

To insert text explaining the background and status of this document.

Spatial Policy

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## Policy NPPF1 - Presumption in favour of sustainable development

**1.1** The National Planning Policy Framework (NPPF) was published in March 2012, and the key theme running through the framework is a presumption in favour of sustainable development. The Planning Inspectorate has published a model policy for local plans, as a way for councils to meet the expectations of the NPPF. The model policy addresses the need to engage proactively with applicants in order to find solutions to problems and, where there are no up-to-date policies, to grant planning permission without delay unless material considerations indicate otherwise.

**1.2** The Local Plan is the plan for the future development of Maidstone Borough, drawn up in consultation with the community. It currently contains adopted policies (called development plan documents under former planning regulations) and policies from the Maidstone Borough wide Local Plan 2000 which have been saved under the 2004 Act. The emerging Maidstone Borough Local Plan will supersede these policies upon its adoption.

### Policy NPPF 1

#### Presumption in favour of sustainable development

1. When considering development proposals, Maidstone Borough Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
2. Planning applications that accord with the policies of the council's Local Plan, and where relevant with policies in neighbourhood plans, will be approved without delay unless material considerations indicate otherwise.
3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the council will grant planning permission unless material considerations indicate otherwise, taking into account whether:
  - i. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
  - ii. Specific policies in the National Planning Policy Framework indicate that development should be restricted.

### Policy CS5 - Countryside

#### The Countryside

**2.1** Maidstone Borough is predominantly rural with a large proportion of the population living in villages as well as on the fringes of the urban area. The rural landscapes are of high quality as are the agricultural resources within the borough. The countryside areas are highly accessible to those living and working in the urban areas, complemented by a wide and well-used public rights of way network. They also act as a major asset to attract new investment into the borough. However this proximity to the urban area brings with it pressures arising from an increased level of demand for houses, recreation and jobs in the countryside.

**2.2** The Countryside has an intrinsic level of value that must be conserved and protected for its own sake. However there is also a need to ensure a level of flexibility for certain forms of development in the countryside in order to support farming and other aspects of the countryside economy and to maintain mixed communities. This needs to be done in a way that maintains and enhances the distinctive character of the more rural part of Maidstone and does not lead to the erosion of those qualities and features that characterise the rural parts of the borough.

#### Rural Economy

**2.3** Maidstone's rural economic character is diverse and complex in nature. The number of rural and agricultural businesses found within villages and RSCs and the wider countryside account for a significant proportion of all firms in the borough. Small and micro businesses are a particular feature of rural areas, as is homeworking, home-based businesses and live-work units.

**2.4** Agriculture remains an important influence, fulfilling a number of important and varied roles in the countryside, contributing to the local economy, and managing and maintaining much of the valued landscapes. It benefits from the fact that much of the borough's soils form mostly high grade and versatile agricultural land. However, in line with other businesses agriculture needs to be able to react to new and changing markets and developments in technology. A more recent trend in agriculture is the response to demand for produce to be available on a year round basis. This leads to land being put under intense pressure for almost industrial scale development that can have an adverse impact on assets that require protection within the landscape. Another trend is the increasing interest in smaller-scale renewable energy installations. Further advice and guidance on the landscape implications of these activities will be given in the Landscape Character Guidelines supplementary planning document.

**2.5** Many rural businesses have begun to diversify away from traditional rural activities primarily through the re-use of farm and other buildings for commercial non-agricultural purposes. This has not only helped to retain economic activity within rural areas but has enabled a number of farms to remain operational. Tourism is of great importance to the local rural economy with the countryside providing ample leisure and open-air recreational opportunities. As well as sustaining many rural businesses these industries can be significant sources of employment and can help support the prosperity of rural settlements and sustain

historic country houses, local heritage and culture. To a lesser degree, the winning of minerals such as sand and chalk has also taken place as a diversification activity, but these activities are largely confined to relatively small-scale sites on the North Downs and Greensand Ridge.

**2.6** The Local Plan will continue to recognise the importance of supporting small-scale rural business development. Its priority is to locate these businesses within the defined Rural Service Centres. However, there are employment sites already located outside of these settlements and it is important to offer these businesses a degree of flexibility. The Local Plan will support the development, growth and diversification of rural economic development sites provided it is of a scale and location which maintains or enhances the value and character of the local countryside and takes into account local infrastructure requirements.

### Rural Settlements

**2.7** The attractiveness of the countryside is partly due to its settlements and buildings. There is a strong link between the management of the countryside and old and new development. The overall settlement pattern across the borough is characterised by a large number of small villages scattered across the countryside surrounding a handful of larger, more substantial settlements. It is important these settlements retain their individual identities as there can be a delicate balance between settlement proximity and separation.

**2.8** A small area to the west of the borough lies within the Metropolitan Green Belt (MGB), incorporating the villages of Nettlestead and Nettlestead Green. The fundamental aim of the MGB is to prevent urban sprawl. The Local Plan will support sustainable development within the MGB provided it is not harmful to the open character of the designation.

**2.9** The rural settlements rely heavily on community-focused services. Community facilities such as clinics, health centres, day centres, playgrounds, playing fields and sports facilities, children's nurseries and schools, village halls and places of worship, together with local village services, particularly with respect to village shops, post offices, healthcare facilities and public houses are essential if small rural settlements are to remain vital and viable.

**2.10** For sustainability reasons, the Local Plan priority is to locate new or improved community facilities in the Rural Service Centres. However, in smaller settlements new facilities may be permitted provided a clear need is demonstrated. The Local Plan will resist the loss of any community facility that meets an essential community need and which is not available or reasonably accessible elsewhere. In all cases, another beneficial community use should be sought before permission is granted for the removal of these facilities.

**2.11** There has been a continued decline in local village services and the Local Plan will continue to resist any further losses. Any proposal for the re-use or re-development of an existing local village service will be required to be supported by clear evidence of non-viability, such as marketing the building or facility for a period of time to test whether another community interest, operator or owner could be found.

### **Kent Downs Area of Outstanding Natural Beauty**

**2.12** A large part of the borough lies within the Kent Downs Area of Outstanding Natural Beauty (AONB). This is a visually prominent landscape that contributes significantly to the borough's high quality of life. It is an important amenity and recreation resource for both Maidstone residents and visitors and forms an attractive backdrop to settlements along the base of the Kent Downs scarp. It also contains a wide range of natural habitats and biodiversity. Designation as an AONB confers the highest level of landscape protection and one which the council has a statutory duty to conserve and enhance. Within the AONB the Management Plan provides a framework for objectives to conserve and enhance the natural beauty of the area. The council has adopted the updated reviewed Management Plan and will support its implementation. Open countryside to the immediate south of the AONB forms the setting for this designation. In Maidstone this is a sensitive landscape that is coming under threat from inappropriate development and is viewed as a resource that requires conservation and enhancement where this supports the purposes of the AONB.

**2.13** The council will ensure proposals conserve and enhance its natural beauty and distinctive character, taking into account the economic and social well-being of the area. Rural diversification and land-based businesses in the Kent Downs AONB will only be acceptable where they help improve the special character of the AONB and are in accordance with the Kent Downs AONB Management Plan, supporting guidance and position statements. Economic development within the AONB should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, farmsteads or within in groups of buildings in sustainable locations.

**2.14** New development in the AONB needs to respect the vernacular architecture, settlement character and the natural beauty of the local landscape. This will require developers to do more than use standard designs. To help developers produce designs of a suitably high quality, the council will continue to encourage the use of the Kent Downs AONB Unit's design guidance and publications.

### CS5 - Countryside

1. Outside the Maidstone urban area and rural service centres, as defined on the policies map, development will be limited to:
  - i. Small-scale economic development, including development related to tourism and open-air recreation, through:
    - The re-use or extension of existing buildings except in isolated locations;
    - The expansion of existing businesses; or
    - Farm diversification schemes.
  - ii. Small-scale residential development necessary to:
    - Meet a proven essential need for a rural worker to live permanently at or near their place of work;
    - Meet a proven need for Gypsy and Traveller accommodation provided it is consistent with the terms of policy CS12; or
    - Meet local needs housing in accordance with policy CS11.
  - iii. The provision or improvement of community facilities and services where there is a proven local need. Shared or mixed use with other uses and community facilities will be encouraged; or
  - iv. The winning of minerals.
2. Development in the countryside will only be permitted where:
  - i. The type, design and scale of development and the level of activity maintains, or where possible, enhances local distinctiveness; and
  - ii. Impacts on the appearance and character of the landscape can be appropriately mitigated.
3. Proposals will be supported which facilitate the efficient use of the borough's significant agricultural land and soil resource provided any adverse impacts on the appearance and character of the landscape can be appropriately mitigated.
4. The distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting, and the extent and openness of the Metropolitan Green Belt will be rigorously protected and maintained.
5. Development in the countryside will retain the setting of and separation of individual settlements in accordance with policy CS1.

### **Delivery and Monitoring**

#### **Delivery**

Policy CS5 will be delivered through the implementation of positive management measures set out in the Maidstone Borough Council Landscape Character Guidelines supplementary planning document, the Local Plan, the Kent Downs Area of Outstanding Natural Beauty Management Plan and supporting guidance documents. In addition it will also be delivered by the development management system via applications for development.

#### **Monitoring**

- Coverage of key indicators through the Annual Monitoring Report.
- Working with partners to implement the Kent Downs AONB Management Plan proposals. Use of the Kent Downs AONB Unit publications where relevant to advise developers and when considering enhancement projects.



### Policy SS1 - Strategic housing location to the north west of the urban area

#### Strategic housing sites

**3.1** Housing sites allocated in this section are expected to be developed in line with the policies of the Maidstone Borough Local Plan unless it is otherwise specified in the relevant allocation policy.

**3.2** One of the key challenges for all of the strategic sites is connecting them into the existing urban and rural fabric. Communities already exist in Maidstone and the new developments, where appropriate, will take advantage of existing facilities and services. Where new services are provided on these sites, they need to be accessible to the existing communities, the integration of new and existing communities is essential.

#### Strategic housing location to the north west of the urban area

**3.3** The north west of Maidstone has been identified as a strategic location for housing development.

#### Transport

**3.4** In this location improvements to the local transport infrastructure are required to accommodate further housing. Individual transport assessments, considering the cumulative effects of these developments taken together, will identify the scope of improvements required to the junctions (and associated approaches) at:

- i. M20 junction 5 and Coldharbour roundabout (where junction 5 connects to the A20);
- ii. A20 London Road with St. Laurence Avenue (20/20 roundabout);
- iii. B2246 Hermitage Lane with A20 London Road; and
- iv. Junctions in the vicinity of the southern end of Hermitage Lane, where it meets the A26 Tonbridge Road.

**3.5** These improvements will incorporate, where feasible, enhancements to the public realm that make progress for pedestrians and cyclists easier.

**3.6** Some of the junctions listed are outside of the borough boundary, although, as part of its duty to cooperate, Maidstone Borough Council is working with Kent County Council and Tonbridge and Malling Borough Council in this area to ensure delivery.

**3.7** In addition to the physical infrastructure listed, a circular bus route will be sought that benefits public transport users in and around the north west strategic location; this route will run via the town centre, B2246 Hermitage Lane, Maidstone Hospital, Howard Drive and A20 London Road.

### Education

**3.8** As the local education authority, Kent County Council is seeking the provision of a one form entry primary school [provided on the size of a two form entry site] within the north west strategic location. The site, and the requirement, is still subject to confirmation of need, although East of Hermitage Lane was identified as an appropriate location for this provision in the Maidstone Borough-Wide Local Plan 2000. The council will provisionally identify East of Hermitage Lane as the location for a new primary school, but policy SS1b is caveated in recognition of the need to confirm this requirement, and all allocations will contribute to the school if confirmed.

### Health, community facilities and open space

**3.9** Discussions with infrastructure providers have indicated that there is no specific need for further health facilities in the north west location that would result from the proposed developments. Contributions will be sought from all allocated sites that enable any extra demand to be incorporated at existing facilities.

**3.10** Community facilities will be constructed on East of Hermitage Lane. Beyond the land requirement for these facilities, which will be taken from the site itself, all other sites will contribute towards this aspect of the development.

**3.11** Access to open space of varying types will be required by residents in each of the developments. Some of the developments will have access to nearby space whereas others may make provision on site. Where open space is provided on one development but is reasonably used by the residents of the other developments, contributions will be pooled to provide a communal resource that pays towards the new provision.

### Policy SS1

#### Strategic housing location to the north west of the urban area

1. In the north west strategic location, as shown on the policies map, the council allocates the following sites for residential development:
  - i. Bridge Nursery
  - ii. East of Hermitage Lane
  - iii. West of Hermitage Lane

#### Transport:

2. Sites in the north west strategic location will contribute, as proven necessary, by means of individual transport assessments for each allocation, to be submitted to and approved by the Borough Council in consultation with Kent County Council as the highway authority and the Highways Agency where appropriate, towards junction improvements (and associated approaches) at:
  - i. M20 junction 5 and Coldharbour roundabout (where junction 5 connects to the A20);
  - ii. A20 London Road with St. Laurence Avenue (20/20 roundabout);
  - iii. B2246 Hermitage Lane with A20 London Road; and
  - iv. Junctions in the vicinity of the southern end of Hermitage Lane, where it meets the A26 Tonbridge Road.

Each of the transport assessments will demonstrate how proposed mitigation measures address the cumulative impacts of all of the sites taken together.

3. Proportional contributions towards a circular bus route will be sought that benefits public transport users in and around the north west strategic location; this route will run via the town centre, B2246 Hermitage Lane, Maidstone Hospital, Howard Drive and A20 London Road.

#### General:

4. In addition all sites will provide or contribute to, as proven necessary:
  - i. Affordable housing;
  - ii. Educational facilities and services;
  - iii. Local health facilities and services;
  - iv. Community facilities; and
  - v. Open space.

Sites will not be granted permission until an obligation has been completed with regard to the improvements and contributions as listed.

Specific requirements for each allocated site are detailed in the site policies SS1a, SS1b and SS1c.

### Policy SS1a - Bridge Nursery

**3.12** Bridge Nursery, as shown on the policies map, is located adjacent to the borough boundary with Tonbridge and Malling at the north western edge of Allington, opposite to the junction of the A20 London Road with Beaver Road.

**3.13** The site was allocated in the Maidstone Borough-Wide Local Plan 2000, but it was not developed during the life of that plan. It is proposed that this site will accommodate 165 dwellings at a density of approximately 30 per hectare.

**3.14** A primary feature of Bridge Nursery is how ecology on site has developed since it was allocated in the 2000 local plan. In the intervening period the site has changed from being a maintained grassland to exhibiting a range of flora and fauna. Preliminary assessments of both trees and ecology indicate that development on this site is, however, achievable.

**3.15** The Borough Council will require as part of the development brief a detailed mitigation scheme for ecology that is informed by further species specific surveys. These further surveys will help to identify on site and off site measures necessary to protect identified species and accommodate development.

**3.16** As a minimum, the council expects the Tonbridge and Malling portion of this site to be retained as habitat for identified species, in addition to maintaining land immediately adjacent to the Maidstone East railway line as an ecological corridor. The railway line, which borders the site from its north eastern boundary and curves round to the west serves as an important link between local habitats. Around the line it will be necessary to incorporate development measures that maintain the effectiveness and character of this corridor. Noise attenuation measures in relation to the railway will also be a necessary element of any development proposal in order to provide a comfortable living environment.

**3.17** Other natural features of the site to be protected, where appropriate and subject to further evaluation, include the mature hedgerow along the frontage with the A20 London Road, trees protected by a (woodland) tree preservation order (TPO)<sup>(1)</sup> and any trees and shrubs that form part of the site boundary.

**3.18** Development at Bridge Nursery should respond to its local context in a positive, forward looking manner and help to establish or maintain local distinctiveness, while remaining appropriate for its purpose. The council will seek a high quality, modern design language that incorporates vernacular materials where possible.

**3.19** Beneficial to this site is the immediate location of a wide range of local facilities. Pedestrian connections will be sought so that residents can take advantage of the Mid Kent Shopping Centre, Allington primary school and nearby health facilities. The sports ground at Castle Way provides close and convenient

1 No.2 of 2002.

access to open space. The council requires that the current informal access through the woods is enhanced in a complimentary manner to ensure that the sports ground is within easy reach for new residents.

### Policy SS1a

#### Bridge Nursery

Bridge Nursery, as shown on the policies map, is allocated for residential development. Planning permission will be granted provided the following criteria are met:

#### On site:

1. Provision of 165 dwellings (at an approximate density of 30 per hectare);
2. Affordable housing will be delivered on site as per the local plan target (detailed in policy CS10, or any superseding policy);
3. All dwellings will be constructed to the local plan standards for sustainable construction (detailed in policy CS6, or any superseding policy);
4. A high quality, modern design approach that incorporates vernacular materials where possible;
5. Submission of necessary ecological and landscape surveys, with a detailed mitigation scheme that:
  - i. Includes a legal obligation to retain the section of the site within Tonbridge and Malling as a protected habitat;
  - ii. Maintains the land immediately adjacent to the Maidstone East railway line as an ecological corridor with incorporated noise attenuation measures appropriate to accommodate residential dwellings in close proximity;
  - iii. Subject to further evaluation of their value, retains trees subject to a (woodland) tree preservation order as per advice from the Borough Council;
  - iv. Retains and strengthens trees and shrubs that form the site boundary; and
  - v. Retains the hedge bordering A20 London Road, except at the point of access to the site.
6. Securing vehicular access to the site from A20 London Road only.

#### Off site:

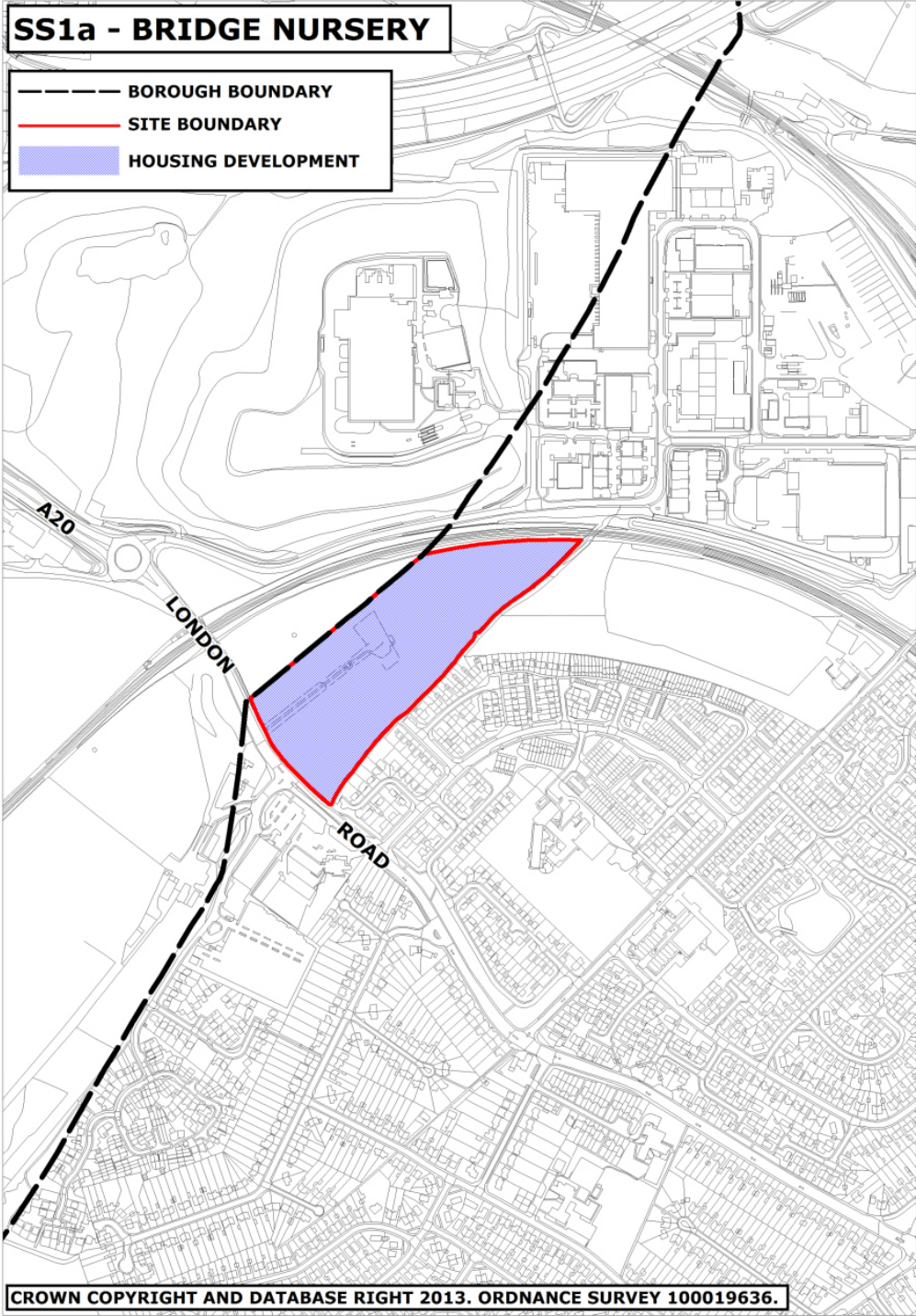
7. Complementary enhancement of the informal pedestrian link through the north eastern end of the site into the sports ground off of Castle Road.

#### Financial contributions:

8. Contributions towards pedestrian and cycle links to existing residential areas, shops, schools and health facilities.

A development brief, to be approved by the Borough Council, will detail the way in which residential and infrastructure elements are delivered in an integrated and co-ordinated manner.

### 3 . Strategic housing location to the north west of the urban area



### Policy SS1b - East of Hermitage Lane

**3.20** East of Hermitage Lane, as shown on the policies map, is situated south east of the existing Hermitage Lane to Howard Drive (in Allington) footpath/restricted byway. The area of land identified for development is comprised of three portions – the larger, open field bounded by Howard Drive to the north east and footpath KB19 to the south east; the reservoir site within that field; and the open field at the south west edge of the site, which is separated from the larger development field by an area of ancient woodland<sup>(2)</sup>.

**3.21** The primary vehicular access to the site will be taken from B2246 Hermitage Lane. This access will be in the vicinity of the land opposite the entrance to Hermitage Quarry and will cross the field towards the site.

**3.22** An access for a limited number of dwellings, to be determined in conjunction with the highways authority, will be formed opposite to Maxwell Drive, through the three dwellings on Howard Drive that comprise part of the East of Hermitage Lane site. Within the site an automated bus gate will be constructed that allows buses and emergency vehicles to pass. The bus gate will be constructed so that it is removed from the general purpose highway, providing a clear distinction that it is for the use of public transport and emergency vehicles only. Access for pedestrians and bicycles will be unimpeded. Access within the main site will allow integration between the new and existing communities, rather than gating off the new community at Howard Drive.

**3.23** Subject to further evaluation of the (woodland) tree preservation orders (TPO)<sup>(3)</sup> on site and the provisional requirement for a primary school<sup>(4)</sup>, this allocation will accommodate 600 dwellings at a density of approximately 35 per hectare.

**3.24** Development at East of Hermitage Lane should respond to its local context in a positive, forward looking manner and help to establish or maintain local distinctiveness, while remaining appropriate for its purpose. The council will seek a high quality, modern design language that incorporates vernacular materials where possible.

**3.25** Community and health facilities will also be provided on site subject to confirmation of need. These facilities will be located together with any primary school to make the most efficient use of land. In addition to these facilities, the provision of a local retail parade will be necessary, which incorporates elements of both convenience and comparison shopping.

**3.26** East of Hermitage Lane lies, in part, within an identified biodiversity opportunity area (BOA). The Greensand Heaths and Commons BOA, in which the north eastern portion of the site is located, is characterised by a concentration of woodlands on the Greensand Ridge where areas of heathy vegetation and acid

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2 Identified in the published revision of Maidstone Borough ancient woodland, dated August 2012.

3 No. 5 of 1996. No. 36 of 2003.

4 Refer to supporting text for policy SS1.



grassland are a feature. The larger field has been ploughed on a number of occasions, although opportunities exist for targeted habitat restoration and creation as part of the development.

**3.27** Between the two main development fields is a recently identified area of ancient woodland. In order to protect this woodland a 30 metre buffer will be required between it and any developed land. How the buffer is maintained will be determined as part of a wider ecological survey of the site i.e. to determine the most appropriate species for planting. The effect of development in the south west field as well as the north east field will need to be mitigated in ecological terms. Bats have been known to roost in this area, so measures that provide new habitats of an equal or higher quality within the vicinity of the site would be required before development could proceed.

**3.28** Archaeological potential is recognised across the East of Hermitage Lane site. At the western tip of the site, the area around the Old Hermitage has been identified by the County Archaeologist as an area of special archaeological potential. Before development in this location proceeds, Maidstone Borough Council and the County Archaeologist will need to be satisfied that the appropriate archaeological evaluation has been undertaken and any necessary mitigation measures have been agreed.

**3.29** Between the footpath/restricted byway and the borough boundary, the land rises to a ridge before falling away north past the boundary to the Maidstone East railway line. Working with Tonbridge and Malling Borough Council, this land (from the footpath/byway, as far as the railway) will be used to mitigate the ecological impacts of development as well as providing open space for community purposes. Within the Maidstone boundary, the land at this point is designated as strategic gap (policy ENV31) in the Maidstone Borough-Wide Local Plan 2000. Development would be restricted in the strategic gap if it compromised its purpose - preventing the coalescence of settlements, in this case the north west edge of Maidstone at Allington and the eastern edge of the Medway Gap in Tonbridge and Malling. The topography of the land at this point is advantageous to the proposal as the fields that are proposed to be developed for housing, which are not in the strategic gap, are hidden from Hermitage Lane. The use of the currently designated strategic gap land for ecological mitigation and community open space would not compromise the purpose of the strategic gap, enabling the open character of this area to be maintained.

**3.30** Development at East of Hermitage Lane provides an opportunity to utilise Barming railway station for local public transport access into Maidstone and for longer journeys to London. A simple, yet necessary part of this opportunity is to make the access to the station as easy as possible. A direct footpath, complementary in character, will be provided across the field from the new houses, joining Hermitage Lane at the closest point achievable to Barming railway station.

### Policy SS1b

#### East of Hermitage Lane

East of Hermitage Lane, as shown on the policies map, is allocated for residential development. Planning permission will be granted provided the following criteria are met:

#### On site:

1. Provision of 600 dwellings (at an approximate density of 35 per hectare);
2. Affordable housing will be delivered on site as per the local plan target (detailed in policy CS10, or any superseding policy);
3. All dwellings will be constructed to the local plan standards for sustainable construction (detailed in policy CS6, or any superseding policy);
4. A high quality, modern design approach that incorporates vernacular materials where possible;
5. Transfer of land and/or contributions for primary education (subject to confirmation of need)<sup>(5)</sup>;
6. Provision of appropriate community and health facilities (subject to confirmation of need);
7. Provision of a local shopping parade appropriate to the scale of development, incorporating convenience and comparison retail;
8. Inclusion of a 30 metres wide landscape buffer between the identified area of ancient woodland and any proposed development, to be planted as per recommendations detailed in an ecological survey;
9. Provision of a buffer along the north eastern boundary of the site (rear of Howard Drive dwellings), incorporating existing protected trees, to be agreed with the council;
10. Protection of the wooded character of the footpath running along the south eastern boundary of the site;
11. Submission of an appropriate archaeological survey and detailed mitigation measures;
12. A legal obligation relating to the section of the site within Tonbridge and Malling, securing its use for:
  - i. Agreed ecological mitigation measures, relating in particular to the use of the south western field for housing;
  - ii. Site access to the western section of the development;
  - iii. Open space, as agreed with the Borough Council; and
  - iv. Maintenance of the open character between Allington (in Maidstone Borough) and the Medway Gap (in Tonbridge and Malling Borough).
13. Submission of an ecological survey and detailed mitigation measures;
14. Securing an access to the western section of the site from B2246 Hermitage Lane. Subject to the agreement of junction details, access

5 Refer to supporting text for policy SS1.

will be made in the vicinity of the land opposite the entrance to Hermitage Quarry;

15. Securing an access for a limited number of dwellings on the eastern section of the site from Howard Drive; and
16. Provision of an automated bus gate that allows buses and emergency vehicles to pass. The passage of private vehicles will be restricted between the western and eastern sides of the site.

### **Off site:**

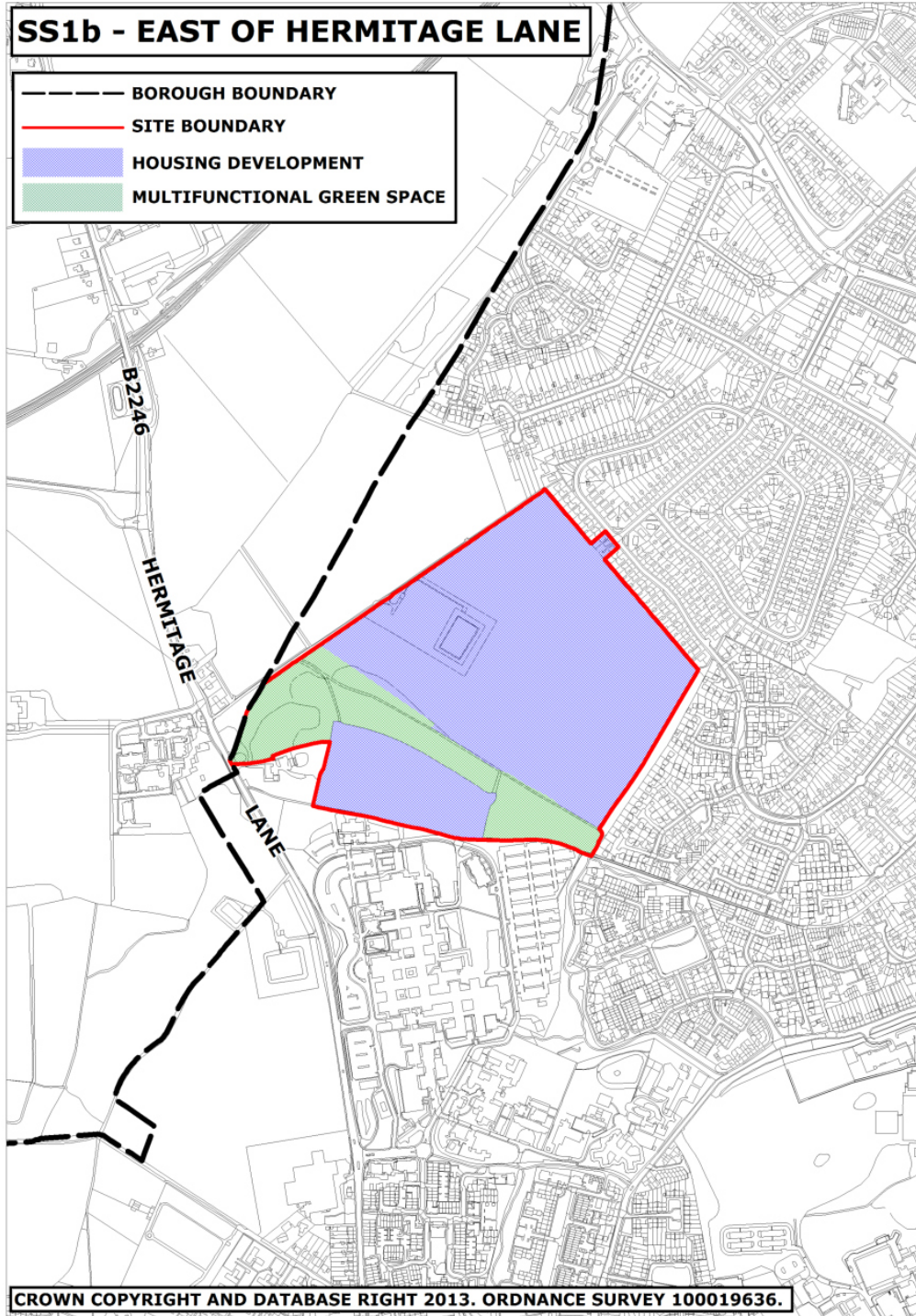
17. Use of land north west of the footpath/restricted byway, as far as the Maidstone East railway line, to mitigate ecological impacts and to provide open space for community purposes; and
18. Provision of a direct pedestrian footpath, complementary to the current character of the orchard and open fields, running north west from the site and joining B2246 Hermitage Lane at the closest point achievable to Barming railway station.

### **Financial contributions:**

19. Contributions towards pedestrian and cycle links to existing residential areas, shops, schools and health facilities, including links through to Howard Drive and Queen's Road via Freshland Road; and
20. Contribution towards the provision of an appropriate pedestrian and cycle route on B2246 Hermitage Lane.

A development brief, to be approved by the Borough Council, will detail the way in which residential and infrastructure elements are delivered in an integrated and co-ordinated manner.

### 3 . Strategic housing location to the north west of the urban area



### Policy SS1c - West of Hermitage Lane

**3.31** West of Hermitage Lane is located opposite Maidstone Hospital on B2246 Hermitage Lane. The allocation, as depicted on the policies map, is comprised of two portions of land – the larger portion of land fronts Hermitage Lane and is shaped like an arrow pointing west, while the smaller portion of land is located at the tip of the arrow lying on a south west/north east axis. The larger portion of the site is directly adjacent to the border with Tonbridge and Malling.

**3.32** Where the site adjoins the Tonbridge and Malling boundary there is a large area of identified ancient woodland. Ecological advice from Kent County Council advises that at this location the woodland should be protected by a 30 metres wide buffer running the length of the site/borough boundary. A detailed ecological survey will advise how best to manage the buffer area, with particular regard to introducing the most appropriate types of plant species.

**3.33** This site was identified in the Maidstone Borough-Wide Local Plan 2000 as being in the strategic gap (policy ENV31) between Maidstone and the Medway Gap in Tonbridge and Malling. The strategic gap restricted development that would compromise its purpose – that being to prevent coalescence between the settlements. In this location two relevant factors have informed the decision to pursue this allocation, the proximity of settlements and other developments, and long distance landscape views. The council accepts that the Hermitage Quarry is near to the proposed allocation but as part of the wider pattern of development, housing at this location would not compromise the original purpose of the strategic gap designation. In any case national policy guidance no longer supports the blanket designation of areas for such purposes, moving towards a criteria based approach. The other factor in pursuing this allocation is that the site does not intrude into long distance views from the top of Blue Bell Hill and the southern slope of the Medway Valley.

**3.34** Allowing for restricting factors, this site is allocated for 300 dwellings at a density of approximately 30 per hectare.

**3.35** Development at West of Hermitage Lane should respond to its local context in a positive, forward looking manner, and help to establish or maintain local distinctiveness, while remaining appropriate for its purpose. A high quality, modern design language should be employed that incorporates vernacular materials where possible.

**3.36** Vehicular access to the site will be secured from the Hermitage Lane frontage only. Running south from this access a pedestrian footpath will be provided to link up to the point where the existing footpath on the western side of Hermitage Lane ends, this will provide safe access for residents to the local facilities at St. Andrew's Park and beyond. A safe crossing point will also be required for pedestrians close to the access, this is for people walking north, as the footpath at this point is on the eastern side of Hermitage Lane.

**3.37** Oakapple Lane, which joins Hermitage Lane 280 metres south of the Hermitage Lane frontage also provides access to the site, although this will be restricted to emergency vehicles, pedestrians and cyclists, as the north western section of the lane is unmade and enjoys a semi-rural character. As part of the

development the unmade section of Oakapple Lane will be enhanced in a complementary nature which protects its existing character, yet achieves a safe means of access.

**3.38** In recognition of the existing open character on this section of Hermitage Lane, the Hermitage Lane frontage of the development will incorporate landscaping that is sympathetic to its current character and the housing density at this part of the site will be reduced in accordance with this.

### Policy SS1c

#### West of Hermitage Lane

West of Hermitage Lane, as shown on the policies map, is allocated for residential development. Planning permission will be granted provided the following criteria are met:

#### On site:

1. Provision of 300 dwellings (at an approximate density of 30 per hectare);
2. Affordable housing will be delivered on site as per the local plan target (detailed in policy CS10, or any superseding policy);
3. All dwellings will be constructed to the local plan standards for sustainable construction (detailed in policy CS6, or any superseding policy);
4. A high quality, modern design approach that incorporates vernacular materials where possible;
5. Inclusion of a 30 metres wide landscape buffer along the north west boundary adjacent to the designated area of ancient woodland, to be planted as per recommendations detailed in an ecological survey;
6. Provision of landscaping on the B2246 Hermitage Lane frontage to maintain an element of its current open character;
7. Provision of a new pedestrian footpath along the B2246 Hermitage Lane frontage of the site, linking south along the western side of Hermitage Lane to the existing footpath; and
8. Securing private vehicular access only from B2246 Hermitage Lane.

#### Off site:

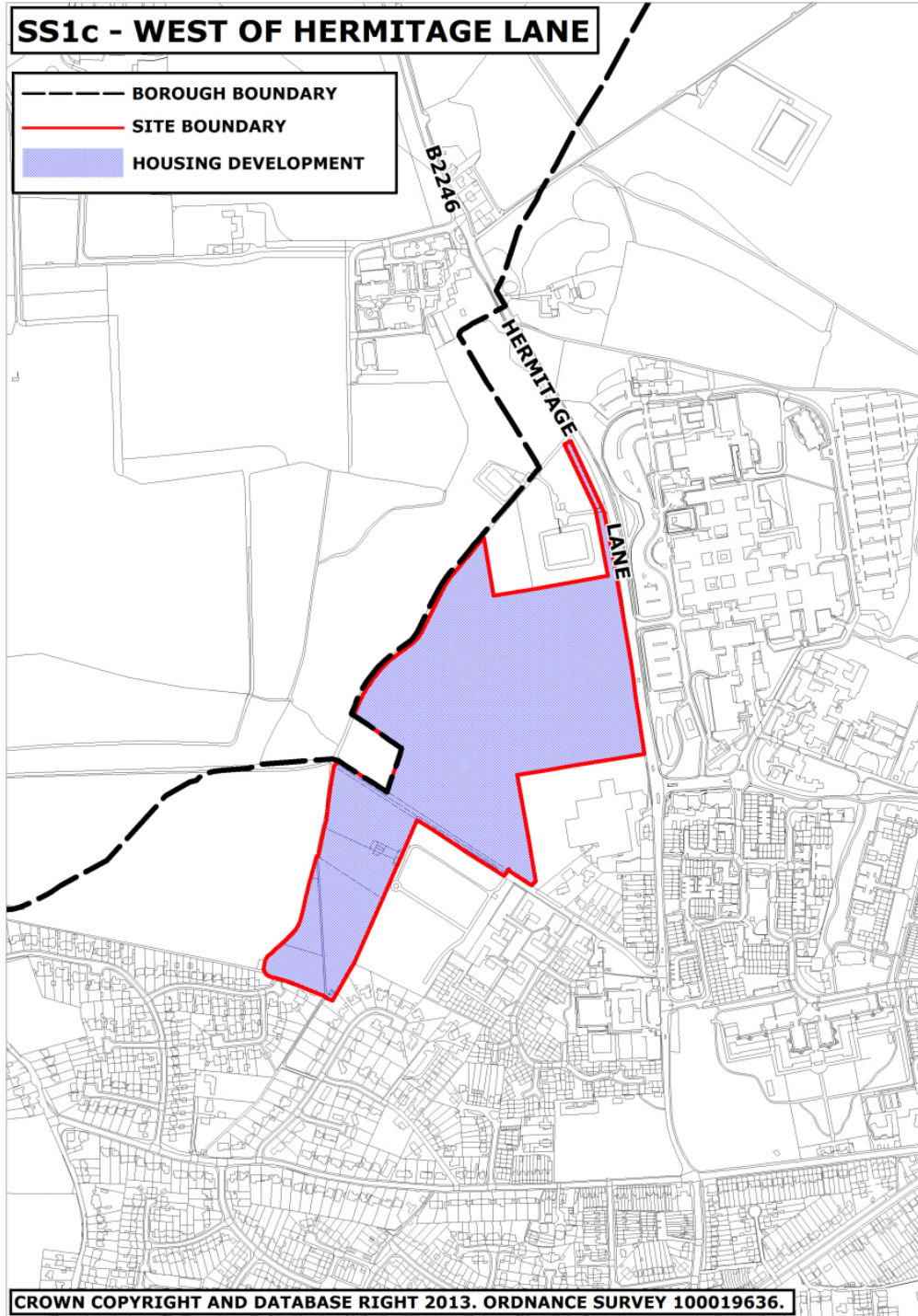
9. Provision of a pedestrian crossing point close to the site access on Hermitage Lane; and
10. Complementary enhancement of the unmade section of Oakapple Lane, retaining the features that are integral to its character, to provide a secondary access, used by emergency vehicles, pedestrians and cyclists.

#### Financial contributions:

11. Contributions towards pedestrian and cycle links to existing residential areas, shops, schools and health facilities, incorporating a link along the unmade section of Oakapple Lane; and
12. Contribution towards providing a new cycle lane on B2246 Hermitage Lane.

A development brief, to be approved by the Borough Council, will detail the way in which residential and infrastructure elements are delivered in an integrated and co-ordinated manner.

### 3 . Strategic housing location to the north west of the urban area





### **Policy SS2 - Strategic housing location to the south east of the urban area**

**4.1** The south east of Maidstone has been identified as a strategic location for housing development.

#### **Transport**

**4.2** In this location, improvements to local transport infrastructure are required to accommodate further housing. Individual transport assessments considering the cumulative effects of these developments taken together, will identify the scope of improvements required in this area and will include:

1.
  - i. An in-bound bus lane on the A274 Sutton Road from Willington Street to the junction with Armstrong Road and Park Way;
  - ii. The improvement of the Willington Street / A274 Sutton Road junction;
  - iii. A new roundabout to be provided on the A274 to allow access to Langley Park site;
  - iv. A new access road of a width suitable to accommodate contra-flow traffic and adjacent footways between Gore Court Road from the western boundary of Bicknor Wood and A274 Sutton Road;
  - v. Widening Gore Court Road to a suitable width to accommodate contra-flow traffic with a footway on the eastern site of the carriageway between White Horse Lane and A274 Sutton Road; and
  - vi. A pedestrian and cycle crossing on the A274 to link the allocated development sites.

**4.3** These improvements will incorporate, where feasible, enhancements to the public realm that make progress for cyclists and pedestrians safer and easier.

#### **Education**

**4.4** The local education authority, Kent County Council, is seeking the provision of a two form entry primary school within the south east strategic location. The site and the requirement are still subject to confirmation of need, although Langley Park on Sutton Road is the preferred location. The council will provisionally identify Langley Park as the location for a new primary school, but policy SS2a is caveated in recognition of the need to confirm this requirement, and all allocations will contribute to the school if confirmed.

#### **Health, community facilities and open space**

**4.5** Discussions with infrastructure providers have indicated that there is no specific need for further health facilities in the south east that would result from the proposed developments. Contributions will be sought from all allocated sites that enable any extra demand to be incorporated at existing facilities.

**4.6** Community facilities will be constructed on Langley Park. Beyond the land requirement for these facilities, which will be taken from the site itself, all other sites will contribute towards this aspect of development.

**4.7** Access to open space of varying types will be required by residents in each of the developments. Some of the developments will have access to nearby open space whereas others may make provision on site. Where open space is provided on one development but is reasonably used by the residents of the other developments, contributions will be pooled to provide a communal resource that pays towards the new provision, with the details of their locations outlined in the development briefs.

### Policy SS 2

#### Strategic housing location to the south east of the urban area

1. In the south east Maidstone strategic location, the council will allocate the following land for residential development as shown on the policies map:
  - i. Langley Park
  - ii. North of Sutton Road
  - iii. North of Bicknor Wood

#### Transport

2. Sites in the south east strategic location will contribute towards, as proven necessary:
  - i. An in-bound bus lane on the A274 Sutton Road from Willington Street to the junction with Armstrong Road and Park Way;
  - ii. The improvement of the Willington Street / A274 Sutton Road junction;
  - iii. A new roundabout to be provided on the A274 to allow access to Langley Park site;
  - iv. A new access road of a width suitable to accommodate contra-flow traffic and adjacent footways between Gore Court Road from the western boundary of Bicknor Wood and A274 Sutton Road;
  - v. Widening Gore Court Road to a suitable width to accommodate contra-flow traffic with a footway on the eastern site of the carriageway between White Horse Lane and A274 Sutton Road; and
  - vi. A pedestrian and cycle crossing on the A274 to link the allocated development sites.

Each of the transport assessments will demonstrate how proposed mitigation measures address the cumulative impacts of all the sites taken together.

#### General

3. In addition all sites will provide or contribute to, as proven necessary:
  - i. Affordable housing;
  - ii. Educational facilities and services;
  - iii. Local health facilities and services;
  - iv. Community facilities; and
  - v. Open space.

Sites will not be granted planning permission until an obligation has been completed with regard to the improvements and contributions as listed.

Specific requirements for each allocated site are detailed in the site policies SS1a, SS1b and SS1c

### Policy SS2a - Langley Park

**4.8** Langley Park, as shown on the policies map, is a 34 hectare site located adjacent to Maidstone's urban fringe, south of the A274 Sutton Road.

**4.9** The site was allocated in the Maidstone Borough Wide Local Plan 2000 for mixed uses including housing, community facilities, light industry and a park and ride facility, but it was not developed during the life of that plan.

**4.10** Experience over the past several years has shown that there is little market interest in the industrial development of the Langley Park site. Furthermore, an in-bound dedicated bus lane is now favoured instead of a park and ride facility in this area, because it will increase the carrying capacity of the route and improve journey times along this important transport corridor.

**4.11** The site will accommodate 600 dwellings at a density of between 30 and 40 dwellings per hectare, which will primarily deliver family housing with appropriate community facilities, open space and transport linkages to integrate the site into the existing urban area. The dwellings will be designed in a way that positively responds to their local context, thus helping to maintain, or improve, local distinctiveness.

**4.12** Langley Park is the largest residential allocation and its development, together with other planned housing development in this vicinity, will have a significant impact on local services and facilities. As such, the site is considered an appropriate location for a new primary school, community hall, convenience store and potentially a pub/restaurant. Given the size of the development, provision of formal and informal open space across the site is important for recreational purposes.

**4.13** Recreational opportunities will be reinforced by the retention of a significant area of natural open space, which falls from a ridge down to the watercourse flowing from Langley Loch in the southernmost section of the site. This area will help to soften views of the site from the south and will ensure that the developed part of the site is screened from view from this aspect. The retention of this part of the site should also allow for the retention and creation of natural habitats.

**4.14** Appropriate off-site highway works will also be necessary to enable sustainable linkages between the site, existing neighbouring areas and Maidstone town centre. This is important because the site is removed from the town centre and is not in close proximity to a train station. Pedestrian and cycle connections and a dedicated in-bound bus lane on the A274, Sutton Road, from Willington

Street to the junction with Armstrong Road and Park Way will enhance accessibility to existing residential areas and the town centre, which will be supported by an extension to the existing bus service to access the site itself.

**4.15** The relatively open nature of the land and the harsh appearance of the existing settlement edge at the site's western boundary necessitate a comprehensive landscaping scheme, which provides the opportunity to create a softer gateway to Maidstone's urban edge in this location. To ensure the site positively responds to the character and appearance of the area, development should be softened along the eastern and western boundaries of the site by substantial and layered tree planting.

### Policy SS 2a

Langley Park, as shown on the policies map, is allocated for residential development. Planning permission will be granted provided the following criteria are met:

#### On site:

1. Provision of approximately 600 dwellings at a density range of between 30 and 40 dwellings (net) per hectare;
2. Affordable housing will be delivered on site as per the local plan target (detailed in policy CS10 or any superseding policy);
3. Transfer of land and/or contributions for primary education (subject to confirmation of need)<sup>(6)</sup>;
4. All dwellings will be constructed to the local plan standards for sustainable construction (detailed in policy CS6 or any superseding policy);
5. Provision of appropriate shopping facilities for the needs of the development, which shall be delivered within a community hub/local centre;
6. Provision of appropriate community facilities for the needs of the development;
7. Provision of at least 6 hectares of open space in the southern section of the site;
8. Provision of a minimum 10 metres wide structural landscape buffer to the south of the developable area, to soften development from the site's southernmost area of open space;
9. Provision of a minimum 10 metres wide structural landscape buffer along the eastern and urban-edge boundary of the site;
10. Submission of an ecology survey, to be approved by the Borough Council; and
11. High quality, modern design approach that incorporates vernacular materials where possible.

#### Off site:

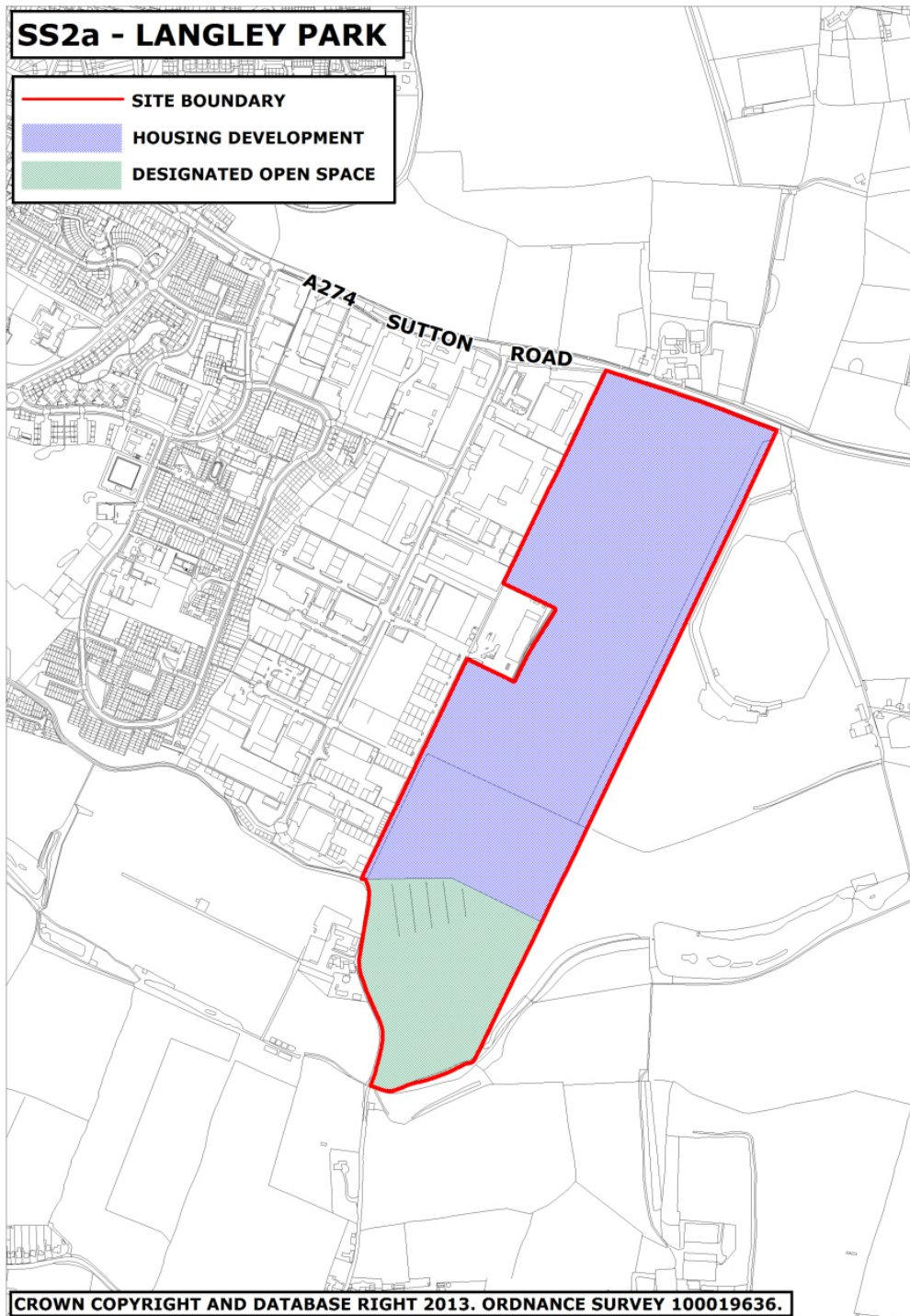
12. A suitable junction to be provided onto the A274 only, with appropriate cycle and pedestrian links to other existing residential areas, Bircholt Road and Brishing Road; and
13. A pedestrian and cycle crossing on the A274 to provide effective linkages between the Langley Park site and the development sites to the north.

#### Financial contributions

14. Appropriate contributions to health, education and open space.

A development brief, to be approved by the Borough Council, will detail the way in which residential and on-site infrastructure elements are delivered in an integrated and co-ordinated manner.

# 4 . Strategic housing location to the south east of the urban area



### Policy SS2b - North of Sutton Road

**4.16** Land north of Sutton Road, as shown on the policies map, lies adjacent to Maidstone's urban fringe along Sutton Road and is a large site of approximately 9 hectares.

**4.17** The site was allocated for housing in the Maidstone Borough Wide Local Plan 2000 but was not developed during the life of that plan. A key factor in the allocation of this site was the retention and protection of Bicknor Wood and Bicknor Hole which lie to the north and west of the site respectively and which, together with a strip of woodland projecting southwards along the eastern boundary of the site, function as a strong visual boundary and enclosure to development.

**4.18** The County Ecologist has identified the eastern part of the site as having ecological potential so more detailed consideration should be given to this area through the submission of an ecology survey, incorporating mitigation measures, to be approved by the Borough Council. Existing landscape features within the site should be retained where possible, including existing mature hedgerows and trees to strengthen the new landscape structure and biodiversity. Bicknor Wood to the north of the site and the trees running along the eastern boundary are subject to tree preservation orders No. 37 of 1981. No. 36 of 1981. Retention and protection of Bicknor Wood and Bicknor Hole and the subsequent enclosure of the site to the east remain a priority. A 15 metre landscape buffer to the north and west of the site and a 10 metre structural landscape buffer at the site's eastern boundary will ensure this is achieved.

**4.19** The site abuts the urban edge of Maidstone and is therefore well located with regard to existing services. The site has an extensive frontage to the A274, Sutton Road, which is a main transport corridor along which there are regular bus services into, and out of Maidstone. Accessibility from the site to the town centre will be further improved by the provision of a bus lane along the A274 from Willington Street to the junction with Armstrong Road and Park Way, a separate access road from Sutton Road through the site to Gore Court Road from the western boundary of Bicknor Wood, an extension to the existing bus service to directly access the site and pedestrian and cycle linkages from the site to existing and new residential areas.

**4.20** As such, this site is considered an appropriate location for approximately 285 dwellings with associated on site open space. Dwellings will be designed in a way that positively responds to their local context, thus helping to maintain, or improve, local distinctiveness. Considering its close proximity to Langley Park, the site will also benefit from a local convenience store, community facility and extensive open space, and a pedestrian and cycle crossing on the A274 will link both sites.



### Policy SS 2b

#### North of Sutton Road

North of Sutton Road, as shown on the policies map, is allocated for residential development. Planning permission will be granted provided the following criteria are met:

#### On site:

1. Provision of approximately 285 dwellings at an average density of 30 dwellings per hectare across the whole site;
2. Affordable housing will be delivered on site as per the local plan target (detailed in policy CS10 or any superseding policy);
3. All dwellings will be constructed to the local plan standards for sustainable construction (detailed in policy CS6 or any superseding policy);
4. A new access road of a width suitable to accommodate contra-flow traffic and adjacent footways between Gore Court Road from the western boundary of Bicknor Wood and A274 Sutton Road;
5. The provision of a 15 metre landscape buffer along the site's northern boundary incorporating a pedestrian route and cycle way, which will be constructed and planted before the occupation of the first dwelling;
6. Provision of a minimum 10 metres wide structural landscape buffer provided and maintained along the eastern boundary of the site;
7. Submission of an ecology survey, to be approved by the Borough Council; and
8. High quality, modern design approach that incorporates vernacular materials where possible.

#### Off site:

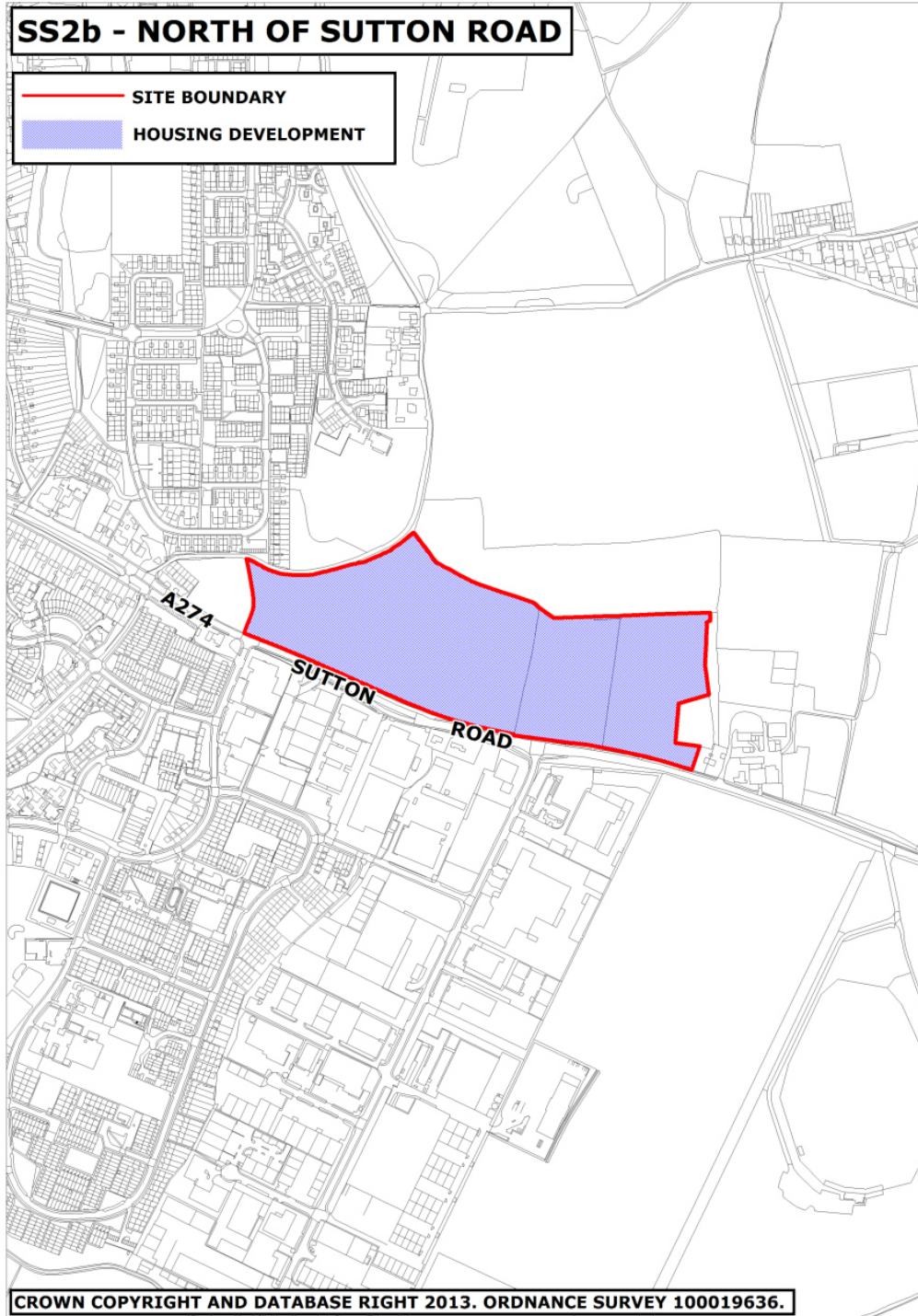
9. Pedestrian and cycle links to existing residential areas, A274 Sutton Road and Gore Court Road including a pedestrian and cycle crossing on the A274 to link the site to Langley Park.

#### Financial contributions:

10. Appropriate contributions to social and community infrastructure, education, health and open spaces.

A development brief, to be approved by the Borough Council, will detail the way in which residential and infrastructure elements are delivered in an integrated and co-ordinated manner.

# 4 . Strategic housing location to the south east of the urban area



### Policy SS2c - North of Bicknor Wood

**4.21** Land north of Bicknor Wood, as shown on the policies map, is a 14 hectare, level, rectangular field adjacent to Maidstone's urban fringe, north of the A274, Sutton Road. The site is bounded by Gore Court Road to the west, White Horse Lane to the north and Bicknor Wood to the south. The site is rural in character and is partly screened from Gore Court Road and White Horse Lane by mature trees and hedgerows.

**4.22** Bicknor Wood, to the south of the site, separates the site from land North of Sutton Road which is allocated in policy SS2b. Extending the eastern section of Bicknor Wood to meet East Wood, which is adjacent to White Horse Lane, would form a visually attractive buffer between the site and the open countryside to the east, including Otham Village, which is a Conservation Area. This is considered necessary to ensure development on site does not cause undue harm to the rural character of the area, and has the added benefit of supporting local ecology through the potential creation of wildlife corridors.

**4.23** Despite being a larger site than its adjacent allocation to the south, the site is considered suitable for less development, approximately 190 dwellings, to reflect the more open, rural context in which it would sit. Dwellings will be designed in a way that positively responds to their local context, thus helping to either maintain, or improve, local distinctiveness.

**4.24** The location of the site in close proximity to Gore Court Road, Sutton Road and north of Sutton Road, makes it possible to link the site to proposed highways improvements in this area and thus allows good access to services and public transport. An extension to the existing bus service in the area to provide direct access to the site will make the site more sustainable.

**4.25** Gore Court Road, at the western boundary of the site, will need improvements to connect with planned highways infrastructure on land north of Sutton Road. As such, it is recommended that this infrastructure is in place prior to any development on site. Cycle and pedestrian linkages to existing and new residential areas are also required, and the council would expect on-site cycle and pedestrian routes to ensure sustainable modes of travel are encouraged.

### Policy SS 2c

#### North of Bicknor Wood

North of Bicknor Wood, as shown on the policies map, is allocated for residential development and will not be released until:

- i. Access from Sutton Road to Gore Court Road is completed in association with policy SS2b; and
- ii. A woodland belt of at least 80 metres in width linking the eastern section of Bicknor Wood to East Wood is planted.

Planning permission will be granted provided the following criteria are met:

#### On site:

1. Provision of 190 dwellings at an average density of 30 dwellings (net) per hectare across the whole site;
2. Affordable housing will be delivered on site as per the local plan target (detailed in policy CS10 or any superseding policy);
3. All dwellings will be constructed to the local plan standards for sustainable construction (detailed in policy CS6 or any superseding policy);
4. Provision of a 15 metre wide landscape buffer along the site's boundary with Bicknor Wood incorporating a pedestrian route and cycle way, which will be constructed and planted before the occupation of the first dwelling;
5. Provision of a woodland belt of a minimum of 40 metres in width to link the eastern section of Bicknor Wood to East Wood;
6. Submission of an ecology survey, to be approved by the Borough Council; and
7. High quality, modern design approach that incorporates vernacular materials where possible.

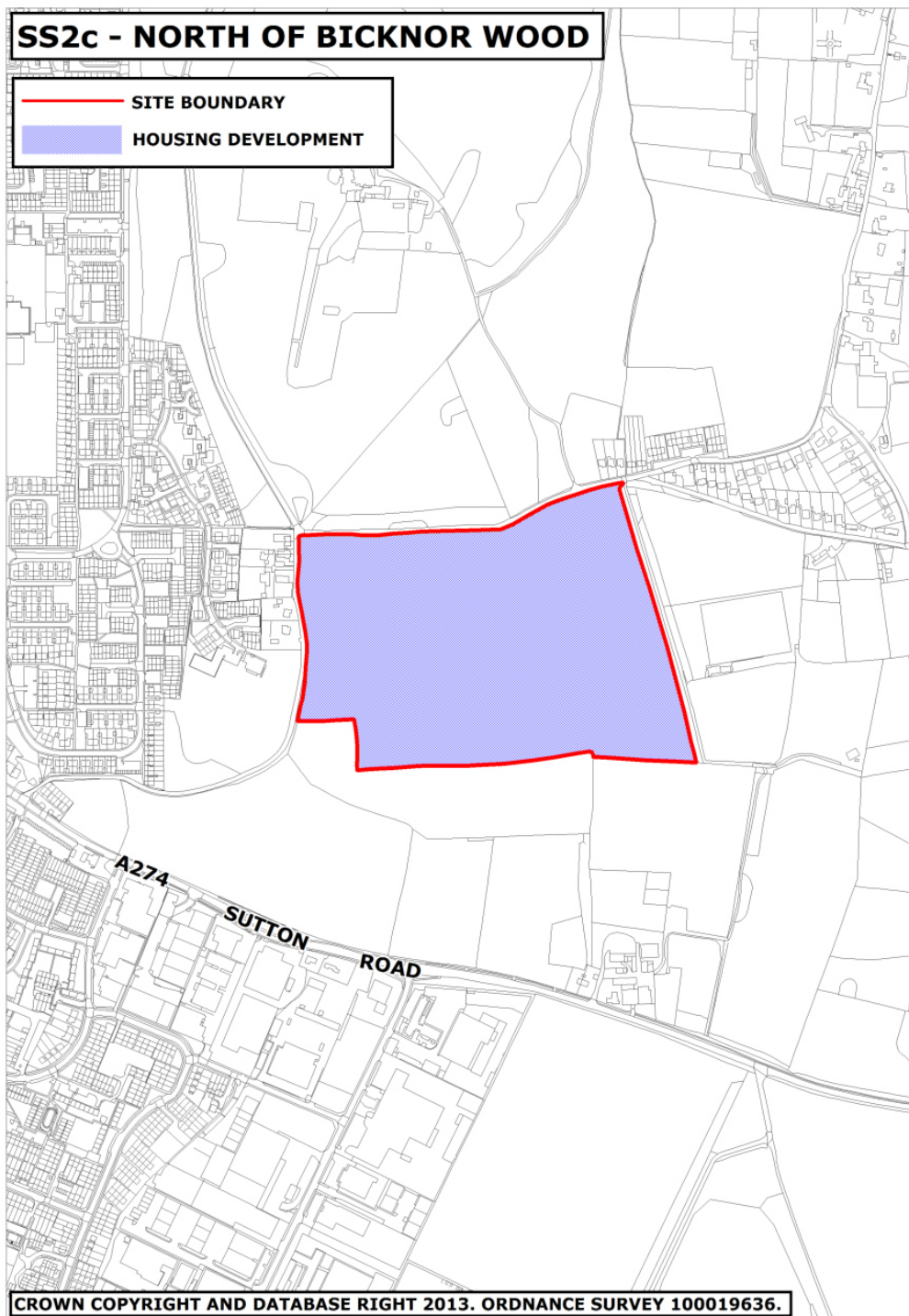
#### Off site:

8. Pedestrian and cycle links to existing residential areas, White Horse Lane and Gore Court Road.

#### Financial contributions:

9. Contributions to widen Gore Court Road to a suitable width to accommodate contra-flow traffic and a footway on the eastern side of the carriageway between White Horse Lane and A274 Sutton Road; and
10. Contributions to social and community infrastructure, health, education and open space.

A development brief, to be approved by the Borough Council, will detail the way in which residential and infrastructure elements are delivered in an integrated and co-ordinated manner.



### Policy SS4 - Newnham Park

**5.1** Newnham Park is a 28.6 hectare site located to the north of the urban area adjacent to junction 7 of the M20 motorway. It is approximately 2.5km from the town centre and is one of the prime gateways into Maidstone. The site is bounded by Horish Wood to the north and Pope's Wood to the east, which are ancient woodlands and a designated Local Wildlife Site. To the south is Bearsted Road, beyond which are Vinters Park Crematorium, Vinters Park Local Nature Reserve, and the Grove Green housing estate. The western boundary is formed by the A249 Sittingbourne Road, beyond which are Eclipse Business Park and the Hilton Hotel. Newnham Court Shopping Village dominates the western part of the allocated site, and the Kent Institute of Medicine and Surgery (KIMS) hospital is under construction on the northern perimeter of the site together with a new access road. The hospital is due to open in 2014.

**5.2** Although the KIMS hospital will be privately funded and operated, National Health Service (NHS) patients as well as private patients will be treated there (stipulated by legal agreements attached to the planning permission). The hospital will provide specialist medical facilities, many of which are not available at NHS or private hospitals in Kent, and will act as a catalyst for additional medical facilities, research and medical teaching. The Maidstone Medical Campus will create a specialist knowledge cluster that will attract a skilled workforce to support the council's vision for economic prosperity.

**5.3** Newnham Court Shopping Village has been developed (and continues to develop) in a piecemeal fashion over time and, consequently, the visual impact of this site is poor. The site comprises a range of facilities including a garden centre, a number of ancillary retail units, cafés, a veterinary surgery, a childcare nursery, and a quantum of small business uses. The landowners of the Shopping Village are currently seeking to make improvements to buildings and car parking. The redevelopment of the site is achievable through the development management process, but the inclusion of the Shopping Village with the medical campus as part of the allocation will deliver a comprehensively planned development that will provide quality buildings in a parkland setting.

**5.4** To the far south east of the development site is a rectangular field of approximately 3 hectares, which is bounded by Pope's Wood to the north and east, Bearsted Road to the south and proposed development to the west. The field is identified for new woodland planting, to be developed as a parkland nature reserve, and transferred into the ownership of the Borough Council.

**5.5** Newnham Park is located in the countryside and lies within the setting of the nationally designated Kent Downs Area of Outstanding Natural Beauty (AONB), where particular attention needs to be paid to protecting and conserving the distinctive character of the landscape. The site is reasonably well screened by mature woodland to the north and east, mature trees and other vegetation along Bearsted Road to the south, and sparser planting on the western boundary. However, there are long and medium distance views of the site from the North Downs; limited views from Gidds Pond Cottages and properties located to the

south east of the allocation; and views from local roads. Existing landscape features within the site boundaries should be retained where possible, and the site is subject to tree preservation orders<sup>(7)</sup>.

**5.6** Given the location and containment of the Newnham Park site, the allocation will not compromise the council's strategy of avoiding coalescence between Maidstone and the Medway Towns.

**5.7** The topography of the site is gently undulating, sloping down from the north west and from the south east perimeters into a shallow valley of a stream that runs north-south through the site. Newnham Park is partially developed and the remainder of the site is arable fields.

**5.8** The County Ecologist has submitted initial advice on a broad consideration of site proposals, and concluded that there are constraints to development particularly to the use of the site along the boundaries with the Local Wildlife Site/ancient woodland where a landscape buffer would be required. There is also potential for indirect impacts to the Vinters Park Local Nature Reserve if the stream and corridor is affected by proposals. Most of the site is of limited ecological value, the areas of interest primarily focused at the edges of the site and along the stream. Much of the site lies within the Kent Biodiversity Partnership's Mid Kent Greensand and Gault Biodiversity Opportunity Area, which means the area has been identified as offering the best opportunities for habitat enhancement, restoration or creation. This does not present a planning constraint, but it offers opportunities to develop targeted habitat mitigation and enhancements as part of the site's development. Development will have regard to a full ecological survey, to be approved by the Borough Council.

**5.9** The site falls within the Weaving Fringes landscape character area<sup>(8)</sup>, where condition is moderate overall and sensitivity is low because of the varied land uses and urban fringe influences. The summary of actions are: improve and reinforce the more distinctive and characteristic elements, e.g. ancient woodland, streams, traditional buildings and open landscape at Newnham Court Farm, which strengthen the setting of the Kent Downs AONB; and avoid significant encroachment of the urban edge where it would detract from the open foreground to the Kent Downs AONB. Given the relationship of Newnham Park to the AONB and its landscape setting, the Borough Council will prepare a local landscape assessment to inform the development brief.

**5.10** Newnham Park will be developed in a high quality environment: in a woodland/parkland setting with appropriate provision of open space. The layout of development will make best use of the site's topography in order to minimise the impact of long and medium distance views from the AONB. Of particular prominence is the hill to the north east of the field located to the east of the stream, so development will not be permitted on this part of the site. A robust internal landscape structure will be provided through new planting and green areas, building on existing landscaping within and around the site. New planting will be of locally appropriate native species. Detailed mapping will be required to identify the most sensitive areas of the site in terms of its landscape and

7 TPO No. 1 of 2002 and TPO No. 13 of 2011

8 Landscape Character Area Assessment 2012 - ref 14-1.

biodiversity to guide development. A structural landscaping scheme will be agreed with the Borough Council and will be planted as the first phase of development.

**5.11** A minimum 30m structural landscape buffer between built development and the edge of ancient woodland on the northern and eastern perimeter will be provided, to ensure that trees within the woodland are not compromised. This buffer will include tracts of planting extending into the body of the development to assist in creating the parkland setting. A minimum 15m landscape buffer will be planted on each side of the stream running through the site, providing a minimum 30m buffer. Use will be made of the existing watercourse to manage surface water drainage and, subject to an ecological survey, could be linked to a series of water bodies created by using sustainable urban drainage (SUDS) principles.

**5.12** New woodland will be planted on the rectangular field to the south east of the allocated site, to provide net gains in biodiversity and ecological connectivity between the large expanses of Horish Wood and Pope's Wood. It will also serve to further enclose and screen new development.

**5.13** An archaeological watching brief will be required.

**5.14** New buildings at Newnham Park will be built to a high standard of design and sustainable construction to reflect the site's prime location as a gateway into Maidstone. Building heights will be restricted to two storeys and careful attention will be given to construction materials, particularly the use of green roofs to mitigate the impact of long and medium distance views from the North Downs. Large blocks of buildings will be unacceptable in the parkland setting, and low level lighting will be required where practical.

**5.15** The medical campus will provide for up to 150,000m<sup>2</sup> of specialist medical facilities. Appropriate uses on the site will include hospital or healthcare facilities, specialist rehabilitation services, medical related research and development, central laboratory facilities, and medical training. Medical facilities to the west of the existing stream will be delivered in advance of those being provided on land to the east of the stream. Development will be planned in a comprehensive manner by means of the development brief.

**5.16** The regeneration and revitalisation of Maidstone's town centre is a priority and the town centre will continue to be the primary retail and office location in the borough. Replacement facilities at Newnham Court Shopping Village will be provided within the vicinity of the existing retail footprint, as shown on the policies map. In order to assess the impact of proposals on the town centre, a retail impact assessment will be required for both comparison and convenience goods. If the cumulative quantum of retail development is more than 300m<sup>2</sup> greater than that which is existing on site (14,300m<sup>2</sup>), then only uses which are complementary rather than in conflict with the vitality and viability of the town centre will be acceptable. A reasoned justification for any departure from this criterion must be submitted with any planning application. Consequently, new additional non-retail floorspace (i.e. that which does not fall within use class A1), such as cafés, restaurants and public houses, together with banks and estate agents, are unlikely to be acceptable. Similarly, leisure uses such as cinemas



and bowling alleys, and other uses that are likely to conflict with the town centre, will not be permitted. The town centre functions successfully due to the mix of uses in close proximity to each other. Conversely, retail premises that have a unique and recognised "out of town" format are likely to be acceptable on the allocated site because conflict with town centre uses would be unlikely. Such stores require larger premises that offer a range of goods.

**5.17** The allocation of land uses within the allocated site must offer some flexibility to address the need for existing retail tenants (including the garden centre) to continue trading, and to provide for the integration of structural and internal landscaping into the new site layout. The northernmost section of the existing retail site (2.1 ha) will be allocated for medical use; and either retail or medical uses will be appropriate on land between the existing retail site and the new access road to the east of the retail area (2.9ha).

**5.18** Critical to the successful development of Newnham Park is the provision of appropriate transport infrastructure. Vehicular access to the site will be taken from the New Cut roundabout, with bus and emergency access from the A249 Sittingbourne Road. A bus interchange will be provided as part of the retail development, together with a car park management plan. A Travel Plan will be required to accompany a planning application. Permeability is an important aspect of the site's development, and enhanced pedestrian and cycle links to the residential areas of Grove Green, Vinters Park and Penenden Heath, and to Eclipse Business Park, will be provided.

**5.19** As proven necessary through a Transport Assessment, off site highway improvements will include:

- Capacity improvements, together with the provision of pedestrian crossing facilities, at the Bearsted roundabout (at Bearsted Road/A249 Sittingbourne Road) and the New Cut roundabout (at Bearsted Road/New Cut Road);
- The upgrading of Bearsted Road between Bearsted roundabout and New Cut roundabout to dual carriageway, land take being confined to the north of Bearsted Road;
- Safety and capacity improvements to the M20 motorway junction 7 roundabout and slip roads;
- Provision of attractive public transport solutions, such as a subsidised shuttle bus to operate between the site and the town centre, via New Cut Road and Ashford Road;
- Bus priority measures on New Cut Road, where feasible, and traffic signal priority measures at the junction of New Cut Road and the A20 Ashford Road; and
- Improved bus links to the site from the residential areas of Grove Green and Penenden Heath.

**5.20** Improved public transport solutions will complement the existing park and ride facility in the vicinity of Newnham Park, which caters for long-term commuter parking. Land at Newnham Park will not be released for development until a legal agreement for off-site highway works has been agreed and signed.

### Policy SS 4

#### Newnham Park

Newnham Park is allocated for a medical campus, a replacement retail centre and a nature reserve, as identified on the policies map. Planning permission will be granted provided the following criteria are met:

#### On site:

1. Phased provision of a maximum of 150,000m<sup>2</sup> of specialist medical facilities set within an enhanced landscape structure;
2. Provision of replacement retail facilities through the redevelopment of Newnham Court Shopping Village, confined to the vicinity of the existing footprint of the current retail area as shown on the policies map, together with the provision of a bus interchange and a car park management plan;
3. Creation of a parkland nature reserve of approximately 3 hectares on land to the south east of the site, as shown on the policies map, to be laid out in a parkland form and through a legal agreement transferred to the Borough Council;
4. Construction of buildings of high quality design in a sustainable form that reflect the site's prime location as a gateway to Maidstone;
5. Mitigation of the impact of development on the Kent Downs Area of Outstanding Natural Beauty and its setting through:
  - i. The provision of new structural and internal landscaping to be phased in advance of development;
  - ii. The retention and enhancement of existing planting;
  - iii. The use of the topography in site layout plans to exclude development on the higher, more visually prominent parts of the site;
  - iv. The restriction of building heights to a maximum of two storeys;
  - v. The use of low level lighting; and
  - vi. The use of green roofs where practical.
6. Medical facilities on land to the west of the existing stream will be delivered in advance of medical facilities on land to the east of the stream;
7. The cumulative quantum of retail floorspace will be restricted to the provision of up to 300m<sup>2</sup> above that which already exists, and any additional retail floorspace above this limit must be complementary to town centre uses and, by means of a sequential sites assessment, demonstrably require an out of town location;
8. Submission of a retail impact assessment for both comparison and convenience goods, to be approved by the Borough Council, in order to assess the impact of retail area proposals on the town centre;
9. Provision of a minimum landscape buffer of 30m in width along the northern and eastern boundaries of the site in order to protect Ancient

Woodland, with tracts of planting extending into the body of the development;

10. Provision of a landscaped buffer of a minimum 15m in width on both sides of the existing stream running north-south through the site (minimum 30m width in total), in order to enhance the amenity and biodiversity of this water body;
11. Submission of a full landscape assessment and ecology survey to be approved by the Borough Council;
12. Provision of a watching archaeological brief in order to protect any heritage assets found on site;
13. Vehicular access to the site from the New Cut roundabout, with bus and emergency access from the A249 Sittingbourne Road;
14. Enhanced pedestrian and cycle links to the residential areas of Grove Green, Vinters Park and Penenden Heath, and to Eclipse Business Park; and
15. Submission of a Travel Plan, to be approved by the Borough Council.

### **Off site:**

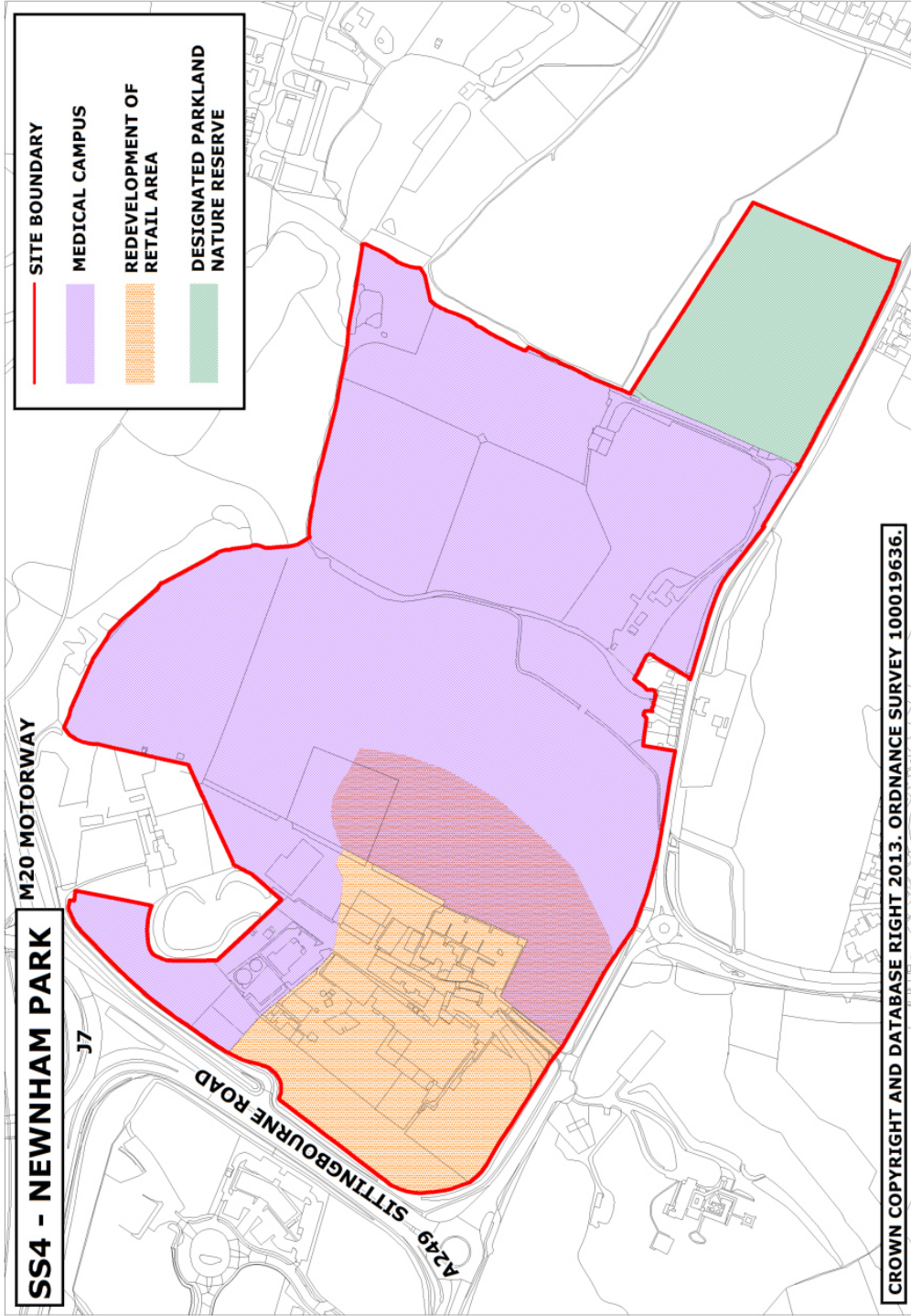
16. Submission of a full Transport Assessment to identify off-site highway improvements to serve the development, to be secured in a phased manner by the provision of infrastructure or through contributions by means of a signed legal agreement prior to the commencement of development;
17. Capacity improvements to the Bearsted roundabout at the junction of Bearsted Road with the A249 Sittingbourne Road, together with the provision of pedestrian crossing facilities;
18. Capacity improvements to the New Cut roundabout at the junction of Bearsted Road and New Cut Road, together with the provision of pedestrian crossing facilities;
19. The upgrading of Bearsted Road to a dual carriageway between Bearsted roundabout and New Cut roundabout, land take being confined to the north of Bearsted Road;
20. Safety and capacity improvements to the M20 motorway junction 7 roundabout;
21. Improved public transport to operate between the site and the town centre, via New Cut Road and Ashford Road;
22. Bus priority measures on New Cut Road, where feasible, and traffic signal priority measures at the junction of New Cut Road and the A20 Ashford Road; and
23. Improved bus links to the site from the residential areas of Grove Green and Penenden Heath.

### **Financial contributions:**

24. Provision of appropriate contributions towards off-site highway improvements.

A development brief, to be approved by the Borough Council, will detail the way in which medical facilities, retail redevelopment and the nature reserve, together with integral landscaping and supporting infrastructure, are delivered in an integrated and coordinated manner.

# 5 . Strategic employment site at junction 7 of the M20 motorway



### Policy CS6 - Sustainable construction standards

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

**6.2** The Climate Change Act 2008 sets two legally binding targets, a 34% reduction in greenhouse gas emissions by 2020, leading to an 80% emissions cut by 2050, both of which are set against a 1990 baseline. Maidstone Borough Council adopted the Kent Environment Strategy in 2011, which itself seeks a 60% cut in greenhouse gas emissions (measured as CO<sub>2</sub> equivalent) against 1990 levels by 2030.

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

#### Policy CS 6

##### Sustainable design and development

Development proposals in the borough will:

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

**Delivery and monitoring****Delivery**

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

**Monitoring**

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

**Policy CS7 - Sustainable transport****Transport**

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

**Traffic Congestion**

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

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

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

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

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

### **Integrated Transport Strategy (ITS)**

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

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

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

### **Air Quality**

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



## Parking

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

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

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

## Rail Services

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

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

### Bus Services

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

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

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

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

### Influencing Travel Behaviour

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

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

## Cycling and Walking

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

**6.25** The borough's walking environment, its walking routes and its public realm will be developed and improved through local plan policies, the ITS, the IDP, and through the Green and Blue Infrastructure Strategy. The Maidstone Cycling Strategy will be developed through the ITS. These strategies and documents will have the aim of increasing the proportion of trips made by walking and cycling from 12% to 22.5% of all trips made in the borough by 2031.

## Safe and Inclusive Public Environments

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

## Assessing the Transport Needs of Development

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

### Policy CS 7

#### Sustainable transport

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

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

## Delivery and monitoring

### Delivery

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

### Monitoring

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

## Policy CS8 - Economic development

**6.28** The local economy is characterised by its strong base in administration and professional services, as well as public services, stemming in particular from Maidstone's county town role. The town centre is an established focus for shopping and leisure activities, drawing trade from both within the town and beyond. The local workforce is generally quite highly skilled and although a proportion of residents travel outside the borough to work this is more than matched by those who commute in. Whilst the average earnings of those who commute out of the borough is higher than that of those who work in the borough, because of the prevalence of higher paid jobs in London as well as a preponderance of lower wage employment in the borough, the gap has been narrowing over recent years <sup>(9)</sup>. In general unemployment in the borough is low when compared with the Kent and national picture <sup>(10)</sup>.

**6.29** For Maidstone Borough to grow in a sustainable manner the increase in house building needs to be aligned with growth in local employment. It is estimated that the borough's resident labour supply will increase by some 7,600 people between 2011 and 2031 based on a housing target of 14,800 dwellings over the same period <sup>(11)</sup>. Economic growth will be achieved through a range of provision and for the purposes of the Local Plan, and in line with the NPPF, economic development includes the following uses:

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

9 Annual Monitoring Report 2011/12.

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

11 Population Forecasts, Kent County Council (October 2012)

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

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

**6.31** A significant proportion of Maidstone's growth in B class uses is expected to come from office-based employment. The first choice location for new office development will be the town centre. The council is aiming to create the right conditions for growth in the town centre through a comprehensive approach, improving accessibility, enhancing the public realm and encouraging a range of commercial uses, primarily retail, office and leisure related. This will be directed through the specific policies of the Local Plan. A particular issue is the quantity of long-term vacant office stock in the town centre and the identification of appropriate alternative uses for such stock. An initial estimate is that some 5,100sqm of currently vacant office stock in the town centre and elsewhere may no longer be fit for purpose <sup>(12)</sup>.

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

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

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

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

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12 Revised Employment Land Forecast (2013)

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

### Centre hierarchy

Primary regional town centre – Maidstone town centre

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

Existing district centres include:

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

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

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

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

### Policy CS 8

#### Economic development

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

#### Delivery and monitoring

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

#### Monitoring

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



## Policy CS9 - Housing mix

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

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

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

### Policy CS 9

#### Housing mix

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

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

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

### **Delivery and monitoring**

#### **Delivery**

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

#### **Monitoring**

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

### **Policy CS10 - Affordable housing**

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

**6.42** Viability testing indicates that affordable housing is achievable with a one dwelling threshold. For practical purposes, it will be acceptable for developments below 10 dwellings to make financial contributions towards this provision, or to make commensurate off site provision.

**6.43** Off site provision for 10 dwellings and above will only be considered in exceptional circumstances. Such exceptional circumstances are difficult to anticipate but may include economic viability or cases where the developer can prove that alternative provision will be of a higher quality. Any proposals for off site provision must be made at the time of the application. In the event that off site provision is considered appropriate, the council will apply a sequential preference for its delivery.

#### **Targets by area**

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

## Policy CS 10

### Affordable housing

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

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

This provision will consist of:

2. Where the development is 1-9 dwellings: on site provision, a financial contribution, or a mixture of the two, or commensurate off site provision;
3. Where the development is 10 dwellings or more: the integrated on site provision of dwellings, or where proven necessary; off site provision in the following order of preference:
  - i. An identified off site scheme;
  - ii. The purchase of dwellings off site; or
  - iii. A financial contribution towards off site affordable housing.
4. Of the affordable dwellings provided, not less than 50% will be affordable rented housing, social rented housing or a mixture of the two. The balance of up to 50% of the affordable dwellings provided will be a mixture of shared ownership and intermediate rented housing, with a target split of 40%/10% respectively.
5. In cases where the required provision cannot be achieved on the grounds of viability, the council will negotiate a reduced contribution. This will be subject to viability evidence.

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

### Delivery and monitoring

#### Delivery

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

#### Monitoring

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

### Policy CS11 - Local needs housing

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

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

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

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

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

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

## Policy CS 11

### Local needs housing

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

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

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

### Delivery and monitoring

#### Delivery

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

#### Monitoring

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

### Policy CS12 - Gypsy, Traveller and Travelling Showpeople accommodation

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

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

**6.53** A new Gypsy and Traveller and Travelling Showpeople Accommodation Assessment <sup>(13)</sup> for the borough was completed in January 2012. This assessment reveals an arising need for some 157 pitches between October 2011 and March 2026 and for some 9 Travelling Showpeople plots over the same timeframe. The need figures have been rolled forward a further 5 years to take account of the extension of the plan period to 2031. These total target figures break down into 5 year periods as set out below:

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

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

Table 6.1

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

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

### Policy CS 12

#### Gypsy and Traveller accommodation

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

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

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

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

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



**Delivery and monitoring****Delivery**

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

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

**Monitoring**

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

**Policy CS13 - Historic and natural environment**

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

**Historic Environment**

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

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

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

### **Green and blue infrastructure (GBI)**

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

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

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

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

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

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

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

### **Climate Change**

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

### **Water Framework Directive**

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

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

### Biodiversity

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

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

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

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

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

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

## Landscape

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

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

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

### Policy CS 13

#### CS13 – Historic and Natural Environment

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

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

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

### **Delivery and monitoring**

#### **Delivery**

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

#### **Monitoring**

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

### Policy CS14 - Infrastructure delivery

#### Providing the infrastructure needed to support growth

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

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

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

#### Dedicated planning agreements

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

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

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

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



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

### **Infrastructure Priorities for Residential Development:**

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

### **Infrastructure Priorities for Business and Retail Development**

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

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

### **Community Infrastructure Levy (CIL)**

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

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

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

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

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

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

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

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

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

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

## Policy CS 14

### Infrastructure delivery

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

#### Infrastructure priorities for residential development:

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

#### Infrastructure priorities for business and retail development:

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

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

### **Delivery and monitoring**

#### **Delivery**

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

#### **Monitoring**

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