

AMENDED AGENDA

LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP MEETING



Date: Thursday 25 June 2009

Time: 6.00 pm

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Chittenden, English, Harwood, Horne,
Lusty, Marchant, Moriarty, Nelson-
Gracie, Robertson, Mrs Stockell, Thick
and J.A. Wilson

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Election of Chairman
5. Election of Vice Chairman

Continued Over/:

Issued on 22 June 2009

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**David Petford, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

6.	Disclosures by Members and Officers	
7.	Disclosures of Lobbying	
8.	To consider whether any items should be taken in private because of the possible disclosure of exempt information.	
9.	Minutes of the Meeting held on 20 April 2009	1 - 4
10.	Appointment of Political Group Spokespersons	
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MAIDSTONE BOROUGH COUNCIL

LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP

MINUTES OF THE MEETING HELD ON MONDAY 20 APRIL 2009

Present: Councillor Robertson (Chairman), and
Councillors Chittenden, Harwood, Horne, Moriarty,
Nelson-Gracie, Sherreard, Mrs Stockell, Thick,
J.A. Wilson and Mrs Marshall

Also Present: Councillors Paine and Schnell

47. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Marchant.

48. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitution was noted:-

Councillor Mrs Marshall for Councillor Marchant

49. NOTIFICATION OF VISITING MEMBERS

Councillors Paine and Schnell indicated their wish to speak on Agenda Item 8.

50. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures.

51. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

52. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE
BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION.

RESOLVED: That the items on the Agenda be taken in public as proposed.

53. MINUTES OF THE MEETING HELD ON 8 DECEMBER 2008

RESOLVED: That the minutes of the meeting held on 8 December 2008 be approved as a correct record and signed.

54. MEDWAY VALLEY PETITION

The Group considered the reference from Council regarding the Medway Valley Petition.

Mrs Fran Smith presented the petition calling upon the Council to introduce, as a matter of urgency, effective planning policies to protect the skyline of the Medway Valley, retain the natural setting of the River Medway between Tovil footbridge and East Farleigh bridge and stop any further building between the River and Glebe Lane/Gatland Lane and Upper Fant Road.

The Group were informed that there are a number of effective policy protections in this area, including landscape quality, design and part of this area is located in a flood plain. Also, this particular part of the Medway Valley will be included in the landscape character assessment work that is currently on-going.

Members expressed support for the petition and it was suggested that this could be extended to include protection for all water courses. Members were informed that rivers, water courses and green spaces in the Borough are issues that are properly addressed in the Core Strategy.

RESOLVED:

- i) That the petition be noted.
- ii) That, as part of the work which will follow on from the Landscape Character Area Assessment through the Local Development Framework, the green landscape issue of the Medway Valley area be addressed at that time.
- iii) That the protection and enhancement of rivers and water courses in the Borough be addressed in the Core Strategy.
- iv) That officers look into the possibility of a Skyline Protection Policy along the River Medway.

55. KENT DESIGN GUIDE

The Group considered the Report of the Assistant Director of Development and Community Strategy requesting endorsement of the Kent Design Guide (attached as Appendix A).

Members felt it appropriate to endorse this document at this time and supported the recommendations made by officers.

RESOLVED: That the Cabinet Member for Regeneration be recommended to endorse the Kent Design Guide as Supplementary Guidance to the Local Development Framework.

56. RESIDENTIAL EXTENSIONS SUPPLEMENTARY PLANNING DOCUMENT :
ADOPTION

The Group considered the Report of the Assistant Director of Development and Community Strategy regarding adoption of the Residential Extensions Supplementary Planning Document (attached as Appendix B).

It was noted that the public consultation on this document had been very successful with a large number of responses having been received and a number of changes made to the document in the light of these responses.

Members fully supported the recommendations made.

RESOLVED: That the Cabinet Member for Regeneration be recommended to approve the Residential Extensions Supplementary Planning Document for adoption as part of Maidstone's Local Development Framework.

57. DURATION OF MEETING

7.00 pm to 8.40 pm

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MAIDSTONE BOROUGH COUNCIL

LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP

25 JUNE 2009

REPORT OF ASSISTANT DIRECTOR OF DEVELOPMENT AND COMMUNITY STRATEGY

Report prepared by Brendon Neal and Michael Thornton

- 1. Response to representations received on the Maidstone Borough Core Strategy and the next steps**
 - 1.1 Issue for Decision
 - 1.1.1 Following the determination of the KIG Ltd planning application (MA07/2092) it is now possible to progress the draft Core Strategy. In order to progress it is necessary determine:
 - the Council's response to the representations made by KIG Ltd to the LDF Core Strategy;
 - whether the Council should proceed now with the process to adopt the Core Strategy prior to the final determination of the KIG Ltd planning application appeal process, in the light of the risks;
 - whether to proceed on the same fundamental basis as outlined in the Core Strategy Preferred Option 7C; and to consider the nature of the likely modifications that should be made to the Preferred Option 7C as the Plan is progressed.
 - 1.2 **Recommendation of Assistant Director of Development and Community Services**
 - (a) That Members of the Advisory Group and Scrutiny Committee recommend to Cabinet that:
 - i. That Council does not make a strategic allocation in the Maidstone Core Strategy for the Kent International Gateway proposal for a strategic rail/road freight interchange incorporating buildings for warehousing and distribution and offices, research and development and light industrial units at east Maidstone, west of M20 Junction 8 and north of the A20, for the reasons set out in this report and Appendix 1.

- ii. That Council does not make provision for a strategic road/rail freight interchange in the Maidstone Core Strategy, for the reasons set out in this report and Appendix 1.
- iii. That the Council proceed with preparation of the LDF Core Strategy on the timetable outlined in the LDS (considered elsewhere on this agenda) and in advance of the final resolution of the appeal on the KIG proposal on the balance of risks considered in this report and appendices.
- iv. That the Council affirms and progresses the fundamental spatial distribution strategy for the Core Strategy as set out in 'Preferred Option 7C'.
- v. That Members consider the Core Strategy statement (Appendix 2) and the possible modifications and refinement of Option 7C outlined in that document.

1.2 Reason for the Recommendations

- 1.2.1 The report briefly reviews the Member process and public consultation exercises used to develop the Core Strategy Preferred Option Document - January 2007 - and the reasoning for selecting the Preferred Option. It then considers the principles behind the Preferred Option and concludes that they remain valid in the light of the studies undertaken and new higher tier policy, particularly the Strategic Housing Land Availability Assessment (SHLAA) and the South East Plan. These studies address the issues raised in public consultation representations received to the Core Strategy Preferred Option in 2007.
- 1.2.2 This report provides an update on the significant changes in circumstances, legislation and national and regional policy and its implications for Core Strategy.
- 1.2.3 The report includes Appendix 1 that considers the KIG representations in detail. The conclusion is that provision should not be made in the Plan for the KIG proposal or a strategic road/rail freight interchange in principle.
- 1.2.4 The report includes an Appendix 2 that provides a statement of the Key Considerations in the Development of the Core Strategy. This identifies aspects of the Preferred Option and where modification and refinement should be considered as part of progressing the Plan.

- 1.2.5 A separate report to this meeting addresses the proposed timetable and process of advancing the Core Strategy as one of the Local Development Framework documents in a new Local Development Scheme work programme.
- 1.2.6 It should be stressed that the SHLAA does not predetermine whether sites should or can be developed, it provides information of the range of potential options about which policy decisions can be made.
- 1.3 Considerations
- 1.3.1 This report is structured to provide consideration of the:
- Reasons for the original selection of the Core Strategy - 'Preferred Option 7C, January 2007'
 - Public consultation response received to the 'Preferred Option 7C' , including that from KIG Ltd (refers to Appendix 1)
 - Consideration of 'Preferred Option 7C' in the light of new evidence and circumstances – including the SHLAA , the South East Plan and new legislation
 - Future scope for modification and refinement of the Preferred Option (refers to Appendix 2)
 - Alternative Actions and why they are not recommended
 - Risk Assessment
 - Summary
- 1.3.2 Reasons for the original selection of the Core Strategy - 'Preferred Option 7C, January 2007'
- 1.3.3 Work on the Core Strategy started in early 2006 converting preliminary work on an Issues and Choices Review of the Maidstone Borough Wide- Local Plan 2000 into an Issues and Options stage public consultation using the then new LDF legislation. Public consultation included the Café Conversations and explored the Issues and Options for spatial planning that concerned the public and stakeholders.
- 1.3.4 Informed by the Issues and Options work Members considered a number of options for future development. A full Council seminar in October 2006 considered 12 main options comprising four levels of development growth and three patterns of distribution:
- An Urban Led strategy
 - An Edge of Centre led strategy with accepted levels of urban development taking place first and
 - A new /expanded rural settlement(s) led strategy with accepted levels of urban development

- 1.3.5 All had been tested and compared and were subject to Sustainability Appraisal. The levels of development tested ranged from 8,200 to 15,000 dwellings over 20 years; these responded to the likely range of housing targets that might be prescribed for Maidstone with the related employment targets. The selected spatial strategy had to be flexible and robust enough to accommodate different levels of targets which will be prescribed through the Regional Spatial Strategy and Government policy.
- 1.3.6 In the light of the full Council seminar, the Local Development Document Advisory Group (LDDAG) met in July and October 2006 to consider the options and made recommendations to Cabinet.
- 1.3.7 Cabinet agreed the recommendations on 26 October 2006, that Option 7C: The edge of centre and urban regeneration led approach, be adopted as the preferred option for the Core Strategy for public consultation purposes. The documentation and evidence behind the plan included a draft Core Strategy Preferred Options document containing a summary version of the Core Strategy Vision statement, 11 draft Spatial Objectives and an outline for a set of Strategic Policies together with a Key Diagram.

Formal representations and comments received on 'Preferred Option 7C'

- 1.3.8 As detailed in the LDDAG reports of 4 July and 31 July 2007, 294 formal representations were made on the Core Strategy Preferred Options Document, with approximately 1700 individual points being made. There was good general support for the vision and objectives from:
- the formal representations,
 - from other sources including a questionnaire poll that responded to a DVD film presentation to outline the spatial options and
 - various stakeholder meeting events.

This all indicated general support for Option 7C over other options.

- 1.3.9 The LDDAG report of 31 July 2007 provided a comprehensive summary of all the formal representations and comments received. It contained a summary of the key themes and comments and proposed work to address the issues raised in response.
- 1.3.10 The representations were grouped into the following themes (in no particular order): Growth Point Status; Greenfield Development/Urban Extension; Maidstone and Rural Service Centre Growth; Employment Locations/Type; Housing Type/Land; County

Town Status; Rural Economy; Drafting of Objectives, Policies and Key Diagram; Evidence Base; Purpose of Core Strategy/ Site Allocations; National and Regional Policy; Sustainability Issues; Green Spaces, Landscapes, Countryside; Traffic and Transport; and Staging of Development.

- 1.3.11 A significant number of representations and responses focused on the spatial distribution of development and were received from the geographic areas most affected. Concerns expressed included the level of growth proposed.
- 1.3.12 There was, however, general support for concentrating development in the first phase of the plan at Maidstone urban area and the Rural Service Centres and during the second phase at a new mixed-use sustainable community at the south-east/east of Maidstone urban area. This support was conditional on the delivery of enhanced social and strategic infrastructure and that infrastructure be provided before development was completed.
- 1.3.13 Serious concerns were expressed over travel and transport and the level of congestion in the Borough. There was general support for the preferred option in relation to the environment and the preservation of green space, with green corridors and the protection of the North Downs and other special areas. There was general support for promoting high value and high quality development, but scepticism was expressed over how this was to be achieved. In relation to place-making, sustainability and climate change issues were emphasised.
- 1.3.14 There was general concern over the lack of detail and uncertainty on various aspects of the Core Strategy, particularly in relation to the south-east/east proposed urban extension and the minor urban extension areas. This was amplified by the identification of 'areas of search' in the Key Diagram, of which only approximately 20% of the area identified would be needed for the net development area to meet the then current targets.
- 1.3.15 It was considered that the majority of the issues raised could be addressed through the process of additional evidence gathering and providing more detail and testing and refining policy. Going forward, these issues and likely necessary modifications in response are considered in detail in Appendix 2, a statement of Key Considerations in the Development of the Core Strategy.

KIG Ltd representation

- 1.3.16 Amongst the representations was one from Kent International Gateway Ltd. This was so significant that it would have implications

for the direction of the entire Core Strategy to the extent it would require a totally different spatial strategy.

- 1.3.17 The KIG representations are set out in Appendix 1.
- 1.3.18 A site plan was also lodged with the above representations to the Core Strategy Preferred Options document which generally aligns with the planning application site subsequently submitted in October 2007. This is considered fully in Appendix 1.

Revised programme for the Core Strategy

- 1.3.19 The Cabinet Member for Regeneration resolved on 10 August 2007 following a recommendation from LDDAG based on reports on the above matters that:

(a) The adopted work programme for the Core Strategy be extended to include a further round of evidence gathering and public consultation and potentially submission of a draft Core Strategy before December 2008; and

(b) The evidence gathering and assessment for the Core Strategy consider whether the land, the subject of the inter-modal freight depot proposal is accommodated or not for that purpose.

The Council at its meeting in December 2007 and LDDAG in April 2008 considered some of the issues relating to the development of the Core Strategy in the light of the KIG proposals. The following LDDAG resolution guided the way forward for the Core Strategy:

"that the LDS and Core Strategy should be developed once:

(a) The Council has determined its position in response to the representations made on the Core Strategy and the planning application submitted by, Kent International Gateway (KIG), and

(b) New Government legislation and guidance are in place."

- 1.3.20 Concerning '(b)' above, significant legislative and regulatory changes to LDF processes and content were published in mid 2008, which are also addressed below and detailed in the LDS report elsewhere on this agenda.
- 1.3.21 In May 2009 the Council determined its position on the KIG planning application. The Council is now in a position to determine its response to the LDF Core Strategy representation from KIG. Given

the length of the discussion and analysis, this is contained in Appendix 1 to this report.

1.3.22 Preferred Option 7C – consideration in the light of new evidence including the SHLAA and the South East Plan

1.3.23 Firstly, it is helpful to note some key principles of the Preferred Option spatial strategy 7C:

- urban regeneration in the first phase of the plan period.
- maintenance of the 'stellar' form of Maidstone urban area, i.e. the protection of a multi-functional network of green and blue spaces (as shown on the key diagram).
- providing for a sustainable urban extension located to the south/south-east of Maidstone, planned to achieve a critical mass to provide an enhanced level of strategic and community infrastructure and services.
- providing for small scale growth at Rural Service Centres and villages consistent with their role and function.
- providing for very limited small scale urban development elsewhere at the edge of Maidstone to ensure flexibility and the maintenance of the 5 year rolling housing supply target.
- The option provided for 10,080 dwellings although the spatial strategy provided flexibility to provide for a range of likely housing targets in the Regional Spatial Strategy – the South East Plan.

1.3.24 The key alternatives to Preferred Option 7C are:

- new / expanded rural settlement led approach
- the urban led approach (with higher densities)

1.3.25 As a result of the above decisions a range of further studies and evidence gathering has been undertaken. A principal item was the Strategic Housing Land Availability Assessment as required by recent Government requirements. The South East Plan is now part of the 'Development Plan' for Maidstone and should be complied with.

1.3.26 The SHLAA has confirmed that a wholly Urban Led approach is undeliverable. The SHLAA analysis shows that insufficient housing supply can realistically be achieved from sites within the urban

areas. Applying an appropriate density to suitable, available and achievable sites, the estimated total site capacity of brownfield SHLAA sites within Maidstone is less than 1500 dwellings, beyond those sites already having planning permission.

- 1.3.27 The SHLAA has also confirmed that the New / Expanded Rural Settlement Led approach cannot deliver a sufficient volume of dwellings during the plan period.
- 1.3.28 The SHLAA also confirms that there is not another alternative sustainable strategy option likely to comply with regional or national planning. Without the urban extension to the east/ south east of Maidstone, the SHLAA reveals that there would be insufficient capacity from suitable alternative greenfield options at the edge of Maidstone. The SHLAA has identified potential for some 800 dwellings that could be accommodated on outstanding greenfield Local Plan allocations outside the urban extension area - whilst other greenfield sites put forward by developers to the SHLAA could accommodate less than 1500 dwellings if all proved suitable.
- 1.3.29 It should be stressed that the SHLAA does not predetermine whether sites should or can be developed, it provides information of the range of potential options about which policy decisions can be made.

Other studies undertaken

- 1.3.30 Background documents to the Core Strategy Preferred Options revealed that the edges of Maidstone urban area are constrained by a range of factors but that the east/south east sector proved to be the most sustainable location for an urban extension. Since this assessment:
- Further transport modelling work has confirmed that the whole of the wider urban area will come under considerable congestion caused by both the increased travel by existing population and businesses and that generated in meeting the new development required by the South East Plan, wherever development is located. It is confirmed that a package of measures will be necessary to influence the generation, manage travel patterns and movement including new policy measures, sustainable transport infrastructure and additional road capacity. The work is confirming that the east/south sector is the most sustainable location in transport terms for a significant scale of new development and that the South East Maidstone Strategic Link is a critical element of this package to manage congestion and enable development and regeneration. These matters are addressed further in

Appendix 2, Key Considerations in the Development of the Core Strategy.

- the Strategic Flood Risk Assessment has confirmed that almost all of the area of search to the east/ south east of Maidstone town is free from flood risk.
- a preliminary environmental assessment has revealed no significant geological risks in relation to ground conditions.
- the preliminary findings of the draft Landscape Character Area Assessment of the urban fringe of Maidstone illustrates the significant landscape constraints around the edge of the town and that the area of search to the east/ south east is not in the best condition. Nevertheless, the sensitivity and condition of the area is recognised and careful masterplanning would be required to ensure the reinforcement of the best features into a comprehensive green infrastructure within any development of this area.

- 1.3.31 The potential availability for development of the urban extension to the east/south east of Maidstone town is confirmed in the SHLAA as having landowners interested in developing land within, and beyond, the Area of Search identified in the Core Strategy Preferred Options. Potential availability also includes judgement about the economic viability of a site, and the capacity of the developer to complete and sell the housing over a certain period. It will be affected by market factors; cost factors; and delivery factors.

Conclusion

- 1.3.32 The SHLAA and other evidence has confirmed the principles (as listed above) relating to the original choice of 'Preferred Option 7C' are necessary to deliver the housing provision for Maidstone Borough. The strategy will require modification and the considerations involved are explored in Appendix 2.

New Legislation, Regulations, National & new Regional Spatial Strategy that has significant implications for how the Core Strategy is developed

- 1.3.33 The new Planning Policy Statement 12 (PPS12) was published on 4 June 2008, which sets out the Government's policy on local spatial planning, which plays a central role in the overall task of place shaping and in the delivery of land uses and associated activities. PPS12 directs the preparation of the development and supplementary planning documents. A key focus of the new PPS 12 is on delivery and the production of an infrastructure delivery plan is now required. The 'tests' of soundness have been revised in the

light of experience. In summary, to be 'sound' a Core Strategy should be justified, effective, and consistent with national policy and conform to the regional spatial strategy (the South East Plan).

- 1.3.34 "Justified" means that the Core Strategy must be founded on a robust and credible evidence base; the most appropriate strategy when considered against the reasonable alternatives. "Effective" means that the document must be deliverable, flexible and able to be monitored.
- 1.3.35 Council officers have been gathering evidence to support the development of the Core Strategy and address representations received on the Preferred Option Document. The evidence is further discussed later in this report and Appendix 2, Key Considerations in the Development of the Core Strategy. However, to ensure that the Maidstone Borough Core Strategy is found 'sound' under Independent Examination, it is necessary to undertake further discussions with infrastructure and service providers, and further infrastructure planning based on refined spatial option and phasing; ensure that partners who are essential to the delivery of the Core Strategy or the Plan are signed up to it; and clearly state who is intended to implement and fund different elements of the strategy and when this will happen.
- 1.3.36 The Core Strategy must generally conform with the Regional Spatial Strategy – the South East Plan to meet one of the key tests of 'soundness'. As previously noted, the Secretary of State published on 6 May 2009 the final Regional Spatial Strategy for the South East – the South East Plan. The South East Plan housing target is now 11,080 homes. The key South East Plan policy for Maidstone is Policy AOSR7, Maidstone Hub, which provides strong direction for the Core Strategy's spatial policy direction. An extract is provided as follows:

POLICY AOSR7: MAIDSTONE HUB

The Local Development Framework at Maidstone will:

- i. *Make new provision for housing consistent with its growth role, including associated transport infrastructure.....*

*Maidstone is the county town of Kent, and serves as the focus for administrative, commercial and retail activities. It is designated as a hub under Policy SP2 of this Plan as it is well related to strategic rail and road networks and serves as an interchange point between intra and local rail services. It also offers opportunities for some new housing development. **An indicative 90% of new housing at Maidstone should be in or adjacent to the town. Associated infrastructure to support growth should include the South East Maidstone***

Relief Route and Maidstone Hub package. Local Authorities should investigate any the need to avoid coalescence with the Medway Gap urban area.

- 1.3.37 The Preferred 'Option 7C' broadly conforms with the South East Plan in terms of the spatial distribution and support for the Maidstone Strategic Link Road and transport and travel package. The alternative development approaches given the sustainability considerations are unlikely to conform with the South East Plan. For a fuller discussion, refer to Appendix 2, Key Considerations in the Development of the Core Strategy.

The Evidence Base for developing the Core Strategy

- 1.3.38 Much of the evidence base for the Core Strategy is completed or underway on topics including: housing, employment, retailing, sustainability issues, flooding, Gypsies and Travellers, town centre and urban extension masterplanning, landscape assessment and capacity review of the rural settlements.
- 1.3.39 However, progress on evidence gathering that now requires stakeholder engagement (as opposed to general public consultation) includes:
- Maidstone Urban Extension Master Plan
 - SEMSL
 - Transportation proposals
 - Town Centre Master Plan
 - Infrastructure planning study
 - Green Infrastructure Strategy
 - Indoor Sports Study
 - Water Cycle Strategy
 - SHLAA Sites Assessment
- 1.3.40 Some evidence needs updating following adoption of the South East Plan, publication of new government guidance, and to take account of recessionary effects. This includes that on employment land.
- 1.3.41 As evidence base builds further, it will be important to:
- Refine the spatial strategy for development
 - Produce an Infrastructure Delivery Plan
 - Draft Core Strategy policies for Member approval
- 1.3.42 The Council must accomplish a sound and robust evidence base to support the Core Strategy at Examination. Appendix 2, Key Consideration in the Development of the Core Strategy details the emerging evidence and demonstrates a way forward building on work completed to date. Members are invited to consider and comment on the content of the document.

The future Core Strategy programme and timetable

- 1.3.43 New plan-making regulations have been introduced in light of experience with LDF. These were largely made operative in mid 2008 with some clauses not becoming operative until April 2009. Some further changes are also expected. The key stages of DPD production are now:
- Evidence gathering and preparation
 - **Public Participation** – stakeholder engagement
 - Informal public consultation
 - **Publication** – formal public consultation
 - **Submission** – to the Secretary of State
 - **Examination**
 - **Adoption**
(emboldened stages are regulatory stages)
- 1.3.44 The Core Strategy programme and timetable primarily influences the Local Development Scheme and other the production of other local development documents. This is the subject of a separate report to this meeting. That report goes into more detail on process and programme.
- 1.4 Alternative Action and why not Recommended
- 1.4.1 The key alternative spatial strategies are not considered deliverable. No sustainable alternative distribution has emerged through the SHLAA. The alternatives are likely to be inconsistent with national and regional policy, including the South East Plan.
- 1.4.2 It is a statutory requirement to prepare and adopt a core strategy as part of the local development framework.
- The development of the Core Strategy could be delayed pending a decision on the KIG proposal appeal and final agreement on strategic infrastructure. However, this is not recommended as there is a need for an up to date sustainable development planning framework.
- 1.5 Impact on Corporate Objectives
- 1.5.1 The Local Development Framework, which includes the Core Strategy sets the planning policy framework for the Council so all LDF documents will aim to meet corporate objectives set out in the Strategic Plan and the Sustainable Community Strategy.
- 1.6 Risk Management

- 1.6.1 Risks and risk management are highlighted below. However, it is important to note the risk of not proceeding with the development of the Core Strategy pending an appeal decision on the KIG proposal for a SRFI and associated development. It would put the adoption date for the Core Strategy past the end of 2011 which would be contrary to national policy of requiring a core strategy to have a planning period of at least 15 years (currently up until 2026) and would probably result in the loss of the housing and planning delivery grants from Government. It would also create a planning policy vacuum and adversely affect the on-going preparation of the Local Development Framework as well as development control decision making. Furthermore, it would seriously affect sustainable housing delivery and economic development, including timely infrastructure provision.
- 1.6.2 Should an adverse appeal decision be received on KIG, it would result in abortive costs and require new investigations to take place. However, the benefits are considered to outweigh the risks and, therefore, it is proposed that the Core Strategy be developed in advance of an appeal decision on the KIG proposal.
- 1.6.3 A further risk to note is the uncertainty relating to the funding of high cost strategic infrastructure, such as the South East Maidstone Strategic Link road, before final agreements are reached with partners. It is an iterative process and involves key stakeholders. Sufficient time is allowed in the Core Strategy programme and phasing to achieve sustainable solutions. Management actions and robust infrastructure planning and delivery planning will help to mitigate the risk.

Risk	Likelihood	Seriousness or impact	Mitigation measures
Adverse planning appeal decision on the KIG proposal	C	2	Robust planning inquiry preparations led by Maidstone Borough Council's counsel.
Infrastructure and service costs are not considered viable	C	2	The process proposed relating to the production of area action plans for the town centre and the Maidstone urban extension will mitigate this to an extent. Management negotiations with key infrastructure providers. Early and constructive engagement with infrastructure and service

			providers and stakeholders. Involvement of Members at key stages of the process.
Inputs from infrastructure providers will take longer than timetabled to complete or additional work will be required	B	2	Set up infrastructure and service provider forums. Link with the Local Strategic Partnership. Maintain and enhance existing relationships.
Changing legislation and regulations and national policy, eg Community Infrastructure Levy regulations, requiring additional investigations	B	3	Keep abreast of developments, e.g. CIL. Maintain flexibility where appropriate.
Inadequate staffing resources for preparation of the Core Strategy and its evidence base	C	2	Ensure Core Strategy is the focus of the Spatial Policy team and engage consultants where needed and identified. Revised Local Development Scheme will set priorities. Maintain appropriate recruitment and retentions policies.

(Likelihood – A: very high, B: high, C: significant, D: low, E: very low, F: almost impossible)

Seriousness – 1: catastrophic, 2: critical, 3: marginal, 4: negligible)

1.7 Other Implications

1. Financial
2. Staffing
3. Legal
4. Social Inclusion
5. Environmental/Sustainable Development

x
x
x

- 6. Community Safety
- 7. Human Rights Act
- 8. Procurement

X

Financial Implications

- 1.7.1 On the commencement of the LDF process a budget of £1m was set aside against which the costs of the preparation of the Core Strategy would be set. At the end of May, £800,414 remained in this budget. The preparation of the next steps of the Local Development Framework would be set against this budget. There is also the issue of the cost of the ongoing work on the KIG Ltd proposal and representation.

1.8 Summary

- 1.8.1 The Kent International Gateway proposal for a rail/road freight interchange and associated development is considered contrary to national and regional policy for the reasons set out in Appendix 1.
- 1.8.2 The SHLAA and other evidence has confirmed the Maidstone urban extension to the east/south east of Maidstone urban area and the principles relating to 'Preferred Option 7C' are necessary to deliver the housing provision for Maidstone urban area. The evidence base and the SHLAA has confirmed the suitability, availability and achievability of the 'Preferred Option 7C' subject to an upturn in the housing market and further detailed studies on infrastructure costs.
- 1.8.3 'Preferred Option 7C' broadly conforms with the South East Plan and sustainability considerations, and is consistent with national policy. Further work is being undertaken and evidence has been produced to address the issues raised by representations. Preferred Option 7C does need to be refined. The alternative approaches of 'Urban Led' (which requires higher densities) and 'New/Extended Rural Settlements' are not considered to be deliverable and would be unsustainable and inconsistent with higher tier policy.
- 1.8.4 It should be stressed that the SHLAA does not predetermine whether sites should or can be developed, it provides information of the range of potential options about which policy decisions can be made.
- 1.8.5 It is recommended to proceed with the preparation of the Core Strategy in advance of the final determination of the KIG proposal appeal and the final funding agreement of key infrastructure to ensure an up to date sustainable planning framework is in place and to ensure delivery of housing targets. This should not be delayed, national policy

requires a life of at least 15 years for a Core Strategy at the point of adoption.

1.9 Background Documents and Studies

Local Development Framework and supporting documents are available on:

http://www.digitalmaidstone.co.uk/planning_building_control/local_development_framework.aspx

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes ☒ No ☐

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

Is this an Urgent Key Decision? Yes ☐ No ☒

Reason for Urgency

[State why the decision is urgent and cannot wait until the next issue of the forward plan.]

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Appendix 1

KIG representations submitted on the Core Strategy (March 2007)

1. Introduction

The representations made by Kent International Gateway Ltd (KIG) on the Core Strategy Preferred Options report (January 2007) were threefold. First KIG sought to amend the meaning for Core Strategy Objective 1 to stress an aim:

“to realise the potential for diverse economic and employment opportunities stemming from Maidstone’s particular locational assets.”

and second, to make addition to the spatial strategy in Policy CS2 by adding reference to the intention to make:

“Provision...for a strategic rail freight interchange and associated distribution and other commercial development at east Maidstone, east of M20 Junction 8, and north of the A20.”

Third, a site boundary plan was also lodged with the representations, very similar to the planning application site MA/07/2092 submitted in October 2007. Subsequent to March 2007 the LDF Regulations have been revised and now expressly make provision for “strategic” land allocations to be made in a Core Strategy. Although the draft Core Strategy did not include such designations and nor did KIG then seek one, it is reasonable to proceed on the basis that KIG would have sought a strategic allocation for the proposal if they could have at the time.

These representations are considered and responded to as follows:

First, the national, regional and local policy context to the representations is outlined.

Second, the specific parts of the Core Strategy to which KIG have made representations are outlined and the KIG representations are set out in full, and then the key points of argument in the representation are identified.

Third, these points are considered in turn drawing on the policy context outlined above and the comprehensive studies undertaken for the Council on these matters.

Conclusions are then made to not amend the Core Strategy to accommodate the representations.

2. National , Regional and Local Policy context

Policy on SRFI and rail freight

The policy framework for SRFI was thoroughly considered in the Planning Committee report on application MA/07/2092 considered by Planning Committee on 7 May 2009. It is clear that European and Government Policy supports the

increased transfer of road freight to rail as part of reducing carbon emissions and responding to climate change. The creation of a network of Strategic Rail Freight Interchanges has a particular role to play in this strategy and policy sets criteria for their definition, purpose and location.

It is evident that there is strong Government policy support for the creation of an improved rail freight network with the appropriate location of Strategic Rail Freight Interchanges (SRFI) nationwide and specifically in the South East region. Development of policy can be traced from the "New Deal for Transport" White Paper in 1998, through the establishment of the Strategic Rail Authority (SRA), and the more recent Network Rail proposals for a Strategic Freight Network (2007). Currently, the Department for Transport (DfT) is leading a process entitled Delivering a Sustainable Transport System (DaSTS) that will inform a new National Policy Statement on "National Networks" which is expected to set national strategy for freight route corridors and will be used by the new Infrastructure Commission. At regional level, the new South East plan includes specific policy on the provision of SRFI to serve the region.

SRA Policy

The Strategic Rail Authority's (SRA) 2004 policy document remains the principal Government policy statement on the definition of an SRFI and the function of a national network of SRFI:

"A Rail Freight Interchange is a facility at which freight can be transferred between modes, mainly to facilitate its primary trunk journey from A to B. A Strategic Rail Freight Interchange is a facility which optimises the use of rail in the freight journey and minimises the secondary distribution leg by road. The best use of rail is in the long-haul element or the primary trunk journey, linking, as necessary, with other modes for the secondary leg of the journey. Strategically located interchanges are required to allow the best use of rail in national freight movements (paragraph 4.1)".

However, this support is not unqualified, the SRA's 2004 statement and subsequent statements endorsed by and through the Regional Spatial Strategy (RSS) consistently point to a criteria for the suitable location of Strategic RFI based on the above referenced documents and including the following expectations:

- SRFI should be located so to optimise the use of rail and minimise the secondary distribution leg by road, with a network of strategically located interchanges to facilitate best use of rail in national freight movements.
- A clear overall requirement that SRFI proposals must produce road to rail freight modal shift and reduce road movements arising from the proposal.
- SRFI proposals must achieve contributions towards improved air quality, greenhouse emissions and lorries off-road.
- The location of suitable proposals should fit well with wider transport strategies and network plans, with a location and access to an appropriately gauged and served part of the rail network.

- It is essential that sites offer good proximity to markets to minimise onward deliveries, probably by road, and access to economic and available workforce .
- The need for SRFI does not override a general need to satisfy Government policy for a balanced sustainable development approach and to comply with other planning policies and strategies.
- The general location of Strategic RFI should be determined both as an instrument of sustainable economic development strategy as well sustainable transport strategy.
- The SRA identified a requirement for “3 to 4” SRFIs to serve London and the wider South East, and more recently the RSS has derived from this a requirement for “up to 3” in the region, located most likely where the rail and road radials cut the M25. These facilities should have the potential to deliver modal shift and be well related to:
 - Rail and road corridors capable of accommodating the anticipated level of freight movements
 - The proposed markets
 - London.

The SRA policy notes that the key factors in considering site allocations for SRFI include:

- *“Suitable rail and road access - on rail freight routes with capacity and avoiding congestion.*
- *With good access to motorway junctions, primary and trunk roads;*
- *Ability for 24/7 working;*
- *Adequate level site area and potential for expansion;*
- *Proximity to workforce;*
- *Proximity to commercial customers, both existing and potential.*
- *(Noting the potential to change to rail achieved by close proximity);*
- *Fit with primary freight flows in the area;*
- *Ability to contribute to the national network by filling ‘gaps’ in provision; and*
- *Fit with SRA strategies, including the Freight Strategy, Route Utilisation Strategies and*
- *Regional Planning Assessments.” (7.8)*

South East Plan (2009) on SRFI

The recently published RSS includes a number of directly relevant policies:

“Freight Movements

POLICY T11: RAIL FREIGHT

The railway system should be developed to carry an increasing share of freight movements.

Priority should be given in other relevant regional strategies, local development documents, and local transport plans, providing

enhanced capacity for the movement of freight by rail on the following corridors:

- i. Southampton to West Midlands***
- ii. Dover/Channel Tunnel to and through/around London***
- iii. Great Western Main Line***
- iv. Portsmouth to Southampton/West Midlands.***

POLICY T12: FREIGHT AND SITE SAFEGUARDING

Relevant regional strategies, local development documents and local transport plans should include policies and proposals that:

- i. safeguard wharves, depots and other sites that are, or could be, critical in developing the capability of the transport system to move freight, particularly by rail or water***
- ii. safeguard and promote sites adjacent to railways, ports and rivers for developments, particularly new intermodal facilities and rail related industry and warehousing, that are likely to maximise freight movement by rail or water***
- iii. encourage development with a high generation of freight and/or commercial movements to be located close to intermodal facilities, rail freight facilities, or ports and wharves.***

POLICY T13: INTERMODAL INTERCHANGES

The regional planning body should work jointly with DfT Rail, Network Rail, the Highways Agency, the Freight Transport Association and local authorities to identify broad locations within the region for up to three inter-modal interchange facilities. These facilities should have the potential to deliver modal shift and be well related to:

- i. rail and road corridors capable of accommodating the anticipated level of freight movements***
- ii. the proposed markets***
- iii. London.***

The efficient movement of freight through the region is a key issue arising from its gateway function. Freight movement within the region is also a key consideration in facilitating continued economic success. The majority of freight movements are made by road and this will continue to be the case due to the mode's flexibility and general suitability to accommodate a wide range of movements and consignments. Journey time reliability is a key consideration for business, and appropriate provision for freight should be given consideration in the design of major road schemes.

Rail freight has an important role to play in a number of markets, with the railway system offering a lower impact alternative to road freight for many journeys. There is a need to protect routes on the rail network that benefit

freight movements and to address bottlenecks on the network that adversely affect rail freight.

Work undertaken by the former Strategic Rail Authority identified the need for between three and four inter-modal interchange terminals to serve London and South East England. Areas of search for potential sites should be identified in partnership between rail and road network operators, local authorities and the logistics industry. Potential sites for new inter-modal interchange terminals will need to meet a number of criteria. In particular they must:

- be of sufficient size and configuration to accommodate an appropriate rail layout,
- transfer operation and value added activities
- be already rail connected or capable of rail connection at a reasonable cost
- have adequate road access or the potential for improved road access be situated away from incompatible land uses

Suitable sites are likely to be located where the key rail and road radials intersect with the M25 motorway."

National Policy Statement and planning appeals

Important new guidance on the shape of the emerging national network between the Dover crossing and around to London and beyond will emerge through the National Networks National Policy Statement at the end of the year and is as yet unclear. This important new guidance will enable the RSS guidance to be prepared on the general location of SRFI to meet this requirement (Policy T13 refers).

From planning appeals it is clear that Strategic RFI sites proposals as part of a national network strategy of modal shift offers the potential for exceptional circumstances to be identified that overturn high order constraining policies such as for Greenbelt. However, wider fundamental policy objectives must not be compromised and the long term environmental gains outlined above must be proven in order to benefit from this support.

Other National Policies

The need for SRFI does not override a general need to satisfy Government policy for a balanced sustainable development approach and to comply with other planning policies and strategies. The site stands in the countryside adjacent to an Area of Outstanding Natural Beauty. It is not the intention here to detail these areas of familiar policy but only to refer to the general thrust of policy related to employment, the countryside, and the sustainable development strategy for the region and Maidstone.

PPS1 seeks a rounded approach to sustainable development that is broader than single objective to reduce carbon emissions: "Sustainable development is the core principle underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for

everyone, now and for future generations.” Government sets out four aims for sustainable development in its 1999 strategy, which are:-

- social progress which recognises the needs of everyone;
- effective protection of the environment;
- the prudent use of natural resources; and
- the maintenance of high and stable levels of economic growth and employment.

PPG4 Planning for Industry - encourages economic development and particularly requires that development plans offer opportunity to:

- encourage new development in locations which minimize the length and number of trips especially by new development;
- encourage new development that can be served by more energy efficient means of transport. This is particularly important in the case of offices, light industry or development and campus style development;
- discourage new development where it would be likely to add to unacceptable congestion;
- locate development requiring access mainly to local roads away from trunk roads to avoid unnecessary congestion on roads designed for longer distance movement.

Government has just issued a new consultation draft of PPS4 to update draft Planning Policy Statement 4: *Sustainable economic development* and draft Planning Policy Statement 6: *Town centres* and consolidate them into a single national planning policy on economic development. The document considers the economy of both urban and rural areas and maintains the overall stance of "town centre first". The Government's objectives for prosperous economies include:

- *achieve sustainable economic growth*
- *raise the productivity growth rate of the UK economy – by promoting investment, innovation, competition, skills and enterprise and providing job opportunities for all*
- *deliver more sustainable patterns of development, and respond to climate change*
- *promote the vitality and viability of town and other centres as important places for communities and ensure that they are economically successful recognising that they are important drivers for regional, sub-regional and local economies.*

In a new departure, the draft PPS includes policies. Draft Policy EC5 of the PPS requires that LDF' should contain policies which:

"identify, protect and promote key distribution networks, and locate or co-locate developments which generate substantial freight movements in such a way as to minimise carbon emissions. Such networks and development should be in sustainably sited locations, so as to avoid congestion and to preserve local amenity interests as far as possible whilst ensuring accessibility (including to rail and water transport where feasible)"

Locally specific policies

The newly published South East Plan now forms part of the development plan for Maidstone.

Policy SP1 identifies 9 Sub regions for growth and regeneration – which excludes Maidstone. However, under Policy SP2, Maidstone urban area is identified one of 22 Regional Hubs, and as a New Growth Point and so is accorded a priority for growth – but lower priority than that for the Growth Areas. The Regional Hubs are identified as centres for urban centre focussed development to exploit public transport.

Policy RE3 on employment and land provision requires local authorities will have regard to strategic and local business needs and the relevant sub-regional strategy, together with an "interim job number" of 15,000 by 2016 for the Rest of Kent area - that includes Maidstone, Tunbridge Wells, Tonbridge and Malling Boroughs.

Policies for the Kent Thames Gateway (KTG2 and 3) put emphasise on the role of this area for economic growth, and Policy EKA1 and 4 correspondingly for Ashford and East Kent.

Policy CC3: Areas of Outstanding Natural Beauty requires:

"High priority will be given to conservation and enhancement of natural beauty in the region's Areas of Natural Beauty (AONBs) and planning decisions should have regard to their setting..."

Policy H1 sets net housing completion figures for each district, including figure of 11,080 for Maidstone by 2026.

Maidstone Hub Policy

The Plan includes a policy for Maidstone Hub, POLICY AOSR7:

"The local development framework at Maidstone will:

- i. make new provision for housing consistent with its growth role, including associated transport infrastructure**
- ii. make new provision for employment of sub-regional significance, with an emphasis on higher quality jobs to enhance its role as the county town and a centre for**

business. The concentration of retail, leisure and service uses at the centre will allow close integration between employment, housing and public transport

- iii. confirm the broad scale of new business and related development already identified and give priority to completion of the major employment sites in the town***
- iv. make Maidstone the focus for expansion and investment in new further or higher education facilities***
- v. support high quality proposals for intensifying or expanding the technology and knowledge sectors at established and suitable new locations***
- vi. ensure that development at Maidstone complements rather than competes with the Kent Thames Gateway towns and does not add to travel pressures between them***
- vii. avoid coalescence between Maidstone and the Medway towns conurbation.***

Maidstone is the county town of Kent and serves as the focus for administrative, commercial and retail activities. It is designated as a hub under Policy SP2 of this Plan as it is well related to strategic rail and road networks and serves as an interchange point between intra and local rail services. It also offers opportunities for some new housing development. An indicative 90% of new housing at Maidstone should be in or adjacent to the town. Associated infrastructure to support growth should include the South East Maidstone Relief Route and Maidstone Hub package.

Saved Maidstone Borough-Wide Local Plan 2000

Policy ENV28 protects the Countryside from development generally and ENV31 against development that significantly extends the defined urban area within the Strategic Gap, within which part of the site falls.

Maidstone Economic Development Strategy (2008) and Employment Land Study

Since public consultation on the Core Strategy Preferred Options, the Borough Council has approved its Economic Development Strategy and 5 year Action Plan (November 2008) produced by consultants (Shared Intelligence) following a State of the Economy Report and local consultation.

The Strategy supports the Preferred Option's strategy to release land for high value/ high quality businesses with a target of 10,000 new jobs by 2026.

The EDS states that by 2028, the economic vision agreed with stakeholders is to create:

“a model '21st century county town, a distinctive place, known for its blend of sustainable rural and urban living, excellence in public services, dynamic service sector-based economy, and above all, quality of life.”

The EDS acknowledges that the Core Strategy Preferred Options document outline target figure of 10,000 new jobs in the Borough over the next 20 years - 500 jobs per annum - represents the right balance between an aspiration for growth and deliverability.

The EDS stresses the importance of putting in place the appropriate planning framework, and ensuring that Maidstone has a suitable range of sites and premises, in order to enable such economic growth.

In summary, the analysis concludes that the Council should proceed with its economic development and planning functions on the basis of supporting growth in: professional and business services; retail and leisure; media/creative; rural industries; construction; the public sector; and tourism.

The proposed strategic rail freight interchange, Kent International Gateway, would likely have a significant adverse impact on the direction of economic development in the Borough.

The Employment Land Study prepared by GVA Grimley only examines in detail the business use classes (B1, B2 and B8) and was issued prior to the Economic Development Strategy. Its forecasts are based on:

historic floorspace trends;

- employment projections provided by the Kent and Medway Structure Plan (which was concluded prior to the Growth Point status);
- an assumption that 50% of new dwellings will be occupied by the current population already living in the Borough;
- a reduction in activity rate based on an aging population (rather than assuming attracting a younger working age workforce as a result of new growth);
- a reduction in out commuting (currently 40% but assumed to reduce to 20%).

As a result of these assumptions, the Employment Land Review estimates that between 4,500 and 6,500 additional jobs will be required in Maidstone (Borough), in contrast to the adopted Economic Development Strategy and the Core Strategy Preferred Option Document which both target 10,000 jobs. The Employment Land Study projections for jobs are largely based on a historic trend based approach, whereas as the Economic Development Step assumes a focus on high quality and high value employment sectors and specific interventions to encourage economic growth (as detailed in the Action Plan). It is important to note that the Employment Land Study is currently being updated in relation to the increased housing level and more recent assumptions and is expected to more closely align with the Economic Development Strategy in the long-term (even after taking into account the recession).

The Maidstone Sustainable Community Strategy (SCS), and the refinement of the LDF Core Strategy

The LDF Core Strategy will be refined and progressed informed by the Economic Development Strategy above. The LDF is required by PPS12 to be prepared consistent with the Maidstone SCS; indeed the LDF can be described as the “spatial expression” of the SCS. The SCS, adopted in 2009, sets out a Vision and Objectives thus:

“Vision and objectives

Vision for Maidstone

We want Maidstone Borough to be a vibrant, prosperous 21st century urban and rural community at the heart of Kent, where its distinctive character is enhanced to create a safe, healthy, excellent environment with high quality education and employment where all people can realise their aspirations. ”

Flowing from this the SCS sets out a series of Vision related Objectives including:

Develop a vibrant economy, create prosperity and opportunities for all.

And flowing from that, action plans:

Topic 1: Economy and prosperity

*This topic tackles the vision related objective: **Develop a vibrant economy, create prosperity and opportunities for all.***

We want Maidstone to have a vibrant and distinctive local economy – building on its strengths in construction, media, and businesses services. We will aim to ensure a high quality town centre with excellent leisure and retail facilities as well as continuing to recognise the strength and challenges of the night time economy. We will encourage and support the expansion of further and higher education facilities within the Borough to increase local people’s skills and decrease the number of those who are not in employment, education and training, ensuring that people of all ages and abilities are able to achieve their aspirations. The partnership will work with the significant minority of individuals and families affected by or threatened by workless-ness to identify pathways back into employment. Finally, we need to be able to respond to the economic downturn and its impact on local businesses and people.

A series of issues to be tackled and actions are set out, some of which will be relevant to the development of the Core Strategy.

The format and content of the Core Strategy Preferred Option (2007) and the LDF representations by KIG

As outlined in the main report, the Preferred Option document set out a fully drafted Spatial Vision Statement for the future of the Borough and a set of 12 fully drafted Core Strategy Objectives to be achieved, arranged on four themes – Creating Prosperity, Making Quality Places, Enhancing the Environment, and Increasing Social Well Being. The document then set out a Key Diagram and in outline form only, 19 Core Strategy Policies that would deliver the Vision and Objectives.

The Representations from KIG to Core Strategy Spatial Objective 1

Spatial Objective 1 of the Preferred Option read:

Spatial Objective 1

To attract new high quality and skilled employment uses, to protect and develop the existing and indigenous employment base, to raise the skills level of the existing workforce and improve life-long learning opportunities, within Maidstone **Borough**.

The first KIG representation seeks to amend to read thus:

"To attract new high quality and skilled employment uses, to realise the potential for diverse economic and employment opportunities stemming from Maidstone's particular locational assets."

The justification for the proposed addition from KIG read in full:

"In addition to the aim of attracting new high quality and skilled employment uses we consider that Core Strategy Objective 1 should recognise the valuable potential for attracting diverse types of employment by exploiting Maidstone's important locational assets. A particular example is the rare opportunity, identified by Kent International Gateway Limited (KIG) for a strategic rail freight interchange with associated distribution and commercial development presented by the coming together of key motorway and high quality rail connections at east of Maidstone.

We suggest that Objective 1 be amended by the insertion of a new clause after the first so that the open section would read as follows:-

"To attract new high quality and skilled employment uses, to realise the potential for diverse economic and employment opportunities stemming from Maidstone's particular locational assets."

Representation to Core Strategy Policy CS2

KIG Ltd also objected to Core Strategy Policy CS2. The purpose of Policy CS2 is to set out the future spatial distribution form of development in Maidstone and reads:

"Policy CS2 - Spatial form of development

In conjunction with the key diagram, to provide a clear spatial framework which manages the delivery of sustainable development in the Borough through:

- *identifying a preferred hierarchy of suitable locations for development and indicating the appropriate scale of development at each*
- *guiding the phasing of development maintaining and improving urban quality and achieving an urban renaissance, including the regeneration of outworn urban previously developed land sites*
- *creating, protecting and enhancing important urban open spaces and multi-functional green corridors and wedges to contribute, maintain and enhance the quality of environment and biodiversity and achieve adaptability to climate change*
- *maximising the use of brownfield sites*
- *providing the basis for Local Development Documents which identify important localised urban and suburban areas of character to be safeguarded and set density standards that achieve effective use of land whilst respecting local characteristics; define strategic anti-coalescence belts to maintain separation between settlements, the Area of Outstanding Natural Beauty and the best of the Borough's special landscape character, areas for environmental protection and enhancement (including watercourses their corridors and waterside areas) and settlement boundaries*
- *defining a role for Village Plans and Village Design Statements"*

Text goes on to outline that priority for development in the first half of the plan period is given to the development within Maidstone town and the Rural Service Centres, with emphasis given to regenerating the town centre and outworn areas to achieve a high quality urban living and to reinforce the role of the County town and the town centre as a Primary Regional Centre, and in the second half of the plan period, that it will be necessary to bring forward greenfield development with a preferred approach to create an attractive and cohesive new mixed use sustainable community to the south-east/east of Maidstone with a strong sense of place....and a minimum critical mass of some 5000 dwellings with employment opportunities.

The third paragraph on page 21 notes:

"New employment opportunities to attract high quality jobs will not only be within the town centre, regeneration areas and new neighbourhood but also in locations at the northern edge of Maidstone urban area close to the strategic highway network where the impact on locally important landscape will need to be carefully managed and public transport options must also be provided to ensure links to the town centre."

The second representation from KIG seeks addition of the following wording to the document (after the paragraph quoted above) to the effect that:-

"Provision will also be made for a strategic rail freight interchange and associated distribution and other commercial development at east Maidstone, east of M20 Junction 8, and north of the A20."

In support of this addition the representation states:

"KIG supports the overall thrust of Policy CS2 in promoting Maidstone as a Growth Point for housing and commensurate provision for new employment opportunities including provision for at least a further 10,000 jobs in a range of sectors and locations.

Kent International Gateway also supports the strategic approach involving both urban consolidation and seeking a major focus for additional development to the east/south-east of Maidstone. In view of the very rare opportunity afforded by the intersection for this area of the M20 motorway, Junction 8, and the Ashford to Maidstone East railway line, KIG considers that employment development east/south-east of Maidstone should include specific provision for a strategic rail freight interchange with associated distribution and other commercial development. This location falls on a key freight corridor from the Channel to London. Also, the railway line involved crucially has the unique attributes of sufficient spare capacity and a high standard of loading (W9). Through legally binding options to eastern Gateway LT (a specific fund set up by AXA) to purchase land subject to the grant of planning permission for the specific uses, KIG has control of more than a 100 hectares for such a development. As shown on the plan provided this lies immediately east of the urban area, west of Junction 8 and north of the A20.

Additional rail freight interchange development is strongly encouraged by Government Policy aimed at achieving a modal shift from road to rail transport, in the interests of sustainability and combating climate change. This determination is exemplified by the Government's statement of the 19th July 2005. Such development is also supported by policies of the emerging South East Plan which encourage an increase in the proportion of freight to be carried by rail with a focus on several specific corridors including that between Dover/Channel Tunnel and London in which the KIG land lies. Additionally, the 2006 Adopted Kent and Medway Structure Plan encourages rail freight and handling facilities (Policy P13) and makes provision for an inland modal interchange to serve the Channel Tunnel Corridor (Policy TP23).

Such a development at east of Maidstone would make an invaluable contribution to the substantial overall need identified in the Core Strategy document for diverse job opportunities over the Plan period in a range of sectors. It would also constitute a major contribution by the Borough to the promotion of sustainable development, for this part of Kent specifically and the wider region.

In view of the strategic nature of a major rail freight interchange project of this kind we consider appropriate that it be referred to in the Core Strategy and Policy CS2 would be a suitable context. We suggest that an additional paragraph be inserted after the existing third paragraph on page 21 to the effect that:-

“Provision will also be made for a strategic rail freight interchange and associated distribution and other commercial development at east Maidstone, east of M20 Junction 8, and north of the A20.”

Analysis of the representations by KIG

The representation on Objective 1 does not question the aim of attracting “new high quality and skilled employment uses” but prefers to promote:

- a) a strategy of exploiting Maidstone’s “locational opportunities” rather than pursuing the objectives of achieving *step change* by developing the existing and indigenous employment base and raising the skills level of the existing workforce and improving life-long learning opportunities.

In the representation on Policy CS2, KIG assert that a specific site allocation should be made in the Core Strategy for a “strategic rail freight interchange” and associated distribution and other commercial development, on their specified site, because of:

- b) the “very rare opportunity” afforded by the intersection of the M20 motorway, Junction 8, and the Ashford to Maidstone East railway line with the “unique attributes” of the rail line with sufficient spare capacity and a high standard of loading (W9);

In support KIG point to:

- c) the location of the site on a key road and rail freight corridor from the Channel to London, recognised in South East Plan Policy;
- d) AXA’s committed funding for the proposal, their control of the land, and therefore the deliverability of the proposal;
- e) Government Policy support for achieving a modal shift from road to rail transport, in the interests of sustainability and combating climate change;
- f) Government policy, South East Plan and Structure Plan policy in support of additional rail freight interchange to facilitate this modal shift; and finally
- g) the proposal is considered to be consistent with the spatial strategy and employment growth targets of the draft Core Strategy.

These factors can be addressed under four headings of consideration:

- National and regional policy requirements for the development of SRFI sites
- The uniqueness and deliverability of the site and lack of alternative sites for SRFI
- Employment impacts for the Borough
- Consistency with economic development and wider strategies for the Borough and region

3. Considerations

National and regional policy for the development of SRFI sites

The principle requirement in policy of an SRFI site allocation is that it should be optimally located to bring about a modal shift in road freight to rail.

The representation is correct in so far that it states that an opportunity to create an SRFI does appear to exist at the site, with appropriate access to the motorway and an appropriate main rail line for rail freight, with adequate "rail paths" capacity in the timetable for additional freight trains to be run and access the site. This accords with aspects of policy criteria.

However, in order to demonstrate that that the site is optimally located to bring about modal shift, it is necessary to demonstrate a business case of need and demand for the proposed allocation and this has not been addressed in the representation. Material submitted in support of the planning application has addressed these matters and in turn been scrutinised by Jacobs Consulting, acting as expert consultants for the Council. This assessment finds that the site would not act principally as an National Distribution Centre as claimed by KIG and would primarily be occupied for HGV based regional distribution functions. Consequently, rail share is likely to be some 2.5% rather than 22% as claimed by KIG, and road haulage far greater – some 6,000 HGV per day rather than the claimed 3,400.

Furthermore, the site is not well located to these markets or to London. The site does not comply with the South East Plan Policy T13 or SRA criteria in terms of proximity to the M25, suitability for 24/7 operation and incompatible neighbouring uses and no evidence has been offered of likely occupiers and the "fit" of this location with freight flows.

The proposal is considered contrary to SRA criteria and South East Plan policy and national guidance for the location of SFRI. The site and a location in the Borough and mid Kent generally is not well related to proposed markets, to London or the M25, and consequently it will not result in significant modal shift of freight from road to rail or reduce onward lorry movements.

The uniqueness and deliverability of the site and lack of alternative sites for SRFI

The site offers one opportunity for an SRFI and satisfies some site criteria. However, Policy requirement can be met by SRFI at other locations, the Regional Spatial Strategy identifies a need for up to 3 sites to serve the South East

Region, and SRA guidance refers to 3 to 4 SRFI to serve London and the wider south east region. However, neither identifies specific locations.

KIG has stated that there is a need for an SRFI in the M20 corridor and that the KIG site is the only available site. KIG's position that an SRFI is necessary within the M20 corridor is not justified by draft RSS Policy. It does not identify land in the M20 corridor for an SRFI. All it does do is to state that there should be enhanced capacity for the movement of freight by rail on a number of corridors, including Dover / Channel Tunnel to and through / around London (T.11). Two alternative routes exist. First, improvements to allow electric freight trains on the existing secondary freight route via Ashford-Reigate is proposed in the Kent RUS and could render this route more suitable for freight to pass from Dover to and around London. Moreover, testing and proving of freight trains on the HS1 line to Barking from the Channel Tunnel has recently commenced and services could commence in around 12 months.

More widely inconsideration of the regional requirement, Jacobs Consulting examined a long list of 900 potential locations in the wider region, which was then filtered to a medium list of about 100 which were appraised in more detail and scored against planning criteria for SRFI in London and the South East. From this, a short list has been created. Jacobs advise that:-

"While we have not discussed this possible use with either land owners or developers, most of the sites have been identified for transport and distribution development, and some have been actively promoted for SRFI use. The planning application for an SRFI at Howbury Park has been approved. The short list for detailed testing was:

- Barking/Dagenham
- Colnbrook
- Howbury Park
- Radlett
- Isle of Grain
- Shell Haven (Thames Gateway)
- Elstow
- Bourne Wood (Swanley)

Our conclusions on the short list are as follows:

Barking, Howbury Park, Colnbrook and Radlett would realise the regional network of 3 to 4 SRFI envisaged by the SRA, being of adequate size located near intersection points of the M25 with radial routes.

In addition Shell Haven could have a wider role in modal transfer and distribution than solely handling imported containers.

The Isle of Grain is unlikely to provide a wider role modal transfer and distribution.

Elstow provides an example of a site within the South East but further from London, which provides cost advantages for national distribution similar to that enjoyed by sites in the Midlands. However, we do not

recommend it as part of the South East network in view of its unsuitable location for regional distribution and the advanced stage of other development plans.

Bourne Wood is located in the M20 corridor close to the M25 adjacent to Swanley. Although rail access northbound may not be possible, it has the potential to receive Channel Tunnel trains and is within the M20 corridor. However, we do not recommend it as part of the South East network because of the uncertainty of access and delivery, and planning objections shared with the KIG site.

If KIG were to be developed in addition to these sites, provision of SRFI would exceed that required by policy. Further, there would be a particular concentration to the east and south east of London (Barking, Howbury Park and KIG). While the applicant presents high level forecasts suggesting a greater need than 3 to 4 SRFI, the application fails to demonstrate a commercial need for rail freight at the site based on commodities or potential users. We therefore consider that there is unlikely to be a case for KIG in addition to the 'shortlisted' package, which contains sites all of which perform better than KIG in the appraisal ranking.

On the planning filter KIG scores worse than any of shortlisted sites. This is due to it being on land not previously developed and close to an AONB, and in it being too far from the M25 to fit well with the SRA regional network concept.

On rail operational grounds, KIG potentially has some advantage over short-listed sites in Kent, with a slightly superior gauge (W9 rather than W8 or less). The applicant has not, however, demonstrated how this gauge may attract specific flows to KIG, given that neither W9 nor W8 can take the larger intermodal units or ISO containers on standard wagons. Further, a superior W10 gauge is available from East Coast ports to Barking or Dagenham and an even larger European gauge (UIC GB1) available on the high speed link (HS1), which would enable high speed Channel Tunnel freight trains to travel as far as Barking. We therefore do not consider that a practical gauge advantage has been demonstrated for KIG.

KIG is also on a route with guaranteed freight paths from the Channel Tunnel as far as Wembley. While this is beneficial, the applicant does not demonstrate that best use of these paths is achieved by stopping trains at KIG rather than travelling further into the UK. Our commercial analysis demonstrates that for national distribution of Channel Tunnel goods a site in the Midlands would be preferred. KIG has poor accessibility to deep sea ports, in contrast to Barking.

We have compared the sites on commercial grounds, considering transport costs plus any subsidy which might be available for wider economic benefits. For distribution of Channel Tunnel traffic nationally, KIG compares unfavourably with all short listed sites except for Shell Haven. For distribution of goods received via Shell Haven the disadvantage of KIG is more extreme except in comparison to other Kent coast locations."

KIG also point to AXA's committed funding for the proposal, their control of the land, and therefore the deliverability of the proposal. No evidence has been produced to support this claim, either for the proposed allocation or, to date, to support the planning appeal. However, taken at face value, this claim of deliverability is not unique and a number of the alternative sites considered also have demonstrable support from developers, land owners and operator interest. Deliverability is not therefore a critical factor at this point.

In conclusion, the site is not unique and there are suitable sites elsewhere that can (a) meet policy requirements for the provision of 3 to 4 SRFI sites to serve London and the wider South East, and (b) that satisfy the policy criteria guiding the location of SRFI sites located in the region; set out in draft South East Plan Policy T13, and the SRA's SRFI Policy (2004), as endorsed by Government.

Finally, even if there were no other locations to meet the requirements for the provision of up to 3 SRFI, the KIG site is not the optimum location for the proposed development, as it does not optimise the use of rail, and does not minimise the secondary distribution leg by road. Additionally, as set out later in the report, it creates significant harm, therefore the Council would oppose allocation of the site even in the absence of alternative sites.

Employment impacts for the Borough

The proposed amendment to Objective 1 seeks to dilute the focus on high quality employment and skills and to focus on exploiting "locational opportunities" such as the opportunity for an SRFI site. Subsequent to the Preferred Option the Council has adopted an Economic Development Strategy and Sustainable Community Strategy that seek similar objectives to Objective 1, to increase wage and skill levels of Maidstone local economy and reduce the need for out commuting to better paid work for sustainability benefits. The issue arises – would an SRFI proposal undermine the achievement of these objectives?

The Council, concerned that the proposal would undermine this employment strategy engaged NLP consultants to review the material submitted with the planning application. NLP consider the employment impacts of the proposal and find that the proposals would create:

- *Between 2,840 – 4, 340 net additional direct operational jobs based on the KIG site;*
- *A further 670 – 1,-2- indirect operational jobs based elsewhere in the local economy;*
- *1,600 – 2,200 person-years of temporary construction employment spread over 7 years of more.*

In qualitative terms, the proposals have potential to generate a high proportion of full-time jobs, probably over 88% of the total. They could also provide jobs at a range of skill levels although more than 75% would be expected to be in lower skill groups. The mainly distribution sector jobs would tend to produce average wages slightly below that of manufacturing jobs and significantly lower than the average for office based sectors, although some

individual distribution job types can provide comparable wages to other sectors.

Material supporting the planning application argues that existing unemployment plus the workforce housed in the new dwellings proposed for Maidstone will supply the workforce needed for KIG. Also, that commuters to London might also be attracted by the higher skilled jobs at KIG. However, I consider that this scale of employment would exceed workforce growth over the plan period and the very latest SEERA advice to Local Authorities in April 2009 that identifies a need for 5,267 new jobs by 2016 in Maidstone. Furthermore, it would be unlikely to offer the higher wages and quality of work necessary to provide a local alternative to higher quality work away from Maidstone and therefore give incentive to reduce out commuting.

On this basis the proposal is considered likely to result in the provision of employment in a location where there is an insufficient supply of labour locally. This will seriously impact on local businesses and will result in considerable inward commuting to an area that is not readily serviced by public transport. This will result in increased car journeys, contrary to the advice contained in PPG13 and the South East Plan.

Consistency with economic development and wider strategies for the Borough region

The South East Plan identifies sub regions where economic growth and regeneration should take place, and Maidstone is not located in the identified sub regions. In addition, the South East Plan identify Thames Gateway towns and Ashford and East Kent as the areas to accommodate economic growth in Kent, and identifies Dover as having a 'gateway' function in relation to freight transport and modal shift. It does not identify Maidstone as having a freight gateway function.

The Regional Economic Strategy identifies a number of economic diamonds where investment to promote regeneration and growth should take place. In addition, it identifies 5 gateways, including an inland gateway at Ashford. Maidstone is neither identified as an Economic Diamond nor Gateway in this strategy.

Maidstone is identified as a New Growth Point and the town as a Regional Hub and Principal Centre where there is a need to create a 'sustainable community' with an accelerated provision of housing balanced with employment and other services. Clear economic objectives are set out in the Policy AOSR7 as considered above, including:

- new employment of sub-regional significance, with an emphasis on higher quality jobs to enhance its role as the county town and a centre for business
- support for high quality proposals for intensifying or expanding the technology and knowledge sectors at established and suitable new locations

- priority to completion of the major employment sites in the town and clarity over the broad scale of new business development to be created, and
- a requirement that development at Maidstone complements rather than competes with the Kent Thames Gateway towns and does not add to travel pressures between them.

The proposal will result in the creation of a major new centre of employment to the east of Maidstone, and would be in addition to the established policy for the provision of quality jobs in the town centre and elsewhere within the urban area. This will remove the ability of existing Plans and the Local Development Framework to determine the type of employment that should be provided and where it should take place. If the development were to take place, it would have a significant impact on the level and location of employment and consequently the scale of housing to be provided in the draft Core Strategy. It is therefore contrary to Policies SP2 and AOSR7 of the South East Plan.

The proposed allocation site includes areas of Strategic Gap, protected woodland and the landscape and habitats impacted form a sensitive and important part of the setting of the AONB.

Furthermore, the level of traffic generated by the development in addition to the projected traffic flows of future growth allocated to the Borough by the South East Plan would have an adverse impact on the highway network and cannot be managed or mitigated. The local authorities consider that this would threaten delivery of the South East Plan targets and is therefore contrary to the guidance in PPS12 and PPS1, and Policies T1 and CC7 of the South East Plan.

The proposal is considered fundamentally inconsistent with the spatial strategy and employment growth targets of the draft Core Strategy.

4. Conclusions

KIG have made threefold representations to the Core Strategy Preferred Option. They seek to dilute the economic objectives of the draft plan, to add a specific reference to the proposal in the draft Policy CS2 on spatial strategy, and it is assumed, a strategic allocation for an SRFI on the site.

It is recommended that the Council does not make a strategic allocation in the Maidstone Core Strategy for the Kent International Gateway proposal for a rail/road freight interchange incorporating buildings for warehousing and distribution and offices, research and development and light industrial units at east Maidstone, west of M20 Junction 8 and north of the A20.

Furthermore, that the Council does not make any provision for a road/rail freight interchange in the Maidstone Core Strategy, for the reasons set out in this assessment summary and supported by the evidence sources assembled by the Council in consideration in the more detailed iteration of the proposals as set out in planning application MA/07/2092.

List of Background documents

MBC Planning Committee report 7 May 2009

MA/07/2092 – KIG planning application and all supporting material

Jacobs Consulting – Strategic Rail Freight Interchange in Kent: Logistics Rationale

Jacobs Consulting – KIG: Rail Freight Interchange Sites Study (with Appendices)

Jacobs Consulting – KIG Other Rail freight Interchange Sites Study

NLP – Economic Assessment of Proposed SFRI

SRA SFRI Policy

Maidstone Sustainable Community Strategy

Maidstone Economic Development Strategy

Maidstone Employment Land Study

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APPENDIX 2

Maidstone Borough Council

Key Considerations in the Development of the Core Strategy

June 2009

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INTRODUCTION

The Borough Council conducted formal public consultation on its Core Strategy Preferred Options Document between 26 January 2007 – 23rd March 2007, eliciting a considerable response from a wide range of stakeholders (as reported to the Local Development Document Advisory Group in July 2007). The Borough Council's response to this consultation was dependant on producing further evidence.

One representation received during consultation was from Kent International Gateway seeking an allocation to accommodate their impending planning application for a Strategic Rail Freight Interchange (SRFI) at Hollingbourne, with significant implications for the Core Strategy. This is thoroughly addressed in other Maidstone Borough Council documents.

There has also been an economic downturn since consultation on the Core Strategy Preferred Options Document. However, whilst the implications for delivering development in the short term should be recognised, it is important to plan for the long term and for the Borough Council to take the long view of the Borough's future in the Core Strategy.

Additional evidence has been produced since the consultation which, together with confirmation of the South East Plan and publication of new Planning Policy Statements, provides additional guidance in the development of the Core Strategy.

This document considers some of the key issues to arise from the original consultation in the light of the more recent evidence and Government statements. Key considerations are summarised for each section.

KEY ISSUES ARISING FROM THE CORE STRATEGY PREFERRED OPTIONS DOCUMENT, JANUARY 2007

1. SOUTH EAST PLAN – HOUSING DELIVERY TARGET

- 1.1 At the time of the public consultation on the Preferred Option for the Core Strategy, the housing delivery target had not been confirmed in the Regional Spatial Strategy – the South East Plan. This status is now confirmed and is included within the South East Plan. Subsequently, Government has increased the total housing requirement in the region generally and that for Maidstone Borough to 11,080 dwellings from 2006 to 2026, whilst requiring further work to be undertaken to confirm the broad scale of new business related development and employment growth.
- 1.2 In order to be considered 'sound' the Core Strategy has to conform with the Regional Spatial Strategy – the South East Plan - published in May 2009. Consequently, 11,080 dwellings is confirmed as the housing target for the

Borough, the Core Strategy will have to make provision for this requirement and the Core Strategy evidence base is being updated to take into account of this increased growth figure.

2. THE BALANCE OF HOUSING DEVELOPMENT BETWEEN MAIDSTONE URBAN AREA, RURAL SERVICE CENTRES AND LARGER VILLAGES

- 2.1 Regeneration of Maidstone urban area was supported at consultation but some representations sought greater growth opportunities in the Borough's villages and the countryside.
- 2.2 The South East Plan (Policy SP2) designates Maidstone town as a Primary Regional Centre (Policy TC1) and a Regional Hub on the transport network with potential for significant levels of development during the Plan period. Policy AOSR7: Maidstone Hub and the associated reasoned justification (Appendix A) set out a broad balance of development within the Borough. The policy is clear that the Local Development Framework will make new provision for housing at Maidstone consistent with its growth role. The reasoned justification for the policy states that an indicative 90% of the Borough's new housing should be in or adjacent to Maidstone town. Whilst this indicative proportion may not be adhered to precisely given completions and current consents, it illustrates an order of magnitude for development at the County town and that the Government expects the vast majority of development to be concentrated in and adjacent to Maidstone town (Maidstone urban area).
- 2.3 The Core Strategy Preferred Options sought to sustain larger Rural Service Centres (RSCs) by distributing a limited amount of housing (500 dwellings) between RSCs. The Core Strategy Preferred Options rejected an option which relied on Expanded Rural Settlements to accommodate the majority of new growth due to the focus of development in the countryside, away from Maidstone town with adverse consequences for the town centre. The option was considered likely to lead to increased car journeys from the countryside to larger centres such as Maidstone. The scale of development was likely to result in unacceptable impact on the character and setting of rural settlements and misplaced distribution of affordable housing away from areas of greatest need - Maidstone urban area.
- 2.4 The Regional Spatial Strategy – the South East Plan and local sustainability considerations support the conclusion that Maidstone town should accommodate a substantial proportion of future housing growth - with the rural settlements accepting only a small percentage of such development. The viable alternatives would not conform to the South East Plan and therefore be considered to be 'unsound'.
- 2.5 In order to ensure the evidence base is up to date, the Borough Council is updating the an audit of services available in the five Rural Service Centres

identified in the Core Strategy Preferred Options (Harrietsham, Headcorn, Lenham, Marden and Staplehurst) as well as the other larger settlements of Coxheath and Yalding and the other larger villages with a boundary identified in the Borough Plan. This will inform an understanding of their capacity for development. The Council is also arranging a dialogue with Parish Councils to seek local views on the vision for future development at the RSCs and Larger Villages.

Key Consideration:

In and adjacent to the Maidstone Town urban area has been confirmed as accepting the substantial proportion of future housing growth for the Borough with the rural settlements accepting only a small percentage of the total development.

3. MAJOR GROWTH FOCUSED IN AN URBAN EXTENSION TO THE EAST/ SOUTH EAST OF MAIDSTONE TOWN
- 3.1 The Core Strategy Core Preferred Options focussed major growth in an urban extension to the east/ south east of Maidstone. It was considered that this would best deliver the then Draft South East Plan housing target of 10,080 and the Core Strategy objectives with a balanced approach of urban regeneration and sustainable greenfield development at the edge of Maidstone urban area with the necessary critical mass to ensure important strategic and community infrastructure were provided in a timely manner. (This was a major issue of concern in public consultation). It was recommended that this urban expansion should comprise a mixed use urban extension with all enabling and necessary community and transport infrastructure.
- 3.2 Urban led options for this level of housing were rejected as not being deliverable - relying on a quantity of urban sites coming forward in Maidstone town and the RSCs which were judged unsuitable (as they are currently operational land, have poor access or have some other physical or planning constraint). This option also required very high average densities which significantly exceeded government illustrative targets and would not be acceptable given the significant and irreversible adverse effect on the distinctive physical character of the suburbs of the town, rural service centres and the villages.
- 3.3 Whilst there was support for the concentration of development at Maidstone town, and an urban extension to the east/south east of the town in particular, responses to consultation on the Preferred Options questioned the need for an urban extension and the impacts on the existing community, services, character, historic buildings, traffic, green spaces, density, safety, infrastructure provision, implementation and funding.

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- 3.4 The Core Strategy Preferred Options assessment of housing land availability was based on the known planning commitments at that time together with an Urban Capacity Study. The Government now promotes the use of a Strategic Housing Land Availability Assessment (SHLAA) as a key part of a robust evidence base for the LDF. The SHLAA assesses the likely level of housing that could be provided through unimplemented planning permissions and areas of land (including previously developed and greenfield sites) that have development potential for housing.
- 3.5 The SHLAA is not a policy making document, but is an important tool in revealing the capacity of the Borough to accommodate the necessary housing growth. The SHLAA was published on the Council's website at the end of May 2009. www.digitalmaidstone.co.uk
- 3.6 The SHLAA has confirmed the analysis that insufficient housing supply can realistically be achieved from sites within the urban areas. Applying an appropriate density to suitable, available and achievable sites, the estimated total site capacity of previously developed land within Maidstone is less than 1500 dwellings.
- 3.7 Without the urban extension to the east/ south east of Maidstone, the SHLAA also reveals that there would be insufficient capacity from suitable alternative greenfield options at the edge of Maidstone. Some 800 dwellings could be accommodated on greenfield sites, comprising the outstanding greenfield Local Plan allocations outside the urban extension area - whilst other greenfield sites put forward could accommodate less than 1500 dwellings if all proved suitable.
- 3.8 The SHLAA also confirms that there is not another alternative spatial strategy option to those previously considered for delivering the necessary housing targets and that is likely to provide a sustainable pattern of development and comply with regional or national planning policy.
- 3.9 Within the SHLAA methodology, assessing the suitability, availability and achievability of a site provides the information on which the judgement can be made in the plan making context as to whether a site is considered deliverable, developable or not currently developable for housing development. In line with Government guidance, to be considered:
- deliverable – a site is available now, offers a suitable location for housing development now and there is a reasonable prospect that housing will be delivered on the site within five years from the date of adoption of the plan; and
 - developable – a site should be in a suitable location for housing development, and there should be a reasonable prospect that it will be available for and could be developed at a specific point in time.
- 3.10 **Suitability**
-

- 3.11 A site is suitable for housing development if it offers a suitable location for development and would contribute to the creation of sustainable, mixed communities. The SHLAA Practice Guidance states that the following factors should be considered to assess a site's suitability for housing, now or in the future:
- policy restrictions – such as designations, protected areas, existing planning policy and corporate, or community strategy policy;
 - physical problems or limitations – such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;
 - potential impacts – including effect upon landscape features and conservation; and
 - the environmental conditions – which would be experienced by prospective residents.
- 3.12 Background Document BD2 to the Core Strategy Preferred Options revealed that the edges of Maidstone urban area are constrained by a range of factors but that the east/south east sector proved to be the most sustainable location for an urban extension. Since this assessment:
- transport modelling work has confirmed that the whole of the wider urban area will come under considerable congestion caused by both the increased travel by existing population and businesses and that generated in meeting the new development required by the South East Plan, wherever development is located. It is confirmed that a package of measures will be necessary to manage travel patterns and movement including new policy measures, sustainable transport infrastructure and additional road capacity. The work is confirming that the east/south sector is the most sustainable location in transport terms for a significant scale of new development and that the South East Maidstone Strategic Link is a critical element of this package to manage congestion and enable development and regeneration. These matters are addressed further in the section on transport.
 - the Strategic Flood Risk Assessment has confirmed that almost all of the area of search to the east/ south east of Maidstone town is free from flood risk
 - a preliminary environmental assessment has revealed no significant geological risks in relation to ground conditions. There are eight potentially contaminated sites within the area of search, but most can be avoided by the location of development or be overcome by land management practices at the detailed design stage
 - the preliminary findings of the Landscape Character Area Assessment of the urban fringe of Maidstone illustrates the significant landscape constraints around the edge of the town and that the area of search to

the east/ south east is not in the best condition (see Urban Fringe Landscape section). Nevertheless, the sensitivity and condition of the area are recognised and careful masterplanning would be required to ensure the reinforcement of the best features into a comprehensive green infrastructure within any development of this area (see Masterplanning the Urban Extension section).

3.13 **Availability**

- 3.14 The urban extension to the east/south east of Maidstone town is confirmed in the SHLAA as having landowners interested in developing land within, and beyond, the Area of Search identified in the Core Strategy Preferred Options.

3.15 **Achievability**

- 3.16 A site is considered achievable for development as there is a reasonable prospect that housing will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and sell the housing over a certain period. It will be affected by:

- market factors;
- cost factors; and
- delivery factors.

- 3.17 The SHLAA has been carried out during a severe national downturn in the housing market. Nevertheless, the SHLAA confirms that the underlying local housing market is strong and that, albeit temporarily depressed, it should revive in the foreseeable future. Further assessment of the cost factors is being undertaken in relation to infrastructure provision. A significant element of the cost associated with this development will be the construction of the South East Maidstone Strategic Link road. The funding for this project is considered a key element in determining the viability of this development. As the road will bring benefits to traffic throughout the town, including the town centre, the Borough Council will need to consider the funding of the road through a tariff mechanism from future development throughout the town and potentially the wider borough.

- 3.18 Nevertheless, it will be some time before a site in this area could be confirmed through the LDF process and receive the necessary planning consents, as well as the necessary commitments from partners. There would also be a lead time in providing initial infrastructure to serve the site. For this reason, it is likely that the first limited housing development would not be delivered to the east/south east of Maidstone until 2015/16. The SHLAA estimates the average completion rate for this area to be in the region of 330 dwellings per annum (dpa) but potentially up to 400 dpa. On this basis an urban extension is unlikely to be able to deliver more than 4000 dwellings during the Core

Strategy plan period to 2026, although further capacity is identified beyond that period.

- 3.19 In summary, however, the SHLAA and the evidence base has confirmed the suitability, availability and achievability of the Maidstone urban extension to the east/south east of Maidstone town subject to detailed studies of infrastructure costs associated with the Core Strategy. Given the lead time, the site is estimated to be able to deliver 4000 new homes by 2026.
- 3.20 It is important to note that there is choice in how, when and where development is planned. Furthermore, only around 20% of the 'area of search would be required for net development to meet targets. This is discussed more fully in the Masterplanning the Urban Extension section in achieving an exemplar development. The alternative, if conformity relating to the spread of development outlined by the South East Plan, is to achieved would be to thinly spread development around the edges of the Maidstone urban boundary, which would not provide improved and new infrastructure and services at a level necessary to support the total quantum of development required by 2026 – but in any case is undeliverable according to the SHLAA. This is discussed more fully in the Critical Mass section following. The alternative would also raise a number of other sustainability concerns.

Key Consideration:

The SHLAA has confirmed the Maidstone urban extension to the east/south east of Maidstone town is necessary to help deliver the housing requirement in the South East Plan. The evidence base and the SHLAA has confirmed the suitability, availability and achievability of the area making it developable and able to deliver some 4,000 dwellings between 2015/16 and 2025/2026 subject to an upturn in the housing market and further detailed studies on infrastructure costs.

3.21 **Critical Mass – Urban Extension**

- 3.22 The Core Strategy Preferred Options sought to establish an urban extension with a minimum 'critical mass' of some 5000 dwellings supporting a range of community facilities and good public transport links to the town centre. Respondents have questioned the size of the urban extension in relation to the need for, and funding of, the necessary infrastructure.

- 3.23 The issue of funding and infrastructure, is dealt with above – but it is important that a critical mass of development is achieved within an urban extension to ensure the provision of necessary strategic and community infrastructure and a step change in high quality design and sustainable development with a sense of place.

Key Consideration:

A critical mass of development will be required for the south/ south-east urban extension to ensure the provision of necessary strategic and community infrastructure and a step change in high quality sustainable development.

4. URBAN EXTENSION - MASTERPLANNING

- 4.1 Initiation of masterplanning is an important element in addressing issues for the provision of an urban extension of an appropriate critical mass.
- 4.2 The Council commissioned a consultant consortium to undertake a masterplanning exercise for the proposed urban extension. However, public engagement and progress of this work was constrained because of the KIG proposals and now requires completion including additional work following the responses received at Core Strategy consultation, the Landscape Character Assessment work (see Landscape Urban Fringe section) and the transport modelling (see Transport section).
- 4.3 The urban extension is proposed to be an exemplar development which is successful in delivering excellence in design and sustainability. It will require careful masterplanning.
- 4.4 A masterplan addresses the many aspects that make places successful:
- the quality of the buildings, spaces and habitat and their management
 - the way these come together to create unique places
 - built form in relation to history, culture and landscape
 - the provision of services
 - the engagement of local people and users in defining and being involved in the process of change
 - the economic and financial realities
 - the role of different agencies in delivering investment and change.

(Creating Successful Masterplans, CABE, 2008)

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- 4.5 A masterplan includes both the process by which organisations undertake analysis and prepare strategies, and the proposals that are needed to plan for major change in a defined physical area (CABE 2008).
- 4.6 Whilst some additional dialogue with interested parties should precede the identification of the broad location, more detailed masterplanning would only take place once the area has been confirmed by an independent Inspector. The additional dialogue should aim to narrow the 'Area of Search' identified in the Core Strategy Preferred Options key diagram and some broad principles for the development of the area. This would allow a more meaningful consultation on the impacts of the urban extension. Again, it is estimated that only around 20% of the 'area of search' is needed for net development to meet targets.

Key Consideration:

Subject to the confirmation of the principles that support 'Preferred Option 7C', additional consultation will need to be held with landowners, representatives of the local community and key infrastructure providers with a view to refining the Core Strategy Preferred Option key diagram and some broad principles for the development of the area.

5. PHASING OF HOUSING DEVELOPMENT

- 5.1 PPS3 (Housing) states that local planning authorities should identify sufficient deliverable sites to deliver housing in the first five years and identify a further supply of specific, developable sites for years 6-10 and, where possible, for years 11-15. Windfall sites are not allowed as part of this potential for the first 10 years. The SHLAA is also helpful in assessing when sites are likely to come forward.
- 5.2 The Maidstone Borough SHLAA has confirmed that there is currently a 5 year supply of housing land in the Borough. However, without the allocation of further sites, the Borough would not meet its housing targets. The SHLAA reveals a shortfall commencing in 2014/15. For this reason, the Core Strategy is likely to be required to allocate strategic housing sites to meet this shortfall.
- 5.3 As set out above, it is considered unlikely that the first limited housing development would be delivered at an urban extension east/south east of Maidstone town until 2015/16. For this reason it is likely that the Core Strategy will be required to allocate an additional strategic site(s) to meet this shortfall in deliverable sites. The ability to allocate strategic sites in the Core Strategy is given greater emphasis in the revised PPS12 issued following consultation on the Core Strategy Preferred Options.
- 5.4 The SHLAA has revealed a number of potential sites which could be developed during the 2014/15 period and the Borough Council will appraise the suitability

and achievability of these sites, as well as other sustainability considerations prior to making a decision on which should be allocated. The shortfall in development in the medium term is as a result of the lead time for the urban extension and previous expectations of brownfield urban sites proving over optimistic, largely because of the effects of the credit crunch and recession.

- 5.5 This approach will also respond to the criticism raised during consultation of the need for additional flexibility in development opportunities.

Key Consideration:

The Core Strategy will need to allocate additional strategic site(s) to meet a medium term shortfall in deliverable sites.

6. AMOUNT AND TYPE OF EMPLOYMENT PROVISION

- 6.1 During consultation on the Core Strategy Preferred Options there was some questioning of the evidence for the number of jobs to be created and the broad location of employment land. There was a specific representation seeking specific provision for a strategic rail freight interchange and associated distribution and other commercial development at east Maidstone near the motorway.
- 6.2 Since approval of the South East Plan, the South East England Partnership Board (formerly South East England Regional Assembly) are undertaking a review of employment requirements. Nevertheless, the South East Plan in relation to employment for the Borough states:
- Make new provision for employment of sub-regional significance, with an emphasis on higher quality jobs to enhance its role as the county town and a centre for business. The concentration of retail, leisure and service uses at the centre will allow close integration between employment, housing and public transport and
 - confirm the broad scale of new business and related development already identified.
- 6.3 Since consultation on the Core Strategy Preferred Options, the Borough Council has approved its Economic Development Strategy and 5 year Action Plan (November 2008) produced by consultants (Shared Intelligence) following a State of the Economy Report and local consultation.
- 6.4 The Strategy supports the Preferred Option's strategy to release land for high value/ high quality businesses with a target of 10,000 new jobs by 2026.
- 6.5 The EDS states that by 2028, the economic vision agreed with stakeholders is to create:

-
- “a model ‘21st century county town, a distinctive place, known for its blend of sustainable rural and urban living, excellence in public services, dynamic service sector-based economy, and above all, quality of life.”
- 6.6 The EDS acknowledges that the Core Strategy Preferred Options document outline target figure of 10,000 new jobs in the Borough over the next 20 years - 500 jobs per annum - represents the right balance between an aspiration for growth and deliverability.
- 6.7 The EDS stresses the importance of putting in place the appropriate planning framework, and ensuring that Maidstone has a suitable range of sites and premises, in order to enable such economic growth.
- 6.8 In summary, the analysis concludes that the Council should proceed with its economic development and planning functions on the basis of supporting growth in: professional and business services; retail and leisure; media/creative; rural industries; construction; the public sector; and tourism.
- 6.9 The proposed strategic rail freight interchange, Kent International Gateway, would likely have a significant adverse impact on the direction of economic development in the Borough. It is important to note that the Kent International Gateway proposal is discussed more fully in other Maidstone Borough Council documents.
- 6.10 The Employment Land Study prepared by GVA Grimley only examines in detail the business use classes (B1, B2 and B8) and was issued prior to the Economic Development Strategy. Its forecasts are based on:
- historic floorspace trends;
 - employment projections provided by the Kent and Medway Structure Plan (which was concluded prior to the Growth Point status);
 - an assumption that 50% of new dwellings will be occupied by the current population already living in the Borough;
 - a reduction in activity rate based on an aging population (rather than assuming attracting a younger working age workforce as a result of new growth);
 - a reduction in out commuting (currently 40% but assumed to reduce to 20%).
- 6.11 As a result of these assumptions, the Employment Land Review estimates that between 4,500 and 6,500 additional jobs will be required in Maidstone (Borough), in contrast to the adopted Economic Development Strategy and the Core Strategy Preferred Option Document which both target 10,000 jobs. The Employment Land Study projections for jobs are largely based on a historic trend based approach, whereas as the Economic Development Step assumes a
-

focus on high quality and high value employment sectors and specific interventions to encourage economic growth (as detailed in the Action Plan). It is important to note that the Employment Land Study is currently being updated in relation to the increased housing level and more recent assumptions and is expected to more closely align with the Economic Development Strategy in the long-term (even after taking into account the recession).

Key Consideration:

The Core Strategy should be based on the Economic Development Strategy estimates and preferred strategy for supporting growth in professional and business services; retail and leisure; media/creative; rural industries; construction; the public sector; and tourism.

7. LOCATION OF EMPLOYMENT LAND

7.1 During consultation there was some questioning of the broad location of employment land.

7.2 **Offices**

7.3 In relation to business and professional services the Economic Development Strategy and the Employment Land Study include the clear message that the lack of supply of high quality office space in Maidstone town is acting as a constraint to the growth of office-based services.

7.4 This is a critical concern given the competing neighbouring locations including Kings Hill; Ashford; Ebbsfleet, and elsewhere in the Thames Gateway. The view locally is that if the situation does not change then these competing office locations will attract footloose investment that might otherwise have located in Maidstone, and there is also the threat that indigenous companies looking to trade up will move out of the Borough.

7.5 According to the Employment Land Study, Maidstone has the largest office stock in Kent (2004 figures) with some 281,000 sq.m. The Study notes that the lack of office development in Maidstone between 1991 and 2000 which reinforces the observation that stock is older and unfit for modern business needs.

7.6 **Maidstone Town Centre**

7.7 To follow up the recommendations of the Employment Land Study and the EDS, the Borough Council has recently undertaken an assessment of the viability of office refurbishment and redevelopment in Maidstone Town Centre. The purpose was to establish whether redevelopment of the out-moded office

stock in Maidstone town centre is a viable option with or without cross-subsidy from other uses (such as a mixed office and residential development). The assessment concluded that office refurbishment and mixed use redevelopment of existing offices was unlikely to be viable. The study concluded that an office quarter was likely to be the most successful approach.

- 7.8 If more quality office space were available, local agents are confident it could be let. This view is expressed in the Employment Land Study, which concluded *'there is latent demand for good quality office floorspace within Maidstone town centre ... This is evidenced by high take-up and occupancy levels of good quality office space in the town centre ...'*
- 7.9 Transforming the office market in Maidstone clearly presents a number of highly complex challenges, particularly related to the town centre market. The EDS recommends a comprehensive approach in the form of a Town Centre Area Action Plan. Initial work has started on masterplanning Maidstone town centre as a basis for policies in the Core Strategy and in support of the subsequent development of the Town Centre Area Action Plan.
- 7.10 **'Call for Strategic Employment and Retail Strategic Sites'**
- 7.11 Investigations are underway to inform the update of the ELS, and town centre masterplanning, EDS implementation in the form of 'call for sites' exercise, as well as complement the recently completed Strategic Housing Land Availability Assessment and the policy direction of the South East Plan. The call for sites closed at the end of May 2009 and just under 40 submissions were received. The purpose of these investigations is to obtain a recent and better understanding of economic development land supply particularly relating to the policy direction of the South East Plan. Key areas of interest include employment land of sub-regional significance; high quality jobs; plans for existing employment sites; high quality proposals for intensifying or expanding the technology and knowledge sectors at established and suitable new locations.

Key Consideration:

The Core Strategy should focus on high quality office development on Maidstone Town Centre with the aim of regenerating and developing the centre.

The Maidstone Town Centre capacity for high quality office is currently being tested through a masterplanning exercise - other options may need to be tested if this proves necessary to deliver the projected floorspace requirements to achieve the step change in the local economy.

8. MAIDSTONE TOWN CENTRE

- 8.1 Maidstone town centre must play a major role in relation to:
- fulfilling the town's role as a regional hub;
 - developing its role as a Primary Regional Centre;
 - supporting employment of sub-regional significance, with an emphasis on higher quality jobs to enhance its role as the county town and a centre for business;
 - achieving the ambitions of the Economic Development Strategy.
- 8.2 In accordance with PPS6 and the EDS, the Core Strategy should adopt a positive and proactive approach to planning for the future of the town centre and should set out a spatial vision and strategy for it. According to national and regional guidance, town centre plans and strategies should
- support the function and viability of pre-eminent town centres to accommodate change and growth within each sub-regional strategy area
 - assess the capacity to accommodate change and growth in such areas
 - respect the historic character, environment and cultural value of existing town centres
 - promote new investment of an appropriate scale
- 8.3 The Borough Council is developing an understanding of the quantum of additional development which the Borough will need to accommodate up to 2026. For example, quantitative retail need for the whole Borough has been assessed to 2026 (although caution is expressed over the later projections beyond 2016 and the forecast is being updated to reflect the current recession, growth in internet spending and the potential rise in population associated with 11,080 new dwellings). The Employment Land Study is also being updated and will contain an estimated requirement of office floorspace.
- 8.4 However, there is less clarity over the definition, role and capacity of Maidstone's town centre. In order to develop the Council's understanding of the town centre further assessment is needed:
- To define the Maidstone town centre area and separate character areas
 - To agree a vision for Maidstone town centre
 - To assess the quantitative capacity for retail, office, culture/ education and housing development which would be deliverable by 2026 within the town centre and separate quarters
 - To determine separate roles for each quarter
 - To provide the basis for Primary and Secondary Shopping Areas
-

- To provide a framework for a future access, movement, connectivity and public realm strategy and action plan designed to enhance the structure, legibility and environmental quality of the public realm and the basis for developer contributions to a Central Area Fund, which will assist in the delivery of public realm improvements.
- 8.5 The Council has initiated masterplanning of the Maidstone town centre as a basis for policies in the Core Strategy. Further detailed masterplanning work will be necessary in support of the Town Centre Area Action Plan.

Key Consideration:

Masterplanning of Maidstone town centre is required as a basis for policies in the Core Strategy and in support of the Town Centre Area Action Plan.

9. URBAN FRINGE LANDSCAPE

- 9.1 The Borough Council commissioned consultants (Jacobs Consultants) to undertake a more detailed Landscape Character Assessment around the urban edge of Maidstone, including the areas of search for development.
- 9.2 The assessment identifies areas of different landscape character and examines the condition and sensitivity of each. Based on this analysis, the assessment recommends preferred long term management guidelines for each character area such as conserve, conserve and restore, conserve and reinforce or improve. This approach makes little adjustment for accommodating major development at a growth point such as Maidstone town and is more helpful as part of a long term management strategy.
- 9.3 Nevertheless, the draft assessment does identify the condition and sensitivity of the landscape and confirms the high sensitivity and condition of the landscape surrounding the town. Broadly, to the north of the M20, the landscape is designated as having the highest protection through designation as an Area of Outstanding Natural Beauty (AONB).
- 9.4 Landscape of lower condition and sensitivity is identified in the assessment between the town's northern edge and the motorway and in a few isolated positions within the green wedges which separate the urban form of the town. However, the green wedges are generally to be retained as part of Maidstone's traditional 'stellar' pattern of development, for their open space and biodiversity value and in some cases their role in water storage at times of flood.
- 9.5 Otherwise, much of the landscape is in good or moderate condition and has high or moderate sensitivity.

- 9.6 The proposed east/ south east urban extension would be located on land of moderate condition and high sensitivity. This will require sensitive masterplanning of the site to ensure the conservation and reinforcement of important features (as set out in Masterplanning the Urban Extension section previous).

Key Consideration:

The North Downs Area of Outstanding Natural Beauty and its setting will need to be protected.

The urban extension to the east of Maidstone urban area will require sensitive masterplanning of the site to ensure the protection and reinforcement of important features.

10. LANDSCAPE DESIGNATIONS AND PROTECTING AGAINST URBAN COALESCENCE
- 10.1 The Maidstone Local Plan contains landscape designations of the Special Landscape Area (designated in the Structure Plan) and Areas of Local Landscape Importance. Since adoption of the Local Plan, Government planning policy statements have increased the status of Areas of Outstanding Natural Beauty and continuing protection for Green Belts but effectively removed local landscape designations and 'anti-coalescence' designations in favour of criteria-based policies in Local Development Documents, utilising tools such as landscape character assessments. There is debate about the Medway strategic gap designation, as discussed below. The demise of the Structure Plan following the adoption of the South East Plan also takes away the policy basis for the Special Landscape Area designations.
- 10.2 The Borough Council intends to update its landscape character assessment for the whole Borough check and will include a broad policy in the Core Strategy concerning landscape protection with particular reference to the North Downs Area of Outstanding Natural Beauty, with the detailed analysis and criteria set out in Landscape Character Area Assessment Supplementary Planning Document(s). This will replicate the approach being taken in the urban area where a general design and heritage protection policy will be supplemented by Character Area Assessment Supplementary Planning Documents.
- 10.3 The wording of the South East Plan Maidstone Policy compared to the previous Kent and Medway Structure Plan is ambiguous in terms of the recognition it offers of the need to protect against urban coalescence between Maidstone and adjacent urban areas. The KMSP contained Strategic Gap designations to the north and west of Maidstone, guarding against coalescence with the Medway Gap urban area. The South East Plan reflects current government advice and does not support strategic gap designations as a generality, however is

recognises the specific case at Maidstone. Unfortunately late changes refer now to the “Medway towns conurbation” rather than the “Medway Gap urban area” and fail to clearly recognise the need to protect the gap to the west between Maidstone and Tonbridge and Malling urban area. Both Maidstone Borough Council and Tonbridge and Malling Borough Council have clarified and received confirmation from Government Office of the South East that this is an unintended error and that the South East Plan should be read to recognise a need to avoid coalescence between Maidstone, the Medway towns and Medway Gap urban areas.

- 10.4 It is important to note that the existing local landscape and urban separation policies will still have weight as ‘saved Local Plan policies’. It is anticipated that these local saved policies will not be superseded until the relevant Supplementary Planning Documents are adopted.

Key Consideration:

Special Landscape Areas and Areas of Local Landscape Importance are now not supported by national and regional policy and Landscape Character Area Assessment Supplementary Planning Document(s) are able to support their protection.

The Core Strategy will need to make clear the need to avoid coalescence between Maidstone and the adjacent conurbations of the Medway towns and the Medway Gap towns.

11. TRANSPORT

- 11.1 The Economic Development Strategy highlights the transport investments that will support economic growth. In the view of the consultants, investment in transport infrastructure is needed in three areas:
- to support the role and growth of Maidstone town centre;
 - to improve access to Greater South East, national and international markets; and
 - to unlock key sites, particularly the urban extension.
- 11.2 The EDS notes the importance of infrastructure that will unlock economic growth, notably faster rail services to London, M20 junction improvements, and the Maidstone Strategic Link Road.
- 11.3 Two related transport studies are currently underway.

- 11.4 First, the Highways Agency has commissioned consultants to construct a SATURN road traffic transport model for the M20 corridor including adjacent main road junctions and links. With the involvement of the Borough and County Councils and the Highways Authority, this model has been constructed and will be used to assess the impact of locally generated traffic growth, including trend growth and growth resulting from proposed Core Strategy development options. This will enable the testing of development proposals and identify the scope for improvement measures to help accommodate locally generated traffic growth.
- 11.5 Second, consultants have been commissioned jointly by Maidstone Borough Council and the Highways Authority to construct a VISUM multi-modal transport model for the whole of the Maidstone urban area to model all forms of travel including non-car based sustainable travel solutions into the future. The current brief includes testing possible extensions to the system of bus lanes in the town, extension of Park and Ride, and other policy tools for reducing the demand for car. The commission will also addresses the case for the South East Maidstone Strategic Link and improved links between the new development area and the town centre.
- 11.6 Further work will also be required to test, and manage, the travel impacts of proposals which emanate from the Town Centre Masterplan.
- 11.7 In addition, the Council is strongly promoting some of the options for improvement of rail passenger services between Maidstone and London and Maidstone and other centres of growth. Critically, Network Rail are currently conducting a long term planning exercise in the form of the Kent Rail Utilisation Study (Kent RUS). Proposals under consideration include introduction of all day Thameslink services to Maidstone East, peak period high speed HS1/Kings Cross services to Maidstone West via Stood and other line speed and potential relief to overcrowding on the Ashford-Tonbridge line through Marden, Staplehurst and Headcorn.
- 11.8 It is intended that this work should lead to a properly supported joint integrated transport strategy for Maidstone Borough which complements the spatial distribution of growth and will influence future Local Transport Plan and other programmes and funding bids.

Key Consideration:

The Core Strategy will need to draw upon a complementary Integrated Transport Strategy to be prepared with the County Council and elements of Infrastructure Planning to set out the means by which new development can be achieved. This will include critical elements of transport infrastructure such as the South East Maidstone Strategic Link (SEMSL) road but also a Hub Package of smaller works such as Park and Ride, bus priority measures

and improvements in transport interchanges and policy measures to promote sustainable travel patterns.

Appendix A

The South East Plan

POLICY AOSR7: MAIDSTONE HUB

The local development framework at Maidstone will:

- i. make new provision for housing consistent with its growth role, including associated transport infrastructure*
- ii. make new provision for employment of sub-regional significance, with an emphasis on higher quality jobs to enhance its role as the county town and a centre for business. The concentration of retail, leisure and service uses at the centre will allow close integration between employment, housing and public transport*
- iii. confirm the broad scale of new business and related development already identified and give priority to completion of the major employment sites in the town*
- iv. make Maidstone the focus for expansion and investment in new further or higher education facilities*
- v. support high quality proposals for intensifying or expanding the technology and knowledge sectors at established and suitable new locations*
- vi. ensure that development at Maidstone complements rather than competes with the Kent Thames Gateway towns and does not add to travel pressures between them*
- vii. avoid coalescence between Maidstone and the Medway towns conurbation.*

25.31 Maidstone is the county town of Kent and serves as the focus for administrative, commercial and retail activities. It is designated as a hub under Policy SP2 of this Plan as it is well related to strategic rail and road networks and serves as an interchange point between intra and local rail services. It also offers opportunities for some new housing development. An indicative 90% of new housing at Maidstone should be in or adjacent to the town. Associated infrastructure to support growth should include the South East Maidstone Relief Route and Maidstone Hub package.

MAIDSTONE BOROUGH COUNCIL

REPORT OF ASSISTANT DIRECTOR OF DEVELOPMENT AND COMMUNITY STRATEGY

Abbreviations List

AONB	Area of Outstanding Natural Beauty
CABE	Commission for Architecture and the Built Environment
CIL	Community Infrastructure Levy
DaSTS	Delivering a Sustainable Transport System
DfT	Department for Transport
DPDs	Development Plan Documents
IE	Independent Examination
KIG	Kent International Gateway Ltd proposal
LCAA	Landscape Character Area Assessment
LDDAG	Local Development Document Advisory Group
LDF	Local Development Framework
LDS	Local Development Scheme
PPS	Planning Policy Statement
PPS12	Planning Policy Statement 12
RSC	Rural Service Centre
SA	Sustainability Appraisal
RSS	Regional Spatial Strategy
RUS	Rail Utilisation Strategy
SEEDA	South East England Development Agency
SEERA	South East England Regional Assembly (note: planning functions have been taken over by South East England Partnership Board)
SEMSL	South East Maidstone Strategic Link
SFRA	Strategic Flood Risk Assessment
SG	Supplementary Guidance
SG	Supplementary Guidance
SHLAA	Strategic Housing Land Availability Assessment
SoS	Secretary of State

SPDs	Supplementary Planning Documents
SRA	Strategic Rail Authority
SRFI	Strategic Rail Freight Interchange

MAIDSTONE BOROUGH COUNCIL

LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP

25 JUNE 2009

REPORT OF ASSISTANT DIRECTOR OF DEVELOPMENT AND COMMUNITY STRATEGY

Report prepared by Sue Whiteside

1. LOCAL DEVELOPMENT SCHEME 2009

1.1 Issue for Decision

- 1.1.1 To consider the adoption of the Local Development Scheme 2009 (attached as Appendix 1) and its submission to the Secretary of State, in accordance with Regulations 10 and 11 of the Town and Country Planning (Local Development) (England) Regulations 2008 (SI 2008 No.1371).

1.2 Recommendation of Assistant Director of Development and Community Strategy

- 1.2.1 That the Local Development Scheme 2009 be considered, noting in particular the prioritisation of documents, the risk assessment and the requirement to commence stakeholder consultations on the Core Strategy in the summer of 2009.
- 1.2.2 That the Local Development Document Advisory Group and the Regeneration and Sustainable Communities OSC recommend to Cabinet that the Local Development Scheme 2009 be adopted and submitted to the Secretary of State for approval.
- 1.2.3 That the Local Development Document Advisory Group and the Regeneration and Sustainable Communities OSC recommend to Cabinet that the Local Development Scheme 2009 formally comes into effect on the date of receipt of notification that the Secretary of State will not be issuing a Direction Notice.
- 1.2.4 That the Local Development Document Advisory Group agrees to a series of meetings of the Group, to be held between September 2009 and March 2010 during the production of the Core Strategy evidence base and drafting of policies, to facilitate recommendations to Cabinet on the content of the DPD.

1.3 Reasons for Recommendation

- 1.3.1 The Council is required to produce a Local Development Scheme (LDS) which sets out the range of Development Plan Documents (DPD) it proposes to prepare, together with a work programme over a minimum three year period. Delivery of the programme is monitored through the Annual Monitoring Report, and the LDS is amended as necessary. The plan making element of Housing and Planning Delivery Grant is dependant on meeting certain project "milestones" identified in the LDS programme.
- 1.3.2 There is no longer a duty to incorporate a programme for Supplementary Planning Documents (SPD) in an LDS, or to include recently introduced Supplementary Guidance. However, the LDS lists these documents and explains that the Council will give priority to their production following the adoption of the Core Strategy.
- 1.3.3 This is the second review of Maidstone's LDS, which was initially adopted in 2005 and reviewed in 2007. This review is necessary given delays to the Core Strategy programme since 2007 and the knock-on effects for the production of other LDF documents. The 2009 LDS has been prepared in accordance with new government guidance and plan making regulations that have been published since 2007.
- 1.3.4 Despite the disappointment of programme delays for DPD production, the Council has achieved success in adopting two Character Area Assessment SPDs for the London Road and Loose Road areas (2008) and the Residential Extensions SPD (2009); and endorsed the Kent Downs AONB Management Plan and the Kent Design Guide as Supplementary Guidance to the Local Development Framework (LDF) in 2009. The Council has also consistently achieved all of its targets for the submission of its Annual Monitoring Report each December.
- 1.3.5 The Core Strategy timetable is the lynch pin to the LDS programme and it must remain the Council's priority. Whilst much of the evidence base for the Core Strategy is completed or underway, evidence that relied on stakeholder consultations was deferred until the programme could restart. This includes, for example:
- Masterplanning for the Maidstone Urban Extension
 - Transport Modelling and Planning (including the South East Maidstone Strategic Link)
 - Town Centre Masterplanning
 - Establishment of a Settlement Hierarchy, including defining Rural Service Centres
 - Infrastructure Planning and Delivery
 - Green Infrastructure Strategy
 - Indoor Sports Study

- Water Cycle Strategy
- A further assessment of sites contained in the Strategic Housing Land Availability Assessment

Stakeholders include the infrastructure providers (education, health, utilities, water, etc.), parish councils, Kent County Council, Highways Agency, Environment Agency, relevant landowners regarding land assembly, and so on.

1.3.6 Clearly, the Council needs to ensure that the evidence base for the Core Strategy is up-to-date, robust and complete to support a sound Core Strategy at Examination. Once the evidence base is brought together, the Council will need to:

- Test its development distribution options for housing, employment, etc., to confirm a sound strategy
- Produce an infrastructure delivery plan and schedule to identify infrastructure needs, costs, development phasing, funding sources and responsibilities for development
- Draft Core Strategy policies.

The evidence and draft policies will be presented to a series of Member meetings leading to approval of the final document for informal consultation.

1.3.7 It is important to build a realistic timetable for the Core Strategy that will allow completion of the evidence base and regular Member input. The time spent completing a sound evidence base this year will save time at later stages of plan production, and will reap rewards at Examination.

1.3.8 Nonetheless, the Core Strategy timetable will always be subject to certain risks that have to be managed (see Section 1.6 of this report). Of particular concern is the risk of an adverse decision from the Secretary of State regarding an appeal seeking the development of a strategic rail freight interchange on land at junction 8 of the M20 motorway, which the Council resolved it would have refused had an appeal not been submitted. If the appeal is allowed, the Core Strategy will have to be rewritten because of the impact the proposal would have in terms of how, when and where housing and employment targets are met.

1.3.9 Under new regulations, the Council is currently at Public Participation stage with stakeholder engagement. The next step will be informal public consultation, followed by Publication (formal public consultation), Submission to the Secretary of State, Independent Examination and Adoption.

1.3.10 The proposed timetable for the Core Strategy is set out as follows:

Public Participation (stakeholder engagement)	July 2009-February 2010
Informal Public Consultation	July 2010-August 2010
Publication (formal public consultation)	January 2011-February 2011
Submission to the Secretary of State	April 2011
Independent Examination	July 2011-August 2011
Adoption	December 2011

1.3.11 In addition to seeking Member approval to undertake each stage of Core Strategy production, it is recommended that a series of Member meetings are held between September 2009 and March 2010, during the production of the DPD's evidence base and drafting of policies. This will assist in mitigating risks to the Core Strategy timetable and thus the LDS programme.

1.3.12 Members agreed priorities for the production of DPDs and SPDs in **October 2008**, which are:

- *Core Strategy DPD*
- *Gypsy & Traveller Pitch Allocations DPD*
- *Interim Planning Tariff SPD*
- *Parking Strategy SPD*
- *Urban Regeneration AAP*
- *Land Allocations DPD*
- *Kent Design Guide SPD*
- *Access for Disabled People SPD*
- *Air Quality SPD*
- *Urban Extension SPD*
- *Landscape Character Area Assessment SPD*
- *Planning Tariff and/or Community Infrastructure Levy SPD*

1.3.13 Since that time, the Council has endorsed the Kent Design Guide as Supplementary Guidance. The absence of a higher tier policy "hook" until the Core Strategy is adopted delays the production of SPDs for Access for Disabled People and Interim Planning Tariff. Officers are investigating the potential for cross-county/district working to produce the former document as a technical supplement to the Kent Design Guide, to facilitate its endorsement by the Borough Council as Supplementary Guidance. The Planning Tariff SPD must wait for the Core Strategy.

1.3.14 The detail for the Maidstone Urban Extension was originally planned to be published in an SPD. However, it is now proposed to plan in detail for this area through an Area Action Plan (AAP), which offers the opportunity to fine tune the boundary of the growth area following more detailed assessments and consultation.

1.3.15 The LDS programme therefore comprises:

	Commence	Adopt
Core Strategy DPD	July 2009	December 2011
Gypsy & Traveller Pitch Allocations	July 2009	June 2011
Town Centre Regeneration AAP	May 2011	March 2013
Maidstone Urban extension AAP	May 2011	June 2013
Land Allocations DPD	June 2013	August 2015

1.3.16 The production of a Gypsy and Traveller Pitch Allocations DPD in advance of the Core Strategy is supported in principle by GOSE, but it must be recognised that there is some risk to its adoption date if an Inspector decides to wait for the Core Strategy Inspector's Report before issuing his/her Report into the Pitch Allocations DPD.

1.3.17 SPDs listed in the LDS are to be prioritised by Members following the adoption of the Core Strategy to secure the policy "hook" necessary for their production:

- **Planning Tariff SPD**
- **Parking Strategy SPD**
- **Landscape Character Area Assessment SPD**
- **Character Area Assessment SPDs**
- **Air Quality SPD**

1.3.18 Following Members' adoption of the LDS, it must be submitted to the Secretary of State for approval. The Secretary of State then has 4 weeks to decide whether to issue a Regulation 15(4) Direction to amend the LDS. Regulations state that local authorities must determine when a new or revised LDS will come into effect. It is therefore recommended that the Local Development Scheme 2009 formally comes into effect on the date of receipt of notification that the Secretary of State will not be issuing a Direction Notice.

1.4 Alternative Action and why not Recommended

1.4.1 The Local Development Framework must contain a Core Strategy and a Proposals Map, and the Council has a duty to maintain an up-to-date Local Development Scheme.

1.4.2 An alternative to adopting the attached LDS is for the Council to confine its programme to the production of a Core Strategy only, but this approach is not recommended. Whilst the Core Strategy will set a policy framework, it will not deliver the level of detail necessary to implement all of its policies and strategies, and the alternative approach would exacerbate a growing policy framework vacuum for the development control process. Furthermore, it would impact on the

Council's ability to plan for its growth in a sustainable manner and to meet its housing targets.

1.5 Impact on Corporate Objectives

1.5.1 The LDF sets the planning policy framework for the Council so all LDF documents will aim to meet corporate objectives set out in the Strategic Plan and the Sustainable Community Strategy.

1.6 Risk Management

1.6.1 The following table identifies the risks and mitigation measures involved in creating a new programme for the LDS:

Risk	Likelihood	Impact	Mitigation Measures
Issue of Section 15(4) Direction by Secretary of State	low	critical	Early engagement with GOSE
Adverse decision on KIG planning appeal	unknown	critical	Cannot mitigate
Failure to complete the Core Strategy evidence base	significant	high	Setting of realistic milestones in the LDS
Failure to secure necessary land assembly and infrastructure	significant	critical	Setting of realistic milestones in the LDS to take account of stakeholder consultations, together with production of AAP
Increased gypsy & traveller targets through RSS review	significant	high	Plan for inclusion of phased contingency pitches
Delayed Inspector's Report for gypsy & traveller DPD pending receipt of Core Strategy Inspector's Report	medium	medium	Can only mitigate if the gypsy & traveller DPD timetable is extended. Likely impact: additional planning appeals during the extended 6 months and potential impact on HPDG
Failing to meet revised LDS milestones	medium	high	Setting of realistic milestones in the LDS
Maintenance of staffing levels	medium	critical	Review staffing matters and LDS programme as necessary

- 1.6.2 In relation to the risk of an adverse decision on the KIG planning appeal, if the Secretary of State were to approve the application it would be necessary to review the content of the Core Strategy and, depending on the terms of the approval, possibly rewrite the Strategy leading to inevitable delay. However, the risks associated with further delays to the Core Strategy programme by an adverse appeal decision are outweighed by the benefits of proceeding with the Core Strategy now, in order to develop an up-to-date policy framework for the development control process and to secure the HPDG funding associated with Core Strategy milestones.

1.7 Other Implications

1.7.1

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

- 1.7.2 Financial: The number of DPDs proposed will impact on the LDF budget, as will the approach taken to the production of documents (using in-house resources and/or the use of consultants). There are savings on production costs and Independent Examination fees by reducing the number of DPD/AAP documents from six in the 2007 LDS to five. Meeting milestones for documents that allocate 2,000 dwelling or more (the Core Strategy DPD, the Maidstone Urban Extension AAP and the Land Allocations DPD) secures Housing and Planning Delivery Grant. There is no immediate financial impact arising from this report.

- 1.7.3 Staffing: It is essential to maintain appropriate staffing levels to deliver the LDS programme. The team still carries a vacancy for a Principal Planning Officer that has proved difficult to fill with an experienced Officer. However, the LDS programme has been prepared

taking account of existing staffing levels, including ½ Planning Officer on maternity leave. It is important to note that, even if documents are prepared by consultants, considerable staff time is required to provide direction and quality of work, and to manage documents through the LDF statutory processes and Member committee cycles.

1.7.4 Social Inclusion: Inherent in all LDF documents that will be produced, especially the Gypsy and Traveller Pitch Allocations DPD.

1.7.5 Environmental/Sustainable Development: All LDF documents must have regard to the effects on social, environmental and economic objectives, which are the key indicators in defining sustainability.

1.7.6 Procurement: The use of consultants will require invitations to tender or to submit quotations for the work to be undertaken in accordance with the Council's contract standing orders.

1.8 Background Documents

1.8.1 Record of Decision of the Cabinet: Local development Scheme Priorities (8th October 2009)
http://www.digitalmaidstone.co.uk/pdf/081008_rod_cab_LDSPriorities.pdf

1.8.2 Local Development Scheme (2007)
http://www.digitalmaidstone.co.uk/PDF/070329_LDS%20March%202007.pdf

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes ☒ No ☐

If yes, when did it appear in the Forward Plan? October 2008

Is this an Urgent Key Decision? Yes ☐ No ☒

Reason for Urgency

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Preface

**This document is produced by
Maidstone Borough Council**

All enquiries should be addressed to:

**Spatial Policy
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ**

**Telephone: 01622 602000
Email: LDF@maidstone.gov.uk**

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1 Introduction to the Local Development Scheme

- 1.1** This Local Development Scheme comes into effect on **xxx** and replaces all previous versions of the Scheme.

Local Development Framework

- 1.2** The Planning and Compulsory Purchase Act 2004 (the Act) introduced a two-tier plan making system comprising the Regional Spatial Strategy (RSS) and Local Development Frameworks (LDF).
- 1.3** The RSS is prepared by a regional planning body, and the South East Plan (May 2009) is the RSS for the region. The South East Plan sets a broad spatial planning strategy for the region to 2026, but it also contains specific references to Maidstone in terms of its role in the region, development targets and policy requirements.
- 1.4** The LDF is a folder of local development documents that outline the spatial planning strategy for Maidstone and explains how planning will be managed in the local area. The LDF folder contains the following documents:
- Statement of Community Involvement
 - Local Development Scheme
 - Annual Monitoring Reports
 - Development Plan Documents, including the Core Strategy
 - Area Action Plans
 - Supplementary Planning Documents
 - Saved Local Plan Policies
 - Proposals Map.
- 1.5** The **Statement of Community Involvement** is a crucial part of the plan making system because it explains how and when local communities and stakeholders will become involved in the production of documents. The **Annual Monitoring Report** monitors the success of LDF objectives, targets and adopted policies, and it assesses the need for review where expectations are not met. The AMR also reviews the progress of the Local Development Scheme. The **Local Development Scheme** is a project plan that sets the timetable for the production of **local development documents**, which include Development Plan Documents, Action Area Plans, Supplementary Planning Documents and a Proposals Map.
- 1.6** **Development Plan Documents** (DPD) outline the key development objectives of the LDF. Their production is dependent on community and stakeholder involvement, public consultation, sustainability appraisal and independent examination. The Core Strategy is the principal DPD, setting out the spatial vision, objectives and key policies for the delivery of the LDF, but it can also include strategic land allocations. The Core Strategy also plays a key part in delivering the Council's Sustainable Community Strategy and the Strategic Plan. Additional DPDs should only be produced

where the Core Strategy itself cannot give adequate guidance. Such DPDs can be topic based (e.g. affordable housing) or can define land uses (e.g. employment allocations). An **Area Action Plan** (AAP) is a DPD for a specific location, usually a major regeneration area or growth area.

- 1.7 Supplementary Planning Documents** (SPD) expand or add detail to adopted DPDs or saved local plan policies. Consequently, SPDs are still subject to stakeholder and community participation and consultation, but the documents do not have to undergo sustainability appraisal or independent examination because the parent document will have been subject to these processes.
- 1.8 Saved policies** are those saved from the Maidstone Borough-wide Local Plan (2000). Under government transitional arrangements for replacing the local plan system with that of the LDF, certain local plan policies can be saved until they are replaced by the Core Strategy or other DPDs. A list of saved policies, approved by the Secretary of State, can be found on the Council's website.
- 1.9** The **Proposals Map** illustrates areas of protection and site specific proposals from saved policies, DPDs and AAPs. The adopted Proposals map will be amended when a DPD or AAP is approved.
- 1.10** The LDF must include a Proposals Map and a Core Strategy DPD.
- 1.11** Additionally, **Supplementary Guidance** can be prepared by regional or strategic bodies if the information contained in such documents applies to areas greater than a single district. Supplementary Guidance will not form part of the Council's LDF but, if it meets the disciplines of SPD production, it could carry commensurate weight in decision making processes.
- 1.12** Maidstone's LDF comprises the following adopted documents:
 - Statement of Community Involvement (2006)
 - Local Development Scheme (2009)
 - Annual Monitoring Reports (2004 to 2008)
 - Affordable Housing DPD (2006)
 - Open Space DPD (2006)
 - Sustainable Construction: Using Water SPD (2006)
 - Loose Road Character Area Assessment SPD (2008)
 - London Road, Bower Mount Road, Buckland Hill Character Area Assessment SPD (2008)
 - Residential Extensions SPD (2009).
- 1.13** Supplementary Guidance to Maidstone's LDF includes:
 - Kent Downs Area of Outstanding Natural Beauty Management Plan 2009-2014 (endorsed March 2009)
 - Kent Design Guide 2005/06 (endorsed May 2009).

The Development Plan

- 1.14** The **Development Plan** is central to the UK's planning system and is needed to guide the decision making process for land uses and development proposals. Planning applications that are consistent with Development Plan policies will normally be approved unless there are good and relevant reasons to dictate otherwise.
- 1.15** At present, the Development Plan for Maidstone comprises a number of local and strategic documents: the Regional Spatial Strategy, adopted Development Plan Documents, saved policies from the Maidstone Borough-wide Local Plan, and saved policies from the Kent Minerals and Waste Local Plans that are prepared by Kent County Council.
- South East Plan (May 2009)
 - Affordable Housing DPD (December 2006)
 - Open Space DPD (December 2006)
 - Maidstone Borough-wide Local Plan Saved Policies (September 2007)
 - Kent Minerals Local Plans (May 1986, December 1993 & December 1997)
 - Kent Waste Local Plan (March 1998)
- 1.16** The saved policies of the Maidstone Borough-wide Local Plan will progressively be phased out and superseded by policies contained in the Core Strategy and other Development Plan Documents. The programme for the production of these documents is set out in this Local Development Scheme.
- 1.17** The Kent Minerals and Waste Local Plans will ultimately be replaced by emerging Kent Minerals and Waste Development Plan Documents. The timetable for the replacement of these plans is contained in the Kent Minerals and Waste Development Scheme, published by Kent County Council.

Purpose of the Local Development Scheme

- 1.18** The Act requires local authorities to prepare an LDS to manage the plan making system of their LDF. The LDS sets out the Council's programme for producing LDF documents, and it explains how the programme will be resourced and managed. As part of this process, the Council must assess the risks to the timetable for document production and explain how it will deal with those risks.
- 1.19** The LDS sets out a timetable specifically for the production of Development Plan Documents, and explains how the Council will resource and manage documents. Each DPD must be accompanied by a Sustainability Appraisal (SA). The LDS also includes a risk assessment of scenarios that might impact on the timetable for the production of documents, and it explains how the Council will deal with those risks.

- 1.20** The LDS needs to ensure that the Framework is put into place systematically, that it is kept up to date, and that the community is actively involved in the process. It makes the planning authority more accountable, and it offers the wider community some certainty about when and how it will be engaged in the planning process.
- 1.21** This is Maidstone's third LDS, the first being adopted in 2005 and then, following review, the second adopted in 2007. Both schemes have been monitored annually through the Annual Monitoring Report. Since 2007, a number of changes have been introduced to the plan making system through new regulations and new government policy statements and guidance. The Council has also reached a position where it can progress with its Core Strategy programme, which was delayed pending the preparation of evidence to respond to representations made through former public consultation. It is therefore an appropriate time for the Council to fully review its LDS so that consideration can be given to prioritising the number and content of LDF documents to be produced over the next 4 years.
- 1.22** An LDS does not have to include a programme for all local development documents: only for DPDs/AAPs. The LDS must include a description of the subject matter for each DPD/AAP, explain how documents relate to each other and set a detailed timetable for document production. However, the Council considers that, in addition to the DPD programme, it is useful to identify its priorities for the preparation of SPDs and Supplementary Guidance.
- 1.23** Maidstone's LDS is structured as follows:
- A profile for Maidstone, briefly explaining the challenges the borough is facing (Section 2)
 - A review of the Local Development Scheme 2007 (Section 3)
 - The new LDS Programme (Section 4)
 - Assessment of the risks to the programme and how those risks will be managed (Section 5)
 - Monitoring and review of the LDS programme (Section 6)
 - Individual project plans for each DPD/AAP contained in the Scheme (Section 7)
 - Glossary of terms and acronyms used throughout this document (Section 8).

2 Challenges for Maidstone

- 2.1** The Borough of Maidstone covers 40,000 hectares located in the heart of Kent. It has a large urban area located to the north west of the Borough and is surrounded by a substantial rural hinterland. A large part of this rural area is of a high landscape and environmental quality, which includes part of the Metropolitan Green Belt, the Kent Downs Area of Outstanding Natural Beauty and Special Landscape Areas (the North Downs, the Greensand Ridge, the High Weald and the Low Weald). The borough is also rich in biodiversity. The rural area of the borough is characterised by a large number of villages and hamlets. The River Medway courses through the borough and the town centre and, together with its tributaries, is one of Maidstone's assets. However, the extent of the flood plain is a constraint in deciding the direction of growth for the borough.
- 2.2** Maidstone is strategically located between the Channel Tunnel and London and has direct connections to both, via the M20 and M2 motorways. There are rail connections to London, the coast, and to the Medway Towns through three central railway stations in the town. These railways also serve some of the larger villages. Whilst the Channel Tunnel Rail Link runs through the Borough, there are no stations to access the Link. There are a number of main transport routes in the borough, including the A229, A249, A274, A20 and A26.
- 2.3** Maidstone is the County Town of Kent, and around half the borough population of 142,800 people live in the town. The town has a strong commercial and retail centre, and Maidstone is one of the largest retail centres in the South East.
- 2.4** Economically the Borough is relatively prosperous with a considerable employment base and a lower than average unemployment rate compared to Kent and the South East. However, Maidstone also has a low wage economy, which leads to out-commuting to higher paid work. The local housing market also flows across adjacent district boundaries and is influenced by London, resulting in relatively high local house prices. Some areas in central Maidstone are in need of regeneration, and there are also pockets of deprivation in the suburban areas, most notably in North, High Street, Shepway North, Shepway South and Park Wood wards.
- 2.5** Large tracts of Maidstone's countryside have special nature and landscape designations to protect their value and there are many places and buildings of historic value. The Rural Service Centres of Harrietsham, Lenham, Marden, Headcorn and Staplehurst provide services and facilities to the rural hinterland, although the smaller villages of Yalding and Coxheath also play a vital role. There are some significant centres of economic activity in and around the larger rural settlements, and smaller commercial premises are dotted throughout the borough. Agriculture remains an important industry, including traditional farming for soft fruit and hops.

- 2.6** Maidstone gained New Growth Point status in 2006, which is reflected in South East Plan policy. The specific policy for Maidstone (AOSR7), confirms that the LDF at Maidstone must make new provision for housing consistent with its growth role, including associated infrastructure, whilst emphasising the county town's focus for administrative, commercial and retail activities.
- 2.7** Maidstone's growth is constrained by high quality environmental designations and best and most versatile agricultural land as well as limitations of transport and infrastructure. Yet there are also serious concerns about the loss of open space and the intense scale of development in the urban area. Growth must be managed within a sustainable framework. There are likely to be impacts from traffic congestion, economic investment and pressure on the housing market resulting from growth in the Borough, but also from the effects of increased development in the nearby Growth Areas of Kent Thames Gateway and Ashford.
- 2.8** The challenge for the Local Development Framework in Maidstone is how to manage the potential impacts from future growth and allow for more development to take place in a sustainable manner to assist the local economy, whilst protecting the valued landscape, biodiversity and countryside of the Borough.

3 Review of the Local Development Scheme

Changes to Plan Making Regulations

- 3.1** Since the submission of the last Local Development Scheme in 2007, there have been a number of changes to plan making legislation for Local Development Frameworks. These changes are set out in:
- Planning Policy Statement 12: creating strong safe and prosperous communities through Local Spatial Planning (June 2008)
 - Planning Manual (a continually updated web-based manual that accompanies PPS12)
 - Statutory Instrument 2008 No. 1371 Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008 (June 2008)
 - Planning Act (November 2008) - Part 9
 - Statutory Instrument 2009 No. 401 Town and Country Planning (Local Development)(England)(Amendment) Regulations 2009 (April 2009)
- 3.2** PPS12 focuses on the Core Strategy as the key element of the LDF, emphasising the value of community engagement in the plan making process and the importance of a sound evidence base. However, the new regulations on how to carry out consultations with stakeholders and the community are much less rigid. The formal Issues & Options and Preferred Options stages for Development Plan Documents (DPD) have been replaced by a wider and continual form of consultation with stakeholders (Regulation 25) and the public (Regulation 27). The extent of public engagement should reflect the scale of the issues being addressed by the DPD and, following public consultation, objectors can appear at an Independent Examination into the DPD. The new consultation process gives local authorities much more flexibility in deciding the extent of consultation according to the complexity of the document and local circumstances.
- 3.3** Under the new regulations, there are four project “milestones” for the production of Development Plan Documents that comprise:
- Consultation of the statutory bodies on the scope of the Sustainability Appraisal for the DPD
 - Publication of the DPD for formal public consultation (Regulation 27)
 - Submission of the DPD to the Secretary of State (Regulation 30)
 - Adoption of the DPD (Regulation 36).

- 3.4** There are a number of changes to the process for producing Supplementary Planning Documents (SPD), but the stages are essentially the same as before and there is still no requirement for an independent examination for an SPD. The duty to provide a sustainability appraisal for SPDs has been removed on the assumption that the parent policy has been appraised, but SPDs are still subject to SEA assessments.
- 3.5** One of the key changes introduced by new regulations relates to the content of Local Development Schemes. An LDS need only include a timetable for preparing Development Plan Documents, so the requirement to include a programme for the production of SPDs has been removed. Nonetheless, the Council considers that it is helpful to demonstrate how it will develop adopted policies through SPDs, and to inform the public of documents that they will have the opportunity to engage with following adoption of the Core Strategy. So an indicative list of SPD priorities is included in Maidstone's LDS.
- 3.6** A further change introduced by PPS12 is the ability to produce Supplementary Guidance. Under the new guidance, local authorities can endorse publications prepared by a government agency, regional planning body, county council or other strategic body such as an AONB committee as Supplementary Guidance to the Local Development Framework.

Development Plan Documents

- 3.7** Over the past 2 years the Council has been unable to repeat its former success in meeting the LDS milestones for its Development Plan Documents, although the submission targets for Annual Monitoring Reports have regularly been achieved.
- 3.8** Under former plan making regulations, the Council received a representation at the Preferred Options stage of the Core Strategy Development Plan Document (DPD) seeking the inclusion of a strategic rail freight interchange (SRFI) allocation at junction 8 of the M20 motorway. A subsequent planning application for the SRFI proposal was submitted, and in May 2009 the Council resolved that it would have refused the application had an appeal not been submitted. The need for the Council to give due consideration to the representation and planning application through the appointment of a team of experts to examine the proposals, coupled with the emergence of new government legislation and advice on the preparation of Local Development Frameworks (LDF) and supporting evidence, has considerably delayed the submission of the Core Strategy. This has resulted in a knock-on effect for the commencement of other DPDs in the LDS programme, most notably the Land Allocations DPD.

Document	Stage	Target date	Date Achieved	Target met?
AMR	Submission	December 2007 and 2008	December 2007 & 2008	Yes

Document	Stage	Target date	Date Achieved	Target met?
Core Strategy DPD	Submission	October 2007	To be rescheduled	No
Core Strategy DPD	Examination	April 2008	To be rescheduled	No
Core Strategy DPD	Adoption	December 2008	To be rescheduled	No
Land Allocations DPD	Preferred Options	March 2008	To be rescheduled	No
Land Allocations DPD	Submission	January 2009	To be rescheduled	No

Table 3.1 LDS Milestones 2007 and 2008 (under former Regulations)

- 3.9** Consideration was given to the submission of a revised LDS in 2008 to reflect the delay to the completion of the Core Strategy programme, which could have updated the Council's milestones for the preparation of Local Development Documents. However, local authorities were advised by GOSE not to submit their LDS until emerging government advice and regulations on plan making had been adopted. It would have been a challenge for the Council to review its LDS in advance of a decision on the SRFI representation, but an updated LDS in 2008 would have been able to take on board a number of changes the Council wished to make in prioritising the production of documents and it could have reduced the number of missed milestones.
- 3.10** Nonetheless, it is important to note that the Council has utilised the delay to the Core Strategy programme to undertake a considerable amount of further work to augment its evidence base in response to a number of issues that were raised by the public during Preferred Options consultation. The Council is also addressing the requirements for additional material to support the Core Strategy evidence base set out in new government guidance. A number of these evidence base documents have already been published on the Council's website, and further publications will be added as they become available. The additional supporting information will improve the soundness of the Core Strategy at Independent Examination stage.
- 3.11** Although the delay to the LDS programme has had implications for the production of the Land Allocations DPD, the Council reviews its housing land availability position annually to ensure its housing provisions set by government are being met. The Council can demonstrate that it has a robust 5-year housing land supply in accordance with government guidance set out in PPS3: Housing (2006). Consequently, a delay in the production of the Land Allocations DPD is not critical at this point, although this position will be closely monitored, particularly in the current economic decline of the housing market.

- 3.12** The LDS programme is amended under Section 4 of this document, in accordance with revised milestones set by new plan making guidance.

Supplementary Planning Documents

- 3.13** In addition to the documents that are measurable against milestones, the Council planned to produce the following documents during 2007 and 2008.

Document	Stage	Target date	Date Achieved
Loose Road Character Area Assessment SPD	Adoption	March 2008	December 2008
London Road Character Area Assessment SPD	Adoption	April 2008	December 2008
Residential Extensions SPD	Adoption	May 2010	May 2009
Kent Design Guide SPD	Adoption	July 2009	Endorsed May 2009
Development Contributions SPD	Adoption	October 2007	To be rescheduled
Shop Fronts and Advertisements SPD	Adoption	October 2008	Not to be progressed as SPD

Table 3.2 Documents not subject to LDS milestones

- 3.14** In its 2007 LDS, the Council undertook to produce a number of Character Area Assessment SPDs. A decision was subsequently taken to prepare documents for two pilot schemes in the London Road and Loose Road areas. The production of both SPDs has been successful, and the lessons learned on the resources and time scales necessary for the publication and consultation for this type of document will considerably shorten the time required to produce further Character Area Assessments.
- 3.15** The Residential Extensions SPD was originally programmed to commence in 2009. However, the need for up-to-date guidance on design to determine planning applications became an increasingly pressing local issue. Given the delay to the Core Strategy and the resources available, the Council resolved to bring forward the preparation of the SPD and successfully published the document for public consultation in November 2008, and adopted the SPD in May 2009.
- 3.16** The preparation and consultation of the Kent Design Guide 2005/06 was designed to allow all partner authorities across Kent to adopt the document as SPD before the time limit on the Kent and Medway Structure Plan expired. However, in the absence of an adopted Core Strategy or saved

local plan policy in Maidstone, there was no higher tier policy "hook" that would support adopting the Guide as SPD. The Council has therefore endorsed the Kent Design Guide as Supplementary Guidance to its LDF, in accordance with government guidance set out in PPS12. The document will not form part of Maidstone's LDF but, given the process of production that the document has been through, it should be accorded weight commensurate to an SPD in any decision making processes.

- 3.17** The Development Contributions SPD will be rescheduled as part of the amendments to the LDS programme in Section 4. It is a document that needs to be prepared alongside the Core Strategy to facilitate the delivery of infrastructure required to support the Strategy.
- 3.18** The best way in which detailed policy guidance can be produced for Shop Fronts and Advertisements, including free standing advertisements, will now be considered as part of the Action Area Plan for the Town Centre. The AAP is included in the revised LDS programme.

Supplementary Guidance

- 3.19** The ability to endorse documents as Supplementary Guidance was introduced through the publication of PPS12 in June 2008.
- 3.20** The First Review of the Kent Downs Area of Outstanding Natural Beauty Management Plan was endorsed as Supplementary Guidance by the Council in March 2009. The Kent Downs AONB is a landscape of national and international importance and, as one of the twelve local authorities whose area includes parts of the Kent Downs AONB, the Council has a statutory duty to produce, review and adopt a management plan which sets out its policy for the management of the AONB and for the carrying out of the authority's functions in relation to it. The First Review of the Management Plan involved detailed engagement, consultation, assessment and appraisal processes, in line with best practice guidance issued by Natural England and the former Countryside Agency. The Management Plan was prepared by the Kent Downs AONB Unit on behalf of the AONB Joint Advisory Committee, and Maidstone Borough Council was fully involved throughout the process.
- 3.21** The Kent Design Guide 2005/06 was endorsed as Supplementary Guidance in May 2009. The Guide was produced to "ensure that all new development results in vibrant, safe, attractive, liveable places where people want to be". It provides the criteria necessary for assessing planning applications, and it has been in wide circulation across Kent and implemented by Maidstone Borough Council for development control purposes since its original adoption by Kent County Council. In the absence of a higher tier policy hook in Maidstone and the need to maintain the status of this document when the Kent and Medway Structure Plan policies are rescinded in July 2009, the Council resolved to endorse the document rather than to

wait for a policy hook in its Core Strategy that would allow its adoption as SPD. The Kent Design Guide was produced by the Kent Design Initiative for the County Council with input from Maidstone Borough Council.

- 3.22** The Council will continue to support the endorsement of further documents prepared by relevant outside bodies as Supplementary Guidance provided that: the Council has been involved in document production; documents are consistent with the Council's objectives and policies; and that documents fully satisfy regulatory requirements in terms of public consultation and the evidence base.

4 Local Development Scheme Programme

Local Development Scheme

- 4.1** In accordance with new regulations for the plan making process, the Local Development Scheme must set out which Development Plan Documents it proposes to produce over a minimum 3-year period.

Core Strategy

- 4.2** The priority for LDF document production must be the adoption of Core Strategies. This priority has been confirmed in recently updated government policy (PPS12) and remains the focus of Maidstone's LDF. The Core Strategy sets the policy framework for determining planning applications, but it is also the lynch pin on which further DPDs and SPDs are produced. The ability to rely on saved local plan policies as the essential policy "hook" for further LDF publications will diminish over time.
- 4.3** Following consideration of representations received at Preferred Options stage of the Core Strategy, together with the Council's decision to oppose the planning application proposing a strategic rail freight interchange in Maidstone, the Council has taken the decision to move forward with its Core Strategy. The revised programme for the Core Strategy takes account of the need to complete the evidence base for the DPD, in particular that involving stakeholder consultations, and to incorporate any amendments that might arise from the consideration of former representations. Given the time that has passed since Preferred Options, together with the changes to the plan making process that have been introduced since the last public consultation exercise, the Council will take a step back and re-consult the public on a draft Core Strategy prior to formal public consultation (Publication stage).
- 4.4** There remains a risk to proceeding with the Core Strategy in advance of a decision on the appeal made to the Secretary of State by the applicants seeking permission for an SRFI. However, there are also risks associated with an out-of-date policy framework for determining planning applications.
- 4.5** The Core Strategy will set the prime policy framework for the development control process, and it will incorporate strategic land allocations, including the identification of sites for housing, business, retail, leisure, community, education, and so on, that are required to deliver the Strategy.

Gypsy and Traveller Pitch Allocations DPD

- 4.6** The supply of gypsy and traveller pitches has long been a local issue for the Council, and the need to address a shortfall in pitch provision was confirmed through the Council's Gypsy and Traveller Accommodation Assessment. Given the pressures to meet the needs of this community,

together with growing concerns of "planning by appeal", the Council has decided to produce an early DPD to address the shortfall in accommodation for gypsies and travellers.

- 4.7** A criteria based policy for determining "windfall" planning applications for pitches on previously unidentified sites will be included in the Core Strategy. However, an independent DPD, specifically setting out the criteria for site selection and allocating land for pitches to meet the identified need, will be produced at an early stage in advance of other land allocations. To ensure that staff resources are not diverted away from the production of the Core Strategy and its evidence base, the Gypsy and Traveller Pitch Allocations DPD will be prepared by consultants under the Council's guidance and involvement.
- 4.8** There is a risk associated with this approach, in that work on the DPD would commence prior to knowing the final outcome of a partial review of the South East Plan for Gypsies, Travellers and Travelling Showpeople. The risks are addressed in Section 5 of this document.

Town Centre Regeneration AAP

- 4.9** The 2007 LDS identified a need for Urban Regeneration Area Action Plans. The first of these will be for the town centre, the boundary for which will be defined in the Core Strategy. The aim of the AAP is to establish the capacity for, and ensure delivery of, development in the town centre first, in accordance with government policy. Preparatory work for this AAP will inform the preparation of the Core Strategy. The AAP will allocate land for business, retail, leisure and residential use, and it will develop a policy framework for the enhancement of the vitality and character of the town. The AAP will incorporate generic policies for the defined area, addressing issues such as shop fronts, advertisements, high buildings, crime and disorder, licensing, and parking. The submission of the AAP must follow the adoption of the Core Strategy to ensure it accords with sound Core Strategy policies.

Maidstone Urban Extension AAP

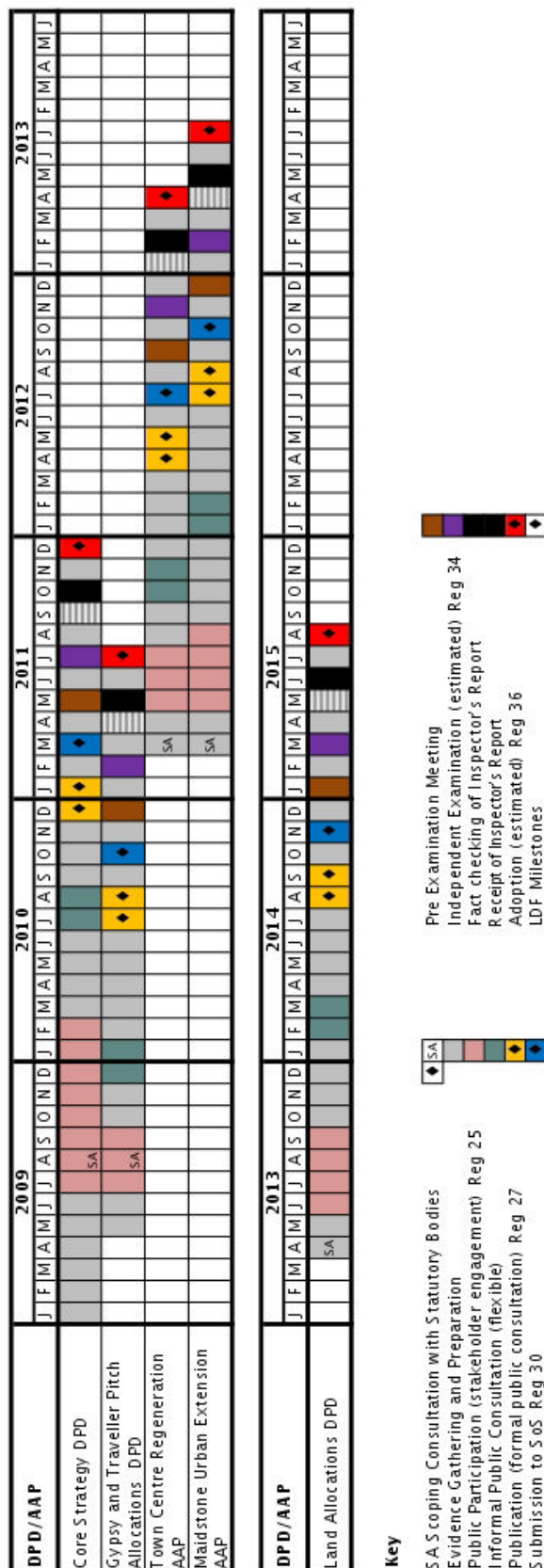
- 4.10** An AAP will be required for the proposed growth area to define the detailed boundary of the extension and to inform a second phase of master planning in consultation with stakeholders and the public. The AAP will develop the policy framework for this area, and will define allocations for housing, employment, retail, leisure and community uses. The document will phase development, including the infrastructure requirements for the extension, in a timely and sustainable manner.

Land Allocations DPD

- 4.11** The Land Allocations DPD will include site specific allocations for land uses such as housing, business, retail, leisure and community facilities, which are not considered essential to deliver the Core Strategy. The DPD will also

designate countryside and environmental protection areas. With the allocation of strategic development sites in the Core Strategy, the early production of an autonomous DPD for gypsy & traveller pitch allocations, and priority given to the preparation of town centre and urban extension AAPs, the production of the Land Allocations DPD will be programmed for a latter stage of the LDS timetable.

- 4.12** The Council currently has the necessary housing land supply to meet its rolling 5-year residential targets in the short term, and medium term strategic housing sites that are required to deliver the Council's Strategy will be allocated in the Core Strategy. The Maidstone Urban Extension AAP will deliver longer term housing targets for the growth area. So the balance of greenfield sites adjacent to the urban periphery and larger villages can be allocated at a later stage, following the production of other DPDs and AAPs that allocate land for housing.
- 4.13** In adopting this approach, it is important to continually review the housing trajectory to ensure the delivery the Council's housing targets.



Maidstone Borough Council Local Development Scheme

Other LDF Documents

4.14 The Council has experienced some success in the past two years through the adoption of Supplementary Planning Documents and endorsement of Supplementary Guidance.

4.15 Whilst it is no longer a requirement to include a programme for the production of SPDs in the LDS, the Council confirms that it will give consideration to prioritising the production of the SPDs listed below following the adoption of the Core Strategy:

- **Planning Tariff SPD:** The Council will move to a new planning tariff based on Core Strategy policy and associated infrastructure plans. The SPD will be designed in such a way that it could be converted from planning tariff to community infrastructure levy if advantageous to the Council. A judgement for the way forward will be made once government legislation for a levy is published.
- **Parking Strategy SPD:** To address the parking needs of the borough, over and above County Council parking standards, having regard to the Maidstone Integrated Transport Strategy (MITS) and Local Transport Plan (LTP). This SPD is crucial in developing detailed parking policy for the borough, but it is dependent on Core Strategy policies for sustainable transport provision and the completion of the MITS and LTP.
- **Landscape Character Area Assessment SPD:** To develop a “toolkit” for the determination of planning applications within identified landscape character areas. A Landscape Character Area Assessment is underway as part of the evidence base for the Core Strategy. Once the Core Strategy is adopted, an SPD on the implementation of policy in defined landscape areas will be required.
- **Character Area Assessment SPDs:** To set detailed criteria for the protection and enhancement of a series of special character areas throughout the borough, following the completion of two pilot studies for the Loose Road and London Road areas. Consideration will need to be given to priority areas for further Character Area Assessments.
- **Air Quality SPD:** To provide technical guidance for developers, their consultants and other interested stakeholders, on the way in which air quality and air pollution issues will be dealt with through the planning system.

4.16 Provided documents are consistent with the Council’s objectives and policies, that the Council has input to key stages of the preparation of documents, and that documents satisfy regulatory requirements, the Council will consider endorsing further documents as Supplementary Guidance to its LDF:

- **Access and Facilities for Disabled People:** To set criteria to secure suitable access facilities for disabled people, and to assist in the determination of planning applications and building regulations. The document would provide guidance to planners and developers on how to best to facilitate disabled people in the design and construction of new developments, the conversion of previous developments, including details for landscaping and the public realm. The Council is currently investigating the potential to set up a cross-district/county working group under the umbrella of the Kent Design Initiative to produce the guidance as a supplementary appendix to the Kent Design Guide.

5 Risk Management

- 5.1** The Council is continually analysing the staffing and financial resources available to produce the Local Development Framework and this is periodically reported to the Council's Cabinet in line with budget bids.
- 5.2** There are several problems which might be encountered in keeping the LDS programme on course, and the Council must assess how these risks might be minimised.
- Proceeding with the Core Strategy in advance of the Secretary of State's decision on a planning appeal to develop a strategic rail freight interchange (SRFI) in Maidstone, following a decision by the Council that it would have refused the application had an appeal not been lodged
 - Completion of the Core Strategy evidence base due to the interdependency of evidence, particularly transport planning
 - Land assembly and infrastructure delivery for the Maidstone Urban Extension
 - Production of an early Gypsy and Traveller Pitch Allocations DPD in advance of the Core Strategy and the adoption of the South East Plan Partial Review
 - Programme management and Council decision making processes
 - Decisions of external strategic decision makers, including the Government Office for the South East (GOSE) and the Planning Inspectorate
 - Maintenance of adequate staffing levels and resources
 - Other unpredictable events.
- 5.3** The Council cannot mitigate against the risk that might be presented by an adverse Secretary of State decision on the SRFI appeal. The Council produced a considerable amount of evidence to facilitate its decision on such a proposal, and it concluded that Maidstone is not an appropriate location for such a facility. However, if the appeal is allowed, there is a high risk that the Core Strategy will need to be rewritten because of the impact the proposal would have on the Strategy in terms of how, when and where the Council's housing and employment targets are met.
- 5.4** Nonetheless, this risk must be balanced against a growing policy framework vacuum for the development control process: the saved policies from the Maidstone Borough-wide Local Plan date back to 2000; the Kent and Medway Structure Plan policies are not saved; and the policies of the South East

Plan cannot address local issues. Delaying the Core Strategy programme without knowing when an appeal decision will be made will have further consequences, such as the Council's ability to meet its medium to longer term housing targets. Furthermore, the Council cannot produce AAPs for the town centre and urban extension without setting the framework for such documents in the Core Strategy. The adoption of the Core Strategy is also necessary to develop the higher tier policy "hook" required for the preparation of further SPDs to assist with development control decisions.

- 5.5** On balance, therefore, the Council has decided to proceed with its Core Strategy programme.
- 5.6** Clearly one of the risks to the Core Strategy timetable is a comprehensive, robust and sound evidence base. Some of this evidence base is reliant on the completion of other evidence, in particular transport and infrastructure planning. This risk has been given careful consideration so the revised timetable for the Core Strategy should allow adequate time to complete the evidence base, but there will always be some risk of setbacks to the programme that cannot be addressed.
- 5.7** Similarly, land assembly and infrastructure provision that is necessary to deliver the Strategy, in particular the Maidstone urban extension, presents a challenge. So the Council will set out the principles for delivering the growth area in the Core Strategy, but it will prepare an Area Action Plan to develop the policy the framework and to allocate land for the extension.
- 5.8** The Gypsy and Traveller Pitch Allocations DPD will address an identified local need. This document is being prepared in advance of knowing the outcome of the partial review of the South East Plan that will set targets for the supply of pitches for individual districts. However, the Council understands its backlog of need and current requirement for pitches through its Gypsy and Traveller Accommodation Assessment and the South East Plan consultation exercises. It will mitigate the need for further pitch allocations that might arise following the adoption of the South East Plan review by phasing contingency sites that can be brought forward in the case of an increased provision, rather than continuing to plan for the community's needs by appeal. There is also a risk to the adoption date of this DPD if the Examination Inspector resolves to delay the release of his/her Report until the receipt of the Core Strategy Inspector's Report.
- 5.9** Political and stakeholder co-operation will be essential if the Council is to meet its LDS targets. A number of documents involve partnership working with other agencies, such as the infrastructure providers (health, education, water, electric, gas, etc.), Highways Agency, County Council, Environment Agency, relevant landowners regarding land assembly and so on. The Council is minimising this risk to the programme by fully engaging with stakeholders through a number of working groups, and by setting up a series of Member meetings to steer documents through the plan making process.

- 5.10** The Council consulted GOSE on a number of occasions prior to submitting its Local Development Scheme, to ensure there were no constraints to the programme. One of the steps the Council has taken to mitigate against an unsound programme is to employ consultants to undertake the production of the first stage of the Gypsy and Traveller Pitch Allocations DPD to ensure that staff resources are not diverted away from producing its key document: the Core Strategy. Furthermore, the Council has arranged to meet with the Planning Inspectorate to seek advice on the Core Strategy evidence base it is assembling.
- 5.11** The LDS takes into account current staffing levels and it will endeavour to recruit and retain skilled and experienced staff who are necessary to deliver the Scheme, and also to secure adequate resources to engage specialist consultants and contractors as required. The Council can take action to mitigate against shortages in an area of skills scarcity, although cannot plan for all interruptions through vacancies, sickness and maternity leave.
- 5.12** Nonetheless, the LDS timetable has undergone a realistic review, including an assessment of documents that will need to be prepared to replace saved local plan policies, so it should be achievable. It will be important to maintain a focused programme management approach to regularly monitor, review, and report on the progress of the LDS.

6 Monitoring and Review

- 6.1** Clearly there is a need for a robust evidence base to support Local Development Documents. The Council will continually assess and build on this evidence to ensure it has sufficient social, environmental, economic and physical information to identify the spatial characteristics and needs of the borough to inform LDDs.
- 6.2** Each DPD/AAP will explain how its policies will be implemented, and will identify performance indicators against which the success of policies will be monitored. These could include core indicators and/or local output indicators contained in the Annual Monitoring Report, or key performance indicators from the Council's Strategic Plan.
- 6.3** The Local Development Scheme will be reviewed annually through the AMR. The review will assess the progress of document production against the programme, and if targets have not been met the AMR will explain why. The AMR will also establish whether the LDS timetable requires amendment and the reasons for the changes.
- 6.4** Additionally, the Council will maintain a programme management approach to monitor and review the LDS timetable to ensure that the milestones for document production set out in the scheme are met.

7 Document Project Plans

Document Project Plans

CORE STRATEGY	
Subject	Sets out the spatial vision and strategy for the future development of Maidstone to 2026
Status	Development Plan Document
Coverage	Maidstone borough, and to respond to the Growth Areas and major development in adjoining borough and cross boundary issues
Content	<ul style="list-style-type: none"> • To set out the Council's vision, spatial objectives, strategy and implementation framework • The delivery of growth targets set by the RSS for housing provision, together with supporting infrastructure and community facilities • The allocation of strategic housing and employment sites essential to the delivery of the spatial planning strategy • Criteria based policy for gypsy and traveller needs • Urban form and open spaces network, illustrated by a key strategic diagram • The delivery of quality new development • The identification of broad locations for development, illustrated by a key strategic diagram • Town centre and suburban regeneration • Transport hub strategy • Multi-modal transport strategy • Rural communities • Design quality and sustainability • Urban conservation • Environmental protection
Chain of Conformity	RSS (the South East Plan) and central government policy and guidance. Regard to the Maidstone Sustainable Community Strategy, the Maidstone Housing Strategy, the Affordable Housing DPD (2006), the Open Space DPD (2006). The Core Strategy sets the strategy with which all LDDs must comply.
Proposals Map	To be amended to reflect the adoption of the Core Strategy DPD
Timetable	
SA Scoping Report	August 2009

Public Participation (Reg 25)	July 2009 to February 2010
Publication (Reg 27)	December 2010 to January 2011
Submission to SoS (Reg 30)	March 2011
Examination (estimate)	July 2011
Adoption (estimate)(Reg 36)	December 2011
Arrangements for Production	
Internal Partners	Teams within the directorates of Prosperity & Regeneration, Environmental Services and Resources & Partnerships, Management Team, Member Advisory Group (LDDAG)
External Partners	Appropriate national consultees, the LSP, Town Centre Management, parish councils and other stakeholders and community groups set out in the SCI
External Resources	KCC Highways, infrastructure providers and the HCA

GYPSY AND TRAVELLER PITCH ALLOCATIONS	
Subject	Allocates land for gypsy and traveller accommodation to meet identified needs
Status	Development Plan Document
Coverage	Maidstone borough
Content	<ul style="list-style-type: none"> • Sustainable criteria for site selection • Land allocations for new pitches to meet the needs of gypsies and travellers
Chain of Conformity	RSS (the South East Plan), including the partial review of the South East Plan, and central government policy and guidance. Regard to the Gypsy and Traveller Accommodation Assessment.
Proposals Map	To be amended to reflect the adoption of the Gypsy and Traveller Pitch Allocations DPD
Timetable	
SA Scoping Report	August 2009
Public Participation (Reg 25)	July to September 2009
Publication (Reg 27)	July to August 2010
Submission to SoS (Reg 30)	October 2010
Examination (estimate)	February 2011
Adoption (estimate)(Reg 36)	July 2011
Arrangements for Production	
Internal Partners	Teams within the directorates of Prosperity & Regeneration, Environmental Services and Resources & Partnerships, Management Team, Member Advisory Group (LDDAG)
External Partners	Appropriate national consultees, the LSP, KCC Gypsy Unit, and other stakeholders and community groups set out in the SCI, including parish councils and the gypsy and traveller community
External Resources	Use of consultants to complete the first stage of the DPD to Publication

TOWN CENTRE REGENERATION	
Subject	To define urban regeneration areas within the town centre and to provide a policy framework and implementation plan for the revival of defined areas, in accordance with the Core Strategy. This document will play an important role in identifying the capacity for development and regeneration of Maidstone as a defined Principal Town and Transport Hub prior to, and balanced with, appropriate edge of town centre greenfield development, as required by South East Plan policy AOSR7 and draft PPS4: Planning for Sustainable Economic Development.
Status	Area Action Plan
Coverage	For specified areas within the town centre identified in the AAP, and in accordance with the Core Strategy
Content	<ul style="list-style-type: none"> • To guide the redevelopment and regeneration of defined areas in terms of land use, design, phasing and the implementation of schemes • Enhancement of the vitality and character of the town • Identification of different land use "quarters" for office, retail, etc., and to define their roles • Identification of opportunities for appropriate mixed use development • Improvement of highway, transport, cycle and pedestrian routes • Conservation and environmental protection and enhancement • Appraisal of the riverside potential • Assessment of the need for community, leisure and/or tourism facilities
Chain of Conformity	The RSS (the South East Plan) and central government policy and guidance. Regard to the Maidstone Sustainable Community Strategy, the Core Strategy, the Affordable Housing DPD (2006), the Open Space DPD (2006) and the Sustainable Construction SPD (2006).
Proposals Map	To be amended to reflect the adoption of the Town Centre Regeneration AAP
Timetable	
SA Scoping Report	March 2011
Public Participation (Reg 25)	May to July 2011
Publication (Reg 27)	April to May 2012

Submission to SoS (Reg 30)	July 2012
Examination (estimate)	November 2012
Adoption (estimate)(Reg 36)	April 2013
Arrangements for Production	
Internal Partners	Teams within the directorates of Prosperity & Regeneration, Environmental Services and Resources & Partnerships, Management Team, Member Advisory Group (LDDAG)
External Partners	Appropriate national consultees, the LSP, Town Centre Management, parish councils and other stakeholders and community groups set out in the SCI
External Resources	Use of specialist consultants to provide part of the background evidence for master planning of the town centre

MAIDSTONE URBAN EXTENSION	
Subject	To define the phasing, extent and infrastructure requirements for a major part of Maidstone's growth area, and to provide a policy framework and implementation plan for the delivery of a sustainably designed urban extension in accordance with the Core Strategy
Status	Area Action Plan
Coverage	Land to the east/south-east of the urban area, as indicated in the Core Strategy
Content	<ul style="list-style-type: none"> • To guide the development of defined areas in terms of sustainable land use, design, phasing and the implementation of schemes • Balancing the need to accommodate housing growth with employment opportunities • Phasing of development and infrastructure • Delivery of the SEMSL and/or other transport measures • Improvement of highway, transport, cycle and pedestrian routes • Conservation, environmental protection and enhancement • Assessment of the need for community, leisure and/or tourism facilities within the urban extension
Chain of Conformity	The RSS (the South East Plan) and central government policy and guidance. Regard to the Maidstone Sustainable Community Strategy, the Core Strategy, the Maidstone Housing Strategy, the Affordable Housing DPD (2006), the Open Space DPD (2006) and the Sustainable Construction SPD (2006).
Proposals Map	To be amended to reflect the adoption of the Maidstone Urban Extension AAP
Timetable	
SA Scoping Report	March 2011
Public Participation (Reg 25)	May to August 2011
Publication (Reg 27)	July to August 2012
Submission to SoS (Reg 30)	October 2012
Examination (estimate)	February 2013

Adoption (estimate)(Reg 36)	July 2013
Arrangements for Production	
Internal Partners	Teams within the directorates of Prosperity & Regeneration, Environmental Services and Resources & Partnerships, Management Team, Member Advisory Group (LDDAG)
External Partners	Appropriate national consultees, the LSP, parish councils and other stakeholders and community groups set out in the SCI
External Resources	Use of specialist consultants to provide part of the background evidence for master planning of the urban extension

LAND ALLOCATIONS	
Subject	Site specific land allocations for new housing, business, retail and infrastructure; and designation of countryside and environmental protection areas, including a green space network
Status	Development Plan Document
Coverage	Maidstone borough
Content	<ul style="list-style-type: none"> • To identify non-strategic sites for new land allocations to meet the housing, employment, tourism, public open space, community and infrastructure needs of the borough • Implementation programme, including phasing of development, to secure necessary infrastructure • Safeguarding of identified employment areas • Assessment of the need for land for vehicle sales and showrooms • Review of defined urban area and village boundaries • Assessment of landscape and environmental protection areas • Implementation of an ecological network • Safeguarding and enhancing biodiversity (including designations)
Chain of Conformity	The RSS (the South East Plan) and central government policy and guidance. Regard to the Maidstone Sustainable Community Strategy, the Core Strategy, the Maidstone Housing Strategy, the Affordable Housing DPD (2006), the Open Space DPD (2006) and the Sustainable Construction SPD (2006).
Proposals Map	To be amended to reflect the adoption of the Land Allocations DPD
Timetable	
SA Scoping Report	April 2013
Public Participation (Reg 25)	June to September 2013
Publication (Reg 27)	August to September 2014
Submission to SoS (Reg 30)	November 2014
Examination (estimate)	March 2015
Adoption (estimate)(Reg 36)	August 2015

Arrangements for Production	
Internal Partners	Teams within the directorates of Prosperity & Regeneration, Environmental Services and Resources & Partnerships, Management Team, Member Advisory Group (LDDAG)
External Partners	Appropriate national consultees, the LSP, parish councils and other stakeholders and community groups set out in the SCI
External Resources	Use of specialist consultants to provide part of the background evidence as required

8 Glossary

Acronym	Term	Description
	The Act	The Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008.
AAP	Area Action Plan	An AAP is a DPD that targets specific areas of development or change.
AMR	Annual Monitoring Report	The AMR provides a framework with which to monitor and review the effectiveness of local policies, and to establish whether policy targets or milestones in DPDs have either been met or progress made towards meeting them.
	Development Plan	The Development Plan comprises the Regional Spatial Strategy, Kent Minerals and Waste Local Plans, saved policies from the Maidstone Borough-Wide Local Plan, and adopted DPDs/AAPs.
DPD	Development Plan Document	A DPD is a spatial planning document that is subject to independent examination. The Core Strategy is a DPD.
GOSE	Government Office for the South East	GOSE represents central government in the south east region. Its role is to promote better and more effective integration of government policies and programmes at a regional and local level.
HCA	Homes and Communities Agency	The national housing and regeneration agency, responsible for providing funding for affordable

		housing, bringing land back into productive use, and raising standards in the physical and social environment.
KCC	Kent County Council	The county planning authority, responsible for producing the Kent Minerals and Waste Local Plans and the County's LDF.
LDD	Local Development Document	LDDs comprise statutory Development Plan Documents (DPD) and non statutory Supplementary Documents (SPD). LDDs will include core policies, area action plans, the proposals map and site specific policies.
LDDAG	Local Development Document Advisory Group	Member committee set up to steer the production of LDF documents through the LDS, and to respond to other policy documents prepared by government, regional and local bodies.
LDF	Local Development Framework	Introduced by the Planning and Compulsory Purchase Act 2004, the LDF is a folder of LDDs. The LDF comprises DPDs, SPDs, the proposals map, the SCI, the LDS and the AMR. Together these documents provide the framework for delivering the spatial planning strategy for the borough.
LDS	Local Development Scheme	The LDS is a business programme or timetable listing the documents the Council will produce under the LDF, and explaining how documents will be

		prepared and when they will be published.
LSP	Local Strategic Partnership	The LSP is a partnership of stakeholders who develop ways of involving local people in shaping the future of their neighbourhood, particularly in determining how local services should be provided. LSPs are often single non-statutory, multi-agency bodies, which aim to bring together the local public, private, voluntary and community sectors.
MBC	Maidstone Borough Council	The local planning authority responsible for producing the LDF.
PPS	Planning Policy Statement	Published by the government, PPSs set out national policy to guide development.
	Proposals Map	The Proposals Map uses an ordnance survey map base to illustrate all land use saved policies and proposals from the adopted local plan. The Proposals Map is updated as each new DPD is adopted, so that it reflects the up-to-date planning strategy for the borough.
RSS	Regional Spatial Strategy	The RSS sets out the region's policies for the development and use of land. The RSS forms part of the development plan. The South East Plan is the RSS for the region.
SA	Sustainability Appraisal	The SA is a tool for appraising policies to ensure they reflect

		sustainable development objectives, including social, economic and environmental objectives. An SA must be undertaken for all DPDs/AAPs.
SEMSL	South East Maidstone Strategic Link	Potentially, a major new road to the east of Maidstone to ease town centre congestion and to support the Maidstone Urban Extension
SCI	Statement of Community Involvement	The SCI specifies how the community and stakeholders will be involved in the process of preparing LDDs.
SCS	Sustainable Community Strategy	The Sustainable Community Strategy is produced by local authorities with the aim of improving the social, environmental and economic well being of their areas. The actions of the local public, private, voluntary and community sector are coordinated through the Community Strategy.
SEA	Strategic Environmental Assessment	SEA is a generic term used to describe the environmental assessment of policies, plans and programmes. The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.
SoS	Secretary of State	Secretary of State for Communities and Local Government.

	Supplementary Guidance	Supplementary Guidance was introduced as part of the plan making system in 2008. Local authorities can endorse publications prepared by regional or strategic bodies as supplementary guidance to their LDF. It is not part of the LDF but, if subject to adequate stakeholder and public consultation, carries commensurate weight to SPD in decision making processes.
SPD	Supplementary Planning Document	An SPD provides detailed supplementary guidance about how planning policies will be implemented.