

# STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE MEETING

Date: Wednesday 7 October 2020

Time: 6.30 pm

Venue: Remote Meeting - The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council website.

Membership:

Councillors D Burton (Chairman), Clark, English, Garten, Mrs Grigg (Vice-Chairman), McKay, Munford, Parfitt-Reid and Spooner

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

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## AMENDED AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Urgent Items
4. Notification of Visiting Members
5. Disclosures by Members and Officers
6. Disclosures of Lobbying
7. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
8. Minutes of the Meeting Held on 22 September 2020
9. Presentation of Petitions (if any)
10. Question and Answer Session for Members of the Public
11. Questions from Members to the Chairman (if any)
12. Committee Work Programme
13. Reports of Outside Bodies

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**Issued on Friday 2 October 2020**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

14. Reference from the Biodiversity and Climate Change Working Group - White Paper: Planning for the Future Consultation Response
15. Upper Stone Street Air Quality Update Report
16. Parking Services Update
17. 1st Quarter Financial Update & Performance Monitoring Report 2020/21
18. **Council Response to the Government's Proposed Planning Reform: 'White Paper: Planning for the Future'** **91 - 103**
19. **A229 Blue Bell Hill Junction Improvement Scheme** **104 - 137**
20. **Local Plan Review Update** **138 - 142**

### **INFORMATION FOR THE PUBLIC**

In order to ask a question at this remote meeting, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Monday 5 October 2020). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

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## Strategic Planning and Infrastructure Committee

**7 October 2020**

### Council Response to the Government’s Proposed Planning Reform: ‘White Paper: Planning for the Future’

<b>Final Decision-Maker</b>	Strategic Planning and Infrastructure Committee
<b>Lead Head of Service</b>	Rob Jarman, Head of Planning and Development
<b>Lead Officer and Report Author</b>	Rob Jarman (Head of Planning and Development), Tom Gilbert (Principal Planning Officer)
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### **Executive Summary**

On 6th August 2020, the Ministry of Housing, Communities and Local Government launched two public consultations. One focusing on changes to the present planning system and white paper ‘Planning for the Future’ proposing wholesale changes to the planning system through primary and secondary legislation.

Both consultations and proposed responses were discussed at the meeting of this committee on 22 September 2020. It was resolved that the responses to the White Paper ‘Planning for the Future’ be amended and brought back to the committee. This report highlights the amendments proposed by members of this committee and those of the Biodiversity and Climate Change Working Group presented.

This report considers the consultation and recommends that the proposed response set out in Section 4 of the report is forwarded to Ministry of Housing Communities and Local Government as the Council’s formal response.

#### **Purpose of Report**

For decision. That the Committee approve the Council’s response to the Government’s proposed Planning reform ‘Planning for the future’ white paper’.

#### **This report makes the following recommendations to this Committee:**

1. That the content of the national Government consultation: ‘White Paper: Planning for the Future’ are noted and the Council’s response to be approved for submission.
2. If detailed responses are not agreed, then Head of Planning & Development has delegated powers to submit a response in consultation with the chair and vice-chair of the Strategic Planning & Infrastructure Committee.

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Committee	7 October 2020

# Council Response to the Government's Proposed Planning Reforms 'Planning for the Future'

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims as set out in section 3.	Rob Jarman (Head of Planning and Development)
<b>Cross Cutting Objectives</b>	The report recommendations support the achievement of all four cross cutting objectives	Rob Jarman (Head of Planning and Development)
<b>Risk Management</b>	Already covered in the risk section of the report	Rob Jarman (Head of Planning and Development)
<b>Financial</b>	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Rob Jarman (Head of Planning and Development)
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Rob Jarman (Head of Planning and Development)
<b>Legal</b>	Accepting the recommendations will fulfil the Council duties under the Planning and Compulsory Purchase Act 2004 (as amended)	Mid Kent Legal Services (Planning)
<b>Privacy and Data Protection</b>	No privacy or data issues identified	Policy and Information Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Policy & Information Team
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	The recommendation will not have any impact on crime and disorder as it is a response to a national government consultation and will not	Rob Jarman (Head of

	lead to any specific changes to the current planning system at present.	Planning and Development)
<b>Procurement</b>	There are no procurement requirements	Head of Service & Section 151 Officer

## 2. INTRODUCTION AND BACKGROUND

2.1 The Ministry of Housing Communities and Local Government is currently undertaking a consultation on a White Paper 'Planning for the Future' relating to changes to the Planning system in England. The closing date for the consultation is 29 October 2020.

2.2 The changes proposed in the White Paper consultation 'Planning for the Future' and a draft consultation response were presented to this committee at its last meeting of 22 September 2020 for comment. It was resolved at that meeting that:

2.3 *'Delegated authority be given to the Head of Planning to submit the responses as shown within Appendix 1 to the report, inclusive of the comments provided by the Committee, to the Ministry of Housing, Communities and Local Government with regard to the 'Changes to the current planning system consultation (2020)'; and*

2.4 *The draft responses to the 'White Paper: Planning for the Future' as shown within Appendix 2 to the report, be amended by the Head of Planning with consideration given to the Committee's comments, after which the responses would be brought back to the next meeting of the Committee, be agreed.'*

2.5 In accordance with this resolution an updated version of the consultation response to the White Paper 'Planning for the Future' has been drafted accounting for comments made at the last committee meeting on 22 September and is attached in appendix 1 for review.

2.6 In summary the comments raised at the last meeting of this committee by members on the draft response were as follows:

- **Question 7b** – Answer to be amended to better reflect the question
- **Question 9** – Answer to be amended to raise concerns with the granting of automatic permission for development that falls within proposed growth areas and the conflict with other existing designations (i.e. listed building, conservation area etc)
- **Question 22a** – Answer to be amended to delete reference to the removal of infrastructure collection role from Boroughs and Districts and be replaced with a suggestion that Boroughs and Districts be given powers to enforce spending of infrastructure money.
- **Question 23** – Answer wording to be amended to say *significantly increased the population in certain areas of the Borough*. Also suggest that

the proposed reform to the infrastructure levy to have an exemption for self-build and micro-developers.

2.7 In addition to the comments of members of the committee comments from the Climate Change and Biodiversity Action Working Group of the Council towards the White Paper 'Planning for the Future' consultation was also raised. In summary these included:

- More local decision making to be included rather than less
- The sustainable development test needs to be further defined through the outlining of its parameters
- The digital mapping tool proposed should include a comprehensive database of constraints
- Any future resourcing and skills strategy for the planning system needs to incorporate training on environmental sustainability and biodiversity
- Proposals for automatic permission need to consider the environmental benefits of urban brownfield sites
- Design codes need to consider: the development of technology over time, building resilience to avoid need to retrofit, and the need to improve and promote design quality
- The proposed infrastructure levy is to be used to support the delivery of infrastructure to combat climate change
- Land banking needs to be addressed
- Proposed changes need to support increase tree cover
- A new wild belt designation as promoted by the Wildlife Trust should be promoted

2.8 In conclusion the comments from this committee on the 22 September 2020 and those presented from the Climate Change and Biodiversity Action Working Group towards the National Government Consultation on the White Paper: 'Planning for the Future' have now been included into a re-drafted response -see italics- and can be found in appendix 1.

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### **3. AVAILABLE OPTIONS**

3.1 Option A: To not make representation.

3.2 Option B: To approve the Borough Council's representations outlined in appendix 1

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 The preferred option is '*Option B: To approve the Borough Council's representations outlined in appendix 1*'. This will enable the Council to potentially influence the proposed reforms and that the Council's opinion is part of the debate.

## **5. RISK**

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 N/A
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 If the recommendations are agreed, then officers will submit the response attached in appendix 1.
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## **8. REPORT APPENDICES**

- Appendix 1: Response to MHCLG – Planning for the Future: White Paper (2020)

## **9. BACKGROUND PAPERS**

- Background document 1: MHCLG – Planning for the Future: White Paper (2020) - <https://www.gov.uk/government/consultations/planning-for-the-future>
- Background document 2: Strategic Planning and Infrastructure Committee 22 September 2020: Agenda Item 14 – [https://www.maidstone.gov.uk/home/primary-services/council-and-democracy/primary-areas/your-councillors?sq\\_content\\_src=%2BdXJsPWh0dHBzJTnBJTJGJTJGJbWVldGluZ3MubWFpZHN0b25lLmdvdi51ayUyRmRvY3VtZW50cyUyRnM3MjQ5NCUyRkNvdW5jaWwIMjBSZXNwb25zZSUyMHRvJTIwdGhJTIwR292ZXJubWVudHMIMjBQcm9wb3NIZCUyMFBsYW5uaW5nJTIwUmVmb3JtcyUyMENoYW5nZXMIMjB0byUyMHRoZSUyMGN1cnJlbnQIMjBwbGFubmluZyUyMHN5cy5wZGYmYWxsPTE%3D](https://www.maidstone.gov.uk/home/primary-services/council-and-democracy/primary-areas/your-councillors?sq_content_src=%2BdXJsPWh0dHBzJTnBJTJGJTJGJbWVldGluZ3MubWFpZHN0b25lLmdvdi51ayUyRmRvY3VtZW50cyUyRnM3MjQ5NCUyRkNvdW5jaWwIMjBSZXNwb25zZSUyMHRvJTIwdGhJTIwR292ZXJubWVudHMIMjBQcm9wb3NIZCUyMFBsYW5uaW5nJTIwUmVmb3JtcyUyMENoYW5nZXMIMjB0byUyMHRoZSUyMGN1cnJlbnQIMjBwbGFubmluZyUyMHN5cy5wZGYmYWxsPTE%3D)

## **Appendix 1 - Response to National Government Consultation on White Paper Future for Planning**

### **Questions**

#### **1. What three words do you associate most with the planning system in England?**

Complex, inconsistent and expensive

#### **2. Do you get involved with planning decisions in your local area?**

Yes

#### **2(a). If no, why not?**

N/A

#### **3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?**

Site Notice / Online news / Social Media

#### **4. What are your top three priorities for planning in your local area?**

**[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]**

Maidstone Borough Council's priorities in relation to planning are set out in the Council's own corporate Strategic Plan 2019-2045. It has four priorities that include: embracing growth and enabling infrastructure, safe, clean, and green, homes and communities and a thriving place.

#### **5. Do you agree that Local Plans should be simplified in line with our proposals?**

Not sure. The Council is concerned by the nature of the proposals in that it will take away power from Local Communities through their elected representatives and therefore rather than democratise the process make it a less accountable process. However, it does support the proposals ability to improve consistency, speed and removing complexity.

*The Council proposes that included within the proposals should be a new wild belt designation as promoted by the Wildlife Trust.*

#### **6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?**

Yes. This is if the national policies are high quality ambitious that tackle big issues as this would bring about economies of scale.

**7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?**

At present little detail has been provided as to the sustainable development test, so it is hard to make an informed comment. The Council does agree with the proposed direction of travel, *but the parameters of the new test need to be outlined.*

**7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?**

*Maidstone Borough Council supports the removal of the Duty to Co-operate, as it is felt that such a regimented system slows down the process of plan making. However, it does recognise the need to maintain strategic cooperation. Perhaps the best way to ensure that co-operation is maintained is using existing regional bodies to oversee these conversations, such as Local Enterprise Partnerships.*

**8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?**

It is acknowledged that the establishment of the standard method for housing requirements would help to resolve issues of setting the housing figure. However, the Council feels that the methodology creates an unreasonable burden of housing on Maidstone Borough.

Maidstone Borough Council is open to its rightful share of compound growth in percentage terms to existing housing stock and a simple population projection. However, it is felt that the methodology is over complicated and penalises the authority for historic market failure. This leads to community resistance to the numbers that have emerged from the methodology previously.

The Council feels that the option of using constraints should be assessed at a national level, otherwise it will lead to debate, which will delay the process and therefore not reflect the spirit of the consultation.

**8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?**

No. Housing growth should be a factor of existing stock and growth focus. More housing should be brought about by market intervention.

**9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?**

**[Yes / No / Not sure. Please provide supporting statement.]**

*Yes, based on the Local Authority putting on place high quality design codes. The Council also has concerns how the system will work in areas designated for growth that have other existing environmental or heritage designations (i.e. listed, buildings conservations areas etc).*

**9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?**

**[Yes / No / Not sure. Please provide supporting statement.]**

*Not sure. Like the answer given for question 9a there is a concern over how these proposals will work regarding the patchwork of existing planning designations that are found at the micro level. Further detail is needed.*

**9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?**

Not sure. This will depend on the level of local input into the process.

**10. Do you agree with our proposals to make decision-making faster and more certain?**

Yes, if this not at the detriment of local accountability and robustness.

**11. Do you agree with our proposals for accessible, web-based Local Plans?**

Yes. The Council overall is supportive of the digitalisation of the process as this would in time allow Local Plans to become more 'live' documents that are reactive and flexible.

However, the document will have to take other forms as well for the LPA to meet its equalities obligations to various groups. *In addition, the digital mapping tool should include a comprehensive database of constraints.*

**12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans?**

While the Council see the benefit of a quicker process to allow for the development industry and the public to have more certainty in the plan making process it is concerned that the 30 month timeframe proposed would limit the robustness of the plan making process and subsequently the plan. However, it does approve of the change generally as it allows for Local Plans to be more reactive and flexible to changing circumstances.

**13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?**

Yes. They provide a level of input from the community that helps to democratise the planning process. However more detail is needed as to how they will interact with the new Local Plans as it appears that their currently role may conflict with the proposed Local Authority lead design codes.

If they are to remain it may be advisable to review and streamline the process of the Neighbourhood Plans in the same way that Local Plans have been in the White Paper.

**13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?**

The Council feels that the present process in appropriate and further detail on this should be obtained from Neighbourhood Planning groups.

**14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?**

Yes, but only if the quality of developments is maintained.

**15. What do you think about the design of new development that has happened recently in your area?**

**[Other – please specify]**

Desirable to the market, functional, but a lack of variety.

Most major schemes are well designed at the planning application stage. However, the quality is often diluted post permission by developers seeking to isolate individual elements of the design quality of a scheme through minor material amendments and details pursuant to conditions or just not complying. Therefore, the execution is often left wanting.

**16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?**

Maidstone Borough Council has 4 priorities for sustainability in the Borough: including:

- Embracing growth and enabling infrastructure
- Safe, clean, and green
- Homes and communities; and
- A thriving place

**17. Do you agree with our proposals for improving the production and use of design guides and codes?**

**[Yes / No / Not sure. Please provide supporting statement.]**

Yes. The main issue will be resourcing this skill set and culture change.

The Council feels that the design codes and guides provided should improve design quality, resilience and embrace technology in order to make places more resilient.

**18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?**

The Council believes that adding an additional new body to support design coding and building better places may have a negative consequence as it would add another layer to the planning system, when the proposed reforms aim to streamline the process.

It is not certain that a new chief officer for design and place making is needed as this is a role that Chief Planning Officers already fulfil. At Maidstone Borough Council the Head of Planning is a design champion already.

**19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?**

N/A

**20. Do you agree with our proposals for implementing a fast-track for beauty?**

Not sure – further details are needed as to how the system will work. Beauty is a very subjective matter and may be better decided at a local rather than a national level to take account of the local vernacular.

**21. When new development happens in your area, what is your priority for what comes with it?**

**[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]**

Maidstone Borough Council cannot prioritise just one of the elements highlighted. Priorities for the Borough come from the recently adopted Local Plan 2017 and the Strategic Plan 2019-2045.

The Strategic Plan 2019-2045 included 4 priorities: Embracing growth and enabling infrastructure, Safe, clean, and green, Homes and communities; and A thriving place.

**22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?**

**[Yes / No / Not sure. Please provide supporting statement.]**

The Council feels that the system needs reform but suggests that the issue may not be the present methods of funding collection and charging rather the ability of councils to compel external infrastructure providers to deliver. Our experience is that if infrastructure is delivered on site it happens, and if it is not delivery is slow and complicated.

*These changes should be supported with giving powers to Borough and District authorities to enforce the spending of the infrastructure levy. It is felt that there are often delays with the spend of infrastructure money by delivery bodies, which often lead to dissatisfaction from residents affected by development.*

*Any new infrastructure levy should also be used to support delivery of infrastructure to combat climate change.*

**22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?**

The Council believes these should be set centrally, but with local considerations considered. This would bring about a quicker process.

**22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?**

Yes. The Council would want to capture same value of infrastructure funding as it presently does and not be worse off.

**22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?**

Yes this option should be available, but it should not shift the responsibility to district and borough authorities.

**23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?**

Yes – permitted development right changes have *significantly* increased the population in certain areas of the Borough, and these need to be supported by infrastructure (school places, transport etc). However, at present these developments do not have to pay any contribution towards infrastructure. Therefore, there is no planning gain to having the increased number of units brought about because of permitted development rights.

*The Council does suggest that exemptions should be in place for SMEs.*

**Questions 24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?**

Yes – affordable housing rates should not drop below present levels and should be delivered on site in the first instance. This enables quicker delivery to the people who need them and creates mixed and diverse communities, which are a positive thing.

**24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?**

**[Yes / No / Not sure. Please provide supporting statement.]**

Yes

**24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]**

Yes

**24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?**

**[Yes / No / Not sure. Please provide supporting statement.]**

Yes. The Council is receptive to the idea of being able to revert to a cash contribution if affordable housing quality is poor. However, the cash contribution should be set to reflect the re-world cost of provision of affordable housing. This means not just the build cost, but also land purchase price. This may disincentivise poor quality affordable housing from being provided. Furthermore, a definition of poor quality should be agreed by the LPA and developer ahead of the delivery and written into a legal agreement to be binding on both parties.

**25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?**

**[Yes / No / Not sure. Please provide supporting statement.]**

The idea of reducing restrictions on infrastructure spending so that it can be spent on other local priorities is appealing, however this should not be used as a method to cut further Local Authority funding generally, so that the shortfall is made up via the infrastructure levy.

The Council would like to understand if this means that an authority would become a grant provider for infrastructure. If so, this role is already performed by Local Enterprise partnerships and any such role would bring about unneeded duplication.

The council is potentially supportive of a surcharge being used to help fund the Local Plan making process.

**25(a). If yes, should an affordable housing 'ring-fence' be developed?**

Yes. Affordable housing is a priority for Maidstone Borough Council from its Strategic Plan 2019-2045. One key outcome from this priority in the Strategic Plan is to reduce homelessness and so the provision of affordable housing is a key tool in that process.

**26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?**

The Council has in place its Statement of Community Involvement. Inclusive public consultation on any change to policy or service delivery is extremely important as the needs of residents and the local area underpin decision-making in order to ensure sustainable communities for the future. The proposals to

support inclusive and mixed communities through streamlined processes would be supported.

## STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

**7 October 2020**

### A229 Blue Bell Hill Junction Improvement Scheme

<b>Final Decision-Maker</b>	Strategic Planning and Infrastructure Committee
<b>Lead Head of Service</b>	Rob Jarman, Head of Planning and Development
<b>Lead Officer and Report Author</b>	Tom Gilbert (Principal Planning Officer)
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

On 15 September 2020 Kent County Council launched a public consultation on three options of proposed highway improvement works to the A229 Blue Bell Hill section and M2 junction 3 and M20 junction 6. The consultation closes on the 19 October 2020.

This report considers the consultation and recommends that the proposed response set out in Section 4 and appendix 1 of the report is forwarded to Kent County Council as the Council's formal response.

#### Purpose of Report

Decision

#### This report makes the following recommendations to this Committee:

1. That the content of the Kent County Council 'A229 Blue Bell Hill Junction Improvement Scheme' consultation is noted, and the Council's response as set out in appendix 1 is approved for submission.
2. If detailed responses are not agreed, then Head of Planning & Development has delegated powers to submit responses in consultation with the chair and vice-chair of the Strategic Planning & Infrastructure Committee.

#### Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	7 October 2020

# A229 Blue Bell Hill Junction Improvement Scheme

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>• We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council’s overall achievement of its aims as set out in section 3.</p>	Rob Jarman (Head of Planning and Development)
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations support the achievement of all four cross cutting objectives</p>	Rob Jarman (Head of Planning and Development)
<b>Risk Management</b>	Please refer to Section 3 of this report.	Rob Jarman (Head of Planning and Development)
<b>Financial</b>	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Rob Jarman (Head of Planning and Development)
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Rob Jarman (Head of

		Planning and Development)
<b>Legal</b>	Accepting the recommendations will fulfil the Council duties under the Planning and Compulsory Purchase Act 2004 (as amended)	Rob Jarman (Head of Planning and Development)
<b>Privacy and Data Protection</b>	No privacy or data issues identified	Rob Jarman (Head of Planning and Development)
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Rob Jarman (Head of Planning and Development)
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Rob Jarman (Head of Planning and Development)
<b>Crime and Disorder</b>	The recommendation will not have any impact on crime and disorder as it is a response to a highways issue.	Rob Jarman (Head of Planning and Development)
<b>Procurement</b>	This report does not raise any specific procurement issues at this stage.	Rob Jarman (Head of Planning and Development)

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Kent County Council is currently consulting on proposed potential improvements to the A229 Blue Bell Hill section between M2 junction 3 and M20 junction 6, and the motorway junctions themselves. The consultation runs from 15 September to 19 October 2020.
- 2.2 This report will summarise the consultation and a summary of the responses from Maidstone Borough Council. Kent County Council has provided a standard template to collect responses; a draft version of the Council's response is attached in appendix 1.

### Background

- 2.3 The Blue Bell Hill section of the A229 runs from the Lord Lees Roundabout to the Running Horse Roundabout. It is in Kent County Council Highways authority area, as well as the Districts of Tonbridge and Malling and Maidstone.

2.4 This section of the A229 provides a link between the Medway towns and Maidstone as well as a strategic route from the M2 to the M20 motorways. At present it is noted that 68,000 vehicles per day use this stretch of the highway.

2.5 As noted, this section of highway is used to connect strategic and local centres. Most of the traffic, approximately 70%, uses Blue Bell Hill for longer strategic journeys, whilst the remaining 30% is for local journeys between Maidstone and Medway.

2.6 In 2003 constructions works were completed to the improve junction 3 of the M2. These were part of upgrades to the M2 motorway that included carriageway widening.

2.7

**Reasons for the highway improvement scheme**

2.8 Kent County Council have suggested that there are 5 reasons that the proposed changes are needed. These include:

- Congestion
- Road safety
- Air quality
- Local growth; and
- Impact of the Lower Thames Crossing

**Proposed options**

2.9 Kent County Council is proposing three potential options (background items 1-3). It is important to note that KCC is not suggesting a preferred option at this stage and has indicated that depending on the results of the consultation a hybrid of the 3 options may be taken forward for further consideration.

2.10 A summary of the three options is set out in the table below. The table has been taken from the consultation brochure published in support of the consultation. It is important to note that there are some similarities between all three options, and these are indicated in the comparison table below.

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
<b>Northern end of Blue Bell Hill</b>			
Improvements to the slip road onto the A229 southbound at Lord Lees Roundabout	✓	✓	✓
Increase the road width between Taddington and Lord Lees Roundabouts to four lanes	✓		
A new slip road onto the M2 (westbound) from the A229 immediately after Lord Lees Roundabout	✓	✓	✓
Upgrade of the current signalised junction at Taddington Roundabout allowing traffic travelling from the M2 eastbound to A229 via a new bridge over the M2	✓		
A new separate left turn lane from the M2 westbound to the A229 at Taddington Roundabout	✓	✓	✓

A new slip road from the M2 eastbound to a new junction arrangement at Bridgewood Roundabout		✓	✓
<b>Southern end of Blue Bell Hill</b>			
Enlarge the Running Horse Roundabout to the west	✓	✓	
Improve the slip road onto the M20 eastbound from Cobtree Roundabout	✓	✓	
A new grade separated junction, where the existing Forstal Road bridge is currently located			✓
<b>Along the length of the A229 Blue Bell Hill</b>			
Widen the A229 to three lanes when travelling southbound towards Maidstone (between Lord Lees and Cobtree Roundabouts)	✓	✓	✓

2.11 The project is envisaged to cost £142 million. Funding will be an 85% to 15% split between central Government money (Major Road Network funding) and other sources (other government funding opportunities and developer contributions).

#### **Next steps**

2.12 The consultation acknowledges that there is further design and modelling to be undertaken. Specifically there is further work to be done with regards to: refining the preferred design, environmental mitigation plans, air quality modelling, noise and vibration modelling, a landscape strategy, a habitats survey, cultural heritage studies, flood risk and water quality studies, geology and soil studies and waste and climate studies.

2.13 The provisional timetable following the consultation is as follows:

- October – December 2020 – consultation feedback analysis
- December 2020 – funding submitted to Department for Transport and publication of consultation report
- Spring 2021 – preferred option announced
- Autumn 2021 – Spring 2022 – Prepare applications for relevant consents for scheme
- Spring 2022- Summer 2023 – Detailed design work and public consultation
- Spring 2023 – Submission of business case to Department for Transport
- Summer 2024 – Constructions works to start
- 2027 – completion of the scheme

#### **Summary of responses**

2.14 The Council's full proposed responses are set out in appendix 1 of the report and use the standard template provided by Kent County Council. However, a summary of Council's response is as follows:

- In principle Maidstone Borough Council is supportive of works to improve the M2 & M20 junctions of A229 and acknowledge that there are present issues.

- The Council has concerns with the impact the improvements works may have on the landscape and environmental designations (North Downs AONB and adjoining North Downs Woodlands Special Area of Conservation).
  - The Council believes the improvement works are important and needed due to the planned Lower Thames Crossing works.
  - The Council believes the improvement works could have an impact on the provision of sustainable transport options and these need to be analysed and planned for.
- 

### **3. AVAILABLE OPTIONS**

3.1 Option A: To not make representation.

3.2 Option B: To approve the Borough Council's representations outlined in appendix 1.

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 The preferred option is option B that the committee approve the response set out in appendix 1 of this report and that it be sent to Kent County Council as Maidstone Borough Council's formal response. This is the only way to ensure the Council's views are formally recorded and can be taken account.

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### **5. RISK**

5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

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### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

6.1 N/A

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### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

7.1 The public consultation closes on 19 October 2020. If agreed, the proposed response set out in appendix 1 to this report will be submitted to Kent County Council to meet that deadline.

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## **8. REPORT APPENDICES**

- Appendix 1: Maidstone Borough Council Response to A229 Blue Bell Hill Junction Improvement Scheme
- 

## **9. BACKGROUND PAPERS**

Background document 1: Scheme Plan: Option 1

[https://kccconsultations.inconsult.uk/gf2.ti/f/1171682/80810117.1/PDF/-/Scheme\\_Plan\\_Option\\_1.pdf](https://kccconsultations.inconsult.uk/gf2.ti/f/1171682/80810117.1/PDF/-/Scheme_Plan_Option_1.pdf)

Background document 2: Scheme Plan: Option 2

[https://kccconsultations.inconsult.uk/gf2.ti/f/1171682/80811173.1/PDF/-/Scheme\\_Plan\\_Option\\_2.pdf](https://kccconsultations.inconsult.uk/gf2.ti/f/1171682/80811173.1/PDF/-/Scheme_Plan_Option_2.pdf)

Background document 3: Scheme Plan: Option 3

[https://kccconsultations.inconsult.uk/gf2.ti/f/1171682/80820645.1/PDF/-/Scheme\\_Plan\\_Option\\_3.pdf](https://kccconsultations.inconsult.uk/gf2.ti/f/1171682/80820645.1/PDF/-/Scheme_Plan_Option_3.pdf)

Background document 4: Consultation brochure

[https://kccconsultations.inconsult.uk/gf2.ti/f/1171682/80830309.1/PDF/-/Consultation\\_Brochure.pdf](https://kccconsultations.inconsult.uk/gf2.ti/f/1171682/80830309.1/PDF/-/Consultation_Brochure.pdf)

# A229 Blue Bell Hill Improvement Scheme

Public consultation: 15 September to 19 October 2020



## Consultation Questionnaire

Kent County Council (KCC) is seeking your views on the proposals being put forward for A229 Blue Bell Hill Junction Improvement Scheme and have provided this feedback questionnaire for you to give your comments. Your responses will help us to develop the design of the scheme.

This questionnaire can be completed online at [kent.gov.uk/a229bluebellhill](https://kent.gov.uk/a229bluebellhill).

If you are unable to complete online, please fill in this Word version and return to

**Email:** [A229bluebellhill@kent.gov.uk](mailto:A229bluebellhill@kent.gov.uk)

**Address:** A229 Blue Bell Hill Junction Improvement Scheme, Major Capital Programme Team, Kent County Council, 1st Floor Invicta House, County Hall, Maidstone ME14 1XX.

### What information do you need before completing the questionnaire?

We recommend that you visit our virtual exhibition or view the consultation material online [kent.gov.uk/a229bluebellhill](https://kent.gov.uk/a229bluebellhill) before responding to this questionnaire.

If you have any questions you can email us at [A229bluebellhill@kent.gov.uk](mailto:A229bluebellhill@kent.gov.uk) or call 03000 42 14 37. This number goes to an answering machine. Please leave a message and someone will get back to you.

**Please ensure your response reaches us by 23:59 Monday 19 October 2020.**

**Privacy:** Kent County Council (KCC) collects and processes personal information in order to provide a range of public services. KCC respects the privacy of individuals and endeavours to ensure personal information is collected fairly, lawfully, and in compliance with the General Data Protection Regulation and Data Protection Act 2018. Read the full Privacy Notice at the end of this document.

**Alternative formats:** If you require any of the consultation material in an alternative format or language, please email: [alternativeformats@kent.gov.uk](mailto:alternativeformats@kent.gov.uk) or call: 03000 42 15 53 (text relay service number: 18001 03000 42 15 53). This number goes to an answering machine, which is monitored during office hours.

## Section 1 – About You

### Q1. Please tell us in what capacity you are completing this questionnaire:

Please select the option from the list below that most closely represents how you will be responding to this consultation. *Please select **one** option.*

- |                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/>            | As a Kent resident  |
| <input type="checkbox"/>            | As a resident from somewhere else, such as Medway                                 |
| <input type="checkbox"/>            | A representative of a local community group or residents' association             |
| <input checked="" type="checkbox"/> | On behalf of a Parish / Town / Borough / District Council in an official capacity |
| <input type="checkbox"/>            | A Parish / Town / Borough / District / County Councillor                          |
| <input type="checkbox"/>            | On behalf of an educational establishment, such as a school or college            |
| <input type="checkbox"/>            | On behalf of a local business   |
| <input type="checkbox"/>            | On behalf of a charity, voluntary or community sector organisation (VCS)          |
| <input type="checkbox"/>            | Other, please specify:  |

**Q1a. If you are responding on behalf of an organisation (business, community group, residents' association, council or any other organisation), please tell us the name of your organisation: *Please write in below.***

**Maidstone Borough Council**

**Q2. Please tell us the first five characters of your postcode:**

**ME15 6**

*Please do not reveal your whole postcode. We use this to help us to analyse our data. It will not be used to identify who you are.*

# A229 Blue Bell Hill Improvement Scheme

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**Q3. Please tell us how often you travel on the A229 Blue Bell Hill (including the M2 Junction 3 or M20 Junction 6 interchanges of the A229) using the following methods of transport.**

*Please select **one** option for **each** type of transport. If you are responding on behalf of an organisation, please skip this question and move onto question 4.*

	Five or more times a week	A couple of times a week	Less frequently	Not applicable (e.g. never travel in this way)
Bicycle				
Bus				
Motorbike				
Private car – as a driver				
Private car - as a passenger				
Taxi – as a driver				
Taxi – as a passenger				
Van or lorry				
Walking				
Other, please specify:				

## Section 2 – The Scheme

You can provide feedback on all or as many of the questions as you like. If you would rather not provide feedback on a question just move on to the next question.

The consultation material sets out why we think this scheme is necessary, please see exhibition board 2 and/or page 7 in the consultation brochure for more information.

**Q4. To what extent do you agree or disagree that improvements are required to the A229 Blue Bell Hill, including the M2 Junction 3 and M20 Junction 6 interchanges?**

Please select **one** option.

Strongly agree	<input type="checkbox"/>	Tend to agree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>	Tend to disagree	<input type="checkbox"/>	Strongly disagree	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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**Q4a. Please tell us the reason for your answer to Q4 in the box below:**

We ask you not to identify yourself within your response.

Maidstone Borough Council agrees in principle that the proposed changes are needed as it has been identified in the reasons on page 7 of the consultation brochure. This is supported by its own evidence base for the Maidstone Local Plan 2017, emerging evidence base for the Maidstone Local Plan Review and other strategies.

Please find below comment on the reasons proposed why the improvement works are necessary.

**Reduce congestion**

Work undertaken for the Council in 2016 to support the Maidstone Local Plan 2017 identified congestion at junction 6. This has been identified again in 2020 through the stage 1 transport modelling work undertaken for the Council as part of the Local Plan Review process. Therefore, the Council supports this reasoning.

**Road safety**

No comment to make.

**Improve air quality**

In 2018 junctions 6 and 7 of the M20 and a larger proportion of the Maidstone urban area were included in an air quality management area. The Council therefore agrees that this is a reason for the proposal. It should be noted that any proposal should be in line with the

Council's commitments to improve air quality as outlined in the Low Emissions Strategy 2017 and the adopted Maidstone Local Plan 2017 Policy DM 6.

## **Support local growth**

Maidstone Borough Council agrees that local growth will have an impact on the road network and so the proposed improvements may be required. However, it is concerned that the wrong development figures are being used. The consultation appears to be using the adopted Local Plan 2017 figure of 883 residential units per year to calculate growth. These are too low as the latest housing need figures used in the Local Plan Review are 1,214 residential units per annum. The Council does see the logic of why Local Plan 2017 adopted figure is used. However, we would request that the further modelling takes into consideration the higher need figure of 1,214 per annum being used by Maidstone Borough Council in the Local Plan Review.

The Council also notes that Lower Thames Crossing has been used as a reason for the need for the improvement works and would support that conclusion. The location of the proposed Lower Thames Crossing will mean that M20 junction 6 becomes a bifurcation point for traffic travelling from the channel crossing points and heading north or vice versa. Therefore, making improvement works vital to this section of the A229.

# A229 Blue Bell Hill Improvement Scheme

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## Q5. To what extent do you agree or disagree with the objectives for the scheme?

Please select **one** response for each objective.

Objective	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
1. To improve journey time reliability at M2 Junction 3 and M20 Junction 6 interchanges of the A229	✓					
2. To reduce congestion along the route		✓				
3. To enable the local area to develop in accordance with population and housing growth predicated under Local Plans		✓				
4. To reduce the impact of additional traffic from the Lower Thames Crossing (LTC) and allow LTC to maximise its potential	✓					
5. To improve road safety and address known accident hotspots	✓					
6. To make best use of existing infrastructure assets including land and highways	✓					
7. To provide suitable routes and facilities for public transport	✓					

Objective	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
8. To provide a safe and attractive route for pedestrians and cyclists	✓					
9. To improve air quality in the Air Quality Management Area (AQMA)	✓					
10. To protect and enhance the local environment		✓				

**Q5a. Please add any comments you would like to make about the objectives in the box below:**

*We ask you not to identify yourself within your response.*

Maidstone Borough Council mainly agrees with the objectives set out for the scheme. It is felt that these broadly reflect the Council's own priorities set out in its Strategic Plan 2019-2045. These priorities include:

- Embracing Growth and Enabling Infrastructure
- Safe, Clean and Green
- Homes and Communities
- A Thriving Place

The Council does have concerns with regards to three of the objectives, and they should be adjusted. These are objectives 2, 3 and 10.

The Council feels that objective 2: *'To reduce congestion along the route'* should be adjusted. It is felt that it should be adjusted to also seek to not cause or enhance congestion on surrounding routes because of the proposals. Amended wording may be: *'To reduce congestion along the route and not caused/enhance congestions on surrounding routes'*.

Objective 3: *'To enable the local area to develop in accordance with population and housing*

*growth predicated under Local Plans* should also be adjusted. The objective should state: *'To enable the local area to develop in accordance with population, housing employment, retail, leisure and other commercial growth predicated under Local Plans'*. These are highlighted as other key components of growth identified in the National Planning Policy Framework (2019) paragraph 20a and should be included.

The Council does wish to ensure that objective 10 *'to protect and enhance the local environment'* specifically takes account of the need to safeguard, conserve, and enhance the Kent Downs AONB and North Downs Woodlands Special Area of Conservation due to their close proximity to the proposed improvement works. Both are protected in planning policy; the conservation of the Kent Downs AONB is specifically part of the adopted Maidstone Borough Council Local Plan 2017 spatial vision and objectives.

This consultation provides details of three options for improvements. This scheme is still in an early phase of design and therefore the options are not definitive. The final option selected could be one of the three options currently proposed or it could involve a combination of works proposed under each of the different options.

**Q6. Do you think that Option 1 would achieve the scheme objectives listed in Q5?**

*Please select **one** option.*

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	Partly
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

**Q6a. Please tell us the reason for your answer to Q6 in the box below:**

*We ask you not to identify yourself within your response.*

It is difficult for Maidstone Borough Council to assess a lot of the proposed objectives against proposed schemes as the consultation is lacking technical evidence to support it. Specifically, it feels unable to assess the following objectives: 1,2,4,5 and 9 for this reason.

However, it is felt that option 1 would achieve objectives: 6,7 and 10. The reasons for this are the location of the proposed scheme mean that a minimal amount of new land would need to be used and so best use of existing infrastructure is made allowing the existing public transport routes to be maintained, and a minimal impact on the environment.

However, it is felt that option 1 will negatively impact on objective 8. Specifically the footpath and National Cycle Path 17 adjacent to the eastern side of the A229 are mentioned as being affected and 'alternative' provision being provided; more information is required on this alternative provision in order to make an assessment as to whether it is a suitable replacement.

The authority cannot make a judgement relating to objective 3 until further evidence is provided. This is in line with the points made above as all the assessments relating to these objectives would need to be reviewed together for a conclusion to be drawn as to objective 3.

# A229 Blue Bell Hill Improvement Scheme

Public consultation: 15 September to 19 October 2020



**Q7. Do you think that Option 2 would achieve the scheme objectives listed in Q5?**

*Please select one option.*

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	Partly
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

**Q7a. Please tell us the reason for your answer to Q7 in the box below:**

*We ask you not to identify yourself within your response.*

It is difficult for Maidstone Borough Council to assess a lot of the proposed objectives against proposed schemes as the consultation is lacking technical evidence to support it. Specifically, it feels unable to assess the following objectives: 1,2,4,5 and 9 for this reason.

The Council feels that option 2 would achieve objectives: 6 and 7. The reasons for this are the location of the proposed scheme mean that a minimal amount of new land would need to be taken and so best use of existing infrastructure is made allowing the existing public transport routes to be maintained, and a minimal impact on the environment.

However, it is felt that option 2 will negatively impact on objective 8. Specifically the footpath and National Cycle Path 17 adjacent to the eastern side of the A229 are mentioned as being affected and 'alternative' provision being provided; more information is required on this alternative provision in order to make an assessment as to whether it is a suitable replacement.

The Council also has concerns with regards to how the scheme meets objective 10. The concern is regarding impact of widening of the A229 south bound carriageway. This is likely to mean further cutting into the scarp slope of the North Downs AONB plus the adjoining North Downs Woodland Special Area of Conservation (SAC) whereby a Habitat Regulations Assessment would apply.

The authority cannot make a judgement relating to objective 3 until further evidence is provided. This is in line with the points made above as all the assessments relating to these objectives would need to be reviewed together for a conclusion to be drawn as to objective

# A229 Blue Bell Hill Improvement Scheme

Public consultation: 15 September to 19 October 2020



3.

**Q8. Do you think that Option 3 would achieve the scheme objectives listed in Q5?**

*Please select one option.*

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	Partly
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

**Q8a. Please tell us the reason for your answer to Q8 in the box below:**

*We ask you not to identify yourself within your response.*

It is difficult for Maidstone Borough Council to assess a lot of the proposed objectives against proposed schemes as the consultation is lacking technical evidence to support it. Specifically, it feels unable to assess the following objectives: 1,2,4,5 and 9.

It is felt that option 3 would have an impact on objectives 6, 7 and 8.

Then proposed provision of a whole new junction on the M20 would mean the need to take new land for development. As a result the scheme does not make best use of the existing network (objective 6).

The removal of the bus route connection along Forstal Lane and "alternatives" to be provided are unclear. At present the Council does not feel that this option therefore accords with objective 7. More information is required on this alternative provision to make an assessment as to whether it is a suitable replacement.

In addition to options 1 and 2 the Council feels option 3 will negatively impact on objective 8. Specifically the footpath and National Cycle Path 17 adjacent to the eastern side of the A229 are mentioned as being affected by the scheme and 'alternative' provision being provided. More information is required on this alternative provision to make an assessment as to whether it is a suitable replacement. Plus, public right of way KH16 would be affected by the proposals.

The Council also has concerns with regards to how the scheme meets objective 10. The concern is regarding impact of widening of the A229 south bound carriageway. This is likely to mean further cutting into the scarp slope of the North Downs AONB plus the adjoining

North Downs Woodland Special Area of Conservation (SAC) whereby a Habitat Regulations Assessment would apply.

The authority cannot make a judgement relating to objective 3 until further evidence is provided. This is in line with the points made above as all the assessments relating to these objectives would need to be reviewed together for a conclusion to be drawn as to objective 3.

**Q9.** Do you have a preferred option for the A229 Blue Bell Hill Junction Improvement Scheme? *Please select **one** option.*

<input type="checkbox"/>	Option 1
<input type="checkbox"/>	Option 2
<input type="checkbox"/>	Option 3
<input type="checkbox"/>	None, I don't like any of the options
<input type="checkbox"/>	No preference, I don't mind which option is selected
<input checked="" type="checkbox"/>	Don't know

**Q9a.** Please tell us the reason for your answer to Q9 in the box below:

*We ask you not to identify yourself within your response.*

At the present stage, the Council does not currently have a preferred option as it feels that there is not yet enough technical evidence to make an informed judgement as to the disadvantages and benefits to the proposed options.

As we are in the early design phase, the environmental impact of the three options is in the process of being identified. See exhibition board 7 and/or page 18 of the consultation brochure for more information.

**Q10. We welcome your feedback on any potential environmental impacts. Please add any comments below:**

*We ask you not to identify yourself within your response.*

Maidstone Borough Council agrees with the list of environmental impacts that have been identified on page 18 of the consultation brochure. As previously mentioned in the comments relating the options, (questions 6 to 8) the Council does have concerns about how the schemes will impact both the Kent Downs AONB and the North Downs Woodland Special Area of Conservation.

The Council is though willing to work alongside Kent County Council as and when the studies on each of the environmental impacts identified have been completed to come to the best conclusion for the Borough.

**To help ensure that we are meeting our obligations under the Equality Act 2010 we have undertaken Equality Impact Assessment (EqlAs).**

An EqlA is a tool to assess the impact any proposals would have on the protected characteristics: age, disability, sex, gender reassignment, sexual orientation, race, religion, and carer's responsibilities. The EqlAs is available online at [kent.gov.uk/a229bluebellhill](http://kent.gov.uk/a229bluebellhill) or in hard copy on request.

**Q11. We welcome your views on our equality analysis and if you think there is anything we should consider relating to equality and diversity. Please add any comments below:**

*We ask you not to identify yourself within your response.*

No comment.

## Section 3 – The Consultation

**Q12. How did you find out about this consultation? Please select *all* that apply**

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | Postcard delivered to my home / business           |
| <input checked="" type="checkbox"/> | Email notification                                 |
| <input type="checkbox"/>            | Newspaper article                                  |
| <input type="checkbox"/>            | From my Parish / Town / Borough / District Council |
| <input type="checkbox"/>            | From a friend or relative                          |
| <input type="checkbox"/>            | Social Media (Facebook or Twitter)                 |
| <input type="checkbox"/>            | Kent.gov.uk website                                |
| <input type="checkbox"/>            | Saw a poster                                       |
| <input type="checkbox"/>            | From a local business                              |
| <input type="checkbox"/>            | Other, please specify:                             |

# A229 Blue Bell Hill Improvement Scheme

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For this consultation we used a virtual consultation hub to create an [online exhibition](#) with a video and exhibition boards. This is the first time we have used this software and we would welcome your feedback.

## Q13. Did you find the virtual consultation hub easy to use?

Please select *one* option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	Partly
<input type="checkbox"/>	I didn't look at it
<input type="checkbox"/>	I wasn't able to access the virtual consultation hub

## Q13a. Please add any comments on the virtual consultation hub in the box below:

We ask you not to identify yourself within your response.

## Section 4 – More About You

We want to make sure that everyone is treated fairly and equally, and that no one gets left out. That's why we are asking you these questions. We won't share the information you give us with anyone else. We'll use it only to help us make decisions and improve our services.

**If you would rather not answer any of these questions, you don't have to.**

**It is not necessary to answer these questions if you are responding on behalf of an organisation.**

**Q14. Are you....? Please select one option.**

<input type="checkbox"/>	Male
<input type="checkbox"/>	Female
<input type="checkbox"/>	I prefer not to say

**Q15. Which of these age groups applies to you? Please select one option.**

0-15	<input type="checkbox"/>	16-24	<input type="checkbox"/>	25-34	<input type="checkbox"/>	35-49	<input type="checkbox"/>	50-59	<input type="checkbox"/>
60-64	<input type="checkbox"/>	65-74	<input type="checkbox"/>	75-84	<input type="checkbox"/>	85+ over	<input type="checkbox"/>	I prefer not to say	<input type="checkbox"/>

The Equality Act 2010 describes a person as disabled if they have a long standing physical or mental condition that has lasted, or is likely to last, at least 12 months; and this condition has a substantial adverse effect on their ability to carry out normal day-to-day activities. People with some conditions (cancer, multiple sclerosis and HIV/AIDS, for example) are considered to be disabled from the point that they are diagnosed.

# A229 Blue Bell Hill Improvement Scheme

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**Q16. Do you consider yourself to be disabled as set out in the Equality Act 2010?**

Please select **one** option.

- Yes
- No
- I prefer not to say

**Q16a. If you answered 'Yes' to Q16, please tell us the type of impairment that applies to you.**

You may have more than one type of impairment, so please select all that apply. If none of these applies to you, please select 'Other' and give brief details of the impairment you have.

- Physical impairment
- Sensory impairment (hearing, sight or both)
- Longstanding illness or health condition, or epilepsy
- Mental health condition
- Learning disability
- I prefer not to say
- Other

Other, please specify:

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A Carer is anyone who cares, unpaid, for a friend or family member who due to illness, disability, a mental health problem or an addiction cannot cope without their support. Both children and adults can be carers.

**Q17. Are you a Carer? Please select *one* option.**

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	I prefer not to say

**Q18. To which of these ethnic groups do you feel you belong? Please select *one* option.** (Source 2011 Census)

White English	<input type="checkbox"/>	Mixed White and Black Caribbean	<input type="checkbox"/>
White Scottish	<input type="checkbox"/>	Mixed White and Black African	<input type="checkbox"/>
White Welsh	<input type="checkbox"/>	Mixed White and Asian	<input type="checkbox"/>
White Northern Irish	<input type="checkbox"/>	Mixed Other*	<input type="checkbox"/>
White Irish	<input type="checkbox"/>	Black or Black British Caribbean	<input type="checkbox"/>
White Gypsy/Roma	<input type="checkbox"/>	Black or Black British African	<input type="checkbox"/>
White Irish Traveller	<input type="checkbox"/>	Black or Black British Other*	<input type="checkbox"/>
White Other*	<input type="checkbox"/>	Arab	<input type="checkbox"/>
Asian or Asian British Indian	<input type="checkbox"/>	Chinese	<input type="checkbox"/>
Asian or Asian British Pakistani	<input type="checkbox"/>	I prefer not to say	<input type="checkbox"/>
Asian or Asian British Bangladeshi	<input type="checkbox"/>		<input type="checkbox"/>
Asian or Asian British Other*	<input type="checkbox"/>		<input type="checkbox"/>

\*Other - If your ethnic group is not specified on the list, please describe it here:

# A229 Blue Bell Hill Improvement Scheme

Public consultation: 15 September to 19 October 2020



Thank you for taking the time to complete this questionnaire; your feedback is important to us. All feedback received will be reviewed and considered in the development of our proposals.

We will report back on the feedback we receive, but details of individual responses will remain anonymous and we will keep your personal details confidential.

**Closing date for responses: 19 October 2020**

## Consultation Privacy Notice

Last updated: 13 January 2020

### Who are we?

Kent County Council collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws. Our Data Protection Officer is Benjamin Watts.

### The personal information we collect and use

#### Information collected by us

In the course of responding to Consultations published by Kent County Council we collect the following personal information when you provide it to us:

- Postcode
- Email address if you want updates on a specific consultation
- Feedback on the consultation
- Equalities Data - Ethnicity, Religion, Sexuality, Disability or if you are a Carer
- Cookies – we use three types of cookies when you use our website. For more information about the cookies and how they are used please visit <https://kahootz.deskpro.com/kb/articles/kahootz-cookie-information-ci>

We use cookies to remember who you are and a few of your preferences whilst you use the website.

We do not use cookies to collect personally identifiable information about you, track your behaviour or share information with 3rd parties.

Our cookies do not contain any of your personal information and only take up about one-thousandth of the space of a single image from a typical digital camera.

All of the cookies we set are strictly necessary in order for us to provide the online service to you.

You do not need to submit any equalities information if you do not want to. KCC is committed to the principle that all our customers have the right to equality and fairness in the way they are treated and in the services that they receive. Any information you do give will be used to see if there are any differences in views for different groups of people, and to check if services are being delivered in a fair and reasonable way.

No personal information which can identify you, such as your name or address, will be used in producing equality reports. We will follow our Data Protection policies to keep your information secure and confidential. Your equality data will be anonymised before sent to other teams.

### **How we use your personal information**

We use your personal information to inform you of the outcome of the consultation, if you have requested updates.

We may use your postcode to carry out a type of profiling to estimate which one of a number of lifestyle groups you are most likely to fall into. We do this using geodemographic segmentation tools. We do not make any decisions about individual service users based solely on automated processing, including profiling.

### **How long your personal data will be kept**

We will hold your personal information for up to 6 years following the closure of a consultation.

### **Reasons we can collect and use your personal information**

We rely on *'processing is necessary for the performance of a task carried out in the public interest'*

*And*

*'processing is necessary for compliance with a legal obligation to which the controller is subject.'*

The provision of contact details, including name, address or email address is required from you to enable us to respond to your feedback on consultations.

We rely on *processing is necessary for reasons of substantial public interest* as the lawful basis on which we collect and use your special category data for the purpose of equalities monitoring.

# A229 Blue Bell Hill Improvement Scheme

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Further, the processing is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people with the view to enabling such equality to be promoted or maintained.

You can read KCC's Equality Policy on our website <http://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/equality-and-diversity>

## Who we share your personal information with

Kent County Council will share your details with services within the Council who are responsible for management of this consultation. Responses will be shared with a third-party supplier who has been contracted to independently analyse the consultation responses. Any information given will not be used to identify you. We ask you not to identify yourself within your consultation response.

We will share personal information with law enforcement or other authorities if required by applicable law.

We use a system to log your feedback, which is provided by a third-party supplier.

## Your Rights

Under the GDPR you have a number of rights which you can access free of charge which allow you to:

- Know what we are doing with your information and why we are doing it
- Ask to see what information we hold about you
- Ask us to correct any mistakes in the information we hold about you
- Object to direct marketing
- Make a complaint to the Information Commissioners Office

Depending on our reason for using your information you may also be entitled to:

- Ask us to delete information we hold about you
- Have your information transferred electronically to yourself or to another organisation
- Object to decisions being made that significantly affect you
- Object to how we are using your information
- Stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

# A229 Blue Bell Hill Improvement Scheme

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For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation.

If you would like to exercise a right, please contact the Information Resilience and Transparency Team at [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk).

## Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

## Who to contact

Please contact the Information Resilience and Transparency Team at [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk) to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

You can contact our Data Protection Officer, Benjamin Watts, at [dpo@kent.gov.uk](mailto:dpo@kent.gov.uk). Or write to Data Protection Officer, Kent County Council, Sessions House, Maidstone, Kent, ME14 1XQ.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

For further information visit <https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement>

## STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

7<sup>th</sup> October 2020

### Local Plan Review Update

<b>Final Decision-Maker</b>	STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE
<b>Lead Head of Service</b>	<i>Rob Jarman (Head of Planning and Development)</i>
<b>Lead Officer and Report Author</b>	Mark Egerton
<b>Classification</b>	Public
<b>Wards affected</b>	<i>All Wards</i>

#### Executive Summary

*At the 10<sup>th</sup> March 2020 meeting of this committee, Members resolved that officers provide a short, written update at each meeting of this committee, concerning any slippage and/or progress on delivering the Local Plan Review on the timescale agreed. This report provides the requested update.*

#### Purpose of Report

For noting

#### This report makes the following recommendations to this Committee:

1. That the content of this report is noted

#### Timetable

<b>Meeting</b>	<b>Date</b>
Strategic Planning and Infrastructure Committee	7 <sup>th</sup> October 2020

# Local Plan Review Update

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Embracing Growth and Enabling Infrastructure</i></li> <li>• <i>Safe, Clean and Green</i></li> <li>• <i>Homes and Communities</i></li> <li>• <i>A Thriving Place</i></li> </ul> <p>The Local Plan Review (LPR), can contribute to all four objectives. The Scoping Themes and Issues consultation document previously agreed by this Committee explains this interrelationship between the Strategic Plan objectives and the LPR.</p>	Rob Jarman, Head of Planning & Development
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heritage is Respected</i></li> <li>• <i>Health Inequalities are Addressed and Reduced</i></li> <li>• <i>Deprivation and Social Mobility is Improved</i></li> <li>• <i>Biodiversity and Environmental Sustainability is respected</i></li> </ul> <p>Similarly, the relationship between these objectives and the LPR is explained in the Scoping, Themes and Issues consultation document.</p>	Rob Jarman, Head of Planning & Development
<b>Risk Management</b>	<i>There is less time available for a robust evidence base</i>	Rob Jarman, Head of Planning & Development
<b>Financial</b>	Provision has been made for the costs of delivering the local plan review within the Council's agreed budget and medium-term financial plan.	Rob Jarman, Head of Planning & Development

<b>Staffing</b>	There are no significant staffing implications resulting from this update report	Rob Jarman, Head of Planning & Development
<b>Legal</b>	This report does not raise any specific legal implications. More widely, the preparation of the LPR is governed by specific legislation and regulations and informed by national planning policy and guidance. Legal advice on specific matters is obtained from MKLS and/or counsel as the LPR is progressed and this is incorporated.	Rob Jarman, Head of Planning & Development
<b>Privacy and Data Protection</b>	This report does not raise any specific privacy/data protection issues at this stage.	Rob Jarman, Head of Planning & Development
<b>Equalities</b>	No implications identified as part of this report and recommendations. An impact assessment has been undertaken. This is a live document that is revisited as the review progresses	Rob Jarman, Head of Planning & Development
<b>Public Health</b>	The LPR will have, or has the potential to have, a positive impact on population health and that of individuals	Rob Jarman, Head of Planning & Development
<b>Crime and Disorder</b>	The LPR can potentially have a positive impact on crime and disorder.	Rob Jarman, Head of Planning & Development
<b>Procurement</b>	This report does not raise any specific procurement issues at this stage.	Rob Jarman, Head of Planning & Development

## 2. INTRODUCTION AND BACKGROUND

- 2.1 At the 10th March 2020 meeting of the Strategic Planning and Infrastructure (SPI) Committee, Members resolved that officers provide a short-written update at each meeting of this committee, concerning any slippage and/or progress on delivering the plan on the timescale agreed. This report provides the requested update.
- 2.2 At its meeting on 22<sup>nd</sup> September 2020, this committee agreed to the publication of the current evidence base for the Local Plan Review. This means that developers, stakeholders, and communities have the

opportunity to evaluate these documents. In addition, and in respect of the future work programme it resolved that:

1. *Full Council be recommended to approve the Local Development Scheme 2020-2022 (September 2020 edition);*
  2. *Full Council be recommended to approve the Maidstone Statement of Community Involvement (September 2020);*
    - a. *The Statement of Community Involvement Covid-19 Temporary Addendum (May 2020) adopted by the Committee on 9 June 2020 forms an Addendum to the Statement of Community Involvement (September 2020), be agreed;*
    - b. *The Head of Planning and Development be granted delegated powers to reverse the changes within the Maidstone Statement of Community Involvement Covid-19 Temporary Addendum (May 2020) adopted by the Committee on 9 June 2020 as soon as Covid-19 restrictions allow, and whilst this Addendum remains in place, the Council will endeavour to provide paper copies of consultation documents referred to in the Statement of Community Involvement (September 2020) to any resident when requested.*
  3. *The Head of Planning and Development be given delegated powers to make minor editorial and presentational adjustments to the Local Development Scheme and Statement of Community Involvement prior to publication; and*
  4. *As further details of the proposed changes to the planning system emerge, these will be reported to the Committee with any options/recommendations.*
- 2.3 Subsequently, at its 30<sup>th</sup> September meeting, Full Council endorsed the relevant resolutions from the 22<sup>nd</sup> September SPI Committee. Consequently, the next public consultation on the Local Plan Review will take place at the beginning of December 2020 and is expected to last for a minimum 3-week period. It will also consolidate spatial strategy and non-strategic components.
- 2.4 Given that there is now agreement to combine the spatial strategy with non-strategic components, the subsequent consultation will provide preferred approaches and, where appropriate, reasonable alternatives, to both of these topic areas.
- 2.5 There has been considerable debate around the decision to reduce the timescale for the December 2020 consultation from 6 weeks to a minimum of 3 weeks. Consequently, officers have assured Members that early work will be undertaken with Parish Councils and key stakeholders on the consultation proposals, in order to maximise the effectiveness of the consultation. It is intended for this to take place in the period between the agreement of the draft Preferred Approaches consultation documents on the 9<sup>th</sup> November and the commencement of formal public consultation at the start of December.
- 2.6 In the meantime, discussions regarding the spatial strategy are reaching a critical stage and at its meeting of 9<sup>th</sup> November, this Committee will be presented with the draft consultation documents, including the draft spatial strategy, for its approval to consult under Regulation 18 of The Town and Country (Local Planning) (England) Regulations 2012.

2.7 In preparation for the 9<sup>th</sup> November meeting, it is intended to undertake workshops with Members with a particular focus on employment and retail matters, as well as the spatial strategy. Whilst there have been a number of sessions with Members around the overall spatial strategy, there has been a commitment to provide a focus on employment and retail in advance of publishing the preferred spatial strategy.

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### **3. AVAILABLE OPTIONS**

3.1 *This report is for noting*

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### **4. RISK**

4.1 This report has no specific risk management implications and the risks associated with the Local Plan Review programme are contained within a strategic risk assessment.