

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE MEETING

Date: Tuesday 9 November 2021
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Clark, Cooper (Chairman), Garten, Mrs Grigg, McKay, Munford,
Russell, Spooner and Springett (Vice-Chairman)

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.

AGENDA

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Continued Over/:

Alison Broom

Alison Broom, Chief Executive

- | | |
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INFORMATION FOR THE PUBLIC

In order to ask a question at this meeting, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5p.m. on Friday 5 November 2021). 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.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 5 November 2021). You will need to tell us which agenda item you wish to speak on.

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

Please note for the purposes of Rule 33 – Review of Service Committee Decisions, the decision relating to Minute 76 has already been referred to the Council on 6 October 2021 and a decision has been made.

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY 4 OCTOBER 2021

Present: Councillors Clark, Cooper (Chairman), Garten, Mrs Grigg, McKay, Munford, Russell, Spooner and S Webb

Also Present: Councillors Brindle, Bryant, English, Harwood, Hinder, Perry, Round, J Sams, T Sams and R Webb

63. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Springett.

64. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor S Webb was present as Substitute for Councillor Springett.

65. URGENT ITEMS

The Chairman stated that three urgent updates would be taken in relation to Item 14 – Maidstone Local Plan Review – Regulation 19 Consultation, Evidence Documents and Sustainability Appraisal Consultation, as they contributed to its consideration. These were:

- An updated Map 2, Appendix 2 – Policies Map
- The 'Maidstone Transport Model – Option 2 Test Results' as made available as a background document; and
- A series of amendments, including a change to Recommendation 3 of the report, as entitled 'Urgent Update Number 2'.

66. NOTIFICATION OF VISITING MEMBERS

Councillors J and T Sams were present as Visiting Members for Item 11 – Questions from Members to the Chairman.

Councillors Brindle, Bryant, English, Harwood, Hinder, Perry, Round, J Sams, and R Webb were present as Visiting Members for Item 14 – Maidstone Local Plan Review – Regulation 19 Consultation, Evidence Documents and Sustainability Appraisal Consultation.

67. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures of interest, however Councillors Garten, Munford and Russell declared that they would be taking part in the meeting's proceedings with an open mind.

68. DISCLOSURES OF LOBBYING

All Councillors had been lobbied on Item 14 – Maidstone Local Plan Review – Regulation 19 Consultation, Evidence Base and Sustainability Appraisal.

69. EXEMPT ITEMS

RESOLVED: That all items be taken in public, unless any Member of the Committee wished to refer to Item 15 – Exempt Appendix 4: Working Draft Statements of Common Ground with neighbouring authorities and other prescribed bodies.

70. MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2021

RESOLVED: That the Minutes of the Meeting held on 21 September 2021 be approved as a correct record and signed.

71. PRESENTATION OF PETITIONS

There were no petitions.

72. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were two questions from Members of the Public.

Question from Ms Kate Hammond to the Chairman of the Strategic Planning and Infrastructure Committee

'Please confirm the number of hectares of greenfield land make up the total proposed residential site allocations in the draft Local Plan?'

The Chairman responded to the question.

Ms Hammond asked the following supplementary question:

'Last Wednesday, Councillor David Burton claimed that climate change is at the core of every decision and action the Council takes. So, was climate change policy at the core of the decisions to build on 543 hectares of greenfield land? Does the council feel that removing 543 hectares of greenfield land is consistent with climate change policy?'

The Chairman responded to the supplementary question.

Question from Mr Steve Heeley to the Chairman of the Strategic Planning and Infrastructure Committee

'What role has the Sustainability Appraisal played in informing your draft Local Plan?'

The Chairman responded to the question.

Mr Heeley asked the following supplementary question.

'The Local Plan Review Sustainability Appraisal states in paragraph 4.47: The Garden Settlement option that performed most strongly in sustainable terms is Lidsing, followed by North Marden. Heathlands performed least well across the range of sustainability objectives. Why is Marden Garden settlement not included in your draft Local Plan and Heathlands is?'

The Chairman responded to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. The question-and-answer session took place between minutes 10:53 to 14:44 of the recording.

To access the webcast recording, please use the link below:
[Strategic Planning and Infrastructure Committee - 4 October 2021 - YouTube](#)

73. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were two questions from Members to the Chairman.

Question from Councillor T Sams to the Chairman of the Strategic Planning and Infrastructure Committee

'Garden communities Heathlands, Policy SP4 A and Lidsing Policy SP4 B within the document being discussed this evening. When are you planning to make public the initial evidence from the Barton Wilmore report commissioned that stated that their selection was made on the basis of them being the sustainable options and not as residents feel selection as they are the furthest corners of the borough and therefore politically acceptable?'

The Chairman responded to the question.

Question from Councillor J Sams to the Chairman of the Strategic Planning and Infrastructure Committee

'This council has sought advice from leaders in the field with regard to garden communities over the past 3 years. It has paid for consultants to produce reports to establish its own garden community scheme in Heathlands and now we have learnt at a SPI workshop last week, is paying for another expert Ben Aspinall to oversee the garden communities are deliverable with regard to their soundness and acceptable to this council. Can you please explain why this is the case and is the cost of the employing yet another "independent" consultant an additional cost to the council on top of the £1.5m for Heathlands?'

The Chairman responded to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. The question-and-answer took place between minutes 14:52 to 18:04 of the recording.

To access the webcast recording, please use the link below:
[Strategic Planning and Infrastructure Committee - 4 October 2021 - YouTube](#)

74. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

75. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

76. LOCAL PLAN REVIEW REGULATION 19 DOCUMENTS AND EVIDENCE BASE

The following speakers addressed the Committee; Mrs Sue Harwood, Ms Helen Baker; Against Lidsing Garden Development, Mr Steve Heeley; Save Our Heathlands; Councillor Jones; Chairman of Bredhurst Parish Council and Councillor Coulling; Vice-Chairman of Maidstone KALC.

The Interim Local Plan Review Director introduced the item by reiterating the timeline of events up until the Regulation 19 'draft for submission' documents stage of the Local Plan Review (LPR). Having an adopted Local Plan (LP) would enable the Council to properly defend appeals and the refusal of planning consents and to ensure that any development within the borough was suitable, having considered any mitigating measures required to the benefit of local communities.

To ensure that the 5-year housing land supply was maintained, the spatial strategy within the Regulation 19 documents focused on a continued dispersal strategy with two Garden Community proposals to deliver a high volume of units towards the end of the plan period.

The Lidsing Garden Community proposal would deliver 1200 units in the current plan period and 700 in the next period, alongside further infrastructure including a new country park and a connection to junction 4 of the M2. The Heathlands Garden Community Proposal would deliver 1500 units in the current plan period and 3500 in the next period, alongside further infrastructure including a country park, a new railway station and two connections to the A20. Both proposals would provide significant employment opportunities.

The Strategic Planning Manager noted that in December 2020 a public consultation on the Regulation 18 Preferred Approaches and Sustainability Appraisal had taken place, with over 3000 responses received. Further work had been undertaken on the evidence base and documents associated with the LPR, to produce the Regulation 19 'draft for submission' documents. The sites included within the documents had undergone a series of rigorous assessments including sustainability

appraisals, transport modelling and viability assessments. The various spatial and non-spatial topic papers were outlined.

In response to the concerns raised by the public speakers and visiting members, the Interim Local Plan Review Director explained that the Duty to Cooperate (DtC) requirement did not require all parties to agree, but to demonstrate that the duty had been undertaken. The Invicta Barracks site proposal had been included within the all-plan viability assessment. Proposed SPDs on the Garden Community proposals would include greater detail on the proposal and associated infrastructure, with the work undertaken with the site promoters and cost consultants noted. High-level legal advice had been sought on two occasions on the process used to assess the Garden Community sites. The promoter of the Heathlands Garden Community had confirmed that conversations with Network Rail were ongoing following the latter's receipt of a business case. The LPA was not aware of any fraudulent or police investigations in relation to any of the proposed sites within the Regulation 19 'draft for submission' documents.

The Strategic Planning Manager confirmed that the Council had been in contact with the environment agency in relation to water quality and reiterated the purpose of the proposed DPDs and spatial strategy proposed.

During the debate, several Members expressed concerns with the proposed safeguarded area of the Leeds Langley corridor and the circa 4000 housing units likely required to self-fund the proposal in the future. The Interim Local Plan Review Director reiterated that the figure had resulted from the feasibility work undertaken, in light of Kent County Council's refusal to proceed with a relief road on highway grounds only. The safeguarding of that area would prevent any developers from submitting plans in isolation of the corridor which would likely be approved in the event that the Council fell below its 5-year housing land supply and thereby reverse any route's future feasibility. A definitive route had not been chosen, with work to continue following the Regulation 19 stage of the LPR.

The Head of Planning and Development stated that the Regulation 18 consultation had provided the LPA with the opportunity to meet with site promoters. The Beacons Park site included within the Regulation 19 'draft for submission' documents was in the local vicinity to a new Doctors Surgery that was being built, additional bus stop provision and reflected the buffer zone policy provisions to ensure a consistent approach to the sites selection. It was proposed and seconded that the Beacons Park site be removed from the Regulation 19 'draft for submission' documents, however when put to the vote the motion was lost.

In response to questions, the Interim Local Plan Review Director stated that a six-month delay to the Regulation 19 'draft for submission' documents public consultation would likely result in a reduction of the 5-year housing land supply availability, alongside a requirement to update the evidence base. The Council's use of potential Section 106 monies to

alleviate increased pressure on local services, such as education, were ongoing with Medway Council in the event that the Lidsing Garden Community proceeded.

The Interim Local Plan Review Director confirmed that affordable housing in the town centre would be assessed through the SPDs proposed alongside the Town Centre strategy being reviewed by the Council's relevant service committees. The Committee would be presented with a proposed timeline for the DPDs development in November 2021, with the SPDs to be formed following discussions with the relevant site promoters depending on the outcome of the Regulation 19 stage of the LPR. The Head of Planning and Development confirmed that CIL monies had been collected by the Council and were available to use on projects where required and would be increased in the near future.

The Committee felt strongly that maintaining a 5-year housing land supply was crucial to prevent the approval of inadequate planning applications and that a delay to the Regulation 19 stage of the LPR would be to the detriment of the borough as a whole. The housing units required of the Council had been dictated by central government and the Council had to fulfil this requirement to avoid the Secretary of State from implementing their statutory powers to achieve the housing unit target.

The Committee requested that a letter be sent to the appropriate public figures to further express the Council's concerns over the significant number of housing units required.

A recorded vote was taken for each of the first five motions, with every Member voting in the same way for each as recorded below.

FOR (6)

Councillors Cooper, Garten, Munford, Russell, Spooner and S Webb.

AGAINST (3)

Councillors Clark, Mrs Grigg and McKay.

RESOLVED: That Subject to the insertion of the word 'rural' in points 1 and 2 of Policy LPRSP9 within Appendix 1: Local Plan Review Regulation 19 'Draft for Submission' document, to read:

1. Development proposals in the countryside will not be permitted unless they accord with other policies in this place and they will not result in harm to the rural character and appearance of the rural area; and
2. Agricultural proposals will be supported which facilitate the efficient use of the borough's significant agricultural land soil resource provided any adverse impacts on the rural appearance and rural character of the landscape can be appropriately mitigated

Full Council be recommended to:

1. Approve the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1 to the report) and associated Policies Map (Appendix 2 to the report) for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended) between the 29 October 2021 and 12 December 2021;
2. Approve the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1 to the report) and associated Policies Map (Appendix 2 to the report) for Submissions under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling Up, Housing and Communities for examination under Section 20 of the Planning and Compulsory Purchase Act 2004.
3. Grant delegated powers to the Strategic Planning and Infrastructure Committee to submit a schedule of proposed main Modifications (which the Committee believe to be acceptable arising from the consultation responses) in respect of the Local Plan Review Draft for Submission document and associated Policies Map, arising from the representations made under Regulation 20 of the Town and Country (Local Planning) (England) Regulations 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling Up, Housing and Communities;
4. Provides delegated authority to the Head of Planning and Development to make factual alterations and minor amendments such as graphics, layout, spelling and grammatical changes to the Local Plan Review Draft for Submission Document and associated Policies Map;
5. Approve the Sustainability Appraisal of the Maidstone Local Plan Review: Regulation 19 Pre-Submission document (Appendix 3 to the report) for public consultation between the 29 October 2021 and 12 December 2021;
6. Note the list of documents within the evidence base provided as background documents to this report and the working draft Statements of Common Ground (Exempt Appendix 4 to the report) that will support the Local Plan Review; and
7. Agree that a letter be written to the local Members of Parliament to request that they make every effort to engage in relation to the Council's housebuilding targets, with Oliver Dowden and Michael Gove.

Note: The meeting adjourned for a short break between 7.30 p.m. and 7.45 p.m.

77. DURATION OF MEETING

5.30 p.m. to 9.27 p.m.

Note: The Committee adjourned between 7.30 p.m. to 7.45 p.m.

2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Fees and Charges 2022/23	SPI	07-Dec-21	Governance	No	Mark Green	Ellie Dunnet
Authority Monitoring Report	SPI	07-Dec-21	Officer Update		Philip Coyne/Rob Jarman	Anna Ironmonger
Community Infrastructure Bidding Prospectus & Programme	SPI	07-Dec-21	Officer Update		Rob Jarman	Carol Williams
Draft Medium Term Financial Strategy 2022/23 - 2026/27	SPI	07-Dec-21	Governance	No	Mark Green	Ellie Dunnet
Infrastructure Funding Statement Report 2021	SPI	07-Dec-21	Officer Update		Philip Coyne/Rob Jarman	Carol Williams
Local Plan Review Update	SPI	07-Dec-21	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Q2 Budget and Performance Monitoring 2021/22	SPI	07-Dec-21	Officer Update	No	Mark Green	Ellie Dunnet
Infrastructure Delivery Plan	SPI	07-Dec-21	Officer Update		Helen Smith	Mark Egerton
Community Infrastructure Levy Bidding Process	SPI	07-Dec-21	Officer Update		Rob Jarman	Carole Williams
Article 4 Direction Proposal - Maidstone (Core) Shopping Area	SPI	07-Dec-21	Officer Update		Wililam Cornall	Rob Jarman
Update Report on the Maidstone Strategic Infrastructure Working Group	SPI	11-Jan-22	Committee Request		Alison Broom	Alison Broom
Local Plan Review Update	SPI	11-Jan-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Local Plan Review Update	SPI	08-Feb-22	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Q3 Budget and Performance Monitoring 2021/22	SPI	08-Mar-22	Officer Update	No	Mark Green	Ellie Dunnet
Local Plan Review Update	SPI	08-Mar-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton

2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
KCC 20mph Speed Limit Pilot - Summary of Conclusions	SPI	Awaiting Date for Pilot Information to be Released by KCC	Cllr Request	?	TBC	TBC
Report on the Use of Section 106 Monies around Lockmeadow (title tbc)	SPI	TBC	Officer Update		U/K	U/K
Update on the Potential Procurement of a Cycle and/or E-Scooter Hire Operator within the Borough	SPI	TBC	Officer Update		William Cornall	Alex Wells
Conservation Area Funding Opportunities	SPI	TBC	Committee Request		Rob Jarman	TBC
National Bus Strategy	SPI	TBC	Cllr Request		U/K	U/K
Other Local Authority Statements of Common Ground	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Helen Garnett
Overview of the Draft Building Safety Bill and the Implications for the Council	SPI	TBC	Officer Update		William Cornall	Robert Wiseman
Virtual Permit Management - Visitor Permits	SPI	TBC	Officer Update		Jeff Kitson	Alex Wells
First Homes	SPI	TBC	Officer Update		William Cornall/Rob Jarman	TBC
Government Reforms to the Planning System	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Tom Gilbert
KCC 20mph Speed Limit Pilot Scheme - Hale Road	SPI	TBC	Cllr Request		TBC	TBC
Local Plan Review Submission	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Neighbourhood Planning Protocol Update	SPI	TBC	Officer Update		Rob Jarman	Anna Ironmonger/Tom Gilbert
Other Local Authority Planning Consultations	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	TBC
Other Neighbourhood Plan Updates	SPI	TBC	Officer Update		Rob Jarman	Anna Ironmonger

2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Town Centre Development Plan Document Scoping	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	TBC
Updating the Community Infrastructure Levy Charging Schedule	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Helen Smith

Agenda Item 14

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

9 NOVEMBER 2021

REFERENCE FROM COUNCIL

MOTION – HMOs

Notice of the following motion to be moved by Councillor Harper, seconded by Councillor Coates, was included on the agenda for the meeting of the Council held on 29 September 2021:

The Council will be aware of the continuing problems associated with overdevelopment in the Fant Ward. These issues are accentuated by the ability to convert single family residential homes into Houses of Multiple Occupancy (HMOs) with no more than 6 persons under permitted development without the need for planning permission or democratic oversight. This is now a major topic of concern in the Ward.

However, the Council has the ability to serve an Article 4 direction to remove this permitted development right. This will not prevent HMOs in the area being proposed, but will make all HMOs subject to the democratic processes of seeking planning permission (large scale HMOs i.e. more than 6 persons already require planning permission).

It is therefore resolved that "Maidstone Borough Council impose an Article 4 direction to remove permitted development rights to convert residential properties from C3 use to C4 use and C4 use to C3 use in the area of Fant Ward to the east of Fant Lane/Hackney Road. The uncontrolled development of HMOs under permitted development has had a negative impact in this densely populated and congested area, especially on grounds of sustainability and infrastructure, highlighted by problems associated with parking issues and the continuing inability of HMO conversions to demonstrate car parking provision in accordance with the local development plan."

When moving the motion, Councillor Harper, with the consent of the meeting and his seconder, amended the first sentence of the third paragraph to read:

It is therefore resolved that "Maidstone Borough Council impose an Article 4 direction to remove permitted development rights to convert residential properties from C3 use to C4 use and C4 use to C3 use in the ~~area of Fant Ward to the east of Fant Lane/Hackney Road~~ ME16 8 postcode.

In accordance with Council Procedure Rule 18.5, the amended motion, having been moved and seconded, was referred to the Strategic Planning and Infrastructure Committee.

A copy of the briefing note which was prepared to assist Members in their consideration of the original motion is attached as Appendix A.

RECOMMENDED: That the Committee consider the motion, as amended, relating to HMOs.

Briefing note**Notice of motion about Houses in Multiple Occupation in Fant Ward****Council Meeting 29 September**

The Motion states

The Council will be aware of the continuing problems associated with overdevelopment in the Fant Ward. These issues are accentuated by the ability to convert single family residential homes into Houses of Multiple Occupancy (HMOs) with no more than 6 persons under permitted development without the need for planning permission or democratic oversight. This is now a major topic of concern in the Ward.

However, the Council has the ability to serve an Article 4 direction to remove this permitted development right. This will not prevent HMOs in the area being proposed, but will make all HMOs subject to the democratic processes of seeking planning permission (large scale HMOs i.e. more than 6 persons already require planning permission).

It is therefore resolved that "Maidstone Borough Council impose an Article 4 direction to remove permitted development rights to convert residential properties from C3 use to C4 use and C4 use to C3 use in the area of Fant Ward to the east of Fant Lane/ Hackney Road. The uncontrolled development of HMOs under permitted development has had a negative impact in this densely populated and congested area, especially on grounds of sustainability and infrastructure, highlighted by problems associated with parking issues and the continuing inability of HMO conversions to demonstrate car parking provision in accordance with the local development plan."

What is an HMO?

- A house occupied by not more than 6 residents; that is up to 6 unrelated individuals who share basic amenities such as kitchen facilities and/or bathrooms etc. (Class C4 of the Town and Country Planning (Use Classes) Order 1987.
- Class C4 (as stated above) is solely for HMOs. Whereas Class C3 is for dwelling houses with a single household. A house for more than 6 unrelated individuals is known as a large HMO
- The Use Classes Order in England as of the 2021 allows permitted changes of use between Classes C3 and C4 and vice versa ie the change can be made without the need for planning permission.
- Where a larger HMO is proposed (ie for more than 6 people), the Council's planning department assesses such applications under policy DM9 of the adopted Maidstone Borough Local Plan 2017. When

planning applications for larger HMOs are assessed, the decision maker will have to bear in mind that planning permission is not required for a smaller HMO i.e up to 6 residents. An assessment therefore must be made of the likely impact of the additional residents over and above those that could be accommodated in the house without requiring planning permission.

What is an Article 4 Direction?

An article 4 direction is made by the Local Planning Authority. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority's area.

- The NPPF advises that all Article 4 Directions should be applied in a measured and targeted way. They should be based on robust evidence and applied to the smallest geographical area possible. In relation to HMOs, Article 4 Directions should be limited to situations where it is necessary to protect local amenity for the wellbeing of the area. Lastly, the potential harm that the Article 4 Direction is intended to address will need to be clearly identified.
- There are two types of Article 4 Direction, immediate and non-immediate. The latter takes 12 months, but the risk of compensation payable to affected property owners is significantly reduced.
- It is important to point out that Article 4 directions do not stop development, the applications which result must be considered on their planning merits against the Development Plan.
- Therefore, it is possible to serve an Article 4 Direction, provided that the area is tightly defined such as streets or preferably parts of streets and there is a clear evidence base.

Fant Context

There have been 8 HMO applications since 2015 (i.e. where the proposed HMO would accommodate more than 6 people). Considerations covered in the reports refer to the sustainable location ie walkable to the Town Centre and bus stops. 7 of the applications were approved, most did not provide any onsite parking; only one was refused on lack of parking.

In terms of policy. The pre-amble to the Local Plan policy DM9 states general support for HMO provision (subject to the criteria within the policy being met) as HMOs "aid the provision of accommodation for smaller households and contributes to the mix and choice of homes, advocated by the National Planning Policy Framework (NPPF)The intensified use of dwellings to create smaller households can cause problems for nearby residents, for example noise and disturbance from increased traffic movements and requirements for parking. Policy DM9 seeks to control the

potential problems arising from such proposals". The policy requires certain criteria to be met, one of which relates to the "intensified use of the building and its curtilage would not significantly harm the appearance of the building or the character and amenity of the surrounding area".

Scoping of Evidence Base

There is an existing policy in the adopted Local Plan (DM9) on conversions including HMOs. There is a separate policy (DM23) on parking standards.

- **DM9 1. (ii)** The traditional boundary treatment of an area would be retained, and where feasible, reinforced.
- **(iv)** Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of street scene.

Therefore, policy controls are in place, however, these need to be scrutinised further. There are no bespoke parking standards for HMOs. However, note 3 to the standards states that reduced or even nil provision is acceptable for rented properties subject to effective tenancy controls. So, in effect, even where planning permission is required for HMOs and no parking is proposed, such applications have been interpreted as complying with the adopted parking standards, or as mentioned above, the locations have been judged to be sustainable in terms of proximity to the Town Centre etc.

Conclusion

Non-immediate Article 4 Directions could be served on tightly defined areas within Fant (and other Wards). However, the specific harm occurring would need to be identified, and this will be difficult to evidence given the Council's adopted parking standards. Therefore, in addition to a robust evidence base, there would need to be allied policies.

Other relevant information

Separate to planning legislation, is a requirement for certain HMOs to be licensed under the Housing Act 2004. This statute places a duty on landlords and managing agents with properties that are occupied by five or more people (in at least two households) to licence the dwelling with the Council. Purpose built flats where there are three or more flats in the block are exempt. The Government's guidance on licensing HMOs acknowledges that "houses in multiple occupation (HMOs) form a vital part of this sector, often providing cheaper accommodation for people whose housing options are limited." The onus is on the owner or managing agent to apply for a licence where it falls within the statutory definition. The local housing authority can investigate premises that have been notified to it as being used as an HMO where no licence exists. This function is carried out by the Council's Housing and Health Team within the Housing Service.

The purpose of the licensing regime is not to act as a replacement to the planning legislation but is concerned with the question of whether “the property is reasonably suitable for occupation by the number of persons or households specified in the application”. This will primarily be concerned with fire safety but also includes whether the landlord or managing agent is a ‘fit and proper person’ and the legislation provides a narrow definition of what this means.

Licenses are generally granted for a period of 5 years, but the local housing authority may review the licence at any time if it has good cause to do so. A licence can be revoked or amended, and disputes would normally be heard by a First-Tier Property Tribunal

Agenda Item 15

STRATEGIC PLANNING & INFRASTRUCTURE COMMITTEE

9th November 2021

FLOOD RISK ALLEVIATION – MEDWAY STREET FLOOD BARRIER

Final Decision-Maker	Policy & Resources Committee
Lead Director	Director of Finance & Business Improvement
Lead Officer and Report Author	Director of Finance & Business Improvement
Classification	Public
Wards affected	High Street

Executive Summary

Maidstone Borough Council is a flood risk management authority and works closely with Kent County Council, the Lead Local Flood Authority, and other public authorities to manage flood risk. In constructing the Medway Bridges Gyratory Scheme in 2017, a requirement was identified for a barrier to prevent flood water flowing through the Medway Street underpass and impacting the lower High Street area of the Town Centre. This report describes progress with the project to install the flood barrier.

This report makes the following recommendations to this Committee:

1. That progress be noted with the Medway Street Flood Barrier.

Timetable	
Meeting	Date
Strategic Planning & Infrastructure Committee	9 November 2021

FLOOD RISK ALLEVIATION – MEDWAY STREET FLOOD BARRIER

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The decision will support all four strategic plan objectives by reducing flood risk, but in particular supports that strategic priority of making the borough safe, clean and green.	Director of Finance & Business Improvement
Cross Cutting Objectives	The report recommendations support the objective of respecting biodiversity and environmental sustainability.	Director of Finance & Business Improvement
Risk Management	See paragraph 5.1.	Director of Finance & Business Improvement
Financial	The Council has a capital budget to fund the project described in this report.	Director of Finance & Business Improvement
Staffing	Staffing support for flood risk alleviation and community resilience is provided by the Head of Commissioning and Business Improvement and her team.	Director of Finance & Business Improvement
Legal	<p>The initiatives to manage flood risk detailed in this report as proposed by the Medway Flood Partnership will enable the Council to continue to discharge its statutory duties to include the responsibilities outlined below.</p> <p>The Flood and Water Management Act 2010 gives the Environment Agency (EA) a strategic overview of the management of flood and coastal erosion risk. It also</p>	Legal Team

	<p>gives upper tier local authorities, responsibility for preparing and putting in place strategies for managing flood risk from groundwater, surface water and ordinary watercourses in their areas.</p> <p>Kent County Council as the lead local flood authority has the responsibilities referred to above.</p> <p>In addition, Maidstone Council is a risk management authority and can carry out flood risk management works on minor watercourses, working with Lead Local Flood Authorities and others, including through taking decisions on development in their area which ensure that risks are effectively managed.</p> <p>The public authorities with responsibility for flood risk management are obliged to have regard to the EA's National Flood and Coastal Erosion Risk Management Strategy for England and KCC's strategy when taking action to tackle flooding in their area.</p> <p>All risk management public authorities have a duty to co-operate with each other and to share data. to deliver flood risk management better to the benefit of their communities.</p> <p>The recommendations in this report are in accordance with the statutory obligations and the requirement for co-operation between the public authorities when discharging their functions under the 2010 Act.</p> <p>The recommendations also fall within the Policy and</p>	
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	Resources functions, which includes (1) risk management strategy; (2) emergency and resilience planning.	
Privacy and Data Protection	Data collected as part of projects described in this report, e.g., data about individual households affected by flooding, is processed in accordance with the Data Protection Act.	Policy and Information Manager
Equalities	Consideration is given to the equalities impacts as part of each individual projects.	Senior Equalities and Corporate Policy Officer
Public Health	The report recommendations support the public health agenda by reducing the risk of individuals being affected by flooding.	Public Health Officer
Crime and Disorder	Flood risk has an impact on community safety generally. The measures outlined in the report will help to achieve increased community resilience and reduce the risk to health and safety during incidences of flooding.	Director of Finance & Business Improvement
Procurement	Council and statutory procurement requirements will be met in relation to all procurement and commissioning carried out as part of flood risk management work.	Director of Finance & Business Improvement
Biodiversity and Climate Change	Climate change requires the implementation of adaptations that will allow communities to manage the impact. The project described in this report is such an adaptation and will help to manage flood risk in Maidstone town centre.	Biodiversity & Climate Change Manager

2. INTRODUCTION AND BACKGROUND

Background

- 2.1 Maidstone Borough Council is a flood risk management authority and works closely with Kent County Council (KCC), the Lead Local Flood Authority, and

other public authorities to manage flood risk. The Medway Flood Partnership has provided a formal framework for joint working in the Medway catchment area since 2017. The authorities in the Medway Flood Partnership collectively adopt a holistic approach to flood risk, recognising that managing the risk comprises a number of different elements:

Capital investment in schemes that reduce flood risk. For example, Maidstone Council has recently completed a £1.5 million scheme to reinforce the dam at the western end of Mote Park Lake, thus protecting the town centre from the flooding that would arise from failure of the dam.

Ongoing maintenance, for example of drains and gullies.

Natural flood management schemes, which attempt to mitigate the impact of floods upstream. Under this heading, Maidstone Council has funded leaky dams which reduce the volume of water flowing down the Hogg Stream, Headcorn, into the River Beult and from there into the River Medway.

Community resilience, which recognises that flooding will occur, and that communities and households need to be prepared and able to manage in the event of floods. Flooding is projected to increase in frequency due to the impacts of climate change (eg. Heavier rain falls and storms) and long-term, adaptation, resilience and awareness raising is part of MBCs Biodiversity and Climate Change Action Plan.

This report concerns a project under the first heading, capital investment.

Medway Street Flood Barrier - Project Initiation

- 2.2 Maidstone Council has developed a scheme to manage flood risk in the area of Medway Street, Maidstone. The scheme was originally conceived as part of the Bridges Gyratory Scheme, which eased traffic flow on the two road bridges in the centre of Maidstone by creating northbound lanes on the A229 on the eastern (town centre) side of the River Medway and was completed in 2017.
- 2.3 Prior to construction of the Bridges Gyratory Scheme, there had been flooding in the Lower High Street area, which was attributed to the flow of water through the subways beneath the A229. As a consequence, the two subways either side of the High Street were blocked up. The Medway Street subway, which also acts as a conduit for flood water to reach the lower High Street area, was kept open as it was considered important to retain pedestrian access to the riverside. However, this led to a residual flood risk. Appendix 1 shows the area at risk of flooding.
- 2.4 Originally a flood door at the entrance to the subway was identified as a solution which would allow access to the river during normal conditions, but could be closed during periods of flood. However, as the design was developed, this option proved too costly, due to its impact on the structural integrity of the subway itself. An alternative, more cost-effective solution was identified, namely fitting a glass flood barrier in place of the existing pedestrian barrier opposite Drakes, with additional returns constructed to contain flood water. This is shown at Appendix 2.

- 2.5 The Environment Agency has advised that a glass flood barrier would provide flood protection to the Drakes public house area in excess of the 2% Annual Exceedance Probability event (AEP - also commonly known as 50Yr return period).
- 2.6 There is an additional risk of floodwater entering this area from the A229 Fairmeadow carriageway from the junction with St Faith's Street. In this event, flood water would then flow south past the Fremlin car park and potentially over Medway Street into the Drakes area by the subway. However, flooding could be prevented under the events >1.33% AEP (75yr) by introducing demountable defences at key points. The demountable barriers would be procured and maintained in readiness for deployment as demanded by flood warnings.
- 2.7 Key principles of the scheme were agreed by the Bridges Gyratory Project Team, led by KCC Project Manager Russell Boorman. Maidstone Borough Council undertook to deliver the scheme, using residual funding from the Bridges Gyratory project.

Scheme Development

- 2.8 Development of the scheme has unfortunately been much delayed, in spite of agreement in principle in 2017 by KCC and the Council to go ahead with it and the availability of funding. Amongst the factors contributing to the delay have been: outsourcing of project management, given lack of capacity in-house to manage the scheme; changes in personnel amongst the project managers; replacement of Amey, who were originally contracted to design the scheme, by Evans & Langford; delays in processing the AIP (Approval in Principle) submission, which is required by KCC for highways structures.
- 2.9 Recent discussions with KCC have focused around the following issues:
- Confirmation that the scheme as designed is the optimum solution
 - Need for a commuted sum for ongoing maintenance and operation.
- 2.10 Further consideration of the scheme and external consultation confirms that the proposed scheme is the most effective means of addressing the flood risk identified. The need for the scheme has meanwhile been reinforced by more recent experience with flood events.
- 2.11 A commuted sum would be payable to KCC if the flood barrier were to be handed over by MBC and KCC were to maintain it. Given the relatively low level of maintenance required, and MBC's existing experience of responding to flood events locally, it is now proposed that the flood barrier remains as an MBC asset and takes responsibility for it. An assessment will be undertaken of the likely ongoing costs and risks involved before making a final commitment.
- 2.12 Confirmation has been obtained from MBC Planning that planning consent is not required, as it is covered by a General Permitted Development Order for works required by a local authority in connection with the operation of a public service administered by them. Work is now ongoing on obtaining the other

necessary consents to enable work to commence and on arranging for it to be commissioned, including the appointment of an Employer's Agent for the works.

3. AVAILABLE OPTIONS

- 3.1 **Option 1:** To continue to work with partners in the Medway Flood Partnership to deliver the Medway Street Flood Barrier.
 - 3.2 **Option 2:** To cease work on the project.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is Option 1 as this will deliver a reduction in flood risk.
-

5. RISK

- 5.1 This report deals with a specific flood risk in the Medway Street area, which would be addressed by the proposed Flood Barrier. Risks associated with project delivery would be addressed through use of the Council's project management methodology, which includes the maintenance of a Project Risk Register.
-

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Progress on flood risk management work generally is reported to Policy and Resources Committee twice a year. These reports have included reference to the Medway Street flood barrier project.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The Council will proceed with implementing the actions described in the report.
-

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

Appendix 1: Map showing area of flood risk

9. BACKGROUND PAPERS

None.

575600

575800

576000

156200

156200



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Ordnance Survey licence number 100024198.

Maidstone - Fairmeadow Flood Elevations

156000

156000

155800

155800

155600










155600

155400

155400

Key

**1 in 30 year
baseline flood
elevation (mAOD)**

-  Up to 6.0
-  6.0 - 6.25
-  6.25 - 6.5
-  6.5 - 6.75
-  6.75 - 7.0
-  7.0 - 7.25
-  7.25 - 7.315
-  7.315 - 7.5
-  7.5 - 8
-  Above 8.0

0 50 100 Metres

26



MAIDSTONE
Borough Council

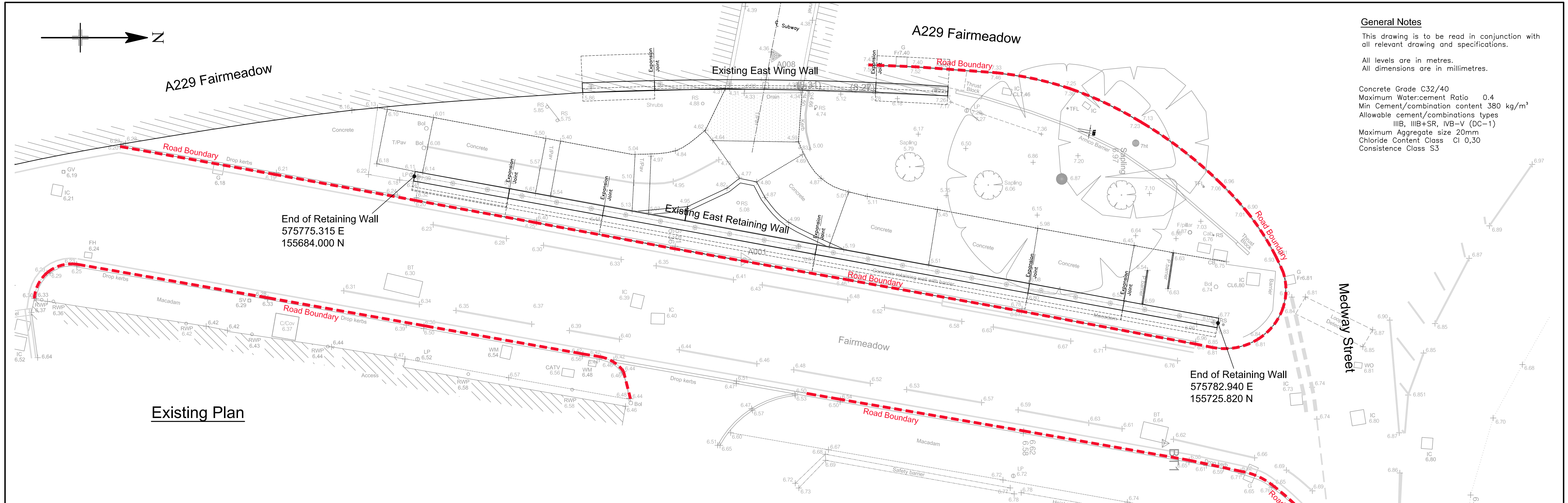


ARCADIS Design & Consultancy
for natural and built assets

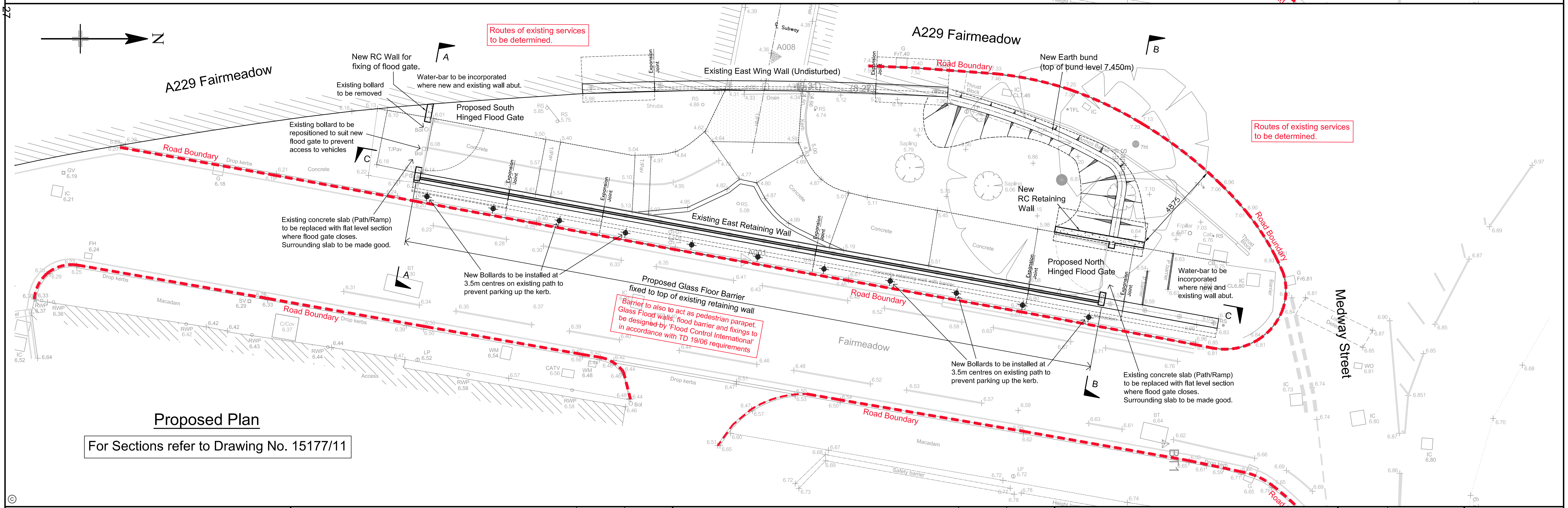
575600

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General Notes
 This drawing is to be read in conjunction with all relevant drawing and specifications.
 All levels are in metres.
 All dimensions are in millimetres.
 Concrete Grade C32/40
 Maximum Water/cement Ratio 0.4
 Min Cement/combination content 380 kg/m³
 Allowable cement/combination types IIB, IIB+SR, IVB-V (DC-1)
 Maximum Aggregate size 20mm
 Chloride Content Class Cl 0,30
 Consistency Class S3



For Sections refer to Drawing No. 15177/11

Evans & Langford LLP

- Structural & Civil Engineers
- Land & Building Surveyors
- Geo-Environmental Engineers
- Project Managers
- CDM Consultants
- Contract Administrators

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Revisions	Checked	Date
A. Issued for Information	IAW	30/01/20
B. Extent of RC Wall amended to suit gate details.	IAW	30/03/20

Revisions	Checked	Date

Maidstone Borough Council
 Fairmeadow

Fairmeadow Underpass
 Flood Protection Works - Site Plans

Scale 1:100 A1	Drawn KJB Date Dec 19	
Drg No. 15177 / 10	Checked IAW Date 30/01/20 Approved DM Date 30/03/20	
		Rev. B

Agenda Item 16

Strategic Planning and Infrastructure Committee

9th November 2021

Development of the Maidstone Town Centre Strategy

Final Decision-Maker	Policy and Resources Committee
Lead Head of Service	Alison Broom – Chief Executive
Lead Officer and Report Author	Phil Coyne – Interim Director, Local Plan Review
Classification	Public
Wards affected	All

Executive Summary

Maidstone Town Centre is the social and economic heart of the Borough, providing employment, leisure, retail and business/professional service facilities throughout the Borough and beyond, as part of its role as the County Town of Kent. The Town Centre and the wider urban area are also home to a very significant residential population. However, in recent years the town centre, like many others around the country, has experienced some challenges as a result of changes in retailing patterns, a shift in the nature of demand for offices, viability challenges in the delivery of new housing and difficulty in ensuring that important infrastructure keeps pace with the needs of resident communities, businesses and visitors. Again, in common with many other areas, these issues have been exacerbated over the last 18 months by the impact of the COVID19 Pandemic. This report is for the purpose of discussion around the preparation of a Town Centre Strategy which will be focused upon a 30 year vision to embed new investment in jobs, infrastructure, housing, leisure and culture within a framework which will seek to establish the Maidstone as an exemplar of urban sustainability.

Purpose of Report

Discussion

This report makes the following recommendations to this Committee:

1. The feedback arising from the discussion on the report be used to inform a further report to the Policy and Resources Committee with a more specific proposal on the scope and timing of a Town Centre Strategy.

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	9 th November 2021
Economic Regeneration and Leisure Committee	16 th November 2021

Development of the Maidstone Town Centre Strategy

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p>Impact on Corporate Priorities</p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The Town Centre Strategy will contribute to all of these objectives by promoting good growth in the town centre which will impact positively on both the local and regional economies, whilst providing new homes and jobs within a greener, more legible environment supported by improvements to infrastructure including sustainable transport and community services.</p>	<p>Interim Local Plan Review Director</p>
<p>Cross Cutting Objectives</p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation is reduced and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>We envisage a specific focus for the Town Centre Strategy will be around protecting and celebrating Maidstone’s heritage and protecting and enhancing biodiversity, for example through the establishment of green networks throughout the town.</p> <p>Initial thinking includes creating a Strategy which will also seek to take a new approach to the connectivity between inward investment and employment/training opportunities for local people which, coupled with integrating health and wellbeing objectives into our whole approach including investment in health infrastructure which will help to tackle health inequalities.</p>	<p>Interim Local Plan Review Director</p>

Risk Management	Already covered in the risk section.	Interim Local Plan Review Director
Financial	Provision has been made for stage one of the costs of preparing the Town Centre Strategy within the Council's agreed allocation of the Recovery and Renewal Funding (£176k); the medium term financial plan will identify further funding for future stages of work. These costs will need to be reviewed regularly as work progresses.	Section 151 Officer & Finance Team
Staffing	The scale and breadth of this work will require contributions and support from service experts across the Council, including at leadership and management level. It is also proposed that a project manager be appointed and that the Interim Director for the Local Plan Review will provide expert consultancy, support and play a co-ordinating role.	Interim Local Plan Review Director
Legal	<p>The Council's Strategic Plan (2019-2025) vision of "a vibrant, development prosperous, urban and rural community at the heart of Kent where everyone can realise their potential" is underpinned by 4 priorities including the borough being a "Thriving Place", "Embracing Growth & Enabling Infrastructure" and "Safe, Clean and Green". Best value is a statutory framework that ensures that councils are required to plan, deliver and continuously improve local authority services. Each local authority has a duty to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". The Council's Strategic Plan demonstrates compliance with the statutory duty and this report goes towards achieving that objective.</p> <p>The Local Government Act 1972, the Local Government Act 2003 and the Localism Act 2011 enable the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.</p> <p>There are no consequences arising from the</p>	Russell Fitzpatrick

	recommendation that adversely affect or interfere with individuals' rights and freedoms as set out in the Human Rights Act 1998.	
Privacy and Data Protection	No impact identified at this stage.	Policy and Information Team
Equalities	We recognise the recommendations may have varying impacts on different communities within Maidstone. An Eq.IA will be completed with the strategy.	Senior Policy and Engagement Officer
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	An integral aspect of the Town Centre Strategy will be the creation of an environment which helps to discourage crime and antisocial behaviour.	Interim Local Plan Review Director
Procurement	No impact currently identified but as the Strategy is developed and projects are taken forward the appropriate procurement process will be undertaken as necessary.	Interim Local Plan Review Director
Biodiversity and Climate Change	<ul style="list-style-type: none"> • An integral aspect of the preparation of a Town Centre Strategy will be to include climate adaption measures in order to increase green space, reduce pollution, enable active travel, increase pedestrian permeability, and to provide for the planting of trees and the encouragement of green walls to improve biodiversity and aesthetic enhancement. • Support green jobs, businesses and residents to prepare for the impacts of climate change, encouragement of circular economy business practices, and the enablement of electric vehicle infrastructure and sustainable travel. 	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

2.1 In common with town centres across the country, Maidstone Town Centre has experienced change over the last decade as a result of changing consumer trends within the retail sector together with structural changes within many aspects of the office and employment sectors. Over the last 18 months, these challenges have been accentuated and exacerbated by the COVID-19 Pandemic and there are further risks arising from the potential

impacts of post-Brexit economic rebalancing. Whilst, as members will be aware, the Council and other agencies have worked hard to provide support to both the businesses and residential communities during the pandemic, it is also now necessary to look at the recovery and 'reimagining' of the town in the short, medium and long term. For this reason, this report proposes a comprehensive Town Centre Strategy which would be capable of quickly building upon recent interventions and reinforcing these with a series of complementary strategies and actions designed to transform Maidstone Town Centre between now and 2050 in line with a new Town Centre Vision.

- 2.2 The Town Centre Strategy will be designed to establish, and provide clarity around, the Council's long-term vision for the Town Centre and to develop a comprehensive and multi-faceted strategy and delivery plan to achieve this. The work will be underpinned by core principles which reflect the vision for both the County Town at the heart of Kent and a borough with vibrant and prosperous urban and rural communities where everyone can realise their potential and fulfil their aspirations.
- 2.3 The Strategy will help to create an ambitious overarching vision which in turn will guide investment by ourselves and others, in regeneration, development, provision of infrastructure, the use of our town centre spaces. In the short/medium term the strategy will guide the provision of support to town centre communities in responding to the impact of the COVID19 pandemic and a post Brexit economy. In addition, it will seek to address the management of potential change resulting from the relaxation of planning rules around the transition of business premises between uses.
- 2.4 It is proposed that central to the approach will be the reinvention and renaissance of Maidstone Town Centre as an exemplar of sustainability with a strong focus around arts, culture, leisure and the visitor economy. This will assist in creating a place where people want to live, feel safe, and which places an equal emphasis upon a town centre which is relevant to, and to which all of the borough's residents can relate. Development of the strategy will be led by MBC and include engagement with the public, businesses and wider stakeholders including our public and community sector partners, landowners and investors.
- 2.5 Also central to the approach will be the prioritisation of the natural environment to create a healthier and a more sustainable town centre for the benefit of residents, visitors, businesses, urban wildlife and the ecology of the borough. An increased focus on urban planting and green spaces will help to reduce the impact of vehicle emissions, improve air quality and dampen traffic noise as well as helping to address increasing urban temperatures as a result of the changing climate.

Scope of Strategy

- 2.6 The Policy and Resources Committee have given initial consideration to the scope of the strategy as set out below; feedback is invited from this Committee; the scope currently envisaged includes:
 - The reaffirmation of Maidstone as the county town of Kent through physical regeneration, cultural renaissance and the further

development of diverse and high-quality employment, retail and leisure opportunities.

- Consideration of future land/building uses and the achievement of high-quality and sustainable design that respects and celebrates Maidstone's heritage, whilst improving the quality and character of the town, its environment and its functionality.
- Cross-cutting principles to ensure that the town centre is resilient to the effects of climate change and is a flagship of the Council's aspiration to achieve carbon neutrality by 2030.
- A phased approach which continues to build upon current post pandemic recovery work, but also identifies short, medium and long term projects and interventions, including those around key factors such as environment and community safety.
- Integration of the Council's commitments to a Maidstone Borough that works for everyone, incorporates reductions in deprivation and health inequalities and improvement in social mobility.
- Ensuring the town centre and the wider urban area can continue to play a significant role in meeting the borough's housing need through the enablement of development, investment and support for the delivery of quality homes across the housing market to develop sustainable communities.
- Tackling education and skills differentials across all sectors of the community, in order to ensure that local residents are equipped to compete for employment and training opportunities resulting from investment and reinvestment.
- Promoting Maidstone as a 'smart town' by bringing together the use of new and emergent technologies and data capture techniques in tackling a range of issues from traffic and air quality, to the efficient use of buildings and spaces and the ability of all stakeholders to reach target audiences more easily.

What will the strategy include?

2.7 Our Town Centre Strategy needs to comprise of a number of interrelated, interdependent and complementary workstreams; initial thinking is set out below and again the feedback of this Committee is invited:

- A clear and ambitious vision
- A transport movement and infrastructure plan designed to facilitate the well-managed movement of traffic with minimum impact on pedestrian safety and air quality, together with safe and legible pedestrian routes throughout the town centre, attractive low carbon public transport options and cycle routes based on logical desire lines.
- A site assembly and implementation framework designed to assist strategic acquisitions by the Council and other partners, together with relocation strategies to ensure that investment and job opportunities are fully exploited.
- An inward investment strategy based around a proactive approach to identifying investors, developers and end-users in order to ensure the realisation of the overall strategy.
- An economic development and visitor economy plan based around the current economic development strategy, and seeking to secure reinvestment from existing stakeholders in the town, along with the

provision of opportunities for new investment in diversifying Maidstone's visitor offer through development in arts, culture, events and leisure opportunities.

- A sustainable town plan designed to ensure that all aspects of the town's transport system, built and natural/semi-natural environments make a positive contribution to the achievement of the boroughs 2030 carbon neutrality target.
- A housing and community plan to ensure that the town's housing stock is of a good standard and of a sufficiently broad nature in terms of both type and tenure to provide for existing and future residents.
- A skills and inclusive growth plan to ensure that residents from throughout the borough are equipped with the skills to compete for employment and training opportunities arising from the strategy, and that the skill base and training infrastructure across the borough becomes an integral part of Maidstone's inward investment offer.
- A smart town plan to ensure that technology and data capture is harnessed in the context of the easy movement of vehicles and public transport, improvements in air quality, and the ability of the business community and other stakeholders to maximise dwell time and spend capture in the town centre.
- A marketing and communications strategy designed to manage community business and stakeholder engagement in the process, whilst simultaneously marketing the town to investors, developers, occupiers and visitors.
- A plan for the Council's role in investment and direct delivery.

At the appropriate point, consideration will be given to the preparation of a new Development Plan Document (DPD) if it is felt that this is necessary to enable the more effective and efficient delivery of key projects or other elements of the Strategy. Equally, and dependent upon the timing, content of new guidance anticipated around the national planning system, it may be more appropriate for the Town Centre to provide a key focus for the Borough's first Local Plan prepared under the new system.

3. GOVERNANCE

Political Leadership

- 3.1 At the outset, political leadership of the strategy will be via the Policy and Resources Committee. As the strategy develops and projects are identified, it is anticipated that these will be managed via the appropriate service committees and reported back to Policy and Resource Committee as appropriate. This approach will need to be adapted in the context of the already agreed principle of changing the Council's governance system to a Cabinet structure from May 2022. The details of the new Constitution are currently being drafted and yet to be agreed.
- 3.2 Whilst many of the activities which will be pursued as part of the Town Centre Strategy will be cross cutting between service committees, some examples of the types of projects and roles which are likely to emerge under the remit of this committee would be;

- Transport and Movement Strategy- to explore sustainable movement patterns around the town centre and help to inform decisions about the future location of land use and activities.
- The identification of potential areas of change and opportunities for a 'quarters' approach to key town centre functions.
- 'Townscape' and options around urban design, building heights, materials, orientation, densities etc.
- The identification of major new infrastructure needs/opportunities.
- Options around the introduction and role of 'Smart' technologies.

Stakeholder Engagement and Management

- 3.3 It is proposed that, as an early action, work begins with elected members in the design of a governance framework to enable structured work with members on both strategic and town centre community matters and with our partners. This could include formation of a multi-agency Town Centre Partnership Board to work alongside the Council in developing and coordinating the strategy. Members views on this are invited.
- 3.4 It is also proposed that at both development and implementation stages, the strategy will include a comprehensive programme of community and stakeholder engagement in order to ensure the broadest possible input and influence from across the borough.

4. RESOURCES

- 4.1 The initial resources for this strategy were discussed and agreed at Policy and Resources Committee on the 20th October 2021; £176k has been allocated from the Recovery and Renewal Fund and consideration will be given to subsequent stages of the strategy work through the Medium Term Financial Strategy. Resources will be monitored and reported in further detail as the project progresses.

5. AVAILABLE OPTIONS

- 5.1 Not applicable as this report is for discussion purposes only.

6. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 6.1 Not applicable as this report is for discussion purposes only.

7. RISK

- 7.1 The development of a Town Centre Strategy contributes to the mitigation of a strategic risk around achieving MBC's Strategic Plan. This risk arises due to economic restructuring, the accentuation of adverse trends by the pandemic and the pressures for services arising as a consequence of a growing residential population in the borough as a whole and specifically in and around the town centre.
- 7.2 As part of the governance framework for the strategy, risk registers will be compiled, monitored and managed for both the overall Town Centre

Strategy and its component workstreams. These risks will be contained within the established risk appetite for council activities.

8. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 8.1 The discussion at this committee is part of similar discussions with other service committees which will inform a further report to the Policy and Resources Committee.

9. REPORT APPENDICES

None.

10. BACKGROUND PAPERS

None.

Strategic Planning and Infrastructure Committee

9 November 2021

Local Development Scheme 2021-2024

Final Decision-Maker	Full Council
Lead Head of Service	Rob Jarman, Head of Planning and Development
Lead Officer and Report Author	Mark Egerton, Strategic Planning Manager Anna Ironmonger, Planning Officer, Strategic Planning
Classification	Public
Wards affected	All

Executive Summary

The Council is required by the Planning and Compulsory Purchase Act (2004) (as amended) to maintain an up-to-date Local Development Scheme (LDS). The purpose of an LDS is to set out the timetable for the delivery of Council produced planning policy documents and to inform local people and stakeholders.

Work is ongoing on the Local Plan Review in line with the Local Development Scheme 2021-2023 which was adopted by Full Council on 14 July 2021.

There is a need to produce two additional Development Plan Documents (DPDs) which will sit alongside the Local Plan Review. These are:

- Gypsy and Traveller DPD
- Design and Sustainability DPD

A new LDS is therefore required which will set out the timetable for delivery of the additional DPDs, in addition to the Local Plan Review. The new Local Development Scheme 2021-2024 can be found as an appendix to this report.

This report will primarily focus on the key milestones in delivering the Gypsy and Traveller DPD and the Design and Sustainability DPD. The report seeks a recommendation from this committee to Full Council that the Local Development Scheme 2021-2024 is approved.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. That a recommendation is made to Full Council that the Local Development Scheme 2021-2024 is approved.

Timetable	
<i>Meeting</i>	<i>Date</i>
Strategic Planning and Infrastructure Committee	9 November 2021
Council	8 December 2021

Local Development Scheme 2021-2024

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The two new DPDs can contribute to all four objectives.</p>	Rob Jarman
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected. <p>The two new DPDs can contribute to all four cross-cutting objectives.</p>	Rob Jarman
Risk Management	Already covered in the risk section.	Rob Jarman
Financial	Funding is proposed but a specific budget allocation has yet to be agreed upon regarding the two new DPDs. The ongoing budget for this work is subject to consideration as part of the 2022-23 budget process.	Section 151 Officer & Finance Team - SA
Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman
Legal	Accepting the recommendations will fulfil the Council's duties under the Planning and Compulsory Purchase Act 2004 (as amended).	Russell Fitzpatrick (MKLS (Planning) Team Leader
Privacy and Data Protection	This report does not raise any specific privacy/data protection issues at this stage	Policy and Information Team (Nicola Toulson)
Equalities	No implications identified as part of this report and recommendations.	Equalities and Communities Officer

		(Nicola Toulson)
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer (Jolanda Gjoni)
Crime and Disorder	The two new DPDs can potentially have a positive impact on crime and disorder.	Rob Jarman
Procurement	There are no implications for procurement.	Rob Jarman & Section 151 Officer
Biodiversity and Climate Change	There are no direct implications on biodiversity and climate change.	James Wilderspin, Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 The Council is required by Section 15 of the Planning and Compulsory Purchase Act (2004) (as amended) to maintain an up-to-date Local Development Scheme (LDS). The purpose of an LDS is to set out the timetable for the delivery of Council produced planning policy documents and to set out the overall scope of those documents, in order to inform local people and stakeholders.
- 2.2 On 14 July 2021 the Local Development Scheme 2021-2023 was adopted and sets out the timetable for delivering the Local Plan Review. To date work on the Local Plan Review is on track against the timetable set out in the Local Development Scheme 2021-2023.
- 2.3 There is a need to produce two additional Development Plan Documents (DPDs) which will sit alongside the Local Plan Review. These are the Gypsy and Traveller DPD and the Design and Sustainability DPD. There will also be a need for an update to the Community Infrastructure Levy Charging Schedule, although this falls outside of the scope of the Local Development Scheme.
- 2.4 A new LDS is required which will set out the timetable for delivery of the two additional DPDs, in addition to the previously agreed timetable for the Local Plan Review, as well as the overall scope for these documents. The new Local Development Scheme 2021-2024 can be found as an appendix to this report.

Gypsy and Traveller DPD

- 2.5 A new Gypsy and Traveller Accommodation Assessment (GTAA) is being produced. Owing to the COVID 19 lockdowns and the subsequent public health advice, the new assessment has been delayed. In the meantime, discussions with the consultants undertaking the assessment have indicated that there will be a significant need for new pitches in Maidstone Borough, over the plan period.
- 2.6 The Local Plan Review Call for Sites exercise invited the submission of Gypsy, Traveller and Travelling Showpeople sites, however, only a small number were put forward for inclusion in the plan. As a consequence, Maidstone is facing a significant need for new pitches.
- 2.7 On the basis that the GTAA has not been completed and there will be a likely significant need for pitches, the most appropriate course of action is to undertake a separate Gypsy, Traveller and Travelling Showpeople DPD. This will be informed by the outcome of a Pitch Deliverability Assessment (to assess what proportion of the need can be met on existing sites through intensification or expansion) and if necessary, a targeted Call for Sites exercise to identify potential new sites so the needs of the community can be adequately and appropriately addressed and appropriate engagement can take place.
- 2.8 The timetable for delivering the DPD, subject to resources, can be found below.

Stage	Date
Evidence gathering	January 2021 to January 2023
Call for Sites	February to March 2022
Scope and matters and preferred approaches consultation (Regulation 18)	February to March 2023
Draft DPD consultation (Regulation 19)	August to September 2023
Submission (Regulation 22)	February to March 2024
Examination hearing sessions (Regulation 24)	May to June 2024
Main Modification Consultation	August to September 2024
Adoption – Full Council (Regulation 26)	November to December 2024

Design and Sustainability DPD

2.9 The Local Plan Review contains a suite of policies specifically addressing matters of design and sustainability. Recent shifts in local and national agendas have placed a greater degree of focus on how the Local Plan Review can respond to the current climate and biodiversity crises. At the Strategic Planning and Infrastructure Committee on the 21st September 2021, the Council resolved to prepare a DPD reinforced by appropriate evidence to support the Local Plan Review through the strengthening of the council’s design and sustainability focused policies.

2.10 The report to the 21st September 2021 meeting of the Strategic Planning and Infrastructure Committee set out the detailed proposals for this document However, at this stage, the DPD is intended to provide policies associated with the following overall areas –

- Landscape principals
- Biodiversity, including biodiversity net gain
- Design Coding
- Advice on generic design-related matters, such as materials, densities and building heights and orientation, tree planting, parking standards and lighting
- Onsite open space provision and standards
- Sustainable connectivity
- Building uses

2.11 The DPD will sit alongside and build on the policies in the Local Plan Review and will provide the basis for Development Management decision making. The DPD will be informed by the preparation of suitable evidence to justify and the adoption of higher design and sustainability standards where these can be achieved.

2.12 The timetable for delivering the DPD, subject to resources, can be found below.

Stage	Date
Evidence gathering	January 2021 to January 2023
Scope and matters consultation (Regulation 18a)	April to May 2022
Preferred approaches consultation (Regulation 18b)	February to March 2023
Draft DPD consultation (Regulation 19)	August to September 2023
Submission (Regulation 22)	February to March 2024
Examination hearing sessions (Regulation 24)	May to June 2024

Main Modification Consultation	August to September 2024
Adoption – Full Council (Regulation 26)	November to December 2024

Local Plan Review

2.13 The LDS replaces the Local Development Scheme 2021-2023. However, the scope and timing of the Local Plan Review remains unchanged.

2.14 The report seeks a recommendation from this committee to Full Council that the Local Development Scheme 2021-2024 is approved.

3. AVAILABLE OPTIONS

3.1 Option 1: The Local Development Scheme 2021-2024 is approved for adoption by Full Council. The LDS outlines the scope and timetable for delivering the Gypsy and Traveller DPD and the Design and Sustainability DPD, in addition to the previously agreed Local Plan Review. These have consideration for the Strategic Plan priorities and cross-cutting objectives.

3.2 Option 2: The Local Development Scheme 2021-2024 is not approved for adoption by Full Council. Under the Planning and Compulsory Purchase Act 2004 (as amended), local planning authorities must maintain an update to date LDS. The current LDS does not cover the Gypsy and Traveller DPD and the Design and Sustainability DPD and therefore a subsequent LDS is required. To not adopt this LDS will be contrary to the Planning and Compulsory Purchase Act 2004 (as amended) and would mean that the Local Planning Authority would fail its legal tests for producing these DPDs.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 Option 1 is the preferred option. By adopting the Local Development Scheme 2021-2023 the Council will be compliant with the Planning and Compulsory Purchase Act 2004 (as amended).

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. That consideration is shown in this report at paragraph 3.2. We are satisfied that, should the authority proceed as recommended, 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 None

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 If approved by Full Council, the Local Development Scheme 2021-2024 will be published on the website. The delivery of the Gypsy and Traveller DPD and the Design and Sustainability DPD against milestones in the LDS will be monitored through the Authority Monitoring Report, which is published each year.

8. REPORT APPENDICES

Appendix 1: Local Development Scheme 2021-2024

9. BACKGROUND PAPERS

None

LOCAL DEVELOPMENT SCHEME

December 2021

2021-2024

LOCAL DEVELOPMENT SCHEME 2021-2024

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

This Local Development Scheme came into effect on 8th December 2021

All enquiries should be addressed to:

Strategic Planning

Maidstone Borough Council

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1. Introduction to the Local Development Scheme

What is the Local Development Scheme?

1.1 The government requires local planning authorities to prepare a **Local Development Scheme** (LDS). The purpose of an LDS includes setting out the timetable for the delivery of Council produced planning policy documents. These are often referred to as Development Plan Documents or Local Plans.

1.2 In addition to the Local Plan Review, the Council intends to produce two further Development Plan Documents (DPDs). These are the Gypsy and Traveller DPD and the Design and Sustainability DPD. Both DPDs will affect the whole of Maidstone Borough. This LDS covers the period 2021-2024 and contains a timetable for the delivery of each DPD to inform local people and stakeholders of the key milestones of production.

1.3 This LDS replaces the Local Development Scheme 2021-2023 which was approved by Full Council on 14th July 2021.

1.4 The Local Development Scheme 2021-2024 was approved by Full Council on 8th December 2021 and came into effect on the same day.

The Development Plan

1.5 **Development Plans** are an important part of the English planning system and are needed to guide the local decision-making process for land uses and development proposals. As of 8th December 2021, the Development Plan for Maidstone borough comprises:

- Maidstone Borough Local Plan 2011-2031 and associated Proposals Map (October 2017)
- Staplehurst Neighbourhood Development Plan 2016-2031 (August 2020)
- North Loose Neighbourhood Development Plan 2015-2031 (April 2016)
- Loose Neighbourhood Development Plan 2018-2031 (September 2019)
- Marden Neighbourhood Development Plan 2017-2031 (July 2020)
- Lenham Neighbourhood Plan 2017 – 2031 (July 2021)
- Boughton Monchelsea Neighbourhood Plan (July 2021)
- Otham Neighbourhood Plan 2020 – 2035 (September 2021)
- Kent Minerals and Waste Local Plan 2013-2030 (September 2020)

1.6 Further information regarding each of these documents is provided below.

1.7 The **Maidstone Borough Local Plan** sets out the framework for development within the Borough until 2031. It includes a spatial vision, objectives and key policies. It also includes an associated 'Policies Map' that sets out the geographical extent of key designations and site specific proposals set out in the local plan. Maidstone has an on-line policies map that can be accessed through its website. The Maidstone Borough Local Plan plays a key part in delivering Maidstone Council's Strategic Plan. The Maidstone Borough Local Plan was found sound following independent examination and was adopted by Full Council on 25 October 2017. The Maidstone Borough Local Plan contains Policy LPR1 'Review of the Local Plan'. This requires a review of the local plan to ensure that the plan continues to be up to date. Policy LPR1 outlines matters which may be

addressed by the review. Key considerations are the need to maintain and enhance the natural and built environment; and improve air quality.

1.8 **Neighbourhood Development Plans** are prepared by Parish Councils or Neighbourhood Forums, and the plans are subject to consultation, independent examination and referendum. The plans must be in general conformity with the strategic policies of the adopted local plan and should have regard to any emerging Local Plan. A neighbourhood area has to be designated for a Neighbourhood Development Plan to be produced. In total, 15 Parish Councils and 1 Neighbourhood Forum have designated Neighbourhood Areas. To date, seven Neighbourhood Development Plans have been made and a number of Neighbourhood Development Plans are at various stages of preparation.

1.9 **The Kent Mineral Sites Plan and the Early Partial Review of the Kent Minerals and Waste Local Plan and** was produced by Kent County Council and covers the whole county. Both plans were adopted in September 2020 and describes:

- 'The overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management for all waste streams that are generated or managed in Kent, and
- The spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.'

Planning Documents

1.10 In addition to the above components of the Development Plan, there are other key planning documents that the Council produces. These include:

- **Supplementary Planning Documents** – these set out further information, interpretation or clarification regarding existing planning policies and are produced and adopted by the Council in accordance with government legislative requirements
- **Planning policy guidance** documents – these set out further information, interpretation or clarification regarding existing planning policies but have not been produced to meet government Supplementary Planning Document requirements
- **Statement of Community Involvement** – a procedural document that sets out the methods for consultation and engagement with the public and stakeholders. This includes consultation and engagement during the production of Local Plans, the production of Neighbourhood Development Plans, and the Development Management process.
- **Authority Monitoring Reports** – a procedural document, produced on an annual basis that monitors the performance of Maidstone's Local Plan and its policies.

Maidstone Community Infrastructure Levy

1.11 The **Community Infrastructure Levy (CIL)** is a charge on specific new developments towards the provision of infrastructure. The Maidstone CIL **Charging Schedule** was adopted by Full Council on 25 October 2017, following examination in June 2017. The Maidstone CIL took effect on 1 October 2018.

1.12 The Charging Schedule sets out the charging rates for development in Maidstone Borough, including the types of development that are required to pay the Levy and where the proposed rates

will apply. The CIL Charging Schedule was developed alongside the Maidstone Borough Local Plan, and the evidence base for infrastructure, planning, affordable housing requirements and development viability supported both the Maidstone CIL and Maidstone Borough Local Plan.

1.13 The infrastructure schemes and/or types of infrastructure that may be funded by Maidstone CIL are set out in an Infrastructure List contained in the Infrastructure Funding Statement, published on the website. In addition, Section 106 planning agreements, which are negotiated with developers to secure infrastructure funding, will continue to play a significant role in securing site related infrastructure.

2. The Local Development Scheme

Review of the Local Development Scheme 2021-2023

2.1 There have been changes to the work programme, with the addition of two standalone Development Plan Documents (DPDs), in addition to the Local Plan Review. The DPDs will sit alongside the Local Plan Review. The need for each of the new DPDs is explored below.

2.2 **Gypsy and Traveller DPD:** A new Gypsy and Traveller Accommodation Assessment (GTAA) is being produced and will outline the current and future need for gypsy, traveller and travelling showpeople provision for Maidstone Borough until 2037. Owing to the COVID 19 lockdowns and the subsequent public health advice, the new assessment has been delayed. In the meantime, discussions with the consultants undertaking the assessment have indicated that there will be a significant need for new pitches in Maidstone Borough, over the plan period.

2.3 The Local Plan Review Call for Sites exercise invited the submission of Gypsy, Traveller and Travelling Showpeople sites, however, only a small number were put forward for inclusion in the plan. As a consequence, Maidstone is facing a significant need for new pitches.

2.4 On the basis that the GTAA has not been completed and there will be a likely significant need for pitches, the most appropriate course of action is to undertake a separate Gypsy, Traveller and Travelling Showpeople DPD. This will be informed by the outcome of a Pitch Deliverability Assessment (to assess what proportion of the need can be met on existing sites through intensification or expansion) and if necessary, a targeted Call for Sites exercise to identify potential new sites so the needs of the community can be adequately and appropriately addressed and appropriate engagement can take place.

2.5 **Design and Sustainability DPD:** The Local Plan Review contains a suite of policies specifically addressing matters of design and sustainability. Recent shifts in local and national agendas have placed a greater degree of focus on how the plan can respond to the current climate and biodiversity crises. At the Strategic Planning and Infrastructure Committee on the 21st September 2021, the Council resolved to prepare a DPD reinforced by appropriate evidence to support the Local Plan Review through the strengthening of the council's design and sustainability focused policies. The DPD will sit alongside and build on the policies in the Local Plan Review and will provide the basis for Development Management decision making. The DPD will be informed by the preparation of suitable evidence to justify and the adoption of higher design and sustainability standards where these can be achieved.

2.6 **Local Plan Review:** There has been no change in circumstances regarding the scope and timetable for production of the Local Plan Review since the previous version of the Local Development Scheme came into effect on 14th July 2021.

2.7 A timetable for the implementation of the Gypsy and Traveller DPD and the Design and Sustainability DPD, in addition to the Local Plan Review follows.

Local Development Scheme 2021-2024

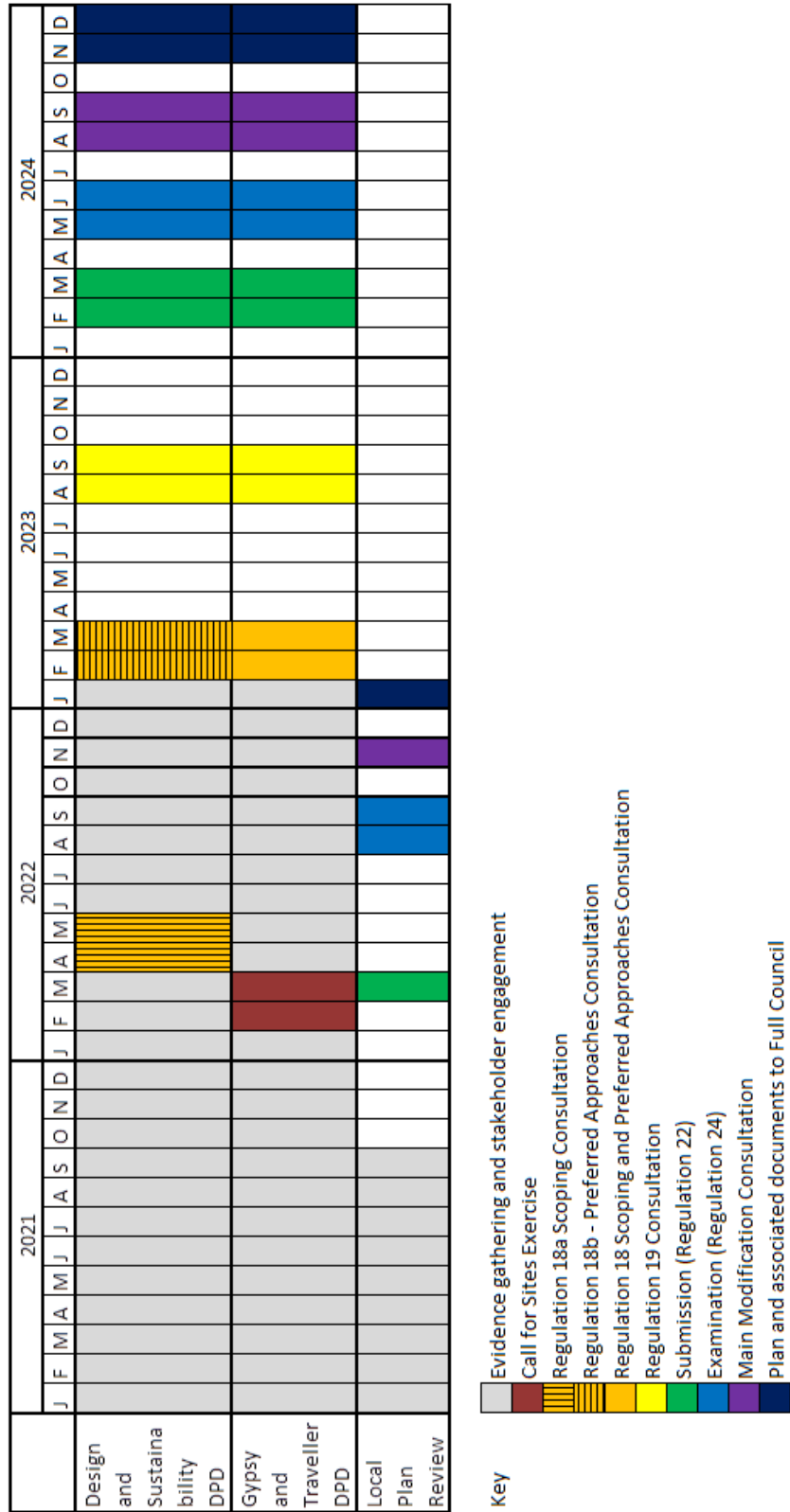


Figure 2.1 Delivery timetable

Monitoring and Review

2.8 Gypsy and Traveller DPD: The Council are creating an evidence base to ensure it has sufficient social, environmental, economic and physical information to inform the Gypsy and Traveller DPD. The DPD will explain how its policies will be delivered and implemented and identify performance indicators against which the success of policies will be monitored. These performance indicators will be monitored through annual Authority Monitoring Reports. The Council will monitor and review progress of delivery of this Gypsy and Traveller DPD against this LDS document.

2.9 Design and Sustainability DPD: The Council are creating an evidence base to ensure it has sufficient social, environmental, economic and physical information to inform the Design and Sustainability DPD. The DPD will explain how its policies will be delivered and implemented and identify performance indicators against which the success of policies will be monitored. These performance indicators will be monitored through annual Authority Monitoring Reports. The Council will monitor and review progress of delivery of this Design and Sustainability DPD against this LDS document.

2.10 Local Plan Review: The Council is creating an evidence base to ensure it has sufficient social, environmental, economic and physical information to inform the review of the local plan. The adopted local plan explains how its policies will be delivered and implemented, and identifies performance indicators against which the success of policies is monitored. The performance indicators will be monitored through annual Authority Monitoring Reports, and the Council will monitor and review progress against the LDS programme in this document.

3. Document Project Plan

Gypsy and Traveller DPD

Gypsy and Traveller DPD	
Subject/content	<p>The Local Plan Review contains a suite of policies specifically addressing matters of Gypsy and Traveller accommodation and future need. The GTAA recommends that allocations can be used to meet the need from those who met the planning definition. A large proportion of the need is unknown based on modelled local need and the assessment outlines that this need can be dealt with by a criteria-based policy. A standalone DPD is to be prepared.</p> <p>The DPD will sit alongside and build on the policies in the Local Plan Review and will provide the basis for Development Management decision making. The DPD will be informed by the preparation of suitable evidence.</p> <p>Matters to be reviewed include:</p> <ul style="list-style-type: none"> • New site allocations to meet the need • Update to DM policies from adopted Maidstone Borough Local Plan and Maidstone Local Plan Review including outbuildings and day rooms (only needed if emerging guidance changes) • Incorporate existing allocations • Non-planning definition Gypsies accommodation
Status	Local Plan
Coverage	Maidstone Borough
Chain of Conformity – national	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance, Planning policy for traveller sites (2015) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
Chain of Conformity – local	<p>Regard to the Council’s Plans and Strategies, including the Strategic Plan, Economic Development Strategy and Housing Strategy. Also have regard to the Climate Change and Biodiversity Strategy and Action Plan.</p> <p>The LPR will need to take into account the policies within neighbourhood plans:</p> <p>North Loose Neighbourhood Plan 2015 – 2031 (2016) Staplehurst Neighbourhood Plan 2016 – 2031 (2020) Loose Neighbourhood Plan 2018 – 2031 (2019) Marden Neighbourhood Plan 2017 – 2031 (2020) Lenham Neighbourhood Plan 2017 – 2031 (2021) Boughton Monchelsea Neighbourhood Plan (2021) Otham Neighbourhood Plan (2021)</p>
Policies Map	A new policies map is to be created
Timetable	
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the preparation of the DPD
Evidence gathering	January 2021 to January 2023
Call for Sites	February to March 2022
Scope and matters and preferred approaches consultation (Regulation 18)	February to March 2023
Draft DPD	August to September 2023

consultation (Regulation 19)	
Submission (Regulation 22)	February to March 2024
Examination hearing sessions (Regulation 24)	May to June 2024
Main Modification Consultation	August to September 2024
Adoption – Full Council (Regulation 26)	November to December 2024
Arrangements for Production	
Internal Partners	Key internal partners include relevant service areas within the Council, Chief Executive; Corporate Leadership Team; and Strategic Planning and Infrastructure Committee.
External Partners	Key external partners include specific and general consultation bodies (including parish councils and neighbourhood forums), local stakeholder groups, hard to reach groups and the local community.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes England, and use of external consultants to provide evidence (as required).

Table 3.1 Project Plan for the Gypsy and Traveller DPD

Design and Sustainability DPD

Design and Sustainability DPD	
Subject/content	<p>The Local Plan Review contains a suite of policies specifically addressing matters of design and sustainability. At the Strategic Planning and Infrastructure Committee on the 21st September 2021, the Council resolved to prepare a DPD reinforced by appropriate evidence to support the Local Plan Review through the strengthening of the council's design and sustainability focused policies.</p> <p>The DPD will sit alongside and build on the policies in the Local Plan Review and will provide the basis for Development Management decision making. The DPD will be informed by the preparation of suitable evidence to justify and the adoption of higher design and sustainability standards where these can be achieved.</p> <p>The DPD will specifically cover matters in relation to:</p> <ul style="list-style-type: none"> • Water efficiency • Low carbon energy • Sustainable buildings • Building design • Biodiversity and landscaping • Open space provision • Sustainable connectivity • Internal space standards • Lighting
Status	Local Plan
Coverage	Maidstone Borough
Chain of Conformity – national	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance, Planning policy for traveller sites (2015) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
Chain of Conformity – local	<p>Regard to the Council's Plans and Strategies, including the Strategic Plan, Economic Development Strategy and Housing Strategy. Also have regard to the Climate Change and Biodiversity Strategy and Action Plan.</p> <p>The LPR will need to take into account the policies within neighbourhood plans:</p> <p>North Loose Neighbourhood Plan 2015 – 2031 (2016) Staplehurst Neighbourhood Plan 2016 – 2031 (2020) Loose Neighbourhood Plan 2018 – 2031 (2019) Marden Neighbourhood Plan 2017 – 2031 (2020) Lenham Neighbourhood Plan 2017 – 2031 (2021) Boughton Monchelsea Neighbourhood Plan (2021) Otham Neighbourhood Plan (2021)</p>
Policies Map	A new policies map is to be created
Timetable	
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the preparation of the DPD
Evidence gathering	January 2021 to January 2023
Scope and matters consultation (Regulation 18a)	April to May 2022
Preferred approaches	February to March 2023

consultation (Regulation 18b)	
Draft DPD consultation (Regulation 19)	August to September 2023
Submission (Regulation 22)	February to March 2024
Examination hearing sessions (Regulation 24)	May to June 2024
Main Modification Consultation	August to September 2024
Adoption – Full Council (Regulation 26)	November to December 2024
Arrangements for Production	
Internal Partners	Key internal partners include relevant service areas within the Council, Chief Executive; Corporate Leadership Team; and Strategic Planning and Infrastructure Committee.
External Partners	Key external partners include specific and general consultation bodies (including parish councils and neighbourhood forums), local stakeholder groups, hard to reach groups and the local community.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes England, and use of external consultants to provide evidence (as required).

Table 3.2 Project Plan for the Design and Sustainability DPD

Local Plan Review

Maidstone Local Plan Review	
Subject/content	<p>Matters to be reviewed include:</p> <ul style="list-style-type: none"> • A review of housing of needs • The allocation of land at the Invicta Park Barracks broad location and at the Lenham broad location if the latter has not been achieved through a Lenham Neighbourhood Plan in the interim • Identification of additional housing land to maintain supply towards the end of the plan period and, if required as a result, consideration of whether the spatial strategy needs to be amended to accommodate such development • A review of employment land provision and how to accommodate any additional employment land needed as a result • Whether the case for a Leeds-Langley Relief Road is made, how it could be funded and whether additional development would be associated with the road • Alternatives to such a relief road • The need for further sustainable transport measures aimed at encouraging modal shift to reduce congestion and air pollution • Reconsideration of the approach to the Syngenta and Baltic Wharf sites if these have not been resolved in the interim • Extension of the local plan period
Status	Local Plan
Coverage	Maidstone Borough
Chain of Conformity – national	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance, Planning policy for traveller sites (2015) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
Chain of Conformity – local	<p>Regard to the Council's Plans and Strategies, including the Strategic Plan, Economic Development Strategy and Housing Strategy. Also have regard to the Climate Change and Biodiversity Strategy and Action Plan.</p> <p>The LPR will need to take into account the policies within neighbourhood plans:</p> <p>North Loose Neighbourhood Plan 2015 – 2031 (2016) Staplehurst Neighbourhood Plan 2016 – 2031 (2020) Loose Neighbourhood Plan 2018 – 2031 (2019) Marden Neighbourhood Plan 2017 – 2031 (2020) Lenham Neighbourhood Plan 2017 – 2031 (2021) Boughton Monchelsea Neighbourhood Plan (2021) Otham Neighbourhood Plan (2021)</p>
Policies Map	To be amended to reflect the policy content of the Local Plan Review
Timetable	
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the review of the Maidstone Borough Local Plan
Evidence gathering	June 2018 to September 2021
Submission (Regulation 22)	March 2022
Examination hearing sessions (Regulation 24)	August – September 2022

Main Modification Consultation	November 2022
Adoption – Full Council (Regulation 26)	January 2023
Arrangements for Production	
Internal Partners	Key internal partners include relevant service areas within the Council, Chief Executive; Corporate Leadership Team; and Strategic Planning and Infrastructure Committee.
External Partners	Key external partners include specific and general consultation bodies (including parish councils and neighbourhood forums), local stakeholder groups, hard to reach groups and the local community.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes England, and use of external consultants to provide evidence (as required).

Table 3.3 Project Plan for the Maidstone Borough Local Plan Review

4. Appendix

Glossary of terms

Acronym	Term	Description
AMR	Authority Monitoring Report	A report which is produced annually and monitors the performance against monitoring indicators in the Maidstone Borough Local Plan.
	Development Plan	The Development Plan includes adopted local plans/Development Plan Documents and made Neighbourhood Development Plans, and sets a framework for the local decision making process.
DPD	Development Plan Documents/Local Plans	A DPD/Local Plan is a spatial planning document which sets out the plan for the future development of the local area, drawn up by a local authority in consultation with the community. Once adopted, the local plan becomes part of the Development Plan. The Local Plan does not include SPDs or local Planning Guidance, although these documents are material considerations in the decision making process.
GTAA	Gypsy and Traveller Accommodation Assessment	The assessment outlines the current and future need for gypsy, traveller and travelling showpeople provision for Maidstone Borough until 2037.
KCC	Kent County Council	The county planning authority, responsible for producing the Kent Minerals and Waste Local Plans, and are the highways authority.
LDS	Local Development Scheme	The LDS is a summary business programme and timetable for the production of the local plans and Development Plan Documents.
MBC	Maidstone Borough Council	The local planning authority responsible for producing the Borough Local Plan.
NDP	Neighbourhood Development Plan	Neighbourhood Development Plans (also known as neighbourhood plans) are prepared by a parish council or neighbourhood forum for a particular neighbourhood area. Neighbourhood plans must be in conformity with the strategic policies of the Local Plan and, once made, form part of the Council's Development Plan.
	Planning Policy Guidance	Additional guidance which provides further detail to policies set out in local plans and is a material consideration in planning decisions but is not part of the local plan or the development plan. If subject to adequate stakeholder and public consultation, guidance can carry commensurate weight with SPDs in the decision making process.
	Policies Map	The Policies Map uses an on-line ordnance survey map base to show the spatial extent of all land use policies and proposals, and is updated with each new Local Plan so that it reflects the up-to-date planning strategy for the borough.

Acronym	Term	Description
SA	Sustainability Appraisal	The SA is a tool for appraising policies and proposals to ensure they reflect sustainable development objectives, including social, economic and environmental objectives. An SA must be undertaken for all local plans and incorporates a Strategic Environmental Assessment.
SCI	Statement of Community Involvement	The SCI specifies how the community and stakeholders will be involved in the process of preparing local planning documents, Neighbourhood Development Plans and the Development Management process.
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 Housing, Communities and Local Government.
SPD	Supplementary Planning Document	An SPD provides further detail to policies set out in local plans. SPDs are a material consideration in the decision making process but are not part of the Development Plan or the Local Plan. They follow a statutory production and consultation process.

Table 4.1 Glossary of terms

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

9 November 2021

Local Plan Review Update

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Philip Coyne (Interim Director of the Local Plan Review) and Rob Jarman (Head of Planning and Development)
Lead Officer and Report Author	Mark Egerton (Strategic Planning Manager)
Classification	Public
Wards affected	All

Executive Summary

At the 10 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 timetable agreed. This report provides the requested update.

Purpose of Report

Noting

This report makes the following recommendations to this Committee:

1. That the report be noted

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	9 November 2021

Local Plan Review Update

1. INTRODUCTION AND BACKGROUND

- 1.1 At the 10th March 2020 meeting of the Strategic Planning and Infrastructure (SPI) Committee, Members resolved that officers should provide a short-written update at each meeting of the committee, concerning any slippage and/or progress on delivering the plan on the timescale agreed. This report provides the requested update.
 - 1.2 The Local Planning Authority is working to a timetable set out in the approved Local Development Scheme (July 2021). This document provides for a Local Plan Review consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended) from October 2021.
 - 1.3 Following the resolutions made at the 4th October 2021 meeting of this committee and at the 6th October 2021 Full Council meeting, Officers undertook work in preparation for the ongoing Regulation 19 public consultation on the Local Plan Review Draft for Submission documents, as well as the concurrent consultation on the associated Sustainability Appraisal.
 - 1.4 The consultations commenced on 29th October 2021 and will finish on 12th December 2021. They are being undertaken in accordance with government requirements, as well as requirements contained in Maidstone's Statement of Community Involvement.
-

2. RISK

- 2.1 This report is presented for information only has no direct risk management implications. Risks associated with the LPR are dealt with through the usual operational framework and have been previously reported.
-

3. REPORT APPENDICES

- None
-