessed need.	GREEN: Meets objectively assessed need.	GREEN: Meets objectively assessed need.	GREEN: Meets objectively assessed need.
	Supported by evidence	GREEN: Aligns with current Economic Development Strategy AMBER: Latest EDNS evidence provides a figure for A3/A4/A5 uses, which are not specifically allocated through LP17	GREEN: Would enable allocation of identified retail floorspace over the plan period, as per the recent EDNS evidence AMBER: May undermine the current EDS focus on enhancing Maidstone Town Centre	AMBER: May undermine the current EDS focus on enhancing Maidstone Town Centre. Latest EDNS evidence has not explicitly suggested this approach as an option to meet OAN.	GREEN: Would enable allocation of identified retail floorspace over the plan period, as per the recent EDNS evidence GREEN: Aligns strongly with current Economic Development Strategy and with Maidstone Destination management Plan
	Duty to Co-operate	GREEN: Should not raise any DtC issues as is continuation of current LP17.	GREEN: If retail and leisure provision is appropriate to size and scale of GS and serves local needs, there should not be any DtC issues.	AMBER: Potential DtC issues if leisure complex draws custom from neighbouring catchment areas.	GREEN: Should not raise any DtC issues as is largely continuation of current LP17 TC broad location.
	DM Input	GREEN: Approach would continue to allow/support infill in TCs	GREEN: Approach would continue to allow/support infill in TCs	GREEN: Approach would continue to allow/support infill in TCs	GREEN: Approach would continue to allow/support infill in TCs
	Deliverability	GREEN: Develop remaining allocations. GREEN: Focused effort within Maidstone TC to reduce vacancy rates.	GREEN: Develop remaining allocations. GREEN: Focused effort within Maidstone TC to reduce vacancy rates GREEN: GS likely to deliver floorspace in the medium-long term, to support housing growth.	GREEN: Develop remaining allocations. GREEN: Focused effort within Maidstone TC to reduce vacancy rates. AMBER: No evidence to suggest developer interest in an out-of-town leisure complex.	AMBER: Unclear if there is market demand to deliver above the OAN. Risk of sterilising TC sites that could come forward for other town centre uses (e.g. employment/residential) .
	Plan Period Implications	GREEN: Current allocations should be deliverable in the short to medium term (10 years).	AMBER: GS likely to deliver floorspace in the medium-long term, to support housing growth. Would be reliant on LP17 allocations in the short to medium term.	GREEN: Could be delivered theoretically at any time within the plan period, pending developer interest and supporting local strategy for delivery.	GREEN: Could be delivered theoretically at any time within the plan period, pending developer interest and strong supporting local strategy for delivery.
	Tests of Soundness	GREEN: See 'tests of soundness section' – considered a 'sound' reasonable approach.	GREEN: See 'tests of soundness section' – considered a 'sound' reasonable approach.	GREEN: See 'tests of soundness section' – considered a 'sound' reasonable approach.	GREEN: See 'tests of soundness section' – considered a 'sound' reasonable approach.
Potential Objective for topic area	GREEN: Current objectives remain broadly appropriate.	GREEN: Current objectives remain broadly appropriate. Potential new objective – around creating new local centre(s) to provide services and facilities to support new Garden Settlement communities. Appropriate in scale and complementing existing hierarchy, not competing.	GREEN: Current objectives remain broadly appropriate. Potential new objective – support development of out-of-town leisure complex near motorway junction.	GREEN: Current objectives remain broadly appropriate.	
SUSTAINABILITY APPRAISAL	N/A	N/A	N/A	N/A	
What Mitigations are required incl. infrastructure and design?	N/A	N/A	N/A	N/A	
Is the approach Reasonable?	N/A	N/A	N/A	N/A	