

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING, TRANSPORT AND DEVELOPMENT OVERVIEW &  
SCRUTINY COMMITTEE**

**TUESDAY 20 AUGUST 2013**

**REPORT OF CHIEF EXECUTIVE**

**Report prepared by Sue Whiteside**

**1. MAIDSTONE BOROUGH LOCAL PLAN DEVELOPMENT  
MANAGEMENT POLICIES**

1.1 Issue for Consideration

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

1.2 Recommendation of Chief Executive

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

1.3 Reasons for Recommendation

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

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

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

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

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

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

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

1.3.5 Public consultation (known as “preparation” or Regulation 18<sup>1</sup> consultation) is an informal stage of public engagement and is expected to commence in November 2013. Following consideration of the comments received during this consultation, the local plan will be appropriately amended, and Member approval will be sought to undertake the more formal second round of public consultation next year (known as “publication” or Regulation 19<sup>2</sup>).

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

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

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<sup>1</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

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

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

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

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

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

1.3.10 In the countryside, policies focus on:

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

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

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

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

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

#### 1.4 Alternative Action and why not Recommended

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

#### 1.5 Impact on Corporate Objectives

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

1.6 Risk Management

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

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

1.7 Other Implications

1.7.1

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

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

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

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

1.8 Relevant Documents

1.8.1 Appendices

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

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

1.8.2 Background Documents

None

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