

MAIDSTONE BOROUGH COUNCIL

**REGENERATION & ECONOMIC DEVELOPMENT
OVERVIEW & SCRUTINY COMMITTEE**

23 JULY 2012

**REPORT OF DIRECTOR OF CHANGE, PLANNING AND THE
ENVIRONMENT**

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**1. CORE STRATEGY PUBLIC PARTICIPATION CONSULTATION: KEY
ISSUES AND RESPONSES**

1.1 Issue for Decision

1.1.1 To consider the key issues arising from the representations made during the public participation consultation on the draft Core Strategy (2011) and to note the officers' responses.

1.1.2 This is an interim report outlining some of the significant issues raised by respondents but it does not include a summary of all comments submitted. Following public consultation on proposed strategic housing and employment site allocations, which are the subject of a separate report attached to the agenda, Cabinet will consider all representations from both consultation events prior to approving the Core Strategy for "publication" consultation which is programmed for December 2012. It is important to outline some of the main issues at this point because of the time that has lapsed since the consultation closed.

1.2 Recommendation of Director of Change, Planning and the Environment

1.2.1 That without prejudice to consideration of all representations prior to the approval of the Core Strategy for the next round of public consultation planned for December 2012 (regulation 19¹), Cabinet considers the key issues arising from the 2011 public participation consultation on the draft Core Strategy, notes the officers' responses, and agrees the following:

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

- i) Replace the 10,000 jobs target set out in policy CS1 with a specific employment floorspace requirement expressed in square metres;
- ii) Retain junction 8 of the M20 motorway as a strategic development location for industrial and warehouse development, together with premium office development, to address qualitative and quantitative needs and the aspirations of the Council, and allocate land for development in the Core Strategy to be guided by an approved development brief;
- iii) Retain junction 7 of the M20 motorway as a medical campus, and allocate land for development in the Core Strategy in conjunction with the adjacent redevelopment of Newnham Court Shopping Village, to be guided by an approved development brief;
- iv) Retain the housing target of 10,080 dwellings in a dispersed pattern of development;
- v) Retain the two strategic housing development locations to the north west and south east of the urban area, and allocate land for development in the Core Strategy to be guided by development briefs;
- vi) Update Maidstone's 5-year housing land supply and housing trajectory to a base date of 1 April 2012, and engage with the development industry to achieve consensus over the methods of calculating elements of land supply, including a 5% contingency allowance;
- vii) Include housing targets in policy CS1 for each of the rural service centres in accordance with those set out in the Cabinet report of 9 February 2011, reproduced at paragraph 1.5.22 of this report;
- viii) Include reference to the early release of a proportion of suitable greenfield sites at the rural service centres in the Core Strategy in advance of the adoption of the Development Delivery Local Plan where supported by evidence of need;
- ix) Note that work is being undertaken on the viability of Core Strategy policies, including affordable housing, and that a subsequent report on this issue will be presented to Cabinet;
- x) Retain the five rural service centres of Harrietsham, Headcorn, Lenham, Marden and Staplehurst;
- xi) Note that the draft Integrated Transport Strategy, which is the subject of a separate report attached to the agenda, addresses the issues relating to improvements to highways and public transport

raised by respondents;

- xii) Rename green wedges as green and blue corridors, transfer references to corridors in policy CS3 to policy CS1, and amend the green wedges notations on the key diagram;
- xiii) Reword the Gypsy and Traveller accommodation policy (CS12) to provide clarity and to include a landscaping criterion; and
- xiv) Note the work that is ongoing to provide for a suitable public site(s) for Gypsy and Traveller accommodation.

1.3 Reasons for Recommendation

1.3.1 The Core Strategy Local Plan is the key document of the local planning policy framework. It sets out the Council's spatial vision and objectives over a 20 year period from 2006 to 2026, and it contains a number of spatial policies that explain how much development will be provided over the plan period, where this will be located and (equally important) where it will be resisted. The Core Strategy also contains a number of core policies that focus on delivering the strategy and setting criteria against which development applications can be determined.

1.3.2 The public participation consultation on the draft Core Strategy commenced on 2 September 2011 and ran for 6 weeks. This stage in the plan making process was formerly known as regulation 25 consultation but it equates to regulation 18 under new legislation². The consultation was widely publicised through advertisement, the website, leaflet drops to householders and a newsletter to all those listed on the Council's local plans database. A number of events were organised, including roadshows at key locations across the borough and a permanently staffed exhibition at the Town Hall throughout the consultation period. Presentations were made to all parish councils, the business community, and hard-to-reach resident groups.

1.3.3 A total of 585 individuals and organisations responded to the consultation, submitting nearly 2,800 comments, which is a reflection of the success of the consultation. A breakdown of the 585 respondents is set out below.

- 436 members of the public (74%)
- 75 from the development industry (13%)
- 27 from parish councils (5%)
- 27 other organisations (such as Kent Wildlife Trust, Arriva, Southern Water) (5%)

² Town and Country Planning Act (Local Planning) (England) Regulations 2012

- 17 Maidstone Borough Councillors (3%)
- Kent County Council
- Tonbridge & Malling Borough Council
- Medway Council.

1.3.4 Since the initial consultation the Council has spent a considerable amount of time investigating and reviewing the issues that arose from the representations, including the production of new evidence and re-engagement with some of the stakeholders and infrastructure providers, in order to fully respond to the comments made and to provide a robust evidence base. Legislative changes have also taken place including the government publishing the National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites in March 2012. This caused further delay to the programme while the impacts of new national policies on the Core Strategy were assessed.

1.3.5 The key issues raised by these representations are the subject of this report. In moving forward, it is vital that any significant changes to the strategy are agreed by Cabinet. A further report will be presented to Cabinet later this year, which will include a summary schedule of all of the representations made during the public participation consultation on the Core Strategy last autumn (including minor proposals) as well as representations submitted during the public consultation on strategic housing and employment sites to be undertaken this summer. The schedule will summarise the individual comments received, together with officers' responses and recommendations for each.

1.3.6 The full schedule of representations and recommended responses has not been completed at this point due to the Cabinet decision on 16 May 2012 to undertake public consultation on strategic housing and employment site allocations, which resulted in amendments to the Core Strategy work programme. Cabinet is requested to give preliminary consideration to the key issues together with officers' responses set out below, but without prejudice to Cabinet's final decisions on the Core Strategy that will be made in November 2012. Cabinet will then be able to review all of the representations and officer recommendations in advance of preparing for public consultation on the Core Strategy in December 2012 (new regulation 19).

1.4 Employment Targets and the Distribution of Development (CS1)

Representations

1.4.1 Twelve respondents (2% of the total comments on this policy) have challenged the jobs target. Some say the target is too high and others too low. Objectors are concerned that there is not enough evidence to

explain where 10,000 new jobs will come from, and also raise concerns that commuting to out-of-town employment locations is not acceptable. Respondents would prefer the Core Strategy to focus on providing high quality employment only, objecting to the prioritisation of warehousing because it is considered that such jobs are low skilled.

- 1.4.2 Some respondents seek a more flexible approach to changes of use where an existing employment site does not meet modern business requirements, and are looking for flexibility in policies to allow for additional office development outside of the town centre. There is also a call for a wider distribution or a dispersal pattern of employment sites, in line with the distribution of housing sites.
- 1.4.3 There is support from the public and the development industry for the identification of junction 8 of the M20 motorway as an employment location (22 respondents or 5%). There are also suggestions that this location could accommodate housing or mixed use development for housing and employment. There is a high level of opposition to development at junction 8 from local residents (254 respondents or 52%), who object on the grounds of the KIG appeal decision, the impact on the landscape, the loss of Special Landscape Area protection, increased traffic congestion, and the provision of low skilled jobs in this location. Alternative employment sites are proposed at Detling Airfield Estate, Park Wood and Hermitage Lane. Apart from a subsidiary part of Detling Airfield, none of these sites are being promoted by the landowners. Undeveloped land to the west of Detling Estate has been put forward by the landowner.
- 1.4.4 There is support for medical research facilities at junction 7, provided development has adequate links to the motorway. There is also a minority view that reference to medical research in the policy is unnecessarily specific, and those developers are seeking general employment or mixed use development (including housing and retail) in this location. Objections to development at junction 7 are based on concerns about the impact of development on the landscape, in particular the setting of the Area of Outstanding Natural Beauty, and traffic congestion. There is a suggestion that any proposals for research and development should be located at Maidstone Hospital or at Detling Showground, but not by the landowners of those sites.

Officers' response

- 1.4.5 The workforce for the 10,000 additional jobs will come, in part, from the increase in resident labour supply resulting from the completion of 10,080 new dwellings. This target provides for an additional resident labour supply of 5,000 workers³. The balance of jobs will be provided

³ Demographic and labour supply forecasts 2010

by reducing out-commuting and increasing in-commuting, with a particular focus on the delivery of a proportion of employment development that attracts well paid jobs. This objective underpins the Economic Development Strategy 2008 (EDS) and the land requirements set out in the Employment Land Review Partial Update 2011 (ELR). Development, such as the medical campus proposed at junction 7 of the M20 motorway and premium offices at junction 8, is likely to attract residents currently commuting out of the borough, including to London. Further objectives of the EDS include an overall increase in economic activity rates in the borough as well the promotion of higher and further education, thereby expanding the pool of local skilled labour available to match the jobs supply. While it is important to reduce out-commuting, the borough should be providing for a balance of jobs. The Council cannot of course control the number of jobs created, only the hectareage or square metres of floorspace of employment allocations to encourage employers to locate in the borough.

- 1.4.6 While the Core Strategy will allocate land for employment development, wider promotional initiatives will play a key role in achieving economic prosperity and attracting employers to assist in achieving the right balance of jobs and reduce out-commuting. Thus it is more appropriate for the Core Strategy to reflect the demand for employment floorspace and the Council's aspirations in terms of land use and, consequently, it is recommended that the 10,000 jobs target set out in policy CS1 of the draft Core Strategy 2011 be replaced with a specific employment floorspace requirement expressed in square metres, which is easier to monitor.
- 1.4.7 The ELR sets out the m² and hectareage demand for each of the B use classes based on 2009/10 data. Although this data will be updated (with the amount of employment floorspace granted planning permission in the intervening period) prior to the next round of public consultation on the Core Strategy (regulation 19⁴) in December 2012, the need to provide for a range of employment uses persists. The Council's targets will be redefined in policy CS1 to support the employment needs for the borough, including identified demand and the Council's aspirations to provide for advanced manufacturing and industrial uses.
- 1.4.8 Office development must be directed towards the town centre in accordance with the National Planning Policy Framework 2012 (NPPF) and the application of the sequential test. The borough's quantitative office needs can be provided for in its town centre. To meet qualitative demand, further office development is provided at Eclipse Park to deliver some flexibility and choice for the market, and demand

⁴ Town and Country Planning (local Planning) (England) Regulations 2012

will also be met through a quantum of research and development facilities proposed at the medical campus and premium office development at junction 8. It has been demonstrated⁵ that the borough's industrial/warehousing employment needs cannot be met through a dispersed pattern of development.

- 1.4.9 With regard to the strategic employment location at junction 8 of the M20 motorway, officers have undertaken an assessment of the alternative sites proposed by respondents to the 2011 public consultation event, despite not having any current evidence of their availability for redevelopment.
- 1.4.10 The suitability of the Parkwood Industrial Estate for significant intensification and expansion is limited by highway constraints. Existing vacant floorspace at the industrial estate has already been accounted for in demand calculations. The loss of existing floorspace as a result of redevelopment would need to be taken into account, so any net gain would not be enough to meet requirements for additional industrial/ warehouse development.
- 1.4.11 Detling Airfield Estate is located within the nationally designated Area of Outstanding Natural Beauty (AONB). The site has limited capacity and the existing employment floorspace on the estate lost through redevelopment would have to be offset against gains. Traffic would be directed via junction 7 of the M20 motorway which does not have the capacity of junction 8, and development would require transport infrastructure (such as a large roundabout on the A249) which it could not fund. The undeveloped land between the estate and the County Showground has been promoted by the landowner for development. The same transport concerns raised for the redevelopment of the estate would apply, and the landscape concerns of development on a greenfield site within a nationally designated AONB would be even more acute.
- 1.4.12 Key constraints to industrial and warehouse development in the broad location of Hermitage Lane at Allington is the lack of capacity at junction 5 of the M20 motorway and the A20/Hermitage Lane junction to cope with additional HGV movements, as well as the proximity of such uses to residential properties and the Maidstone Hospital. A critical mass of employment uses could not be delivered in this location.
- 1.4.13 Maidstone's employment needs cannot be met through a dispersed pattern of development. Junction 8 is the best location for a critical mass of employment uses, including premier office development, industry and warehouse uses, which will provide for a qualitative

⁵ Cabinet 9 February 2011

scheme in a parkland setting to help mitigate the impact of development on the landscape. Junction 8 has transport capacity, and studies demonstrate that the impacts on local roads, including HGV movements, are within reasonable limits. Development will be guided by a development brief approved by the Borough Council and undertaken in consultation with local stakeholders. The preferred site in this location will be subject to public consultation, and is discussed in a separate report on strategic site allocations attached to this agenda.

- 1.4.14 Junction 7 of the M20 motorway is identified as a strategic location on the draft Core Strategy 2011 key diagram for a medical hub. Following progress on the construction of the Kent Institute of Medicine and Surgery (KIMS) clinic in this location and the identification of further opportunities for medical facilities in association with the clinic, the site is considered as part of the strategic site allocations report attached to this agenda.
- 1.4.15 A medical campus provides an opportunity for Maidstone to become a centre for medical excellence. It supports the Council's objectives for economic prosperity and the allocation will deliver a well designed and sustainably constructed development that will attract a skilled workforce and assist in balancing the jobs market. There are no alternative sites suitable for this type of development in the borough because of the nature of demand for these facilities, and the proximity of the campus to the KIMS clinic and motorway junction. Development will have an impact on the landscape so mitigation measures will be critical to the site's development. Development will be guided by a development brief approved by the Borough Council, which will include a range of mitigation measures, including highway and public transport improvements.
- 1.4.16 General employment or mixed use development including housing is not an appropriate use for this site, and such uses have been provided for elsewhere. The site has been identified as a unique opportunity for a medical campus to provide specialist medical facilities, research and development and medical teaching.
- 1.4.17 The medical campus is adjacent to Newnham Court Shopping Village, and the owners of the Village are currently seeking to make improvements to existing retail facilities. The redevelopment of the shopping village together with the medical campus will attract the investment funding required to facilitate highway improvements necessary to serve the development. Extending the development brief for the medical campus to incorporate the shopping village will provide an opportunity to secure a well planned, well designed and comprehensive development at an important gateway into Maidstone. The impact of replacement retail facilities on the town centre will be

addressed through the requirement for retail impact assessments and policy restrictions.

1.5 Housing Targets and the Distribution of Development (CS1)

Representations

- 1.5.1 There are mixed responses to the Council's 10,080 dwelling target whereby some respondents support the target (22 respondents or 5%) while others believe it is too high or too low (42 respondents or 9%). A proportion of the development industry is proposing a higher target, while residents are seeking a reduction. There are also objections to the housing target on grounds that it is not in conformity with the South East Plan target of 11,080 dwellings. A few developers feel there is a lack of testing of alternative options for delivering housing development.
- 1.5.2 There are a number of challenges from the development industry to the Council's housing land supply (19 respondents or 4%), and some objectors are seeking a 20% contingency allowance for the non implementation of planning permissions when undertaking 5-year housing land supply calculations.
- 1.5.3 There is a consensus of support from both the development industry and residents for a dispersed pattern of development that delivers housing at the urban fringe and at rural service centres, although a minority of respondents do object in part or as a whole.
- 1.5.4 There is support for the principle of identifying a strategic housing development location to the north west of the urban area in the vicinity of Allington, although some objections focus on reducing the amount of housing proposed. A number of residents and the adjoining local authority unconditionally object to development in this location (47 respondents or 10%) on the grounds of increased traffic congestion, the impact on the landscape, and maintenance of the strategic gap between conurbations.
- 1.5.5 There is general support for the south east strategic housing development location around Park Wood and Otham (6 respondents or 1%). In the main, objections are from a minority section of the development industry which is objecting to a move away from a strategic development area that would accommodate 3,000 or 5,000 dwellings supported by a strategic link road.
- 1.5.6 One objector from the development industry has suggested that a north Maidstone corridor should be identified more firmly as a suitable mixed use business location that would have housing potential to

support the employment uses.

- 1.5.7 With regard to the distribution of development at rural service centres, there is a call for the inclusion of specific targets for the villages in the Core Strategy, as opposed to a single target to be distributed amongst the 5 villages (27 respondents or 6%). Additionally, developers have referred to the importance of the 9 February 2011 Cabinet report, which discussed the potential to release a limited amount of appropriate development sites at rural service centres in advance of land allocation documents, provided there is firm evidence of local need. The development industry would like to see this reference included in the Core Strategy.
- 1.5.8 Some landowners, developers and/or agents have focused their comments on the strategy and the proposed distribution of development, and have not used the consultation as a vehicle to promote their sites. Others have promoted individual sites and used their availability as part of the argument in support of the Core Strategy or as a tool for seeking an amendment. There is a call from part of the development industry for the Core Strategy to include detailed strategic development site allocations, as opposed to the strategic development locations identified on the key diagram of the draft Core Strategy.

Officers' response

- 1.5.9 On 16 May 2012 Cabinet approved the inclusion of strategic site allocations within the strategic development locations identified on the key diagram of the draft Core Strategy 2011. This decision was made in the context of a review of the Local Development Scheme and in response to representations made during public participation consultation (2 September to 14 October 2011). There were a number of benefits to this approach set out in the May report, not least good planning practice and the certainty it gives to the public and the development industry about the quantity and location of development. The recommended strategic housing and employment site allocations, which will be the focus of a partial public consultation on the Core Strategy (regulation 18), are the subject of a separate report attached to this agenda. Following consultation on strategic housing and employment site allocations, the draft Core Strategy as a whole (as amended by both regulation 18 consultations) will be approved for Publication consultation (regulation 19) in December 2012.
- 1.5.10 The Council has been through an extensive exercise to determine how much development (with supporting infrastructure) the borough can accommodate, and has also tested distribution patterns of growth against a number of different factors. During the preparation of its Core Strategy, the Council approved a methodology to test 5

development options using 3 potential housing targets and 2 distribution patterns of development (concentrated and dispersed)⁶. The 3 dwelling targets were based on:

- 8,200 representing natural growth and the draft South East Plan 2006 target
- 10,080 representing Growth Point submissions and the South East Plan EiP Panel⁷ recommendations
- 11,000 in line (approximately) with the adopted South East Plan 2009 target of 11,080 imposed by the Secretary of State (contrary to the EiP Panel's recommendations)

1.5.11 The option testing focused on the Council's priorities for Maidstone to have a growing economy and to be a decent place to live, but also took into consideration infrastructure capacity, environmental and ecological capacity, place shaping and deliverability. The Council's evidence base was expanded to include demographic and labour supply forecasts; transport modelling; a Strategic Housing Land Availability Assessment; a Strategic Housing Market Assessment; a Water Cycle Strategy; and studies on employment, retail and the town centre. Furthermore, the infrastructure and service providers were consulted on the options for developing the housing strategy. All of these elements contributed to the decision making process.

1.5.12 The methodology was objectively assessed by the Council's Business Transformation team and, following a report on the results of the exercise⁸, Cabinet approved a target of 10,080 dwellings for public consultation. A full assessment of the options is also included in the Sustainability Appraisal that will support the strategic site allocations during public consultation and the Core Strategy through its various stages of production.

1.5.13 In brief, the option of 8,200 could only be tested in a dispersed pattern of development and was rejected because the cost of infrastructure required to support this option was considerably in excess of the funds that could be secured through development. The remaining four options of 10,080 and 11,000 dwellings in dispersed or concentrated development distribution patterns had contrasting strengths due to the broad differences in distribution. Some options better met the housing need and prosperity aspirations of the Council while others minimised the impact of development on environmental and ecological capacity. Certain options were better at delivering infrastructure and place making, while others built more flexibility and choice into the strategy or better balanced urban and rural development. Development could fund the infrastructure required to

⁶ Cabinet 29 September 2010

⁷ South East Plan Examination in Public Panel Report (2007)

⁸ Cabinet 9 February 2011

deliver the remaining four options, including transportation measures, but could not finance a strategic link road to required standards. However, unlike the higher housing target tested, 10,080 dwellings could be delivered without relying on SHLAA⁹ sites that proved difficult to develop¹⁰.

- 1.5.14 A local housing target of 10,080 dwellings for the plan period, to be provided in a dispersed pattern of development, was the best option to ensure the Core Strategy is affordable and deliverable, offering choice and flexibility. This option took account of the demand for new and affordable housing, the availability of suitable development sites, and the need for new infrastructure required to support new development. The range of policies contained in the former South East Plan and the emerging draft Core Strategy were taken into account when developing the housing target and development distribution, a number of which aim to protect the environment and manage traffic congestion.
- 1.5.15 It is accepted that Maidstone borough has performed well in the housing market over the past 5 years and has delivered its targets¹¹. However, past high building rates are a reflection of the completion of high density flatted development on a number of brownfield sites that became available in the town. The strong relationships internally between planning and housing and externally with the registered providers of affordable housing, together with external funding from the Homes and Communities Agency, have also contributed to a strong market performance. Given the current economic climate, changes in government funding for housing and borrowing rates, these development rates will not continue, particularly when new site allocations are adopted and lower density greenfield sites are released. Not all SHLAA sites will be suitable for development once further appraisals are undertaken. Past development rates alone cannot be relied on to extrapolate future housing targets. Local housing targets should be based on evidence and engagement with the community.
- 1.5.16 A target of 10,080 dwellings delivered in a dispersed pattern of development remains the most sustainable for Maidstone borough. This approach strikes a good balance between growth and environmental capacity; and a balance between securing economic prosperity and decent affordable housing with protecting the environment and minimising the impact of development on traffic congestion. The strategy delivers the Council's spatial vision and there does not appear to be any compelling evidence to suggest a move away from a target of 10,080 dwellings.

⁹ Strategic Housing Land Availability Assessment 2009

¹⁰ Strategic Sites Assessment 2009

¹¹ Annual Monitoring Report 2010/11

1.5.17 The National Planning Policy Framework (NPPF) was published in March 2012. It makes clear that regional strategies form part of the development plan until such time as they are abolished by Order using the powers of the Localism Act (2011). The NPPF also confirms that local planning authorities can continue to draw on evidence that informed the preparation of regional strategies to support local plan policies (paragraph 218). The Core Strategy must be in general conformity with all policies of the NPPF and the South East Plan, including those that seek to protect the environment and relieve traffic congestion. It is considered that the strategy meets these requirements and the dwelling target of 10,080 units is therefore in general conformity with both documents, and is based on evidence submitted to the South East Plan EiP.

1.5.18 Several respondents challenge Maidstone's 5-year housing land supply. Annual housing land surveys are undertaken, and supply is calculated using tried and tested methods. There can be disagreement over the phasing of sites that have outstanding planning permissions, which is a more subjective part of the assessment, but each year officers contact all applicants with sites of 10 units or more to check the delivery of their sites. Nevertheless, this is an important year because the data as at 1 April 2012 will form part of the evidence base to support the Core Strategy at examination, and it would be prudent to try to identify and resolve areas of disagreement with the development industry. Consequently, officers will hold round table sessions with representatives of the development industry with a view to gaining a consensus on the methodology for calculating 5-year housing land supply and other elements of supply that contribute to the 20-year housing trajectory. These sessions will be held over the summer, in advance of updating the 5-year supply data for Maidstone's Annual Monitoring Report and the 20-year housing trajectory that will support the Core Strategy at Publication, Submission and Examination stages.

1.5.19 The adopted NPPF requires local authorities to build in an additional 5% buffer when calculating their 5-year housing land supply (rolling forward on an annual basis). The buffer is only increased to 20% for those authorities who have poor past delivery rates of their housing targets. This is certainly not the case in Maidstone.

1.5.20 In developing its strategy, the Council has moved away from an urban extension (Option 7C) for good reasons set out in this report. The strategic site allocations report attached to this agenda examines the capacity of sites in the strategic locations identified on the draft Core Strategy 2011 key diagram, and looks at the impact of development on the landscape, the environment and the transport network among other issues. Development will be guided by a development brief for each site, and policies will set out the mitigation measures necessary

for development to proceed. The public will have an opportunity to comment on specific site allocations in August/September before the Core Strategy is amended for public consultation in December.

1.5.21 The Council is proposing to meet specific development needs by releasing prime location sites at junction 7 for a medical campus and junction 8 for premium offices, industrial and warehouse development. Both sites will be contained by structural and internal landscaping and there are no proposals for future expansion. These are not appropriate locations for housing or general business use, and to reduce employment capacity at junctions 7 and/or 8 to accommodate residential development would affect the Council's ability to meet its employment needs. Housing development in addition to the employment proposed at junction 8 would compromise the setting of the AONB. There is no firm evidence to support the identification of a north Maidstone corridor for employment and/or housing development, and there is no justification for moving away from a sustainable housing strategy locating new housing in and at the edges of the urban periphery and at the rural service centres.

1.5.22 Policy CS1 of the draft Core Strategy 2011 sets an overall target of 1,130 dwellings to be accommodated on new greenfield sites at the five rural service centres of Harrietsham, Headcorn, Lenham, Marden and Staplehurst. The Strategic Housing Land Availability Assessment 2009 and the Strategic Sites Assessment 2009 demonstrated an adequate choice of sites to meet this target. The distribution of this target (used for testing purposes) was illustrated in the Cabinet report of 9 February 2011. Given the need for neighbourhood plans to be in conformity with development plan policies, and to provide clarity for the public and the development industry, it is appropriate to include the targets for each village:

- Harrietsham 315 dwellings
- Headcorn 190 dwellings
- Lenham 110 dwellings
- Marden 320 dwellings
- Staplehurst 195 dwellings

1.5.23 With regard to the early release of suitable greenfield sites at the rural service centres, paragraph 1.2.7 of the 9 February 2011 report stated:

"However, the Core Strategy will need to be flexible and deliverable. The majority of development in recent years has been located on brownfield sites within the urban area, so it is important to focus a proportion of development at Rural Service Centres to support the continuing viability aspirations of these settlements. Therefore, where there is firm evidence to demonstrate a local need at a Rural Service Centre that cannot be met through a local needs housing site, a proportion of suitable greenfield housing development may be permitted before 2014, in advance of allocating specific sites in site allocations documents that will follow the Core Strategy. Any such proposals will need to cater for the physical and social infrastructure needed in the Rural Service Centre area."

1.5.24 Although this paragraph did not form part of the formal recommendation, it was part of the justification in setting a local housing target of 10,080 dwellings and seeking Cabinet approval for the target. Statistical analysis of 2009/10 housing land data demonstrated that 15% of all dwellings completed between 2006 and 2010 and in the pipeline at 2010 were on rural sites. The Core Strategy seeks to direct 20% of all development over the plan period (2006 to 2026) to the rural area through land allocation documents.

1.5.25 It is acknowledged that the majority of residential development in recent years (and therefore the provision of affordable housing) has been located on brownfield sites within the urban area. Potential development sites located at the rural service centres are too small to meet the criteria for strategic site allocations in the Core Strategy, so land at these locations will not be allocated until the Development Delivery Local Plan is adopted in 2015. Thus it is important to focus a proportion of appropriate development at rural service centres where there is firm evidence of need that cannot be met through an exceptions site (ref MA/11/0592 Hook Lane Harrietsham). This approach will also assist the parish councils with the preparation of their neighbourhood plans. It is recommended that the Core Strategy is amended to acknowledge this need.

1.6 Affordable Housing (CS10)

Representations

1.6.1 A number of respondents unconditionally support the Core Strategy affordable housing and local needs housing policies (38 respondents or 24%), but opinions on the flexibility of the affordable housing policy are split. The main concerns relate to the part of the policy which states that affordable housing provision could be reduced where viability is affected as the level of reduction is not defined. Residents feel the policy is too flexible while the development industry has an opposing view. Developers believe the tenure split is too prescriptive

and should be left to market forces. With one or two exceptions, respondents feel there should be no specifically identified affordable housing contribution towards Gypsy and Traveller accommodation in the affordable housing policy (11 respondents or 7%). A number of respondents, including developers and parish councils, have suggested the 40% target should be adjusted according to location. There is a cross section of developer comments proposing variable targets for affordable housing and calling for appropriate viability testing of such options.

Officers' response

- 1.6.2 The NPPF confirms that local planning authorities should use their evidence base to ensure objectively assessed needs for market and affordable housing are met. Policies should seek to provide for affordable housing on-site, unless there is robust evidence for off-site provision or contributions, and policies should be sufficiently flexible to respond to changing market conditions over time. The NPPF also makes clear that all policies, including those for affordable housing, should be deliverable and viable. The Core Strategy provides for a mix of market and affordable housing, but also for a mix of tenures to reflect the prospect that future generations may only be able to afford part ownership in a property.
- 1.6.3 Affordable housing is a policy burden for developers, and their ability to provide this accommodation is influenced by the availability of grant funding. Advice contained in the newly published Viability Testing Local Plans (June 2012), jointly prepared by the Local Government Association and Home Builders Federation, will assist in ensuring Core Strategy policies are sound. The prioritisation of the infrastructure needed to deliver the Core Strategy is discussed in the strategic site allocations report attached to the agenda.
- 1.6.4 In partnership with Swale Borough Council, Maidstone Borough Council has recently appointed consultants (Peter Brett Associates) to undertake a joint viability assessment of both councils' local plans/ core strategies, with the intention of this work feeding into the Community Infrastructure Levy Charging Schedule. The studies will consider different aspects of viability, including affordable housing contributions, site specific considerations, and wider infrastructure impacts. The work will address options for varying the percentage of affordable housing by area. It is acknowledged by officers that a blanket 40% affordable housing target cannot be applied without a viability study because it would not provide certainty about delivery to the development industry and the public.
- 1.6.5 Clarity is needed to reassure respondents that the affordable housing contribution towards Gypsy and Traveller accommodation will be part

of the total affordable housing requirement set in the policy, and it is not in addition to the target (as the wording of the policy currently implies). So whatever overall affordable housing percentage is ultimately set in the policy, a proportion of that target will provide for public Gypsy and Traveller pitches.

- 1.6.6 The affordable housing percentage requirement and tenure breakdown will be tested through public consultation on strategic site allocations in August/September 2012. A review of the affordable housing policy will be undertaken once viability evidence has been completed, in time for the December public consultation (regulation 19) on the Core Strategy. A further report will be presented to Cabinet in November.

1.7 Rural Service Centres (CS4)

Representations

- 1.7.1 A number of respondents are unconvinced that Harrietsham should be designated a rural service centre (8 respondents or 7%). Concerns surround the lack of village facilities without a clear village centre, and its proximity to facilities in Lenham. Conversely, respondents argue that Coxheath offers a wide range of services, including a district centre, consistent with the role of a rural centre (2 respondents or 2%).

Officers' response

- 1.7.2 The criteria and justification for designating rural service centres was set out in detail in Policy Evolution (Appendix 3 to the draft Core Strategy 2011). Following engagement with a number of parish councils through a workshop in 2009, the designation of Harrietsham was influenced by its infrastructure capacity to accommodate development, including employment, school facilities and sewage capacity, together with its good public transport connections to Maidstone town centre and local retail and employment facilities.
- 1.7.3 Coxheath was not designated a rural service centre because of its proximity to Maidstone's urban edge with good bus links to the town centre. Coxheath had also absorbed a significant amount of housing development in recent years, particularly with the redevelopment of Linton Hospital, and was adjusting to the increase in population. Local aspirations pointed to a need for local needs housing and small employment sites to support population growth, rather than the need for targeted growth.
- 1.7.4 No objections to the designation of Harrietsham as a rural service centre, or to the exclusion of Coxheath, were received from the parish councils during the public participation consultation on the Core

Strategy in 2011.

1.8 Transport Infrastructure (CS7)

Representations

- 1.8.1 Respondents are highlighting the need to improve the bus services and/or the park & ride services throughout the borough, and improve rail links and services, particularly to London (32 respondents or 23%). There is a call for the Core Strategy to give a higher priority to walking and cycling, to achieve this objective by redesigning the borough's roads (19 respondents or 12%).
- 1.8.2 Respondents have raised concerns over inadequate access routes for HGVs, which will be made worse by employment development proposals at junction 8 (14 respondents or 10%). HGVs need to be diverted away from the town centre and rural service centres. Objectors are particularly worried about the highway capacity to the north west of the borough, and have expressed concerns over increased congestion (which forms part of the overall objections to the strategic development location in the vicinity of Allington). Some respondents are seeking the construction of a ring road or bypass to the south of the urban area in order to improve access from the south by relieving congestion (17 respondents or 12%). There are mixed views on town centre parking provision: there is a perceived lack of parking for the public and businesses, or views that parking should be constrained in order to encourage more sustainable forms of transport.

Officers' response

- 1.8.3 The Integrated Transport Strategy (ITS) is the subject of a separate report attached to this agenda which addresses these concerns. Public consultation on the draft ITS will be undertaken in tandem with the partial public consultation (regulation 18) on draft Core Strategy strategic site allocations in August/September 2012.

1.9 Green Wedges/Green and Blue Corridors (CS3)

Representations

- 1.9.1 It is clear from the comments received about green wedges, which are shown on the draft Core Strategy 2011 key diagram and referred to in policy CS3 for the urban area, that there is some confusion over their role and function (30 respondents or 20%). Additionally respondents have pointed out that, while policy CS3 refers to the urban area, green wedges are also identified in the countryside, so there should be policy cross referencing. As a result of this confusion, some respondents are interpreting the green wedges as a landscape layer which is seen as a

restriction to development. Hence there are calls for extensions or reductions to the green wedges shown on the key diagram.

Officers' response

- 1.9.2 To avoid confusion, green wedges should be referred to as green and blue corridors. The corridors form part of the strategy for the spatial distribution of development, so references to the corridors should be transferred from policy CS3 to policy CS1.
- 1.9.3 The green and blue corridors are not intended as a protection of the countryside for its own sake, and nor are they an additional layer of landscape protection. A characteristic of Maidstone is the way in which tracts of rural and semi-rural land penetrate into the urban area, giving the urban area its unique stellar shape and its population access to the countryside. Green and blue corridors have two prime purposes:
- As a specific local anti-coalescence function by maintaining open land between areas of development spreading out from the town; and
 - To focus attention on opportunities for public access from the town to the countryside.
- 1.9.4 The corridors have helped to develop the Core Strategy strategic development locations, and strategic site allocations for housing and employment¹² have had regard to the corridors. It is recognised that some of the green and blue corridors do contain local landscape features and areas of ecological interest, which should not be compromised where development is proposed to be allocated. These features will be explored in more depth through the preparation of a Green and Blue Infrastructure Strategy.
- 1.9.5 The green wedge notations on the Core Strategy key diagram need to be amended to better reflect their purpose in supporting the Council's spatial strategy.

1.10 Gypsy, Traveller and Travelling Showpeople Accommodation

Representations

- 1.10.1 There is general support for this policy (29 respondents or 28%) but respondents are seeking further clarity. The main issue is around the robustness of the 2005/06 Gypsy and Traveller Accommodation Assessment and a call for the pitch target to cover the whole Core Strategy period to 2026. Respondents are seeking the early

¹² Cabinet report on Core Strategy Strategic Site Allocations 25 July 2012

identification of Gypsy and Traveller sites to aid the integration of the Traveller community and to allow for appropriate enforcement (8 respondents or 8%). There are concerns that some parts of the borough have high concentrations of Gypsy and Traveller sites, and a feeling that the spread across the borough should be more even.

Officers' response

1.10.2 The Gypsy and Traveller Accommodation Assessment was updated in 2012¹³ in order to set an up-to-date pitch target in the Core Strategy from 2010 to 2026. Cabinet approved a revised target of 157 pitches on 14 March 2012 and this target will be included in the December consultation draft of the Core Strategy. The policy will be reviewed in the context of new national guidance published in 2012¹⁴ and, prior to the December consultation, will be reworded to provide the clarification sought by respondents and the addition of a landscaping criterion.

1.10.3 Private pitches will be allocated in the Development Delivery Local Plan but, in the interim, the Council has secured funding for a public site¹⁵ and work to provide a suitable site(s) is ongoing.

1.10.4 The Council cannot restrict the concentration of Gypsy and Traveller sites or control the spread of sites through Core Strategy policies, but it can refuse planning applications that cumulatively have an adverse impact on the landscape.

1.11 Alternative Action and why not Recommended

1.11.1 Alternative courses of action are discussed throughout the report.

1.12 Impact on Corporate Objectives

1.12.1 The Core Strategy delivers the spatial objectives of the Sustainable Community Strategy and the Strategic Plan, and has regard to objectives set out in other Council documents, such as the Economic Development Strategy, the Housing Strategy and the Regeneration Statement. Core Strategy policies assist in the delivery of a growing economy and providing decent places to live.

1.13 Risk Management

1.13.1 The main risk to the Core Strategy is the local plan being found unsound at independent examination. This risk is mitigated by the inclusion of strategic site allocations in the Core Strategy, the retention of Counsel for legal advice on the Core Strategy process, and the

¹³ Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2012

¹⁴ Planning Policy for Traveller Sites March 2012

¹⁵ Cabinet decision 8 June 2011

publication of a sustainability appraisal for alternative development sites.

1.13.2 The transitional period for local plan conformity with the NPPF expires in March 2013. It is important for the Council to submit its Core Strategy to the Secretary of State by then, in accordance with the current programme, to avoid a further policy vacuum. Submitted core strategies carry considerable weight as material considerations in the determination of planning applications. Continued communication and support between officers, Members and the public is vital to maintaining the programme.

1.14 Other Implications

1.14.1

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	X
9.	Asset Management	

1.14.2 **Financial:** There are no financial implications arising directly from this report. A dedicated budget of £770,000 over 4 years from 2012/13 to deliver the local planning policy framework has been identified through the Council’s medium term financial strategy. The Core Strategy can be delivered within this budget.

1.14.3 **Staffing:** The Core Strategy can be delivered within the existing staff structure, and the Spatial Policy team is currently fully staffed.

1.14.4 **Legal:** Legal services will be retained to offer advice on document content and processes to ensure the Core Strategy is found sound at Independent Examination. These services can be managed within the existing budget for local plan production and internal and external

legal advice has been sought at all stages of the Core Strategy development.

1.14.5 **Equality Impact Needs Assessment:** An EqIA accompanied the draft Core Strategy at public participation consultation and will be updated as required for the public consultation event in December 2012.

1.14.6 **Environmental/Sustainable Development:** A sustainability appraisal, incorporating a strategic environmental assessment, will be required for strategic site allocations and local plan policies. Consultants have been appointed to undertake this technical exercise, and costs can be managed within the existing budget for local plan production. The Habitat Regulations Assessment for the Core Strategy will be updated as part of this work.

1.14.7 **Procurement:** The employment of consultants on short term contracts to undertake specialist work is necessary. Consultants are appointed in accordance with the Council's procurement procedures, and the costs can be managed within the existing budget for local plan production.

1.15 Relevant Documents

Draft Core Strategy (2011) Public Participation consultation representations can be viewed in full and downloaded at <http://maidstone-consult.limehouse.co.uk/portal>

1.15.1 Appendices

None

1.15.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

June 2012

This is a Key Decision because: it affects all wards and parishes

Wards/Parishes affected: All