

# AGENDA

## SPATIAL PLANNING STRATEGY ADVISORY GROUP MEETING



Date: Tuesday 5 March 2013  
Time: 6.00 p.m.  
Venue: Town Hall, High Street.  
Maidstone

Membership:

Councillors Burton, Mrs Gooch, Harwood, Lusty  
(Chairman), Moss and Mrs Wilson

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Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information

**Continued Over/:**

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**Issued on 19 February 2013**

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**Alison Broom, Chief Executive, Maidstone Borough Council,  
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

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|----|--|----------|
| 7. | Minutes of the meeting held on 22 January 2013   | 1 - 4    |
| 8. | Report of the Director of Change, Planning and the Environment<br>- Local Development Scheme 2013-2015     | 5 - 27   |
| 9. | Report of the Director of Change, Planning and the Environment<br>- Maidstone Borough Local Plan 2011-2031 | 28 - 184 |

## **MAIDSTONE BOROUGH COUNCIL**

### **SPATIAL PLANNING STRATEGY ADVISORY GROUP**

#### **MINUTES OF THE MEETING HELD ON 22 JANUARY 2013**

**Present:** Councillor Lusty (Chairman), and  
Councillors Burton, Mrs Gooch, Harwood, Moss and  
Mrs Wilson

**Also Present:** Councillors Ash, Garland, Newton, Paine,  
Paterson and Springett

23. APOLOGIES FOR ABSENCE

There were no apologies for absence.

24. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

25. NOTIFICATION OF VISITING MEMBERS

Councillors Ash and Paterson indicated their wish to speak with regard to Agenda Item 10 – Landscape Character Assessment 2012. Councillors Newton, Paine and Springett were in attendance and Councillor Garland was in attendance to present Agenda Item 8 – Core Strategy/Local Plan Progress.

26. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

27. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

28. EXEMPT ITEMS

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

29. URGENT ITEMS

The Chairman confirmed that the Summary and the Amended Appendix C to the report of the Director of Change, Planning and the Environment – Maidstone Landscape Character Assessment 2012 be taken as urgent items.

30. MINUTES

RESOLVED: That the Minutes of the Meeting held on 23 October 2012 be approved as a correct record and signed.

31. CORE STRATEGY/LOCAL PLAN PROGRESS

The Leader of the Council addressed the Group regarding the Core Strategy/Local Plan progress. He explained to the Group that the Council wanted to go for a housing target of 10,080 but that recently other authorities that have taken their Core Strategies to the Planning Inspectors for approval, have been denied because their housing figures were not high enough and did not have enough supporting evidence. He informed the Group that housing is one of the Prime Minister's priorities and that the implications for Maidstone are that we will need to re-consider our housing target upwards. Kent County Council and the Department for Communities and Local Government ("DCLG") have stated that the population trend means we would need to aim for an additional 16,000 home (this includes the original target of 10,080) for the period 2011-2031. It is important that there is a strong evidence base to support this.

The Leader mentioned that a new Strategic Housing Land Allocation Assessment ("SHLAA") was started just before Christmas and closes on 25 January 2013. A number of sites have now been submitted, but the indications are there will not be enough to provide the housing need. The results of the SHLAA will be available in 4-6 weeks.

He reminded the Group that the National Planning Policy Framework takes over in March 2013 and following consultation undertaken last year regarding development in the North West and South East of Maidstone, a report will come to Cabinet to recommend approving an interim Core Strategy and the allocation of strategic sites in these areas.

The Leader then addressed the Committee regarding the Integrated Transport Strategy ("ITS") saying that he knows it has not been a popular piece of work amongst Members of Maidstone Borough Council ("MBC") and Kent County Council ("KCC"). Cabinet will need to look at this later in the year. The Leader encouraged Members to remain open-minded, he was aware it was going to be controversial, but we need these documents to all be in place by the end of this year. This is the Leader's number one priority. A small group of KCC and MBC Members have been formed to look at the ITS in the hope of achieving a "coming together" on views.

The Leader then went on to address the distribution of the required housing. He said there were two "schools of thought" emerging from Members; i) consider the South East urban extension again and the Leeds/Langley by-pass, or ii) a free standing village near Harrietsham or Lenham. These ideas need to be worked through and a final decision made in the autumn.

Members raised concerns regarding the possible increase in the housing target and felt it was important that Members were shown the evidence for this new figure, the constraints to development in the Borough, liaison with neighbouring authorities and a vision for the Borough.

RESOLVED TO RECOMMEND TO THE CABINET MEMBER FOR PLANNING, TRANSPORT AND DEVELOPMENT:

1. That full information on how the new housing target is arrived at be circulated to all Members.
2. That Officers be urged to actively seek to evidence the constraints to development in this Borough, e.g. water supply, and infrastructure constraints.
3. That Officers be encouraged to raise horizons in relation to discussion with neighbouring authorities on how we can help their regeneration.
4. That a vision for the Borough spatial patterns, growth and regeneration sites and how we deliver that be made.

32. ANNUAL MONITORING REPORT 2011/12

The Group considered the report of the Director of Change, Planning and the Environment regarding the Annual Monitoring Report 2011/12.

Members were informed that a further graph at paragraph 2.2 needed to be inserted regarding net inward migration (persons).

RESOLVED TO RECOMMEND TO THE CABINET MEMBER FOR PLANNING, TRANSPORT AND DEVELOPMENT:

That the Annual Monitoring Report 2011/12, including the further graph at paragraph 2.2, be approved and published on the Council's website.

33. LANDSCAPE CHARACTER ASSESSMENT 2012

The Group considered the report of the Director of Change, Planning and the Environment regarding the Maidstone Landscape Character Assessment 2012.

An executive summary and an Amended Appendix C were circulated to Members at the meeting. Members were informed that this is essentially a document describing landscape character which can be used for land management purposes, through informing policy, landscape guidelines, development proposals and land managers on how to manage their land.

Members raised concern regarding interpretation and consistency within the Landscape Character Assessment ("LCA") document and felt that the pilot study should include the whole of the Medway Valley that runs through the Borough, rather than stopping at Tovil and that a specific

preamble should be included at the beginning of the document to explain the purpose of the document.

RESOLVED TO RECOMMEND TO THE CABINET MEMBER FOR PLANNING, TRANSPORT AND DEVELOPMENT: -

1. That the Maidstone Landscape Character Assessment 2012 be deferred so that a cross party discussion with Officers can take place to identify the inconsistencies and proof read the document and then the amended version be brought to a future meeting of this Group.
2. That parts of the adopted Maidstone Borough Council Landscape Character Assessment and Landscape Guidelines 2000 be saved and published as the Maidstone Landscape Character Assessment Supplement 2012 (as set out in Appendix B to the report of the Director of Change, Planning and the Environment) as a material consideration in development management planning decisions.
3. That the methodology of the Landscape Value Pilot Study, as set out in Amended Appendix C to the report of the Director of Change, Planning and the Environment be endorsed.
4. That the whole of the Medway Valley from Laddingford to Allington Lock be the proposed Pilot Study Area.

34. DURATION OF MEETING

6.00 p.m. to 8.38 p.m.

## **MAIDSTONE BOROUGH COUNCIL**

### **SPATIAL PLANNING STRATEGY ADVISORY GROUP**

**5 MARCH 2013**

### **REPORT OF DIRECTOR OF CHANGE, PLANNING AND THE ENVIRONMENT**

**Report prepared by Sue Whiteside**

#### **1. LOCAL DEVELOPMENT SCHEME 2013-2015**

##### 1.1 Issue for Decision

1.1.1 To consider the revision of Maidstone's Local Development Scheme 2013-2015 (attached as Appendix A)

##### 1.2 Recommendation of Director of Change, Planning and the Environment

1.2.1 That the Spatial Planning Strategy Advisory Group recommends Cabinet:

- i. Approves the amalgamation of the Core Strategy Local Plan and the Development Delivery Local Plan, to be called the Maidstone Borough Local Plan;
- ii. Approves the plan period for the Maidstone Borough Local Plan 2011 to 2031; and
- iii. Adopts the Local Development Scheme 2013-2015 (attached at Appendix A) and agrees that the Scheme comes into effect from the date of adoption.

##### 1.3 Reasons for Recommendation

1.3.1 The Council is required to produce a Local Development Scheme (LDS), which sets out the range of local plans it is proposing to prepare over a minimum three year period. There is no requirement to include a programme for the production of Supplementary Planning Documents (SPD) but, historically, the Council has identified the key SPDs needed to deliver the detail of higher tier policies. There is no longer a duty to submit an LDS to the Secretary of State for approval, but local authorities are charged with keeping their LDS up-to-date and to review its progress through annual monitoring reports.

- 1.3.2 The Council's current scheme was adopted in 2012 and the target date for public consultation on Core Strategy strategic site allocations was successfully met in August/September 2012. However, for the reasons set out in the Cabinet report of 21 November 2012, Cabinet resolved to delay the Core Strategy programme so that officers could undertake further work on the evidence base to ensure the Core Strategy would be found sound at examination. It was agreed to update demographic and economic demand data, to commission a new Strategic Housing Market Assessment (SHMA), and to produce new Strategic Housing and Economic Development Land Availability Assessments (SHLAA and SEDLAA). This additional work delays the Core Strategy programme by 19 months, moving its adoption date from December 2013 to July 2015.
- 1.3.3 The LDS sets out the work programme for two local plans: the Core Strategy and Development Delivery. The timetable for Development Delivery currently leads to its adoption in December 2015, but this plan's timetable will be affected by changes to the Core Strategy programme. Development Delivery would contain policies for the regeneration of the town centre; the identification of borough wide site specific land allocations for new housing, business, retail and infrastructure; designations for protected areas; and development management policies.
- 1.3.4 The delay to the Core Strategy programme therefore offers an opportunity to merge the two documents into one local plan, bringing forward the adoption date of Development Delivery without causing further delay to the Core Strategy timetable. The move towards local authorities preparing a single local plan for their districts is encouraged by the National Planning Policy Framework (NPPF) and new plan making regulations published in 2012. A single local plan would contain all of the policies that have been the subject of public consultations in 2011 and 2012, together with the balance of all land allocations and new policies. Consequently, it is recommended that Cabinet amalgamates the Core Strategy with Development Delivery into a single plan called the Maidstone Borough Local Plan.
- 1.3.5 The Maidstone Borough Local Plan will still be a strategic policy document, so the need for a suite of SPDs to expand or add detail to higher tier policies will remain. The SPD process is quicker than that for local plans because they are not subject to examination, although must be taken through public consultation. Three SPDs have previously been agreed as a priority in the adopted LDS: Parking Standards, Landscape Character Guidelines and Affordable & Local Needs Housing. This list is still relevant, and further SPDs agreed by Members will be added to this list over time.



1.3.6 Currently the 20-year plan period for the Core Strategy runs from 2006 to 2026, but almost seven years of this period has passed and the plan will only have 11 years to run from its new adoption date. The NPPF states that local plans must be prepared covering an appropriate timescale, but preferably with a 15-year time frame (from the date of adoption). If Cabinet maintains the current plan period, the examination Inspector will almost certainly direct the Council to undertake an early review of its local plan. The evidence base, which is currently being updated, can take into account an extended plan period. It is therefore recommended that the Maidstone Borough Local Plan period be 2011 to 2031.

1.3.7 The LDS has been reviewed to take account of the delay to the plan making programme and the production of a single Maidstone Borough Local Plan. A separate report attached to this agenda<sup>1</sup> explains in detail that the public will be consulted (regulation 18) on new policies and land allocations, together with the former spatial policies affected by amended housing and employment targets, before being amalgamated with the core policies and strategic site allocations that were subject to previous consultations. The merged document will then be published in its entirety for formal public consultation (regulation 19) prior to submission to the Secretary of State for examination. The key dates are set out in the table below.

Stage	Date
Strategic Housing and Economic Development Land Availability Assessments, including Member/stakeholder engagement	February to June 2013
Strategic Housing Market Assessment	March - June 2013
Independent Sustainability Appraisal of sites	June 2013
Formulation of new policies, including Member/stakeholder engagement	March – August 2013
Cabinet approval of new land allocations and new policies for public consultation (Regulation 18)	September 2013
“Preparation” public consultation on new land allocations and new policies (Regulation 18)	October/ November 2013
“Publication” consultation on the Maidstone Borough Local Plan(Regulation 19)	July/August 2014
Cabinet and Council approval of “Submission” of the Maidstone Borough Local Plan (Regulation 22)	November 2014
Independent Examination (estimate) (Regulation 24)	February/March 2015
Adoption (estimate) (Regulation 26)	July 2015

<sup>1</sup> Maidstone Borough Local Plan 2011 to 2031

1.3.8 It is recommended that the amended Local Development Scheme (2013-2015), attached at Appendix A, is adopted and that it comes into effect on the date of adoption.

#### 1.4 Alternative Action and why not Recommended

1.4.1 Cabinet could continue with the production of two local plans for the Core Strategy and Development Delivery, rather than a single Maidstone Borough Local Plan, but there are no advantages to this approach. Cabinet could also retain the current plan period to 2026 but this is not recommended because it would most likely lead to the need for an early review of the Maidstone Borough Local Plan following examination.

#### 1.5 Impact on Corporate Objectives

1.5.1 The Maidstone Borough Local Plan will deliver the spatial objectives of the Sustainable Community Strategy and the Strategic Plan. It will also have regard to objectives set out in other Council documents, such as the Economic Development Strategy and the Housing Strategy.

#### 1.6 Risk Management

1.6.1 The adoption of the Maidstone Borough Local Plan will reduce the risk of inappropriate development, and the allocation of all sites to meet amended housing and employment targets will provide clarity for the development industry, Members, officers and the public. The LDS includes a risk management section, but there are additional risks that could affect the plan making programme.

1.6.2 The end of the NPPF transition period for local plan compliance does present some risk in the light of the delay to the local plan programme. However, the Council will still have a local planning policy framework that comprises adopted development plan documents and supplementary planning documents, endorsed guidance, and saved policies from the Maidstone Borough Wide Local Plan 2000. These policies are still relevant and carry weight in the decision making processes provided there is no conflict with the NPPF.

1.6.3 Local elections in May 2014 may be rescheduled to coincide with the European elections. This would delay the local plan programme by up to 4 weeks, in terms of the timetable for decision making although the time lost might be retrieved in the latter stages of plan production.

1.6.4 The Secretary of State could reject the submitted Maidstone Borough Local Plan or find the document unsound during examination which would affect the plan's adoption date. This risk is mitigated by the

retention of legal and professional services to guide the local plan through its preparation stages, and the preparation of up-to-date robust technical evidence.

1.7 Other Implications

1.7.1

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

1.7.2 **Financial:** A dedicated budget of £770,000 over 4 years from 2012/13 to deliver the local planning policy framework (formerly known as the Local Development Framework) has been identified through the Council’s medium term financial strategy. The budget will need to be re-profiled to take account of the additional work required to update the evidence base and the preparation of a single local plan. At this stage additional funding is not being sought.

1.7.3 **Staffing:** The programme can be delivered within existing Spatial Policy and Development Management staff resources. Additional staff resources are available from the Housing department to assist with the production of the Affordable and Local Needs Housing supplementary planning document.

1.7.4 **Legal:** Legal services will be retained to offer advice on document content and processes to ensure the Maidstone Borough Local Plan is found sound at examination. These services can be managed within the existing budget for local plan production.

1.7.5 **Procurement:** Although additional evidence base work is being prepared in-house where possible, the employment of consultants on

short term contracts to undertake specialist work will be necessary. The consultants will be appointed in accordance with the Council's procurement procedures and the costs can be managed within the existing budget for local plan production.

1.8 Relevant Documents

None

1.8.1 Appendices

Appendix A: Local Development Scheme 2013-2015

1.8.2 Background Documents

None

**IS THIS A KEY DECISION REPORT?**

Yes

No

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

21 January 2013

This is a Key Decision because: It affects all wards and parishes

Wards/Parishes affected: All wards and parishes

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

**This Local Development Scheme comes into effect on 13  
March 2013 and replaces all previous versions of the  
Scheme**

**All enquiries should be addressed to:**

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

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## What is the Local Development Scheme?

**1.1** The **Local Development Scheme** (LDS) is a project plan that sets the timetable for the production of Maidstone Borough Council's Local Plan, and it explains how the Council will resource and manage the preparation of documents. It includes a risk assessment of events that might impact on the programme, together with an explanation of how the Council will deal with those risks. The scheme needs to ensure that the Local Plan is put into place systematically, that it is kept up to date, and that the community is actively involved in the process. The LDS makes the planning authority more accountable, and it offers the wider community some certainty about when and how it can engage in the plan making process.

**1.2** The LDS includes a programme for the preparation of local plans, which are subject to sustainability appraisal and public examination. There is no duty to include a timetable for the production of supplementary planning documents (SPD) but, in order to provide clarity for the public, the Council has identified key SPDs that are a priority to support the delivery of local plan policies.

**1.3** The Local Development Scheme 2013-2015:

- Contains a brief profile of Maidstone Borough
- Reviews the progress of the Local Development Scheme (2012-2015)
- Sets out the amended programme for 2013 to 2015
- Assesses the risks to the new programme and explains how the risks will be managed
- Contains individual project plans for each local plan contained in the scheme
- Includes a glossary of terms and acronyms used throughout this document to assist the reader.

## The Development Plan

**1.4** The **Development Plan** is central to the planning system and is needed to guide the decision making process for land uses and development proposals. The development plan includes adopted local plans, neighbourhood plans, and regional strategies until such time as they are revoked under the Localism Act 2011.

**1.5** The development plan for Maidstone comprises a number of local and strategic documents: the South East Plan, which is the regional spatial strategy; adopted development plan documents (DPD), which are now called local plans; saved policies from the adopted Maidstone Borough-wide Local Plan; and saved policies from the Kent Minerals and Waste Local Plans that are prepared by Kent County Council.

- South East Plan (May 2009)
- Affordable Housing DPD (December 2006)
- Open Space DPD (December 2006)
- Maidstone Borough-wide Local Plan Saved Policies (September 2007)
- Kent Minerals Local Plans Saved Policies (May 1986, December 1993 & December 1997)
- Kent Waste Local Plan Saved Policies (March 1998)

**1.6** The South East Plan remains part of the development plan until such time as regional strategies are abolished in accordance with the Localism Act. The Affordable Housing and Open Space DPDs, together with the saved policies of the Maidstone Borough-wide Local Plan, will eventually be superseded by policies contained in adopted new local plans. The programme for the preparation of these documents is set out in this LDS. The minerals and waste local plans will be replaced under the Kent Minerals and Waste Development Framework.

## The Local Plan

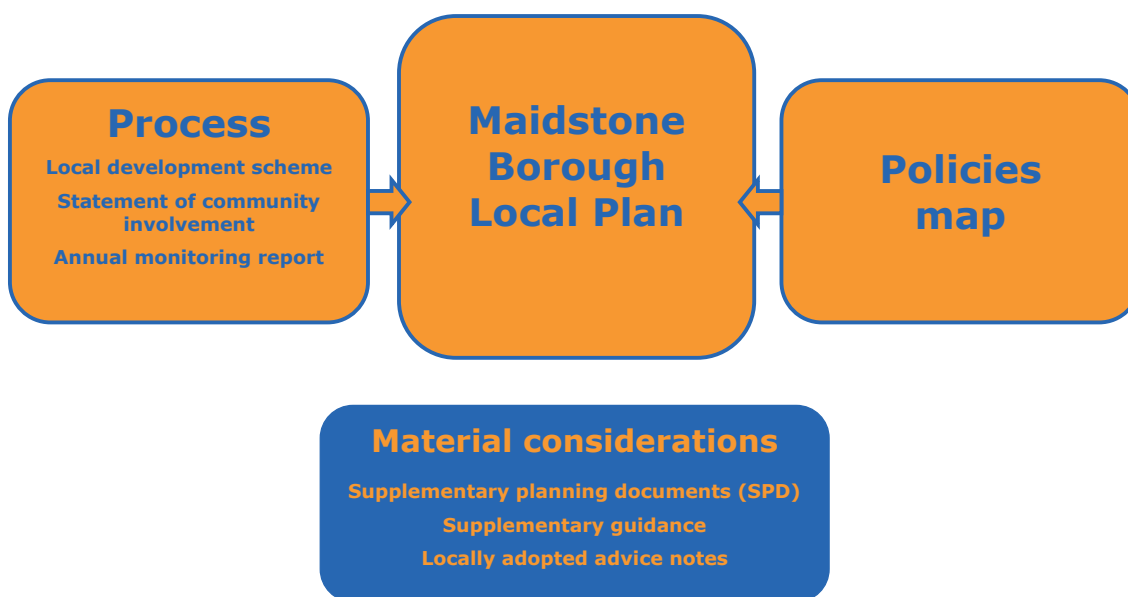
**1.7 The Local Plan** is the plan for the future development of Maidstone and it forms part of the borough's development plan. It can contain a single document or a series of local plans. Maidstone's local plan currently includes previously adopted development plan documents and saved policies from the Maidstone Borough-wide Local Plan, all of which will eventually be superseded by an emerging new local plan. Local plans outline the key development objectives of the local planning policy framework. Their production is dependent on community and stakeholder involvement, public consultation, sustainability appraisal and independent examination. The principal local plan must set out the spatial vision, objectives and key policies for the delivery of the framework, and plays a key part in delivering the spatial objectives of the Council's Sustainable Community Strategy and the Strategic Plan.

**1.8 The Policies Map** is a map of the borough which illustrates areas of protection and site specific proposals set out in the Local Plan. Maidstone has an interactive policies map that can be accessed through its website.

**1.9 Supplementary Planning Documents (SPD)** expand or add detail to local plan policies and are prepared with stakeholder and public participation and engagement. They are not subject to sustainability appraisal or examination because the local plan policy they support will have gone through this process. SPDs are a material consideration in the determination of planning applications, but they do not form part of the development plan or the Local Plan. Adopted Supplementary Guidance that meets the disciplines of SPD production will also be a material consideration in decision making processes.

**1.10** In addition to the Local Development Scheme, the **Statement of Community Involvement (SCI)** and **Annual Monitoring Reports (AMR)** are a crucial part of the plan making system. The SCI explains how and when local communities and stakeholders will become involved in the preparation of documents. Annual monitoring reports measure the success of local plan objectives, targets and adopted policies.





## 1.11 Maidstone's local planning policy framework currently comprises:

- Local Development Scheme (2013)
- Statement of Community Involvement ( 2006, emerging update 2013)
- Annual Monitoring Reports (2004 to 2012)
- Affordable Housing DPD (2006)
- Open Space DPD (2006)
- Saved policies from the Maidstone Borough-wide Local Plan (2007)
- Sustainable Construction: Using Water SPD (2006)
- Loose Road Character Area Assessment SPD (2008)
- London Road, Bower Mount Road, Buckland Hill Character Area Assessment SPD (2008)
- Residential Extensions SPD (2009)
- Kent Downs Area of Outstanding Natural Beauty Management Plan 2009-2014 (endorsed March 2009)
- Kent Design Guide 2005/06 (endorsed May 2009).

## 2 . Challenges for Maidstone

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**2.1** The borough of Maidstone covers 40,000 hectares and is located in the heart of Kent. It has a large urban area to the north west of the borough and is surrounded by a substantial rural hinterland. Maidstone is the County Town of Kent and over 70% of the borough's population of approximately 155,800<sup>(1)</sup> people live in the town's urban area. Maidstone is strategically located between the Channel Tunnel and London, and has direct connections to both via the M20 and M2 motorways. There are rail connections to London, the coast, and to the Medway Towns through three central railway stations in the town. These railways also serve the rural service centres of Harrietsham and Lenham. The railway line to the south of the borough provides access to London and the coast for the rural service centres of Marden, Staplehurst and Headcorn. Whilst the Channel Tunnel Rail Link runs through the borough, there are no stations to access the Link. There are a number of main transport routes in the borough, including the A229, A249, A274, A20 and A26.

**2.2** The town centre has a strong commercial and retail centre, and Maidstone is one of the largest retail centres in the south east. Economically the borough is relatively prosperous with a considerable employment base and a lower than average unemployment rate compared to Kent. However, Maidstone also has a low wage economy, which leads to out-commuting for higher paid work. The local housing market flows across district boundaries and is influenced by London, resulting in relatively high local house prices. Some areas in central Maidstone are in need of regeneration, and there are also pockets of deprivation in the suburban areas, most notably in North, High Street, Shepway North, Shepway South and Park Wood wards.

**2.3** The rural area of the borough is characterised by a large number of villages and hamlets. The rural service centres of Harrietsham, Headcorn, Lenham, Marden and Staplehurst provide services and facilities to the rural hinterland, although smaller villages also play a vital role. There are some significant centres of economic activity in and around the larger rural settlements, and smaller commercial premises are scattered throughout the borough.

**2.4** Large tracts of Maidstone's countryside have special nature and landscape designations to protect their value. There are many places and buildings of historic value, and much of the rural area is classed as best and most versatile agricultural land. The River Medway courses through the borough and the town centre and, together with its tributaries, is one of Maidstone's prime assets.

**2.5** Consistent with Maidstone's growth role, the Council's priorities for the borough are to achieve a growing economy and to ensure Maidstone is a decent place to live<sup>(2)</sup>. Maidstone's emerging local plan policies seek to provide for economic growth and prosperity and the provision of affordable housing to meet local needs. Key to delivering these aims is the provision of supporting infrastructure. The direction of Maidstone's growth is constrained by a high quality environment, the extent of its flood plain, and the limitations of its transport and infrastructure system (including water supply and waste water). There are also concerns about the loss of open space and the intense scale of development in the urban area.

1 2011 mid year population estimates released 25 September 2012, ONS

2 Strategic Plan 2011 to 2015

**2.6** The challenge for Maidstone's Local Plan is how to manage the potential impacts from future growth, and allow for more employment and residential development to take place in a sustainable manner to assist the local economy whilst protecting the valued landscape, biodiversity and countryside of the borough.

### Review of the Local Development Scheme 2012-2015

**3.1** Maidstone's Local Development Scheme (LDS) was first adopted in 2005 and has been the subject of a number of reviews, the latest in 2012.

**3.2** In 2012, the Council included 2 key local plans in its scheme: the Core Strategy and Development Delivery. The Council successfully met the key milestone for a partial public consultation on the Core Strategy Strategic Site Allocations in August/September 2012 (known as "participation" or regulation 18 stage of plan production).

**3.3** During 2012 a number of core strategy examinations in other parts of the country, including the south east, were being suspended because of a lack of evidence supporting the local authorities' housing and employment targets. The implications arising from these suspensions needed to be given full consideration to ensure that Maidstone's local plan evidence base was robust enough to support a sound Core Strategy at examination, particularly in the context of the National Planning Policy Framework (NPPF). In November 2012 the Council resolved to delay the Core Strategy programme so that further work could be undertaken, and it was agreed that the documents set out below should be updated before the Core Strategy programme could restart:

- Review of demographic and employment data;
- Completion of a new Strategic Housing Market Assessment (SHMA);
- Production of a new Strategic Housing Land Availability Assessment (SHLAA); and
- Production of a new Strategic Economic Development Availability Assessment (SEDLAA).

**3.4** This additional work results in a delay to the Core Strategy programme of 19 months, moving its adoption date from December 2013 to July 2015.

**3.5** Consequently, Maidstone has taken the opportunity to amalgamate its two local plans into one document, bringing forward the adoption date of Development Delivery without causing further delay to the Core Strategy programme. The move towards the preparation of a single local plan, as opposed to more than one document, is supported by the NPPF and new plan making regulations published in 2012. The new plan will be known as the Maidstone Borough Local Plan and the plan period will run from 2011 to 2031 to ensure the Council has a 15 year plan in accordance with the recommendations of the NPPF.

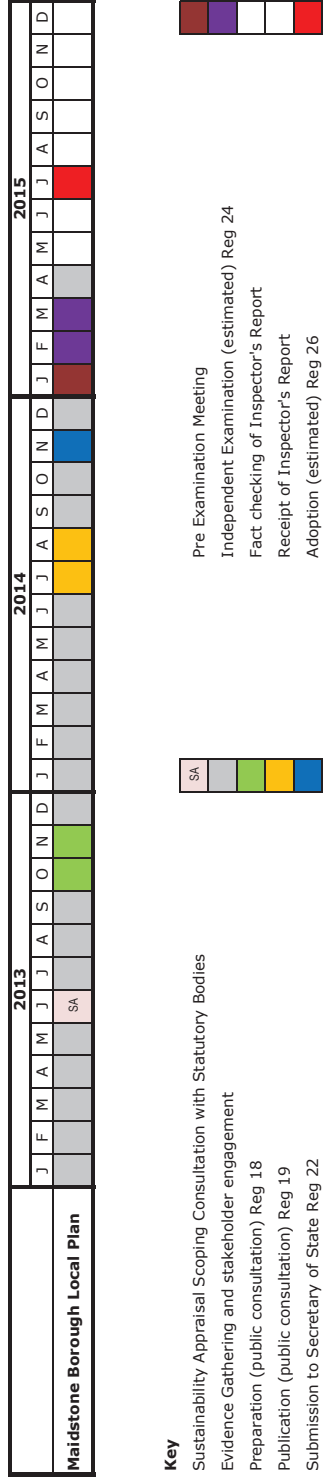
**3.6** The **Maidstone Borough Local Plan** (MBLP) will incorporate the policies from two previous public consultations on the Core Strategy (spatial and core policies in 2011 and strategic site allocations in 2012), and will contain the balance of land allocations as well as new policies for the regeneration of the town centre, the designation of protected areas and development management policies. The Council will undertake an additional stage of public consultation on the MBLP for the new policies and land allocations (called "participation" or regulation 18) in 2013, as set out in the LDS, before proceeding to formal public consultation stage (called "publication" or regulation 19) in 2014 on the entire Local Plan.

**3.7** The LDS (2012) included a suite of supplementary planning documents (SPD) that are required to add detail to policies contained in local plans. This list remains pertinent:

- A **Parking Standards SPD** is required to set local parking standards for new commercial and residential development
- A **Landscape Character Guidelines SPD** is required to develop a "toolkit" to assist with the determination of planning applications within the landscape areas identified in the Council's Landscape Character Assessment (2012)
- An **Affordable and Local Needs Housing SPD** will deliver the detail of the Core Strategy affordable housing policy.

**3.8** An important element in the preparation of local planning policy documents is consultation with stakeholders and the public. The Statement of Community Involvement sets out in detail how and when these groups can participate in the preparation of local plans. It is also important for the Council to engage with key stakeholders during the production of certain evidence documents. The new SHLAA and SEDLAA will form the basis for new development site allocations in the local plan, so these documents will be prepared in consultation with the development industry, the parish councils, the environment groups, and relevant county and local authorities. The Council has already set up focus groups for the development industry and the rural service centre parish councils, and regularly meets with its neighbouring authorities under the duty to cooperate. Several workshops have been held and are continuing.

### Local Development Scheme 2013-2015



### Monitoring and Review

**3.9** The Council will continually assess and build on its evidence base to ensure it has sufficient social, environmental, economic and physical information to identify the spatial characteristics and needs of the borough to inform the preparation of its local plan. The local plan will explain how its policies will be delivered and implemented, and will identify performance indicators against which the success of policies will be monitored. A number of the performance indicators will be monitored through the Annual Monitoring Reports, and the Council will monitor and review the LDS timetable to ensure that the key stages for document production set out in the scheme are met.

**4.1** The adoption of the Maidstone Borough Local Plan will reduce the risk of inappropriate development and will provide a clear policy direction to Members, the development industry and members of the public. The Council is continually assessing the staffing and financial resources available to produce its local planning policy framework, and progress is periodically reported to the Council's Cabinet in line with budget bids. However, there are still several problems which might be encountered in keeping the LDS programme on course, and the Council must assess how these risks might be minimised.

**4.2** New national planning legislation and advice has been published over the past year, including the National Planning Policy Framework, Planning Policy for Traveller Sites and new plan making regulations. The Council will keep a watching brief on the introduction of further national policy or regulatory changes. Counsel has been retained to offer legal advice on document content and processes, to ensure that all risks to the preparation of plans are appropriately considered.

**4.3** The number and complexity of representations at consultation stages will remain a risk because objectors may raise issues that require further consideration. To mitigate against a potential delay to the programme, time has been built into the programme to consider and respond to representations, an on-line consultation system is in place to manage the volume of representations, and the Council has prioritised and resourced the production of its Local Plan.

**4.4** Risks to the adoption of the Maidstone Borough Local Plan are generally associated with meeting the tests of soundness at Independent Examination. Legal services have been retained to offer advice on document content and processes to ensure the local plan is found sound at examination..

**4.5** Political and stakeholder co-operation is essential for the Council to meet key target dates. A number of plans involve partnership working with other agencies, such as the infrastructure providers (health, education, water, electric, gas, etc.), the Highways Agency, Kent County Council, the Environment Agency, and the development industry regarding land delivery. The Council is minimising this risk to the programme by fully engaging with stakeholders through a number of working groups, and by setting up a series of Member meetings to steer documents through the plan making process. The Council will also satisfy its duty to cooperate with its partners, including adjacent local authorities.

**4.6** The LDS takes into account current staffing levels and the Council will endeavour to recruit and retain skilled and experienced staff who are necessary to deliver the scheme. Specialist consultants and contractors will be engaged periodically, as required. The Council can take action to mitigate against shortages in an area of skills scarcity, but cannot plan for all interruptions through vacancies, sickness and maternity leave. A restructure of the Planning Department in 2012 offers a greater flexibility and movement of staff resources where required.

**4.7** A dedicated budget to deliver the local planning policy framework has been identified through the Council's medium term financial strategy. The Council will ensure that the budget is managed efficiently and effectively, and will identify any likely deficiencies at an early stage.



## Maidstone Borough Local Plan

<b>MAIDSTONE BOROUGH LOCAL PLAN</b>	
<b>Subject</b>	Sets the spatial vision and strategy for the future development of Maidstone to 2031; identifies borough wide site specific land allocations for new housing, business, retail and infrastructure; includes policies for the regeneration of the town centre; designates protection areas; and includes development management policies.
<b>Status</b>	Local Plan
<b>Coverage</b>	Maidstone borough
<b>Content</b>	<ul style="list-style-type: none"> <li>• The Council's spatial vision, spatial objectives, and strategy for the distribution of development 2011 to 2031</li> <li>• The delivery of growth targets for housing and employment, together with supporting infrastructure</li> <li>• The allocation of development sites, in accordance with the spatial strategy and defined on the policies map</li> <li>• Safeguarding of identified employment areas</li> <li>• Provision for housing needs through an appropriate dwelling mix, affordable housing and local needs housing</li> <li>• A criteria based policy and pitch target, together with land allocations, to meet the needs of Gypsies, Travellers and Travelling Showpeople</li> <li>• The delivery of quality and sustainable new development</li> <li>• Town centre and suburban regeneration</li> <li>• Designation of rural service centres</li> <li>• Protection and enhancement of the borough's historic and natural environment</li> <li>• Delivery of sustainable transportation and other infrastructure</li> <li>• Development management policies</li> </ul>
<b>Chain of Conformity - national &amp; regional</b>	Central government policy and guidance, including the National Planning Policy Framework 2012. The Regional Spatial Strategy (the South East Plan 2009) until such time as it is revoked under the Localism Act 2011.
<b>Chain of Conformity - local</b>	Regard to the Maidstone Sustainable Community Strategy, Strategic Plan, Economic Development Strategy and Housing Strategy.

<b>Policies Map</b>	To be amended to reflect the adoption of the Maidstone Borough Local Plan
<b>Timetable</b>	
SA Scoping Report	June 2013
Preparation (Reg 18) - partial consultation	October/November 2013
Publication (Reg 19)	July/August 2014
Submission (Reg 22)	November 2014
Pre Examination Meeting	January 2015
Examination (estimate)(Reg 24)	February/March 2015
Fact Checking Inspector's Report	May 2015
Receipt of Inspector's Report	June 2015
Adoption (estimate)(Reg 26)	July 2015
<b>Arrangements for Production</b>	
Internal Partners	Teams within the directorates of Change, Planning & the Environment and Regeneration & Communities, Corporate Leadership Team, Member Advisory Group (Spatial Policy Strategic Advisory Group)
External Partners	Appropriate national consultees, Town Centre Management, parish councils, adjacent local authorities, and other stakeholders and community groups set out in the SCI
External Resources	KCC, Highways Agency, infrastructure providers, the HCA, and use of external consultants to provide evidence (as required)

Table 5.1

Acronym	Term	Description
	The Act	The Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008 and 2009.
AMR	Annual Monitoring Report	The Monitoring Report provides a framework with which to monitor and review the effectiveness of local plans and policies.
	Development Plan	The Development Plan includes adopted local plans, neighbourhood plans and regional plans (until such time as they are abolished).
DPD	Development Plan Document	A DPD is a spatial planning document that is subject to independent examination. Under new regulations, DPDs are now known as local plans.
HCA	Homes and Communities Agency	The national housing and regeneration agency, responsible for providing funding for affordable housing, bringing land back into productive use, and raising standards in the physical and social environment.
KCC	Kent County Council	The county planning authority, responsible for producing the Kent Minerals and Waste Local Plans and the County's local planning policy framework.
LDS	Local Development Scheme	The LDS is a business programme or timetable listing the documents the Council will produce under the local planning policy framework, and explaining how documents will be prepared and when they will be published.
	Localism Act	The Localism Act was published in 2011 and introduces new freedoms and flexibilities for local authorities and communities.
	Local Plan	The plan for the future development of the local area, drawn up by a local authority in consultation with the community. The Local Plan for Maidstone includes DPDs adopted under the Act and saved policies. These will be superseded by the the Maidstone Borough Local Plan once it is adopted in 2015. The Local Plan does not include SPDs or supplementary guidance, although these documents are material considerations in development management decisions.
MBC	Maidstone Borough Council	The local planning authority responsible for producing the local planning policy framework.
	Neighbourhood Plan	Neighbourhood plans were introduced by the Localism Act, and are plans prepared by a parish council or neighbourhood forum for a particular neighbourhood area. Neighbourhood plans must

## 6 . Glossary of Terms

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		be in conformity with the strategic policies of the Local Plan.
NPPF	National planning Policy Framework	The NPPF was published in March 2012 and it sets out the government's planning policies for England and how these must be applied. Local Plan policies must be in conformity with the NPPF.
	Policies Map	The policies map uses an ordnance survey map base to show all land use policies and proposals, and is updated as each new local plan is adopted so that it reflects the up-to-date planning strategy for the borough. Maidstone has an on-line interactive policies map.
	Saved policies	Policies from the Maidstone Borough wide Local Plan (2000) that were saved in 2007 under the Act.
RSS	Regional Spatial Strategy	The RSS sets out the region's policies for the development and use of land. The RSS currently forms part of the development plan and the South East Plan is the RSS for the region.
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.
SCI	Statement of Community Involvement	The SCI specifies how the community and stakeholders will be involved in the process of preparing local planning policy documents.
SCS	Sustainable Community Strategy	The SCS is produced by local authorities with the aim of improving the social, environmental and economic well being of their areas. The actions of the local public, private, voluntary and community sector are coordinated through the SCS.
SEA	Strategic Environmental Assessment	SEA is a generic term used to describe the environmental assessment of policies, plans and programmes. The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.
SoS	Secretary of State	Secretary of State for Communities and Local Government.
SPSAG	Spatial Planning Strategy Advisory Group	Maidstone Borough Council Member committee set up to steer and advise Cabinet on the

		production of the Local Plan and associated documents.
	Supplementary Guidance	Local authorities can endorse publications prepared by regional or strategic bodies as supplementary guidance. These documents are a material consideration in planning decisions but are not part of the development plan or the local plan. If subject to adequate stakeholder and public consultation, supplementary guidance can carry commensurate weight with SPDs in decision making processes.
SPD	Supplementary Planning Document	An SPD provides further detail to policies set out in local plans. SPDs are a material consideration in planning decisions but are not part of the development plan or the local plan.

# Agenda Item 9

## **MAIDSTONE BOROUGH COUNCIL**

### **SPATIAL PLANNING STRATEGY ADVISORY GROUP**

**5 MARCH 2013**

### **REPORT OF DIRECTOR OF CHANGE, PLANNING AND THE ENVIRONMENT**

**Report prepared by Rob Jarman and Sue Whiteside**

#### **1. MAIDSTONE BOROUGH LOCAL PLAN 2011-2031**

##### 1.1 Issue for Decision

1.1.1 To consider the initial draft results of updated consultants' reports that identify the borough's housing and employment needs, and to set a working housing target.

1.1.2 To consider the results of the public consultations for the policies that are the subject of this report (Appendix A), and to approve amended local plan policies attached at Appendix B. To adopt strategic site allocations for development management decisions, and retain junction 8 of the M20 motorway as a strategic development location until the work on employment demand and supply is completed.

1.1.3 To consider proposed changes to the affordable housing requirement for new development, and the updated targets for Gypsy and Traveller and Travelling Showpeople accommodation.

1.1.4 To consider the infrastructure priorities for development, secured through planning conditions and legal agreements.

##### 1.2 Recommendation of Director of Change, Planning and the Environment

1.2.1 That the Spatial Planning Strategy Advisory Group recommends that Cabinet:

- i. Approves a working target of 14,800 dwellings for the Maidstone Borough Local Plan period 2011 to 2031 until such time as the work identifying the borough's housing land supply and the identification of environmental constraints is completed;

- ii. Recommends to Council that the moratorium on the release of greenfield housing sites allocated in the Maidstone Borough Wide Local Plan 2000 be revoked because the reasons for the moratorium no longer apply;
- iii. Notes the key public consultation issues relating to the policies that are the subject of this report and agrees the recommended changes to policies set out in the schedule attached as Appendix A.
- iv. Approves amended policies CS5 to CS13 and SS1, SS1a, SS1b, SS1c, SS2, SS2a, SS2b, SS2c and SS4 (attached at Appendix B) for public consultation at the Publication stage of the local plan process (regulation 19);
- v. Adopts the strategic site allocation policies SS1, SS1a, SS1b, SS1c, SS2, SS2a, SS2b, SS2c and SS4 (attached at Appendix B) for development management decisions;
- vi. Retains land at junction 8 of the M20 motorway as a strategic development location for employment (policy SS3) until such time as the work identifying employment land demand and supply is completed;
- vii. Approves amended targets for affordable housing in policy CS10, seeking 15% provision on previously developed land in the urban area, 30% on greenfield sites in the urban area and at the urban periphery, and 40% at rural settlements and the rural area; together with a policy threshold of one unit: developments between 1 and 9 dwellings can contribute financially, on site, or with a mixture of both, or make commensurate provision off site; and developments of 10 dwellings and over will contribute on site; and the deletion of the reference to Gypsy and Traveller accommodation contribution within this policy;
- viii. Approves amended targets in policy CS12 for Gypsy and Traveller accommodation of 187 pitches and for Travelling Showpeople accommodation of 11 plots, to reflect the extension of the new local plan period to 2031; and
- ix. Agrees the infrastructure priorities for development set out in paragraph 1.12.5 of this report, and approves amended policy CS14 for re-consultation with the public at the preparation stage of the local plan process (regulation 18).

### 1.3 Acronyms

CIL	Community Infrastructure Levy
DCLG	Department for Communities and Local Government
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
MBLP	Maidstone Borough Local Plan (emerging)
MBWLP	Maidstone Borough Wide Local Plan (2000)
NPPF	National Planning Policy Framework March 2012
ONS	Office for National Statistics
SEDLAA	Strategic Economic Development Land Availability Assessment
SEP	South East Plan
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document

### 1.4 **Introduction**

- 1.4.1 On 21 November 2012 Cabinet resolved to delay the Core Strategy programme so that officers could undertake further work on the evidence base to ensure the Core Strategy would be found sound at examination. A number of core strategy examinations had been suspended because the presiding Inspectors had rejected the local authorities' demographic data. The Inspectors' concerns focused on housing and employment data that was based on the evidence behind regional strategies, which was considered to be out-of-date and did not take account of updated Department for Communities and Local Government (DCLG) household projections; an imbalance between dwellings and jobs targets; and a lack of sufficient evidence demonstrating constraints to development.
- 1.4.2 Cabinet agreed to update demographic and economic demand data, to commission a new Strategic Housing Market Assessment (SHMA), and to produce new Strategic Housing and Economic Development Land Availability Assessments (SHLAA and SEDLAA). This additional work will delay the Core Strategy programme by 19 months, moving its adoption date from December 2013 to July 2015.
- 1.4.3 A review of the Local Development Scheme (LDS), which sets out the timetable for plan production, is the subject of a second report attached to this agenda. The recommendations of the LDS report include the amalgamation of Maidstone's two local plans (the Core Strategy with Development Delivery) into a single Maidstone Borough Local Plan; the rolling forward of the plan period from 2006/26 to 2011/31 to ensure the Council has a 15-year plan from



the date of its adoption in accordance with the requirements of the NPPF; and the adoption of an amended LDS. The updated evidence base will reflect the new plan period. A single local plan approach is supported by the National Planning Policy Framework (NPPF) and new plan making regulations<sup>1</sup> published in 2012. There will still be a need for a suite of supplementary planning documents (SPD) to support local plan policies and to set out more detail for development management decisions.

- 1.4.4 The work that has been undertaken on the Core Strategy to date has not been lost. The spatial policies, core policies and strategic site allocations were subject to public consultations (regulation 18 or equivalent) in 2011 and 2012 and these policies, appropriately amended, will be carried forward to the Publication stage consultation on the local plan (regulation 19).
- 1.4.5 Further public consultation (regulation 18) will need to be undertaken on the balance of land allocations, designated areas of protection, and new development management policies that will be included in the Maidstone Borough Local Plan (MBLP). An additional round of public consultation (regulation 18) will also need to be carried out for the Core Strategy spatial policies that will be subject to significant change as a result of new housing and employment targets. Additional consultation on the Core Strategy development delivery policy will also be needed as a result of changes recommended through this report.
- 1.4.6 However, a number of spatial and core policies that are unaffected by the housing and employment targets, together with strategic site allocations, can be "banked" until Publication stage consultation (regulation 19). Publication is a formal stage of public consultation on the local plan before it is submitted to the Secretary of State for independent examination. Between Publication and Submission, the Council can only make minor amendments to the local plan; any major change would result in the need for further public consultation in accordance with regulation 18. The policies that are the subject of this report have been subject to full assessment, including viability and sustainability appraisal, and have been through public consultation. As such, these policies (as amended through consultation) can be given some weight as a material consideration in the determination of planning applications. At each stage of the plan making process, policies will gain increasingly more weight.
- 1.4.7 This report informs Members of the initial results arising from updated demographic and employment demand and recommends a working target for housing. It sets out the key issues arising from

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

the public consultations and includes amended policies that are recommended for approval or adoption for development management decisions (Appendices A and B). It discusses the position regarding the strategic development location at Junction 8 of the M20 motorway, and covers proposed changes to the affordable housing policy as a result of viability work. It proposes updated targets for Gypsy, Traveller and Travelling Showpeople pitches/plots as a result of rolling forward the local plan period, and sets out priorities for infrastructure provision.

1.4.8 This report does not cover the adoption of the Integrated Transport Strategy, which will be the subject of a further Cabinet report in the summer once finalised. The Transport Strategy has been developed alongside strategic site allocations and will align with the policies.

1.5 **Moratorium on the release of greenfield housing sites allocated in the Maidstone Borough Wide Local Plan 2000**

1.5.1 In 2008 the moratorium on the release of greenfield sites in the adopted Maidstone Borough Wide Local Plan 2000 (MBWLP) was reaffirmed by Council (the original resolution was made in 2002). This decision was taken in the context of:

- National guidance (PPG3: Housing) that directed local authorities to develop brownfield sites for housing before releasing greenfield sites for development;
- A government target for residential development of 60% brownfield sites, and a focus on higher density development;
- The Maidstone Borough Council Urban Capacity Study (2002 and 2006), which demonstrated that Maidstone could deliver its housing target through the potential development sites listed in the document; and
- A healthy 5-year housing land supply supported by the availability of town centre sites for high density flatted development.

1.5.2 The position has changed since 2008. The NPPF was published in March 2012, and the transition period for local plan compliance with the NPPF ends in March 2013 when there will be a presumption in favour of development in sustainable locations unless any adverse impacts would significantly and demonstrably outweigh the benefits of the development when assessed against the NPPF as a whole. Although the NPPF still encourages local authorities to make best use of brownfield land, the 60% target has been removed, and local authorities can set out their own approaches towards housing densities. The NPPF moves away from the urban capacity study approach and local authorities must identify deliverable sites for 5-year housing land calculations and specify developable sites or

locations for years 6 to 10 and (where possible) years 11 to 15.

- 1.5.3 The importance of demonstrating a 5-year housing land supply was highlighted in a recent appeal decision where the Inspector referred to the NPPF and concluded:

“The Framework says that where the relevant policies in a Local Plan are out-of-date permission should be granted unless any adverse impacts would significantly outweigh the benefits when taken against the policies in the Framework as a whole, or the policies in the Framework indicate it should be restricted. It also confirms that, in accordance with the Government’s aim to promote house-building, relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.” (Ref: Valley Drive APP/U2235/A/12/2174289).

- 1.5.4 The November 2012 Cabinet report highlighted the fact that, although the Council continues to experience high levels of dwelling completion rates on sites with planning permission, the windfall sites on previously developed land (brownfield land) that formerly contributed towards the borough’s 5-year housing land supply at a steady pace are no longer materialising at the same rate. The ability to abolish regional strategies is embedded in the Localism Act (2011) but the South East Plan (SEP) has not yet been revoked. Given that Maidstone’s Core Strategy target is under review, 5-year calculations should now be based on the SEP target of 11,080 dwellings (as opposed to the draft Core Strategy target of 10,080).

- 1.5.5 The Council’s Annual Monitoring Report 2011/12 reveals Maidstone has a 4.5 year land supply against a 10,080 dwelling target and 3.9 years against an 11,080 target. Until such times as a 5-year supply can be demonstrated, planning applications on greenfield sites cannot be refused on the grounds of prematurity and must be assessed on individual merit (including sustainability). The Council has already received a number of residential planning applications on greenfield sites and further applications, particularly for the strategic site allocations, are expected to be submitted after March.

- 1.5.6 It is important to note that four out of the six housing land allocations to the north west and south east of the urban area identified in the Core Strategy Strategic Site Allocations 2012 are residential allocations in the adopted MBWLP 2000: Bridge Nursery (SS1a), East of Hermitage Lane (SS1b), Langley Park (SS2a) and North of Sutton Road (SS2b). These four sites have already been through public examination so not only has the principle of residential development been established, but the sites are also development plan allocations (section 38(6) of the Planning and

Compulsory Purchase Act 2004 says that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise). The balance of MBWLP allocations include Hook Lane, Harrietsham and Oliver Road, Staplehurst which are the subject of approved and submitted planning applications, respectively; and a small site for 7 units at Detling village.

- 1.5.7 The reasons for reaffirming the moratorium in 2008 no longer apply so there is no justification in maintaining it. In order to properly manage development, as opposed to determining ad hoc planning applications, a recommendation to Council is sought, to revoke the current moratorium on the release of the balance of greenfield housing sites allocated in the MBWLP 2000.

1.6 **Demographic Forecasts and the Housing Target**

- 1.6.1 Demographic forecasts have been updated by Kent County Council (KCC), taking account of the latest DCLG household projections released in November 2010.

Demographic Forecasts October 2012

Scenario	Additional Dwellings 2011 – 2031 (20 years)	Additional Resident Labour Supply 2011 – 2031 (20 years)
Zero net migration	7,700	-2,000
5-year trend	16,300	9,700
10-year trend	14,800	7,600

- 1.6.2 An independent consultant was commissioned to test the assumptions behind the figures. Whilst KCC maintains the industry standard is the 5-year historic trend, the consultant concluded that Maidstone is well placed to defend a strategy largely influenced by the 10-year trend in order to cover a whole economic cycle. The 10-year historic trend for Maidstone demonstrates a need for 14,800 dwellings between 2011 and 2031, which will increase the resident labour supply by 7,600 workers.

- 1.6.3 However, it is important to understand that the Council can offset dwellings that have been completed since April 2011 together with permitted sites that have not been built yet. The strategic allocations at the urban periphery and the targets for rural service centres will count towards this borough wide target, and national guidance allows the inclusion of a windfall site allowance for the latter years of the plan period. The Council is also aware of a number of other sites throughout the borough that could potentially deliver up to about 3,000 homes, although these sites have not been fully appraised at this point. However, if all known potential

did materialise, the Council would need to find additional land for about 4,500 homes to meet a target of 14,800 dwellings.

1.6.4 The other important factor is that, while the demographic data and a new SHMA will inform the Council of its housing needs, the borough's capacity to deliver this target must also be thoroughly examined through the new SHLAA. When this work is completed, the Council will be able to demonstrate whether it can deliver 14,800 dwellings, or if environmental constraints will lead to the setting of a lower target for Maidstone borough. Officers will keep a watching brief for further data releases from the Office for National Statistics and will advise Members of any significant impacts on the housing target.

1.6.5 So although the forecasts currently point to a need for 14,800 dwellings for Maidstone borough, further work will need to be completed over the summer before a final target can be approved for public consultation. It is therefore recommended that Cabinet approves a working target of 14,800 dwellings for the Maidstone Borough Local Plan period 2011 to 2031 until such time as the work confirming the borough's housing land supply and the identification of environmental constraints is completed.

1.7 **Employment Demand**

1.7.1 On 25 July 2012, Cabinet agreed it was more appropriate to replace the 10,000 jobs target set out in the Core Strategy with a specific employment floorspace requirement expressed in square metres that could be monitored.

1.7.2 An update of the borough's employment land demand, based on delivering a 14,800 dwelling target up to 2031, has been commissioned. The data demonstrates a minimum and maximum requirement for all B-class uses (offices, industry and warehousing). The consultant is recommending that future policy decisions are focused toward the mid to lower end of the employment range forecast. Clearly, if the dwelling target for the borough changes, the employment forecasts will need to be reviewed.

Employment Demand Forecasts B use classes 2012/31 (January 2013)

	Office		Industrial		Warehousing	
	min	max	min	max	min	max
Floorspace (m <sup>2</sup> )	26,618	53,936	-8,679	7,993	33,639	51,683
Land (hectares)	1.8	3.6	-2.2	2.0	6.7	10.3

- 1.7.3 Compared with the last employment land review update in 2011, the office requirement has significantly increased and the demand for warehousing and distribution space has reduced. Apart from a new housing target and an extended plan period, the main reasons for the changes over the past two years are:
- the effects of the longer, deeper recession which serves to suppress overall demand;
  - An additional two years of low performance affecting projections of historical trends; and
  - A conclusion that Maidstone's logistics/distribution demand is likely to be of a local/sub-regional nature rather than a national-scale distribution, which controls the scale of future demand and is more likely to be for smaller premises.
- 1.7.4 Consultants have been appointed to undertake an up-to-date retail needs assessment, which will confirm future floorspace requirements to the end of the plan period. This work is expected to be completed in April and will also support the work over the summer that will determine the Council's employment land targets.
- 1.7.5 There will also be jobs growth in other employment sectors such as education and health, but growth in these sectors does not automatically lead to the need to allocate additional land.
- 1.7.6 As the new SHLAA will demonstrate the Council's housing land capacity, the new SEDLAA will similarly inform the Council of its employment land capacity.

## 1.8 **Public Consultations 2011 and 2012**

- 1.8.1 Appendix A lists the policies that are the subject of this report, and identifies the key issues that arose during the public consultations in 2011 on the Core Strategy and in 2012 on strategic site allocations. The schedule responds to those key issues and identifies any changes to the policies as a result. Appendix B includes the list of amended policies unaffected by the housing and employment targets. Cabinet is recommended to approve policies CS5 to CS13 and policies SS1 to SS2c and SS4) for Publication consultation (regulation 19) and to adopt the strategic site allocations (policies SS1 to SS2c and SS4) for development management decisions. Infrastructure delivery policy CS14 is discussed in section 1.12 of this report, and this policy is recommended for re-consultation under regulation 18 because of significant amendments. Where appropriate, the policies have been amended as a result of public consultation.

1.8.2 The balance of policies will be amended following the completion of additional work over the summer, and will form part of the public consultation on new policies and allocations later this year. In the meantime, the public will be informed of the amended policies that Cabinet approves for Publication consultation (regulation 19) together with the policies adopted for development management decisions. The list of policies will also be available on the Council's website. For clarity, the policies and proposed consultation arrangements are set out below.

Policy		Consultation Arrangements
NPPF1	Presumption in favour of sustainable development	Approve for Reg 19 consultation
CS1	<i>Borough wide strategy</i>	<i>To be updated for future Reg 18 consultation</i>
CS2	<i>Maidstone town centre</i>	<i>To be updated for future Reg 18 consultation</i>
CS3	<i>Maidstone urban area</i>	<i>To be updated for future Reg 18 consultation</i>
CS4	<i>Rural service centres</i>	<i>To be updated for future Reg 18 consultation</i>
CS5	Countryside	Approve for Reg 19 consultation
SS1	Strategic housing location to the NW	Approve for Reg 19 consultation & adopt for DM decisions
SS1a	Bridge Nursery	Approve for Reg 19 consultation & adopt for DM decisions
SS1b	East of Hermitage Lane	Approve for Reg 19 consultation & adopt for DM decisions
SS1c	West of Hermitage Lane	Approve for Reg 19 consultation & adopt for DM decisions
SS2	Strategic housing location to the SE	Approve for Reg 19 consultation & adopt for DM decisions
SS2a	Langley Park	Approve for Reg 19 consultation & adopt for DM decisions
SS2b	North of Sutton Road	Approve for Reg 19 consultation & adopt for DM decisions
SS2c	North of Bicknor Wood	Approve for Reg 19 consultation & adopt for DM decisions
SS3	Strategic employment location - J8 M20	Retain as a strategic employment location until further work completed
SS4	Newnham Park	Approve for Reg 19 consultation & adopt for DM decisions
CS6	Sustainable design	Approve for Reg 19 consultation
CS7	Sustainable transport	Approve for Reg 19 consultation
CS8	Economic development	Approve for Reg 19 consultation
CS9	Housing mix	Approve for Reg 19 consultation
CS10	Affordable housing	Approve for Reg 19 consultation
CS11	Local needs housing	Approve for Reg 19 consultation
CS12	Gypsy & Traveller accommodation	Approve for Reg 19 consultation

Policy		Consultation Arrangements
CS13	Historic & natural environment	Approve for Reg 19 consultation
CS14	Infrastructure delivery	Approve changes for Reg 18 consultation

1.8.3 The 2012 public consultation also included a proposed amendment to policy CS1 setting out individual dwelling targets for the five rural service centres. It is of note that, with a move towards a single local plan, these targets will be determined through the allocation of specific sites for public consultation (regulation 18), within and adjacent to the villages.

1.8.4 There are four policies in particular that require further explanation: Strategic employment location at Junction 8 of the M20 (SS3), Affordable Housing (CS10), Gypsy & Traveller accommodation (CS12) and Development Delivery (CS14).

1.9 **Strategic employment location at M20 Junction 8 (policy SS3)**

1.9.1 The Core Strategy (2011) and the Strategic Site Allocations document (2012) identify Junction 8 of the M20 as a strategic development location for employment. In 2012, unlike for the other strategic locations at the north west and south east of the Maidstone urban area and at Junction 7, the strategic site allocations consultation document did not identify a specific site which the Council was proposing to allocate at Junction 8. Instead the three candidate sites were consulted upon with the intention of garnering the public's views on all three. The three candidate sites were: Land east of Junction 8 M20, Land south of Junction 8 M20 and Land at Woodcut Farm. The promoters of the three sites were also invited to submit additional information to support the allocation of their site.

Consultation issues

1.9.2 The issues raised in the strategic site allocations consultation on Junction 8 were wide ranging and, to a large extent, focused on public opposition to the principle of development in this location. This included an objection from Kent County Council to the principle of a strategic location at Junction 8. The consultation did not reveal a discernable public preference for one site over the others. The main issues raised in the consultation are set out below.

- **Need:** Kent County Council argued that there is no clear justification for a new strategic employment location for offices and light industry given the opportunities in the town centre and



urban area. A new site for offices would compete with the town centre and there is a lack of market need for a new site in the light of other M20 sites which have been slow to develop (Kings Hill, Eureka Park). The AONB Unit argued that this slow uptake is an indicator of a low rate of demand. There is no imperative to match the 10,000 job target given that the resident workforce is forecast to increase by only 5,200. It is not realistic to rely on reduced out commuting to London and increased in commuting from neighbouring areas which are also seeking to retain/increase employment levels. Conversely it is argued that the proposals would attract workers from outside the borough as the location is well connected to Medway and Ashford.

- **Duty to cooperate:** It is considered by KCC amongst others that the Council has not looked at the economic markets of the wider area and how needs could be met, in particular in Tonbridge & Malling borough. There is provision elsewhere e.g. Ashford.
- **AONB impact:** There is concern from Natural England and the Kent Downs AONB Unit about the impact of development on the setting of the AONB, particularly of large warehousing buildings. It is considered that the proposal is contrary to the AONB Management Plan which Maidstone Borough Council has approved.
- **Impact on Roads:** It is stated that there is existing congestion and lack of road capacity. There will be an impact on rural roads, including roads through villages (Bearsted, Hollingbourne and Leeds) and Willington Street, and when Operation Stack is in place. Some respondents advocate that the Leeds-Langley bypass is needed in connection with this development.
- **Loss of countryside:** It is stated that development will encroach into the countryside and result in the loss of accessible green space which is used for recreation, walking etc, as well as the loss of rural character and a loss of productive agricultural land.
- **Sustainability of the location:** Concern is raised that Junction 8 is poorly served by public transport for a new workplace destination and unrelated to key services and centre of population. KCC and the AONB Unit are amongst those who make this point.
- **Precedent:** It is stated that the proposal will lead to further development in the area.

- **Impact on Leeds Castle:** There is the concern that the proposals will affect the wider setting of this Grade I listed building and registered historic park & garden and will impact on the operation of events at Leeds Castle.
- **Existing sites:** Vacant space and brownfield sites such as Detling Airfield, Park Wood and Reeds paper mill at Aylesford should be used first which will help regeneration. It is stated that the proposals will encourage existing firms to move, leaving existing premises empty/derelict.
- **Uses:** It is argued that offices should be directed to the town centre under the sequential approach and that this development will adversely affect the town centre and compromise the delivery of existing commitments at Springfield and Eclipse Park and other sites in need of regeneration. Development is more likely to be warehousing than offices/manufacturing and these are not the types of high quality jobs which Maidstone needs.
- **Alternative uses:** Suggestions include tourism (centre parcs); agriculture; culture; reservoir; sports; residential care facility; DIY superstore; a culture park; and underground heat source.

#### Response to consultation issues

- 1.9.3 In response to the issues raised, it is recognised that there is a stock of industrial and warehousing land in nearby authorities in particular in Swale, Medway and Ashford which is currently available to meet market needs. KCC Highways' view is that the highways impact of the development can be appropriately ameliorated with improvements to Junction 8 itself and other identified junctions on A20. It is acknowledged that the site is not currently well served by public transport and that improvements would be required if development were to proceed. With respect to Leeds Castle, it is of note that the KIG Inspector did not place weight on the impact of that specific proposal on visitors to the area. Inter-visibility to/from the Castle grounds will be contingent on which site, if any, is allocated and will be addressed as a site specific matter.
- 1.9.4 Development at Junction 8 of the scale and nature that has been proposed will significantly impact on the established rural character of the area, introducing a substantial tract of development where the current development pattern is small scale and disparate. The location is at the foot of the scarp slope of the Kent Downs AONB and development would impact on the setting of the Downs. The degree of landscape impact will be dependent on site selection and the detailed design and mitigation measures put in place. With regard to the concern about the precedent that development in this

location would create, legal or other controls would be employed as necessary to mitigate against expansion beyond the land allocated.

- 1.9.5 When the decision was taken to identify Junction 8 as a strategic employment location, it was recognised that this was not a sustainable location for development<sup>2</sup>, but a key piece of evidence informing the decision was the employment land forecast in the Council's Employment Land Review Partial Update (July 2011). This revealed a significant quantitative need for employment floorspace. The warehousing requirement for the period 2010 to 2026 was for between 40,450sqm and 75,810sqm and the industrial requirement was for between -2,971 and 2,341sqm for the same period. At that time the identified need for industrial/warehousing development was of a scale that could not be met through a dispersed pattern of development. If quantitative needs were to be met, or substantially met, employment development at Junction 8 was needed as part of the Council's strategy<sup>3</sup>. Junction 8 was identified as a location where the range of B use class needs could be accommodated on a single site, planned in a comprehensive way to achieve a high quality mixed use development well connected to the strategic road network. At the time, this requirement was of such a scale that the need for employment land was judged to outweigh the landscape and countryside impacts that the development would have.
- 1.9.6 Since the last Employment Land Review Partial Update (July 2011), the recession has continued. An updated employment land forecast has been undertaken which takes account of the longer, deeper recession, the proposed change to the plan period and the proposed working housing target of 14,800 dwellings. This latest forecast reveals a significant requirement for office floorspace and a reduced demand for warehousing compared with the previous forecast (see paragraph 1.7.2). The updated evidence points to a more modest requirement for employment land overall, with a particular emphasis on office uses which, based on the town centre first principle, should be directed to the centre of Maidstone in the first instance. Based on this evidence, the justification to release employment land at Junction 8 is less clear cut than previously.
- 1.9.7 The Strategic Economic Development Land Availability Assessment (SEDLAA) will reveal what other potential new sites for employment use there are in the borough in addition to Junction 8 to accommodate these updated requirements. A review of the existing designated employment areas will be undertaken as part of this work. This piece of evidence needs to be completed before a decision on the future approach to the allocation of land at Junction

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<sup>2</sup> KIG Appeal Inspector's Decision (APP/U2235/A/09/2096565)

<sup>3</sup> Cabinet 26 July 2012 and 9 February 2011

8 is made. This information will be part of the report to Cabinet later this year and a decision will be sought prior to the next round of public consultation (regulation 18) on new policies and land allocations.

#### 1.10 **Viability and Affordable Housing (policy CS10)**

- 1.10.1 During the 2011 public consultation, one of the main comments relating to the affordable housing policy (CS10) was that the development industry required an up to date viability assessment to be undertaken in support of maintaining a uniform 40% on-site requirement across the borough, dependent on a threshold being met. Some comments suggested that a graduated affordable housing contribution would be more appropriate, depending on the size of the proposal, or a variation of this theme. Some comments further suggested that the Council should not intervene with a commercial housing market matter.
- 1.10.2 The NPPF and evidence from a number of residential developments in Maidstone has emphasised the need for up to date viability work. The Council has since commissioned consultants to undertake this work and, using proposed and generic development sites for testing taken from the Strategic Site Allocations 2012 consultation and the 2009 SHLAA, respectively, new affordable housing targets have emerged.
- 1.10.3 Another key concern arising from the 2011 public consultation was the inclusion of a financial contribution towards Gypsy and Traveller accommodation as part of the wider affordable housing contribution. Since the consultation, further evidence work (Gypsy and Traveller and Travelling Showpeople Assessment: Maidstone 2012) has proven inconclusive as to the need for affordable contributions of this type because, in particular, of the reluctance of interviewees to answer questions on personal finance.
- 1.10.4 Based on the viability testing undertaken by consultants, proposals to amend policy CS10 include:
- A 15% affordable housing provision on previously developed land within the urban area – this provides a fiscal incentive to develop sites that have stagnated;
  - A 30% provision on greenfield sites in the urban area and on the urban periphery – the intention being to balance the affordable housing contribution and the availability of financial contributions towards other infrastructure;
  - In the rural area and in rural settlements, testing has indicated that a 40% provision is easily achievable;

- The threshold at which affordable housing is required is proposed to be lowered to one unit – developments between 1 and 9 dwellings will contribute financially, or provide on site, or with a mixture of both, or make commensurate provision off site; developments of 10 dwellings and over will contribute on site; and
  - The deletion of the Gypsy and Traveller contribution within this policy
- 1.10.5 The affordable housing targets can be delivered using a zero site threshold to trigger the need for this type of accommodation. Clearly a site of one dwelling cannot provide for on site affordable housing, so a threshold to distinguish between on site delivery and off site contributions needs to be set. This bar is proposed at 10 units, in line with the threshold for development contributions towards education (Kent County Council), health (Primary Care Trust) and parks & open spaces (Maidstone Borough Council).
- 1.11 **Gypsy & Traveller and Travelling Showpeople Pitch/Plot Targets (policy CS12)**
- 1.11.1 Targets for Gypsy and Traveller pitches and Travelling Showpeople plots for the period October 2011 to March 2026 were agreed by Cabinet in March 2012. These targets were 157 pitches and 9 plots. Since 2011, 37 permanent pitches have been granted planning permission to date, and a further 15 pitches will be provided on the Council's new public site if planning permission is granted.
- 1.11.2 It is now proposed that the plan period should be extended to 2031 which means that the pitch and plot requirements have needed to be rolled forward a further 5 years. This work has been completed by Salford University, the authors of the Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (2012), and results in a Gypsy and Traveller pitch target for the additional 5 years (2026/2031) of 30 pitches and an extra 2 Travelling Showpeople plots for the same period.
- 1.11.3 The total requirements for the whole plan period (2011-31) are 187 pitches and 11 plots, and these updated targets are included in policy CS12 attached at Appendix B. Work to identify sites to accommodate the balance of need will be undertaken over the spring/summer this year, and these sites will also count towards the targets.

1.12 **Infrastructure Delivery (policy CS14) and the Infrastructure Delivery Plan**

1.12.1 Since the Core Strategy public consultation in 2011, and the subsequent decision to include strategic site allocations, the Council has re-consulted the infrastructure providers and amended the draft infrastructure delivery plan (IDP). The IDP lists the infrastructure schemes considered necessary to support planned growth, including the strategic site allocations, but it is currently based on the provision of 10,080 homes for the period 2006/26. The IDP will support the local plan public consultation (regulation 18) so it will be updated further over the summer as additional land allocations are proposed. A full report on the IDP will be presented to Cabinet later this year.

1.12.2 The Core Strategy public consultation in 2011 (regulation 18 equivalent) has resulted in two significant proposed amendments to the infrastructure delivery policy CS14:

- Deletion of paragraphs 8.8-8.9 of the supporting text and paragraph 4 of the policy, where it was stated that the Council would consider reductions in the amount of Community Infrastructure Levy (CIL) that would be charged to a developer if it was proved that the levy would threaten the viability of a development. The inclusion of new text in the policy states that once the levy is set, it will be applied to all development that meets the qualifying criteria; and
- The strengthening of paragraph 8.5 of the supporting text, which lacked detail on how infrastructure would be funded, in particular the detail about key infrastructure priorities for the borough and the intended role of CIL.

1.12.3 It is important to note that some forms of infrastructure provision have historically not kept pace with development in Maidstone. This has been a contributory factor to a congested road network, a shortage of affordable housing and deficiencies in certain types of open space. There is concern that future growth will intensify this problem unless a coordinated effort is made to address identified deficiencies and to ensure that essential infrastructure accompanies new development at all times. This is particularly important for the strategic development sites at Maidstone's urban edge, which will create a need for significant improvements to transport infrastructure.

1.12.4 Recent viability testing has highlighted that it is unlikely that all of the infrastructure schemes can be delivered on certain sites while still ensuring the sites' viability. This has created a need to prioritise

infrastructure schemes, which will give clear guidance to the development industry, Members, officers and the public should a development scheme not be able to provide for all of the planning obligations it generates. The prioritised list has been derived from existing infrastructure deficiencies and the schemes listed in the draft IDP. With the recommended adoption of strategic site allocations for development management decisions, the establishment of infrastructure priorities for the Council is vital.

1.12.5 The recommended infrastructure priorities for Maidstone are:

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

1.12.6 The above list of priorities for the negotiation of Section 106 planning obligations<sup>4</sup> represents a departure from the list previously agreed by Cabinet in 2006<sup>5</sup>, which ranked transport infrastructure lower than education for residential development and which listed affordable housing and open space as joint top. Transport infrastructure is considered of vital importance to ensure the deliverability of local plan strategic site allocations and smaller site allocations, together with the Council's aims for growth and prosperity and for the borough to be a decent place to live. There will be a focus for business and retail development at the town centre, so the key change for these uses relates to the introduction of public realm as an infrastructure priority.

1.12.7 Given the significance of this change, the Council must give the public an opportunity to comment on the proposed policy CS14 amendments before they are incorporated into the local plan for Publication consultation (regulation 19). It is recommended that the infrastructure priority list set out in paragraph 1.12.5 is agreed and that policy CS14, as amended at Appendix B, is approved for public consultation (regulation 18) in October 2013.

<sup>4</sup> Town and Country Planning Act 1990

<sup>5</sup> Cabinet 12 July 2006

1.12.8 In addition to development contributions, the funding for infrastructure depends on the community infrastructure levy and new homes bonus (for as long as this is in place). The Council has been successful in achieving additional income from new housing development over recent years, but the six year programme for new homes bonus reaches its maximum level in 2015. Meanwhile, the Council is seeking external funding for transport schemes.

1.13 **The Work Programme**

1.13.1 The Local Development Scheme report attached to this agenda sets out a revised work programme for the Maidstone Borough Local Plan.

Stage	Date
Strategic Housing and Economic Development Land Availability Assessments, including Member/stakeholder engagement	February to June 2013
Strategic Housing Market Assessment	March - June 2013
Independent Sustainability Appraisal of sites	June 2013
Formulation of new policies, including Member/stakeholder engagement	March – August 2013
Cabinet approval of new land allocations and new policies for public consultation (Regulation 18)	September 2013
“Preparation” public consultation on new land allocations and new policies (Regulation 18)	October/ November 2013
“Publication” consultation on the Maidstone Borough Local Plan(Regulation 19)	July/August 2014
Cabinet and Council approval of “Submission” of the Maidstone Borough Local Plan (Regulation 22)	November 2014
Independent Examination (estimate) (Regulation 24)	February/March 2015
Adoption (estimate) (Regulation 26)	July 2015

1.13.2 The initial findings of the housing and employment forecasts form part of the discussion in this report. Further work is likely to be required once the SHMA, SHLAA and SEDLAA have been updated, and a report will be brought to Cabinet in September.

1.13.3 Discussions with neighbouring authorities over the joint commissioning of a new SHMA are ongoing and this work is expected to be completed over the summer. The SHMA, together with demographic forecasts, will objectively assess Maidstone’s housing needs, in accordance with the requirements of the NPPF.



1.13.4 A "call for sites" exercise was undertaken recently, which invited the public and the development industry to submit sites with development potential to the Council. These sites will be subject to a rigorous assessment, including sustainability appraisal, to test their suitability for development. The call for sites formally ended on 25 January, and the list of sites has been distributed to the external bodies who contribute expert advice to the assessment. The sites will be subject to key stakeholder consultations (local ward Members, rural service centre parish councils and the development industry) and approved for consultation by Cabinet; and the sites will ultimately be listed in the draft SHLAA and SEDLAA, which will categorise each site proposed for allocation and rejection. These documents and the background material will be published on the Council's website as part of the regulation 18 public consultation later this year.

1.13.5 In addition to the work on new housing and employment targets, together with new land allocations, officers will also be focusing on the preparation of new policies this year. These will include the amended Core Strategy spatial policies, but also policies for the regeneration of the town centre, designated protection areas and development management, in preparation for public consultation. The role of the Spatial Planning Strategy Advisory Group will be vital in the development of these policies.

#### 1.14 Alternative Action and why not Recommended

1.14.1 Cabinet has the option to not approve local plan policies for Publication consultation (regulation 19) or to not adopt strategic site allocations for development management decisions at this stage, and to wait until the next round of public consultation (regulation 18) has been completed for new policies and sites. This approach is not recommended. In the context of the end of the transition period for local plan compliance with the NPPF, a shortfall in the Council's 5-year housing land supply, and pressure from the development industry through the submissions of planning applications on greenfield sites (including for sites allocated in the adopted MBWLP 2000), the approval of policies and the adoption of strategic sites will carry weight as material planning considerations. This is particularly important for infrastructure provision associated with strategic site allocations.

1.14.2 Cabinet could opt for higher or lower affordable housing targets within the three identified locations set out in section 1.10 of this report. The recommended rates and distribution of affordable housing result in development that is viable and deliverable, they offer an incentive for the regeneration of sites in the urban area, and the policy requirements are supported by the Council's

experience in delivering residential sites with affordable housing in these locations.

1.15 Impact on Corporate Objectives

1.15.1 The Maidstone Borough Local Plan will assist in delivering the spatial objectives of the Sustainable Community Strategy and the Strategic Plan. It will also have regard to objectives set out in other Council documents, such as the Economic Development Strategy and the Housing Strategy.

1.16 Risk Management

1.16.1 As an interim measure, the approval of local plan policies that are the subject of this report, together with the adoption of strategic site allocations for development management decisions, will reduce the risk of inappropriate development, and will provide clarity for the development industry, Members, officers and the public.

1.16.2 The end of the NPPF transition period for local plan compliance does present some risk in the light of the delay to the local plan programme. However, the Council will still have a local planning policy framework that comprises adopted development plan documents and supplementary planning documents, endorsed guidance, and saved policies from the Maidstone Borough Wide Local Plan 2000. These policies are still relevant and carry weight in the decision making processes provided there is no conflict with the NPPF.

1.16.3 The retention of legal and professional services to guide the local plan through its preparation stages, and the preparation of up-to-date robust technical evidence will ensure the Maidstone Borough Local Plan is found sound at examination.

1.17 Other Implications

1.17.1

1.	Financial	X
2.	Staffing	X
3.	Legal	X
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	X
6.	Community Safety	

- 7. Human Rights Act
- 8. Procurement
- 9. Asset Management

X

1.17.2 **Financial:** A dedicated budget of £770,000 over 4 years from 2012/13 to deliver the local planning policy framework (formerly known as the Local Development Framework) has been identified through the Council’s medium term financial strategy. The budget will need to be re-profiled to take account of the additional work required to update the evidence base and the preparation of a single local plan. At this stage additional funding is not being sought.

1.17.3 **Staffing:** The work outlined in this report can be delivered within existing Spatial Policy and Development Management staff resources.

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

1.17.5 **Environmental/Sustainable Development:** A sustainability appraisal, incorporating a strategic environmental assessment, will be required for all site allocations and local plan policies. Consultants have been appointed to undertake this technical exercise, and costs can be managed within the existing budget for local plan production. The Habitat Regulations Assessment for the Core Strategy will be updated as part of this work.

1.17.6 **Procurement:** Although additional evidence base work is being prepared in-house where possible, the employment of consultants on short term contracts to undertake specialist pieces of work will be necessary. The consultants will be appointed in accordance with the Council’s procurement procedures and the costs can be managed within the existing budget for local plan production.

1.18 Relevant Documents

- 1) Maidstone Core Strategy Public Participation Consultation 2011

2) Maidstone Core Strategy Strategic Site Allocations Public Consultation 2012

1.18.1 Appendices

Appendix A: Core Strategy and Strategic Site Allocations Consultation Statement 13 March 2013

Appendix B: Interim approval of Maidstone Borough Local Plan Policies 13 March 2013

1.18.2 Background Documents

None

**IS THIS A KEY DECISION REPORT?**

Yes

No

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

21 January 2013

This is a Key Decision because: It affects all wards and parishes.

Wards/Parishes affected: All wards and parishes

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Key issues Arising from Representations	Responses and Plan Changes
<b>Policy NPPF1: Presumption in favour of sustainable development</b>	
<p><u>Policy NPPF1 Issue 1: General</u></p> <ol style="list-style-type: none"> <li>1. The balance between development and protecting the environment has not been achieved, in particular there is no reference to ecological importance in the policy.</li> <li>2. The policy should take account of the views of local communities when considering proposals.</li> <li>3. Definitions are required for sustainable development and material considerations.</li> <li>4. The inclusion of the policy is not required because compliance with the NPPF is a matter for the local plan as a whole.</li> </ol>	<p>The government produced this 'model' policy with regard to the NPPF, for local authorities to include in their local plans.</p> <p><b><u>Plan changes</u></b> None.</p>
<b>Policy CS5: Countryside</b>	
<p><u>Policy CS5 Issue 1: Kent Downs Area of Outstanding Natural Beauty (AONB)</u></p> <ol style="list-style-type: none"> <li>1. The Kent Downs AONB designation should be extended to encompass all the land contained within the former Kent International Gateway planning application as well as land surrounding M20-J8.</li> <li>2. The policy does not do enough to protect the AONB from inappropriate development vs. the policy is too protective of the AONB, leaving the rest of the countryside at</li> </ol>	<ol style="list-style-type: none"> <li>1. Maidstone Borough Council has no power to designate land as being an AONB. Only Natural England, the government's advisor on the natural environment, has the power to designate land as AONB under the provisions of the 1949 National Parks and Access to the Countryside Act.</li> <li>2. The local plan must have specific policy reference to the AONB. Equally the level of detail provided within policy needs to strike a balance between providing enough of a high level direction without being caught up with too</li> </ol>

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Key issues Arising from Representations	Responses and Plan Changes
<p>exposed to risk of inappropriate development.</p> <p>3. The Kent Downs AONB Unit raised concern that whilst overall support for the local rural economy is welcome, the policy needs to do more to address impacts of inappropriate development on the AONB arising from agricultural diversification.</p> <p>4. The Kent Downs AONB Unit emphasised the need for a positive planning approach within the AONB. Monitoring the number of refusals in the AONB conveys the wrong message: delivery better monitored through the level of partnership working.</p> <p>5. The importance of the role played by land in forming the setting to the AONB should be supported by the Core Strategy, where this supports the purposes of the AONB.</p>	<p>much detail.</p> <p>3. The way in which the local plan approaches the matter of rural diversification in the Kent Downs AONB would benefit from further clarification.</p> <p>4. It is agreed that the local plan should take a more positive approach to monitoring the impact of policy CS5 on planning in the AONB.</p> <p>5. The open countryside to the south of the AONB boundary forms the setting for this designation. It is a sensitive landscape and is of strategic importance and as such merits a clearer policy lead in the local plan.</p> <p><b>Plan changes</b></p> <p>Provide additional guidance in the supporting text to clarify the approach to rural diversification in the Kent Downs AONB.</p> <p>Amend monitoring measures to better reflect a positive partnership approach to influencing planning in the AONB.</p> <p>Add new text to policy CS5 and its supporting text highlighting the important role played by the setting to the AONB designation.</p>
<p><u>Policy CS5 Issue 2: Special Landscape Area (SLA) designation</u></p> <p>The Special Landscape Area local landscape designation should be retained.</p>	<p>The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. It encourages the use of criteria-based policies rather than the continued use of local landscape designations. Together policies CS5 (countryside) and CS13 (historic and natural environment) will provide a strong policy framework by which to protect</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p>the borough’s landscapes, and ensure their diversity is maintained.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS5 Issue 3: High quality agricultural land</u></p> <p>The Core Strategy does not recognise the importance of the high quality agricultural land in the Borough, or the need to recognise the increasing European and national focus on food security, food miles and climate change impact.</p>	<p>The borough contains a significant proportion of high quality agricultural land which should be viewed as being of strategic importance and as such should be specifically addressed by the local plan.</p> <p><b><u>Plan changes</u></b> Add a new section added to the policy and the supporting text encouraging the efficient use of high grade agricultural land.</p>
<p><u>Policy CS5 Issue 4: Metropolitan Green Belt (MGB)</u></p> <p>The Core Strategy makes no mention of to protecting Metropolitan Green Belt in the Borough.</p>	<p>The omission of any reference to the Metropolitan Green Belt (MGB) and its protection is one that requires rectifying.</p> <p><b><u>Plan changes</u></b> Add specific reference as to how the local plan will tackle planning matters affecting the MGB to policy CS5 and its supporting text.</p>
<p><u>Policy CS5 Issue 5: Definition of the Countryside</u></p> <p>A clearer definition of ‘countryside’ required.</p>	<p>The local plan should provide a clear definition of ‘the countryside’ to avoid confusion over its spatial extent. The precise boundary will be identified in the Proposals Map accompanying the local plan.</p>



Key issues Arising from Representations	Responses and Plan Changes
	<p><b><u>Plan changes</u></b> Amend policy CS5 to include a definition of what the local plan deems to be 'the countryside'.</p>
<p><u>Policy CS5 Issue 6: Separation of settlements</u></p> <p>The policy is not strong enough to protect settlements from sprawling into one, particularly those settlements surrounding Maidstone. The policy does not do enough to prevent the suburbanisation of the rural landscape. The policy does not do enough to protect the character and quality of the rural settings to villages.</p>	<p>The individual identity of settlements has been highlighted as an important issue by respondents. In view of the particular pattern of settlement dispersal which characterises the borough, it is agreed that the local plan should be more explicit as to how it will protect settlement identities.</p> <p><b><u>Plan changes</u></b> Amend the supporting text to emphasise the importance of settlement separation and identity to the local plan. Add a new section to policy requiring the setting and separation of settlements to be retained.</p>
<p><u>Policy CS5 Issue 7: Level of detail in policy</u></p> <p>The policy is not robust enough to provide adequately high protection of the countryside. The policy wording is too imprecise to be of any practical use. There is not enough explanation or guidance given as to how the landscape character approach will be used to implement policy. Any criteria-based policies intended to replace the Special Landscape Area (SLA) designation should be prepared in parallel with the Core Strategy and adopted in advance of the SLAs being deleted. Landscape character should be listed as a natural asset under CS13 rather than just being considered in the context of rural development under CS5.</p>	<p>Landscape character would be better placed under policy CS13 (historic and natural environment) and expanded to include more detail on the issues being addressed by the local plan and how it will meet the requirements of the NPPF. Further guidance on issues regarding landscape character and settlement characteristics will be provided in the forthcoming Landscape Character Guidelines Supplementary Planning Document, which will be adopted at the same time as the local plan to prevent a policy vacuum.</p> <p><b><u>Plan changes</u></b> Move landscape character to CS13 (historic and natural environment). Broaden policy criteria and supporting text to include further detail setting out the local plan approach to</p>

Key issues Arising from Representations	Responses and Plan Changes
	landscape character.
<p><u>Policy CS5 Issue 8: Public Rights of Way Network (PRoW)</u></p> <p>The policy does not mention the importance of the public rights of way network to the countryside as an asset and key landscape feature.</p>	<p>The supporting text to CS5 should recognise the importance of the PRoW network in contributing to high quality countryside across the borough. However, given that the PRoW network is a vital element in borough’s green and blue infrastructure, policy CS13 (historic and natural environment) is considered to be the better policy vehicle to deal with PRoW issues.</p> <p><b><u>Plan changes</u></b> Provide additional text outlining the importance of the PRoW network to the countryside.</p>
<p><u>Policy CS5 Issue 9: Distinctive landscapes within the Borough</u></p> <p>The Core Strategy does not refer to other distinctive natural/landscape areas within the borough, such as the Greensand Ridge or Low Weald.</p>	<p>In broad terms, the borough can be subdivided into 4 distinct physical areas, namely the North Downs, the Greensand Ridge, the Low Weald and the Medway Valley. These broad landscape areas are taken into account by the Maidstone Landscape Character Assessment 2012 and help to form the basis upon which the landscape character areas have been identified across the borough. However, the local plan should more clearly recognise the strength in which these areas form a sense of place within the borough.</p> <p><b><u>Plan changes</u></b> Add additional wording to supporting text of policy CS13 (historic and natural environment) describing the landscapes important to the borough and setting out the local plan approach to landscape character.</p>

Key issues Arising from Representations	Responses and Plan Changes
<b>Policy SS1: Strategic housing location to the north west of the urban area</b>	
<p><u>Policy SS1 Issue 1: Proposed circulatory scheme at the southern end of Hermitage Lane</u></p> <p>Residents are opposed to the circulatory scheme and fear adverse effects on community, safety and existing community facilities.</p>	<p>The proposed circulatory scheme at the southern end of Hermitage Lane has not been illustrated in full detail so residents are not fully aware of the proposals. This is a recognised issue that will be addressed. Residents’ assertions cannot at this stage be borne out by evidence in the form of traffic modelling.</p> <p>The Maidstone Joint Transportation Board has raised concerns relating to this proposal. There is a wider need to improve the road infrastructure on this approach to/exit from town. The proposed circulatory is being tested against all other proposed transport solutions for this area to determine if there are alternative schemes which can deliver equivalent transport improvements.</p> <p><b><u>Plan changes</u></b></p> <p>Amend policy to be less specific about the junction improvements for the southern end of Hermitage Lane at the Fountain Lane junction with the A26 Tonbridge Road, in order to allow for other transport improvements if shown to be achievable and feasible.</p>
<p><u>Policy SS1 Issue 2: Wider traffic issues</u></p> <p>Numbers of car movements resulting from proposed new developments is more than can be accommodated.</p>	<p>The measures proposed in the Integrated Transport Strategy (ITS) address the fears that extra car movements cannot be accommodated. Inevitably there is also an element of lifestyle change that needs to occur so that people use private transport less.</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS1 Issue 3: Housing number</u></p> <p>Reduce the housing number in each of the proposed north west strategic site allocations – Bridge Nursery, East of Hermitage Lane, West of Hermitage Lane.</p>	<p>At this moment no evidence has been provided to support assertions that housing numbers should be reduced. Infrastructure evidence details how further housing development in these locations can be incorporated. It is the duty of the council to efficiently use sites for development and not waste land. In addition to the proposed junction improvements at the northern and southern ends of Hermitage Lane, the proposed bus gate in the East of Hermitage Lane site would allow a bus loop service to be operated enabling more flexible public transport access to the hospital and town centre.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS1 Issue 4: Infrastructure</u></p> <p>How can necessary infrastructure be paid for? There are concerns among consultees that the infrastructure required to support these developments cannot be afforded.</p>	<p>The infrastructure that has been identified as necessary is listed in the infrastructure delivery plan (IDP). Viability work is ongoing to determine the appropriate level of community infrastructure levy (CIL) contributions married to a realistic affordable housing target. Not all funding for infrastructure will come from CIL and s106 legal agreements: separate government funding may be available for specific infrastructure, which the finalised IDP will identify.</p> <p><b><u>Plan changes</u></b> None.</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy SS1 Issue 5: Duty to cooperate</u></p> <p>No confidence that cross border issues have been addressed with Tonbridge and Malling.</p>	<p>Duty to co-operate meetings with Tonbridge and Malling are ongoing and have been since before the consultation. Where there are areas of disagreement or concern, the two authorities are working to find appropriate solutions.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS1 Issue 6: Hospital</u></p> <p>The traffic resulting from the proposed developments will block access to the hospital.</p>	<p>Maidstone Borough Council has consulted the relevant health authorities and no concerns have been raised regarding access to the hospital. Hermitage Lane, while busy at peak times, is still accessible to emergency vehicles.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS1 Issue 7: Rural character</u></p> <p>The semi-rural character of this area should be maintained.</p>	<p>The semi-rural character of this area of the borough has changed with development over the years. Development on both sides of the boundary has caused this. Proposals would not fully develop all land in the north west and the Borough Council needs to be able to positively manage the change in this area to provide residents with the facilities that they need. Even with development, the council will require that development in the gap between Allington and Medway Gap does not contradict the purpose of the Strategic Gap policy that is being phased out (Policy ENV31 of the Maidstone Borough-Wide Local Plan 2000) (the reasoning of which still applies).</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p><b>Plan changes</b> Address rural character issues in the reasoned justification for the policy, relating specifically to the coalescence of settlements.</p>
<p><u>Policy SS1 Issue 8: Loss of best and most versatile agricultural land</u></p> <p>Some of the land in this area is currently used for agricultural purposes.</p>	<p>Best and most versatile agricultural land (BMV) is one feature of many that is reviewed when considering which land to develop. Where the proposed development sites are proposed on BMV other factors have outweighed this in the wider analysis of site suitability.</p> <p><b>Plan changes</b> None.</p>
<p><u>Policy SS1 Issue 9: Previously developed land first</u></p> <p>No greenfield land should be developed until all previously developed land (PDL) has been used.</p>	<p>Based on a former definition, development on PDL accounted for the following;</p> <ul style="list-style-type: none"> <li>• 2006/07 – 96.6%</li> <li>• 2007/08 – 86.8%</li> <li>• 2008/09 – 88.9%</li> <li>• 2009/10 – 86.2%</li> </ul> <p>Partially as a result of the changed definition of PDL, the figure fell in 2010/11;</p> <ul style="list-style-type: none"> <li>• 2010/11 – 79.2%</li> </ul> <p>Maidstone Borough Council has permitted many developments on PDL. The council cannot now maintain a five year land supply without allocating greenfield sites. This does not mean that PDL developments will cease.</p>

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Key issues Arising from Representations	Responses and Plan Changes
	<p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS1 Issue 10: Transport focus</u></p> <p>This policy is too focused on transport measures and neglects the wider aspects of what will be needed to bring development forward.</p>	<p>The policy does focus on transport, but transport infrastructure will be the biggest cost and it is important to ensure that the necessary elements will be delivered to support development. Each of the sites will need to contribute strategically to the development of the north west in more than just transport. Other strategic elements will need to be considered in the policy also.</p> <p><b><u>Plan changes</u></b> Amend policy to consider the wider range of planning topics, taking issues that could be addressed in policy SS1 out of the individual policies, such as general open space provision.</p>
<p><b>Policy SS1a: Bridge Nursery</b></p>	
<p><u>Policy SS1a Issue 1: Biodiversity</u></p> <p>The site is home to a number of species of flora and fauna, including some protected by law. Development of this site should either be avoided or reduced.</p>	<p>The advice from Kent County Council (KCC) has not changed from that given as part of the preparation of the consultation document – appropriate ecological surveys would need to be undertaken on site. A preliminary ecological survey has identified the types of further detailed ecological surveys that are required. Information from these surveys will allow detailed mitigation measures to be determined. Natural England is not concerned specifically regarding the ecological status of Bridge Nursery, welcoming the general approach to evidence seeking and providing appropriate mitigation measures based on that. The Kent Wildlife Trust has no</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p>objection to the principle of development on this site, subject to the appropriate mitigation measures being undertaken and there being recognition of the need to address ecological issues in the policy text. There is no indication that the ecology on site is an absolute constraint to development.</p> <p><b><u>Plan changes</u></b>                      Policy to address biodiversity concerns through appropriate measures. Reference to updated ecological surveys and any development will be subject to these.</p>
<p><u>Policy SS1a Issue 2: Community asset</u></p> <p>Many local people use this site, as a community asset, for activities such as walking dogs and riding BMXs.</p>	<p>Presently people do use the site as an informal community asset. As part of the preparation of the consultation document and the ongoing development of the allocation policy for this site, the parks and open spaces team at Maidstone Borough Council has been consulted. This input will be used in consultation with the developer to ensure that community facilities remain available in this area.</p> <p><b><u>Plan changes</u></b>                      Policy to incorporate natural open space measures.</p>
<p><u>Policy SS1a Issue 3: Heritage asset</u></p> <p>There is a World War II pill box on site that consultees are concerned may be damaged as part of the proposed development.</p>	<p>The pillbox is located in the Tonbridge and Malling section of the site and as such is not subject to the control of the Maidstone Borough Council planning department. The council will, however, work with the developer and Tonbridge and Malling to ensure that the pillbox is assessed for its condition and importance, and any decisions regarding its future will be based on evidence.</p>



Key issues Arising from Representations	Responses and Plan Changes
	<p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS1a Issue 4: Transport</u></p> <p>Residents are concerned generally regarding how the new development will affect roads in the area, including the bottleneck going under the railway bridge.</p>	<p>The railway bridge cannot be moved, but a number of transport improvements are suggested for the area in the ITS, the required degree of which will be determined in individual transport assessments for each site. There may be scope for junction improvements associated with the access to the site, which could help traffic flows travelling under the railway bridge.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><b>Policy SS1b: East of Hermitage Lane</b></p>	
<p><u>Policy SS1b Issue 1: Bus gate</u></p> <p>Residents are concerned that the bus gate will not work and will be used for general traffic as well. They would prefer a locked gate.</p>	<p>Bus gates are proven technology. There will need to be a maintenance agreement to ensure that the gate continues to function correctly. By having a bus gate, this allows for a bus loop to be created that serves passengers travelling to the hospital and destinations along the A20 London Road and A26 Tonbridge Road, as well as into the centre of Maidstone. This service could offer a significant improvement over existing provision. The bus gate will operate in a clearly defined location designed for bus access, rather than being designed as a barrier across an otherwise general purpose highway.</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p><b><u>Plan changes</u></b>                      Bus gate to be relocated into site, allowing access to around 200 dwellings from Howard Drive (based on Kent County Council advice). Purpose and type of bus gate (rising bollards) to be retained. Specify how bus gate should operate, in terms of separation from general purpose road space.</p>
<p><u>Policy SS1b Issue 2: Amenity for existing residents</u></p> <p>Residents are concerned that there will not be a buffer between the existing houses on Howard Drive and the new houses developed in the field to their rear.</p>	<p>A buffer will be maintained behind the existing Howard Drive properties except for where the eastern access will be made. The required site layout will be such that the amenity of existing residents will be considered equal to those inhabiting the new development.</p> <p><b><u>Plan changes</u></b>                      None.</p>
<p><u>Policy SS1b Issue 3: School provision</u></p> <p>There is concern regarding traffic movements if a school is built on site, or if contributions are used to extend/improve existing schools.</p>	<p>The exact nature of school provision in the north west, whether it is on this site or off of this site, it still being determined. Travel plans will be required as part of any new school development to ensure that sustainable transport options are used where possible, causing as minimal disturbance to local residents as possible. If the improvement/expansion of existing schools is seen as an appropriate solution, then similar travel plan measures will be sought. School provision is subject to final confirmation from Kent County Council Education.</p> <p><b><u>Plan changes</u></b>                      None.</p>

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<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy SS1b Issue 4: Developer concern – more houses achievable on site</u></p> <p>The developer does not consider that the best use of the site is currently being made and would like to build homes on the south west field and possibly on the land north west of the restricted byway.</p>	<p>The developer is particularly concerned with the field to the south west of the site, stating that there is no justification for this field to be saved from development. These issues are being addressed through further dialogue with the developer and ecology/archaeology sections at KCC. At this stage no evidence has been presented to support the development of the area north west of the footpath/byway for housing. This land is currently an existing pear orchard and can be seen from Hermitage Lane. The council is concerned that residential development of any form north west of the restricted byway/footpath will be too dense and will not maintain the open character of this area.</p> <p><b><u>Plan changes</u></b> Appropriate development of south west field will be included in the policy, subject to ecological and archaeological provisions, to be agreed with the appropriate sections of KCC.</p>
<p><u>Policy SS1b Issue 5: Developer concern – evidence for contributions</u></p> <p>The developer would like to see the evidence justifying the need for proposed transport improvements such as the cycle lane extending north along Hermitage Lane to the A20 London Road.</p>	<p>Individual transport assessments will be required for each site, but the cumulative impact of development across all sites will need to be considered. Improvements to cycling in the district are required to offer a sustainable alternative to travelling by car. New developments will need to contribute to these improvements to mitigate their impact on the transport network.</p> <p><b><u>Plan changes</u></b> None.</p>

Key issues Arising from Representations	Responses and Plan Changes
<b>Policy SS1c: West of Hermitage Lane</b>	
<p><u>Policy SS1c Issue 1: Cumulative effect of development</u></p> <p>Taken with the East of Hermitage Lane site the effect of new development in the north west of Maidstone is too much to be accommodated. Residents are talking about the general range of infrastructure requirements, with specific concern relating to transport.</p>	<p>Infrastructure providers have been consulted as part of the preparation of the consultation document and as part of the consultation itself. Infrastructure measures have been identified in the Infrastructure Delivery Plan (IDP) and it is for the council to understand how these measures can be delivered, in part through viability testing. The Integrated Transport Strategy (ITS) has identified transport improvements for the area, which will be further explored in individual transport assessments for the proposed allocations. Transport is not considered an absolute constraint to development – the council will continue to work with Kent County Council and the developers in this area to ensure that effective solutions are delivered.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS1c Issue 2: Amenity for existing residents</u></p> <p>There is general concern regarding the effect of the proposed development on existing residential areas, such as the residents in Broomshaw Road and the roads surrounding it.</p>	<p>No road access is proposed through Broomshaw Road or the roads surrounding it. Primary access will be taken from Hermitage Lane with emergency, pedestrian and cycling access taken from Oakapple Lane.</p> <p><b><u>Plan changes</u></b> None.</p>

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<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy SS1c Issue 3: Open/rural character of Barming area</u></p> <p>Some consultees were concerned that the cumulative effect of developing sites around Hermitage Lane would change the character of the area from one that is rural to one that is urban.</p>	<p>The strategic gap (Maidstone Borough-Wide Local Plan – policy ENV31), which has acted as a bar against development in this area, is intended to be superseded by the Maidstone Borough Local Plan. The essence of the policy does remain, however, in that development which would result in the coalescence of Maidstone with the Medway Gap should in itself be resisted – these are separate settlements. This site has been judged in terms of how it affects the gap between Barming and the Medway Gap in Tonbridge and Malling. Although the site abuts the administrative boundary, in the Tonbridge and Malling area there is still a significant distance before any noticeable settlement is reached, and views are screened by landscape features.</p> <p><b><u>Plan changes</u></b> Amend supporting to text to address this matter.</p>
<b>Policy SS2: Strategic housing location to the south east of the urban area</b>	
<p><u>Policy SS2 Issue 1: Site allocation/alternative site(s)</u></p> <p>Alternative sites have been suggested. Most notably, land south of Downswood residential estate and Bicknor Farm, which is adjacent to the eastern edge of the proposed allocation Land North of Sutton Road. The main argument made for considering these sites is that they are a better alternative to the proposed allocation Land North of Bicknor Wood.</p> <p>1. Land south of Downswood (adjacent to Otham Church) is</p>	<p>1. Willington Street already experiences high levels of congestion during peak periods and although locating a development here would likely spread the load between the A20 Ashford Road and the A274 Sutton Road, when considered with other development sites proposed for the south-east, the Sutton Road bus lane has the potential to relieve congestion through the Wheatsheaf junction. It is far more difficult to mitigate for congestion on Willington Street. Concentrating development near Sutton Road has the potential to make best use of the proposed Sutton Road in-bound bus lane and to connect with the existing</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p>proposed as an alternative site because it could make good use of existing infrastructure such as nearby shops, surgery and bus services. It is expected the majority of traffic would use Willington Street when travelling north to access the A20 Ashford Road and the M20. This would potentially minimise additional pressure on Sutton Road and the Wheatsheaf Junction and may also help to prevent rat running on rural roads in the area.</p> <p>2. For Bicknor Farm, the argument is made that the site has a frontage onto Sutton Road and would obviate the need to reconfigure Gore Court Road as a single access road could serve both the Land North of Sutton Road and Bicknor Farm sites (possibly from the roundabout that would serve the Langley Park development). It is also proposed that development on Bicknor Farm would reduce the potential for rat running in the area and would make good use of a bus lane if this scheme goes ahead.</p>	<p>services and facilities in nearby Senacre and Parkwood, not to mention the new facilities and infrastructure on the proposed sites.</p> <p>2. The Bicknor Farm site is removed from the urban edge of Maidstone (particularly the eastern section of the site) and development of this site would extend the urban edge of Maidstone in linear form further east than Langley Park. It is considered that a linear type development extending this far into the open countryside is not desirable, nor does it make best use of local services and facilities from an accessibility perspective. Development at Bicknor Farm would detract from the rural nature of this area and would compromise the setting of at least two listed buildings. Bicknor Farm (particularly the eastern section) has far less urban influence than sites in closer proximity to the urban fringe (north and south of A274 Sutton Road).</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS2 Issue 2: Highways ('rat running')</u></p> <p>1. There are concerns that strategic sites in the south east will generate a significant increase in traffic levels which will result in traffic congestion on the main arterial routes. Delays caused on these routes will mean that motorists will choose to use smaller residential roads or rural lanes to the north and south – 'rat running'. This will have an impact on local residential amenity.</p>	<p>1. The measures proposed in the Integrated Transport Strategy (ITS) are intended to address the fears that extra car movements cannot be accommodated. Inevitably there is also an element of lifestyle change that needs to occur so that people use private transport less. Highway improvements, the proposed bus lane in particular, set out in the policies will help to ease congestion on local roads and will help to mitigate the impacts of existing and proposed development on air quality.</p>

Key issues Arising from Representations	Responses and Plan Changes
<p>2. Further concerns for areas south of the proposed sites (e.g. Boughton Monchelsea) where rat running through Brishing Road/Brishing Lane is considered problematic. This is in contrast to calls that have also been made for widening Brishing Road (or at least to have passing areas) and to allow access from Brishing Road to the Langley Park site. It is suggested that such measures would alleviate pressure on the Five Wents junction, which vehicles use to access Heath Road, Cornwallis Academy, Linton Crossroads and rural areas to the south.</p>	<p>The council accepts there will be significant increases in traffic generation and that this will have the effect of causing more 'rat-running'. Whilst this is an important consideration and should be stated as an issue to be dealt with in the ITS, it is not a strategic issue. However, targeted impacts of rat-running will be required to be identified by Transport Assessments (submitted as part of future planning applications) and will need to be dealt with through mitigation measures included in the Transport Assessments.</p> <p>2. The costs of widening Brishing Road/Brishing Lane or even creating passing points would be significant, and it is considered that the costs would far outweigh the benefits for a route that is only used by a small percentage of vehicles. Vehicular traffic currently uses both the Five Wents crossroads and Brishing Lane to access Heath Road. This splits the volume of traffic using both roads, which is better than a majority of vehicles using the same route.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS2 Issue 3: Extending existing bus services to serve strategic sites</u></p> <p>Arriva state that whilst the abandonment of the proposed Park &amp; Ride site at Langley Park Farm is disappointing, the</p>	<p>Arriva are very supportive of the bus lane proposal which they say will create a 'step change' in the attractiveness of bus services in this sector of Maidstone. It is agreed that an extension to the existing bus network to serve the strategic sites at an early stage in their development is important to</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p>opportunity must be taken to facilitate the integration of any new bus services in this area into the existing bus network, and into and through the outlined developments. This is seen as vital to maximise the benefits of this concentrated area of growth.</p>	<p>serve a growing population in the south east. This will also create potential to establish a modal shift to the use of public transport to access the town centre, making best use of the proposed bus lane on the Sutton Road.</p> <p><b>Plan changes</b>                      Include the need for extensions to existing bus routes to serve the strategic sites in the supporting text for each policy (SS2a, SS2b &amp; SS2c).</p>
<p><u>Policy SS2 Issue 4: Infrastructure</u></p> <p>How can necessary infrastructure be paid for?</p>	<p>The infrastructure that has been identified as necessary is listed in the Infrastructure Delivery Plan (IDP). Viability work is ongoing to determine the appropriate level of community infrastructure levy (CIL) contributions to a realistic affordable housing target.</p> <p><b>Plan changes</b>                      None.</p>
<p><u>Policy SS2 Issue 5: Develop brownfield land first</u></p> <p>The rural character of this area should be maintained. Greenfield sites of high agricultural and landscape value should not be developed when there are PDL sites available.</p>	<p>Based on a former definition, development on previously developed land (PDL) accounted for the following:</p> <ul style="list-style-type: none"> <li>• 2006/07 – 96.6%</li> <li>• 2007/08 – 86.8%</li> <li>• 2008/09 – 88.9%</li> <li>• 2009/10 – 86.2%</li> </ul> <p>Partially as a result of the changed definition of PDL, the figure fell in 2010/11:</p>



Key issues Arising from Representations	Responses and Plan Changes
	<ul style="list-style-type: none"> <li>• 2010/11 – 79.2%</li> </ul> <p>Maidstone Borough Council has permitted many developments on PDL. The council cannot now maintain a five year land supply without allocating greenfield sites. This does not mean that PDL developments will cease.</p> <p>Although the south east strategic sites are greenfield sites and rural in character, they are still considered the most appropriate sites for development in this area. There are a number of reasons for this:</p> <ul style="list-style-type: none"> <li>• Two of the sites are already allocated for housing development in the Local Plan 2000</li> <li>• The sites lie on the edge of Maidstone’s urban area, thus making best use of existing and proposed facilities, like the bus lane</li> <li>• Development on the urban edge, as proposed, limits the spread of development in linear form along Sutton Road</li> <li>• A better, more visually attractive and landscaped gateway to the town can be created along the urban periphery on Sutton Road, which at the moment is dominated by the Parkwood Industrial Estate.</li> </ul> <p><b><u>Plan changes</u></b> None.</p>

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Key issues Arising from Representations	Responses and Plan Changes
<b>Policy SS2a: Langley Park</b>	
<p><u>Policy SS2a Issue 1: Site density</u></p> <p>The housing density should be amended to include a range of 30–40 dwellings (net) per hectare.</p>	<p>As this is a large site adjacent to Parkwood Industrial Estate it is considered acceptable to include a range of development densities. This will allow for more flexibility on site. The details on site design and density will be set out in the development brief that will be agreed with the council prior to the submission of a planning application.</p> <p><b><u>Plan changes</u></b> Amend policy SS2a and include a density range of 30-40 dwellings (net) per hectare.</p>
<b>Policy SS2b: North of Sutton Road</b>	
<p><u>Policy SS2b Issue 1: Ecology/biodiversity/green infrastructure</u></p> <p>The county ecologist advises that the eastern section of the site appears to have the most potential for ecological interest. Kent Wildlife Trust (KWT) agrees and states there should be flexibility regarding housing numbers until the biodiversity value of the site is known.</p>	<p>Discussions have progressed with KCC on the subject of ecology. If sites are allocated, KCC advises that at application stage, as a minimum, a preliminary ecological assessment is sought. Any recommended additional surveys would need to be undertaken and the results, and any mitigation proposals, submitted with the planning application.</p> <p>In the development brief, measures will need to be in place to minimise the potential for development to impact on the woodlands around the site. Mitigation measures will be put in place to ensure Bicknor Wood is itself protected and Bicknor Hole to the west of the site will also remain protected by a landscape buffer along the site’s western boundary.</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p><b>Plan changes</b> Amend policy SS2b and supporting text to include the need for an ecological assessment to be submitted with any planning application and to strengthen commentary on protection and mitigation for ecology and biodiversity. Highlighting the importance of creating green linkages/corridors is also important.</p>
<p><b>Policy SS2c: North of Bicknor Wood</b></p>	
<p><u>Policy SS2c Issue 1: Ecology/biodiversity/green infrastructure</u>  Kent Wildlife Trust advises that the strategic sites north of Sutton Road need to be linked to provide maximum ecological gains and a green network for new residents.</p>	<p>In the development brief, measures will be put in place to minimise the potential for development to impact on the woodlands around the site. This will be achieved using landscape buffers.</p> <p>It is planned to link Bicknor Wood to East Wood (north of White Horse Lane), which will not only screen development from the village of Otham to the east but will also act as a wildlife and ecology corridor.</p> <p><b>Plan changes</b> Amend policy SS2c and supporting text to include the need for an ecological assessment to be submitted with any planning application and to strengthen commentary on protection and mitigation for ecology and biodiversity. Highlighting the importance of creating green linkages/corridors is also important.</p>

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<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy SS2c Issue 2: Width of landscape belt/woodland buffer</u></p> <p>The developer recognises the need for a landscape/woodland buffer along the eastern boundary of the site to visually contain development and to provide additional habitat and improved habitat connectivity. However, the developer makes the point that a woodland belt of a minimum of 80m width is not considered necessary to achieve these objectives as it would unnecessarily constrain the development of the site. A woodland belt of 30m is put forward as more appropriate, still allowing sufficient space for woodland trees to fully establish and including adequate space for dense woodland edge and hedgerows to provide improved screening.</p>	<p>The 30m woodland belt proposed by the developer is considered inadequate to visually contain development from the eastern boundary of the site, which is rural in character. However, it is agreed that a woodland belt of at least 80m is unwarranted, and could compromise the provision of other open space requirements on site (such as a football pitch and allotments). A woodland belt of 40m would be more appropriate to act as an effective buffer between the site and the rural landscape to the east and as an effective wildlife and ecology corridor between the sites north of Sutton Road and the wider rural area. It is not intended that the reduction in width of the woodland buffer should provide additional land for increasing the proposed number of residential units on site.</p> <p><b><u>Plan changes</u></b> Amend policy SS2c to include the provision of a woodland belt of a minimum of 40m in width (reduced from 80m) to link the eastern section of Bicknor Wood to East Wood.</p>
<b>Policy SS4: Newnham Park</b>	
<p><u>Policy SS4 Issue 1: Demonstration of need and alternative sites</u></p> <ol style="list-style-type: none"> <li>1. The need for commercial development in this location has not been demonstrated, and there are objections to offices, general industrial and warehousing proposals.</li> <li>2. There is general support for the development of KIMS</li> </ol>	<ol style="list-style-type: none"> <li>1. The proposals include medical facilities and replacement retail facilities. There will be some associated office development, but there are no proposals for general industry or warehousing.</li> <li>2. Support for medical campus is welcomed. Newnham Court is an existing retail area so redevelopment through the development management process is acceptable.</li> </ol>

Key issues Arising from Representations	Responses and Plan Changes
<p>(Kent Institute of Medicine and Surgery) with associated development, but objections to an out-of-town retail complex.</p> <p>3. The site is considered a suitable location for a variety of employment uses that will offer increased job opportunities.</p> <p>4. Alternative sites proposed include:</p> <ul style="list-style-type: none"> <li>• Aylesford Paper Site (Tonbridge &amp; Malling Borough Council)</li> <li>• Larkfield (Tonbridge &amp; Malling Borough Council)</li> <li>• Eclipse Park (to the west of development site)</li> <li>• Former Army &amp; Navy Stores (town centre)</li> <li>• Maidstone East Railway Station (town centre).</li> </ul>	<p>There will be greater control over the type of development and the provision of supporting infrastructure through an allocation.</p> <p>3. The site is allocated for medical and retail use, and land for other employment uses is being provided elsewhere. The medical campus and replacement retail facilities are estimated to provide for over 3,800 new jobs.</p> <p>4. New medical facilities are associated with KIMS so alternative sites are not appropriate, and Newnham Court provides for replacement facilities on an existing retail site.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS4 Issue 2: Extent of retail proposals and impact of development on town centre uses</u></p> <p>1. There is confusion over the extent of the retail area to be developed, and concerns about the loss of the garden centre.</p> <p>2. Eclipse Park remains undeveloped so could accommodate retail development.</p> <p>3. There is opposition to out-of-town retailing. The proposals conflict with the NPPF “town centre first” approach and will undermine the economic viability of the town centre. Empty units in the town centre should be utilised first, rather than releasing greenfield sites.</p> <p>4. It will be difficult to control the type of retailing.</p> <p>5. Retail development in this location is unsustainable.</p>	<p>1. The site plan needs to be amended to clearly mark the division between the retail area and the medical campus. The amended site plan takes into account the need for existing retail tenants (including the garden centre) to continue trading, and provides for structural landscaping to be incorporated into the site layout. The northernmost section of the existing retail site (2.1 ha) will be allocated for medical use; and either retail or medical will be appropriate uses on land between the retail site and the new access road to the east of the retail area (2.9ha). The supporting text and policy will need to clarify this point.</p> <p>2. Eclipse Park provides for office development.</p> <p>3. Proposals are for the redevelopment of an existing retail site with measures in place to restrict competition with</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p>6. There is also support for replacement retail facilities as part of proposals, provided redevelopment is confined to the existing footprint and there is no increase in floorspace over and above that existing.</p>	<p>the town centre through a retail impact assessment.</p> <p>4. The Borough Council can control first occupant through planning conditions.</p> <p>5. The retail redevelopment area is located on one of the main approaches to the town, is sited in the vicinity of office and medical developments, and is close to residential areas. Public transport measures, including a bus interchange, will improve sustainability.</p> <p>6. The support is noted. The retail redevelopment will be confined to the vicinity of existing uses, as shown on the revised site plan. Restricting redevelopment to the footprint of current uses does not allow for continued trading and does not provide adequate flexibility to introduce structural landscaping and other on-site obligations. The policy must introduce some flexibility in terms of floorspace to allow for redesign. The policy currently restricts the cumulative quantum of floorspace to 500m<sup>2</sup> above that existing (14,300m<sup>2</sup>) before the need for a retail impact assessment is triggered, and any additional floorspace will be subject to a sequential test and a demonstration of need for an out-of-town location. To allay concerns over the impact of proposals on town centre uses, the threshold should be reduced to 300m<sup>2</sup> above that existing to trigger need for retail impact assessment.</p> <p><b><u>Plan changes</u></b> Amend the site plan to clearly show areas appropriate for new medical and/or retail uses; and amend the policy and supporting text to make clear where retail and/or medical</p>

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	<p>uses are acceptable.</p> <p>Reduce the threshold that triggers the need for a retail impact assessment from 500m<sup>2</sup> to 300m<sup>2</sup>.</p>
<p><u>Policy SS4 Issue 3: Mitigation measures (landscape)</u></p> <ol style="list-style-type: none"> <li>1. There will be an adverse impact on the setting of the Kent Downs AONB. Policy LLC8 of the Kent Downs AONB Management Plan states “proposals which negatively impact on the distinctive landform, landscape character and identified special components of natural beauty, the setting and views to and from the AONB will be opposed and resisted”.</li> <li>2. Loss of a “green lung” that provides for leisure activities (walking, horse riding, running and cycling).</li> <li>3. Proposals will destroy the rural setting of the area, and development will erode the strategic gap between Maidstone and Detling and Thurnham parishes.</li> <li>4. Medical development should be well related to KIMS and landform, and not extend to land to the east of the existing stream running north-south through the proposed development site, which is a tributary of the River Len.</li> <li>5. The width of the landscape buffers should be increased.</li> <li>6. A landscape buffer should be provided to protect Gidds Pond Cottages from development proposal.</li> </ol>	<ol style="list-style-type: none"> <li>1. The AONB Unit has been consulted on the proposals and concludes that the allocation can be developed with only modest impact on the AONB, although development should be avoided at the site’s north east end, and height restrictions are recommended for buildings at other higher elevations within the site. Detailed mapping will be required to identify the most sensitive landscape areas of the site in order to guide development. These safeguards are already in place in the policy and its reasoned justification.</li> <li>2. There are no public footpaths through the site.</li> <li>3. The strategic gap is a tool for assisting place shaping: it is not a landscape constraint. The site is well contained, bounded by roads (including the M20 motorway) and ancient woodland. Development will not unduly erode the function of the strategic gap in this location.</li> <li>4. Medical development will be related to the landform, and the policy phases land to the west of the stream in advance of land to the east. In respect of development to the east of the stream, the southern part of the site is considerably lower than the land to the north, which the policy protects from development, and the southern section can accommodate development. This view is supported by the AONB Unit.</li> <li>5. Agreed to increase the landscape buffers either side of the</li> </ol>

Key issues Arising from Representations	Responses and Plan Changes
	<p>stream from 10m to 15m on the advice of the Kent Wildlife Trust.</p> <p>6. Structural landscaping to rear of Gidds Ponds Cottages will be provided as part of the first phase of development. The policy should make clear that structural landscaping must be in place before development proceeds.</p> <p><b>Plan changes</b>                      Increase the landscape buffer from 10m to 15m width either side of the existing stream, totalling 30m width.</p> <p>Make clear in the policy that structural landscaping will be phased in advance of development.</p>
<p><u>Policy SS4 Issue 4: Mitigation measures (ecology)</u></p> <ol style="list-style-type: none"> <li>1. The site is located within the Mid Kent Greensand and Gault Biodiversity Opportunity Area (BOA).</li> <li>2. There will be adverse impacts of development on the adjacent Local Wildlife Site/ancient woodland and the existing stream, which flows into the Vinters Park Local Nature Reserve.</li> <li>3. Impact on protected wildlife and their habitats. Proposals would result in a net loss of biodiversity (on and off site) and would make no contribution to the natural environment.</li> <li>4. Proposals are contrary to the NPPF which seeks to contribute to and enhance the natural and local environment, and directs local authorities to allocate land with the least environmental amenity value (paragraphs</li> </ol>	<ol style="list-style-type: none"> <li>1. The BOA is not a constraint to development, but is an opportunity for habitat enhancement, restoration or creation, which the policy provides for. Detailed mapping will be required to identify the most sensitive areas of the site in terms of biodiversity in order to guide development.</li> <li>2. The policy provides for the protection of ancient woodland and the stream, through 30m buffers along boundaries abutting ancient woodland and 15m buffers either side of the stream. The buffer widths are acceptable to the environment organisations.</li> <li>3. Kent Wildlife Trust welcomes the aims of the policy for development design, nature conservation and buffering, provided mitigation measures are in place to protect ancient woodland and the Local Wildlife Site, and safeguards are in place during construction to safeguard</li> </ol>



Key issues Arising from Representations	Responses and Plan Changes
<p>109-110).</p> <p>5. Various proposals are put forward for inclusion in the development brief, including the need to consider a framework for the integrated development of landscape and habitats components across the site and the coordination of their ongoing management (Natural England).</p> <p>6. Kent Wildlife Trust, the Environment Agency, Natural England and the Kent Downs AONB Unit do not raise objection to the principle of development provided mitigation measures are in place.</p>	<p>hydrology. These will be important issues for the development brief and planning conditions to address.</p> <p>4. Part of the site is previously developed land, which will accommodate replacement retail facilities, and the medical campus will complement the facilities provided by KIMS. The benefits of the medical campus to the borough in terms of facilities and jobs are clear, and the impact of development on the landscape and ecology can be mitigated and carefully managed to the satisfaction of the statutory and local environment groups.</p> <p>5. Agreed these are matters for the development brief.</p> <p>6. Mitigation measures are in place in the policy and the development brief will set out more detailed measures, to be implemented through planning conditions and legal agreements.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy SS4 Issue 5: Congestion and transport</u></p> <p>1. There are concerns about the impact of proposals on local roads, particularly during the rush hour, and the unsuitability of current roads to cope with proposed development.</p> <p>2. The proposed widening of Bearsted Road will increase danger to wildlife and pedestrians; damage the local landscape, tree cover and biodiversity; and will not mitigate the effects of extra traffic generated.</p> <p>3. Any increase in the width of Bearsted Road should not</p>	<p>1. Development will be subject to a detailed Transport Assessment and this should be made clear in the policy. The highway improvements set out in the policy will help to ease congestion on local roads.</p> <p>2. Pedestrian safety is built in to new highway proposals. Transport modelling has demonstrated that off-site highway works associated with development will mitigate the effects of the extra traffic generated. The highway schemes will have some impact on the local landscape and potentially on biodiversity, but they will not directly affect protected landscape areas and species, and</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p>involve land take from the south of the road.</p> <ol style="list-style-type: none"> <li>4. Development will impact on air quality and increased noise and light pollution, and changes to local hydrology.</li> <li>5. Existing public transport in the area is poor.</li> <li>6. There will be a reliance on the car so the development site is an unsustainable location, and there is a lack of connectivity to the town centre.</li> <li>7. There is also support for the transport infrastructure measures associated with Newnham Park.</li> </ol>	<p>measures will be in place to prevent potential indirect effects.</p> <ol style="list-style-type: none"> <li>3. Land take to dual Bearsted Road will be confined to the area to the north of the road. Make clear in the policy.</li> <li>4. Highway improvements and other transport measures will help to mitigate the impacts of existing and proposed development on air quality. Noise pollution will be maintained at acceptable levels, and light pollution will be mitigated through the use of low level lighting where practical.</li> <li>5. The policy includes proposals to improve public transport, including a bus interchange and improved links to local residential areas.</li> <li>6. The policy contains alternatives for the use of the car, including improved public transport to the town and local residential areas as well as other measures such as enhanced pedestrian and cycle links. The allocated site is adjacent to a designated employment area, thus providing for mixed use development in this area, and is located by a motorway junction and within reasonable access from residential areas.</li> <li>7. The support is noted.</li> </ol> <p><b><u>Plan changes</u></b></p> <p>Make clear in the policy that the land take to dual Bearsted Road will be confined to the north of the road.</p> <p>Make clear in the policy that a Transport Assessment for off-site highway improvements to serve the development will be required.</p>

Key issues Arising from Representations	Responses and Plan Changes
<b>Policy CS6: Sustainable construction standards</b>	
<p><u>Policy CS6 Issue 1: Design detail</u></p> <p>Consultees required that more detail be included in CS6, relating primarily to pure design and aesthetics, rather than sustainable construction.</p>	<p>CS6 was originally written as a sustainable construction policy, rather than a design policy. The design element of this policy is difficult to address with the policy in its current form as there are two distinct elements that each need to be addressed appropriately without the policy becoming exhaustive. The policy is intended to provide a strategic overview.</p> <p><b><u>Plan changes</u></b> Relocate design elements of policies to spatial policies and strategic site allocations.</p>
<p><u>Policy CS6 Issue 2: Parish and neighbourhood plans</u></p> <p>Neighbourhood plans/local vernacular/local context. Consultees, in particular parish councils, would like the design element of the policy to account for any information that has been adopted in parish and neighbourhood plans.</p>	<p>The design elements of this policy are better placed in individual spatial policies relating to specific areas of the borough.</p> <p><b><u>Plan changes</u></b> Relocate design elements of policies to spatial policies.</p>
<p><u>Policy CS6 Issue 3: Viability</u></p> <p>Viability (in relation to sustainable construction). Consultees requested both sides of the viability argument to be taken into consideration i.e. some requested that no allowances for viability should be made because it would allow developers to avoid the council's standards. Some developers thought that this policy was too stringent and did not allow for viability</p>	<p>Since the 2011 public consultation, the council has undertaken viability assessments which inform the policy. The policy as consulted on does incorporate allowances for viability. This needs to be the case because policies that are not flexible are potentially at risk of being considered unreasonable. The council allows for flexibility in the application of policies if the appropriate evidence is presented.</p>

Key issues Arising from Representations	Responses and Plan Changes
<p>considerations to be incorporated.</p>	<p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS6 Issue 4: Construction standards</u></p> <p>Construction standards/building regulations. Some developers consider that Building Regulations are the only appropriate means for determining building standards.</p>	<p>The relationship between building regulations and the equivalent standard Code for Sustainable Homes (CSH) or Building Research Establishment Environmental Assessment Method (BREEAM) can be fraught. Part L of the Building Regulations has not maintained a planned trajectory of increasing its standards on a route to zero carbon homes in 2016. The council will maintain its requirement for CSH level 4 and BREEAM very good on the basis of the Climate Change Act 2008, the Kent Environment Strategy 2011 and the fact that it is more cost and energy intensive to retrofit buildings to a higher standard than to build to that standard initially.</p> <p><b><u>Plan changes</u></b> Require CSH level 4 and BREEAM very good. Delete planned step up in requirements intended for 2016 and 2019 respectively as there is no present justification for these. Support increased standards (beyond council requirements) in schemes where the developer proposes them.</p>
<p><u>Policy CS6 Issue 5: Community safety/crime prevention</u></p> <p>Community safety/crime prevention. Some consultees considered that meeting Secured by Design should be mandatory.</p>	<p>The design element of this policy, including Secured by Design, is better located in a different part of the plan. Addressing Secured by Design itself, the council does not believe that enforcing minimum standards will enhance the plan.</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p><b>Plan changes</b> Relocate design elements of policies to spatial policies.</p>
<p><b>Policy CS7: Sustainable transport</b></p>	
<p><u>Policy CS7 Issue 1: Traffic congestion</u></p> <p>Respondents are concerned that traffic congestion is at a level where the borough's roads cannot support any further development. Areas with high congestion include the bridge gyratory; Fountain Lane /Tonbridge Rd Junction and the Wheatsheaf Junction.</p>	<p>The council accepts that traffic congestion will increase in the years to come however it recognises this increase needs to be appropriately managed. This will be achieved through the Integrated Transport Strategy (ITS). Given the spatial constraints of the existing transport network, it is proposed to increase the 'people-moving' capacity of this network by providing additional infrastructure for the improvement of bus services. This will be implemented alongside various improvements to road junctions at strategic locations; measures to manage demand for private vehicle travel; and measures to support more sustainable modes of travel such as use of public transport, cycling and walking.</p> <p><b>Plan changes</b> Strengthen references to measures for the mitigation of traffic congestion.</p>
<p><u>Policy CS7 Issue 2: Improved rail links</u></p> <p>Rail links to London are poor given Maidstone is meant to be the county capital for Kent. Services are too infrequent, and take too long to reach London.</p>	<p>The council will be promoting and lobbying for the enhancement of strategic transport links to and from Maidstone, in particular the improvement of rail links to London. Thameslink Ltd. has committed to extending its rail service from London to Maidstone from 2018 linking Maidstone to London Bridge Station. This will improve train frequencies and will also reduce journey times to London.</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p><b><u>Plan changes</u></b> Strengthen references to improved rail links in supporting text.</p>
<p><u>Policy CS7 Issue 3: Improved bus services</u></p> <p>Maidstone buses are too expensive and do not sufficiently serve the rural service centres. People are deterred from using them as the service ends too early in the evening and because they are not frequent enough.</p>	<p>The draft Integrated Transport Strategy proposes the construction of a bus lane on the A274/A229 to improve journey times from the south east into the town centre. This will improve bus access from the south east of Maidstone, but will also provide benefits to services running from Linton, Marden, Staplehurst and Headcorn. The ITS also proposes to re-introduce the Maidstone Quality Bus Partnership which is working towards facilitating the improvement of bus frequencies to 7mins from the outer limits of the urban area of Maidstone on the majority of main arterial routes.</p> <p><b><u>Plan changes</u></b> Strengthen text references to improved bus services and access.</p>
<p><u>Policy CS7 Issue 4: Car sharing</u></p> <p>Maidstone is very reliant on the private car and should make a better use of the roads by moving more people through car sharing.</p>	<p>The council is investigating the viability of car sharing lanes, however it is expected the best way to achieve this is through the securing and implementing of Travel Plans.</p> <p><b><u>Plan changes</u></b> Include references in the text to car sharing.</p>

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<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS7 Issue 5: Sustainable modes of travel</u></p> <p>Maidstone is too reliant on private vehicles that are not sustainable. More needs to be done to promote sustainable travel.</p>	<p>Measures will be introduced by the draft Integrated Transport Strategy to promote more walking, cycling, and other sustainable modes of travel. These include securing pedestrian environmental improvements for new development; the construction of public realm improvement schemes in the town centre; developing the Maidstone Cycling Strategy; facilitating the introduction of Plug In Vehicle technology; promoting more public transport use; and encouraging greater use of car clubs.</p> <p><b><u>Plan changes</u></b> Strengthen references to sustainable modes of travel.</p>
<p><u>Policy CS7 Issue 6: Walking and cycling targets</u></p> <p>A target of 12% for this is too low. The Council should be encouraging more walking and cycling and so should be more ambitious with these targets.</p>	<p>The council accepts that the walking and cycling target is too low and should be more ambitious. The council believes it can achieve an increase to 22.5% of total mode share for walking and cycling by 2031, combined through the introduction of measures included in the ITS and the development of the Maidstone Cycling Strategy.</p> <p><b><u>Plan changes</u></b> Amend text to increase the walking and cycling target to 22.5% by 2031.</p>
<p><u>Policy CS7 Issue 7: Poor access to the south of the borough</u></p> <p>Public transport options to the south of Maidstone are limited. The road network is insufficient to meet the needs of the south and significant traffic congestion results. Heavy</p>	<p>The council accepts more needs to be done to improve access to the south of the borough. Various improvements are proposed through the draft Integrated Transport Strategy to improve transport infrastructure in some of the rural service centres, and more improvements will be delivered when new</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p>goods vehicles accessing industrial uses in the south are reliant on small rural lanes to access the motorway; this needs to be solved. The impact of these lorries on rural roads is unacceptable.</p>	<p>development comes forward in these areas. Bus access from the south east of Maidstone will be improved through the delivery of the A274/A229 bus lane and will also provide benefits to services running from Linton, Marden, Staplehurst and Headcorn.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS7 Issue 8: Park &amp; Ride</u></p> <p>The council should have never closed the Park and Ride site at Armstrong Road. Another Park and Ride site needs to be built in the south to improve access.</p>	<p>The council has thoroughly investigated proposals for the constructing of a new Park and Ride site to the south of the urban area of Maidstone. However, an assessment relating to the landscape impacts, affordability and deliverability with relation to the securing of land required meant that these proposals could not be progressed any further (refer to <i>Chapter 6: Policy Evolution Narrative</i> of the draft ITS for further information). As a result, the council has decided to rely on the improvement of bus services to improve access to the south of the borough.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS7 Issue 9: Southern ring road</u></p> <p>The only way to solve the problems of access to the south is to build a ring road from near Leeds through to the M20 motorway near Junction 8.</p>	<p>Extensive investigation has been undertaken by the council regarding the construction of the Leeds / Langley Bypass proposal and the South East Maidstone Strategic Link. It was concluded that such a link did have a strong potential for handling traffic from the south and east of Maidstone, however overcapacity was still flagged on some key routes. Therefore it is unlikely to reduce the traffic congestion on the</p>



Key issues Arising from Representations	Responses and Plan Changes
	<p>scale that was initially hoped to be achieved. Further, cost estimates for an acceptable route in planning terms ranged as high as £75million which is unviable to the council economically.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS7 Issue 10: Parking</u></p> <p>There is not enough parking in the town centre. There is not enough parking at new developments either with vehicles being parked illegally on footways as a result.</p>	<p>There is significant capacity available both in private and public car parks in that there is a surplus of parking in the town centre. However, the council acknowledges that parking at new developments can sometimes be insufficient to reasonably meet the needs of these developments. Therefore the council intends to introduce its own Parking Standards Supplementary Planning Document (SPD) to ensure new development has the parking it needs.</p> <p><b><u>Plan changes</u></b> Include reference to the council’s intention to prepare a Parking Standards SPD.</p>
<p><u>Policy CS7 Issue 11: Poor wording of policy and supporting text</u></p> <p>Both the policy text and supporting text does not read well and does not address all the transport issues that should be addressed by this policy. Reference to ‘cycle-counters’ should be removed as this is in too much detail for a ‘high-level’ document</p>	<p>The plan would benefit from better policy wording to improve readability. This policy will be re-written so it is clear and concise.</p> <p><b><u>Plan changes</u></b> Re-write policy in plain English and remove references to cycle counters.</p>

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<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS7 Issue 12: Air quality</u></p> <p>The town centre has poor air quality as a result of traffic congestion on the gyratory network.</p>	<p>The council is committed to reducing air pollution. Several areas have been identified as having air quality issues in the Maidstone Air Quality Management Action Plan, and it is through this plan that the air quality issues of Maidstone will be addressed.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS7 Issue 13: Transport Impact Assessment</u></p> <p>More clarification needs to be included as to when a Transport Impact Assessment is required. The policy wording is too vague at present.</p>	<p>Further clarification could be provided as to when a Transport Impact Assessment is required. Reference will be made to threshold levels set by Kent County Council’s (KCC) Guidance on Transport Assessments and to the importance of mitigating trips generated by new development.</p> <p><b><u>Plan changes</u></b> Include references to KCC Guidance on Transport Assessments and required thresholds for new developments.</p>
<p><u>Policy CS7 Issue 14: Distribution of development and transport provision</u></p> <p>The number of trips generated by development should be minimised through the careful positioning of development to existing transport infrastructure and through the mix use of development.</p>	<p>The distribution of development will support existing and proposed transport infrastructure provision. Development contributions through legal agreements and Community Infrastructure Levy will secure funding from new development to implement necessary improvements.</p> <p><b><u>Plan changes</u></b> None.</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS7 Issue 15: Measures to promote sustainable travel</u></p> <p>Parking charges in the town centre should be raised to force people out of their cars and onto more sustainable forms of travel.</p>	<p>The council proposes to introduce travel demand measures to encourage a shift to more sustainable modes of travel. The level of parking charges is not a matter for the local plan to address.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS7 Issue 16: New transport infrastructure</u></p> <p>The existing road network is insufficient to support the new development proposed. New transport infrastructure is needed to support this</p>	<p>The draft Integrated Transport Strategy includes provision for the transport infrastructure necessary to support the development proposed in the local plan. This is further supported through the Strategic Site Allocations (2012) document that sets out the infrastructure requirements for each of the strategic development sites.</p> <p><b><u>Plan changes</u></b> None.</p>
<b>Policy CS8: Economic development</b>	
<p><u>Policy CS8 Issue 1: Should the council plan for the maximum requirement set out in the Employment Land Review (ELR)</u></p> <p>A few representations have questioned whether the Core Strategy should be planning for the 'maximum' figures reported in the ELR. An argument is made that in the face of the recession, the approach risks the over-supply of land which will not be taken up</p>	<p>Since the 2011 draft Core Strategy was published, the estimates of the amount of B use class employment land that will be needed have been updated. The update was required because of the continuing impacts of the recession since the last estimate was prepared and the changes in the economic active population that would result from the interim draft housing target of 14,800 dwellings (2011-31). The resulting Employment Land Review (2013) report presents the land requirements in the form of a range and further recommends</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p>that provision toward the mid-low end of the range be planned for, in recognition of the local characteristics of employment land demand in the borough.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS8 Issue 2: Approach to existing employment sites</u></p> <p>Some representations propose that the expansion of existing employment sites should be permitted and that a more flexible approach to changes of use where the existing site does not meet modern business requirements and/or is better suited to alternative uses. The protection of employment land is contrary to paragraph 75 of the draft NPPF.</p>	<p>The objective of criterion 1 of policy CS8 is to help ensure the continued availability of the existing stock of sites and premises in economic use and in particular in the more sustainable larger settlements in the borough.</p> <p>The Local Plan will include a specific policy which will identify existing Economic Development Areas, safeguard their continued economic use and provide for their appropriate expansion. For clarity this approach should be set out in a dedicated criterion in the policy.</p> <p>Outside the identified Economic Development Areas covered above, it is considered that expansion of existing business premises in Maidstone and the rural service centres should be allowed for provided the site is in an appropriate location and suited to the use. In addition, the blanket restriction on changes of use to non-economic uses in the current policy does not provide any flexibility if, for example, there is no prospect of the premises being suitable for business needs. It is therefore recommended that the retention of such sites should also be subject to suitability and economic viability considerations.</p>

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Key issues Arising from Representations	Responses and Plan Changes
	<p><b><u>Plan changes</u></b></p> <p>Add a criterion to refer to the identification and planned expansion of existing Economic Development Areas at Maidstone and the rural service centres.</p> <p>Revise criterion 1 to set out the approach to the retention and expansion of existing premises (outside the identified Economic Development Areas) in Maidstone and the rural service centres including the omission of the blanket restriction on changes of use.</p> <p>Delete criterion 2 which duplicates criterion 1.</p>
<p><u>Policy CS8 Issue 3: The 10,000 jobs target</u></p> <p>Representations variously query the basis for the target, and states that it is too high or too low. Some state that the target should be increased relative to the housing target because each home will have more than one person who is economically active. One respondent states that it should be increased in line with representations elsewhere seeking an increased housing target. It is additionally stated that the jobs target cannot be achieved with the housing target of 10,080 dwellings.</p>	<p>The Local Plan will be revised to include targets for the provision of office, industrial, warehousing and retail floorspace rather than a jobs target as agreed at Cabinet on 26 July 2012. These revisions will be made under policy CS1 (borough wide strategy) of the draft Core Strategy 2011. The planning system directly impacts on the amount of development that takes place whereas jobs created/lost is impacted upon by a wider range of factors which planning policy does not influence.</p> <p><b><u>Plan changes</u></b></p> <p>Delete reference to 10,000 jobs in the policy and supporting text.</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS8 Issue 4: Sequential test</u></p> <p>The sequential test in CS8 should not relate to all employment development (including B8, B2 and all B1)</p>	<p>Agreed. The sequential test applies to retail, leisure and office uses only.</p> <p><b><u>Plan changes</u></b> Amend wording of CS8 criterion 5 to refer to retail, leisure and office uses only and move the requirement to a separate section at the end of the policy.</p>
<p><u>Policy CS8 Issue 5: New employment at villages not classed as rural service centres</u></p> <p>Representations additionally suggest that the 'local needs' requirement for rural economic development be omitted.</p>	<p>The local plan's overall spatial approach is to limit development in the countryside and to direct development to the borough's more sustainable settlements. It should also be recognised that a strong rural economy can contribute to the overall economic health of the borough and the NPPF promotes the sustainable growth and expansion of all types of business in rural areas (paragraph 28). In this regard, criterion 8 should be amended to omit the term 'local needs', which is not defined, and to allow for the expansion of existing economic development sites in the countryside with the recognition that the scale and impact of such development should be appropriate for a rural location.</p> <p><b><u>Plan changes</u></b> Amend criterion 8 to omit the term 'local needs' and to support proposals for the expansion of existing economic development sites in the countryside provided the scale and impact of development is consistent with the site's rural location and that the terms of Policy CS5 (countryside) are met.</p>

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<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS8 Issue 6: Warehouse provision</u></p> <p>Representations state that warehousing should not be a priority. Jobs are low skilled and not of the high quality that are being sought.</p>	<p>The employment from warehousing can contribute to the overall range of types of jobs offered in the borough.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS8 Issue 7: Distribution of employment land</u></p> <p>It would be better to distribute the entire employment land requirement across the borough with emphasis on brownfield sites within the urban area first. Mixed use development should be promoted close to settlement centres.</p>	<p>The local plan's overall spatial approach is to direct new development to the most sustainable settlements, namely Maidstone and the 5 Rural Service Centres. The employment land requirements take account of the supply from existing vacant premises. The requirements are for <u>additional</u> employment land and the strategic economic land availability assessment will help reveal what additional suitable sites are available both within the urban area and elsewhere. Criterion 8 of Policy CS8 specifically allows for employment use outside these locations where this can be appropriately justified.</p> <p><b><u>Plan changes</u></b> None.</p>
<b>Policy CS9: Housing mix</b>	
<p><u>Policy CS9 Issue 1: Strategic Housing Market Assessment (SHMA)</u></p> <p>House builders should determine mix/market/flexibility. Some developers think that the housing market will automatically meet need if it is allowed to operate unchecked. Developers would like to use their own</p>	<p>The SHMA looks at need as well as what the market determines is appropriate. While the council accepts that the SHMA is itself a snapshot in time, it provides an accurate reflection that should serve as a starting point for developers.</p> <p><b><u>Plan changes</u></b> Make it clearer that the SHMA will be one part of the</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
information rather than the SHMA.	evidence base, but that it is the starting point. Require that developers demonstrate how information from the SHMA has been incorporated.
<p><u>Policy CS9 Issue 2: Housing allocations at smaller villages</u></p> <p>Confusion with CS1 (borough wide strategy) – smaller villages do/don't need housing. Some consultees considered that CS9 was the appropriate policy in which to determine housing distribution for the plan.</p>	<p>CS1 (borough wide strategy) is the appropriate policy for setting the housing distribution strategy for the borough. CS9 determines housing mix and how different types and tenures of housing development should balance against each other.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS9 Issue 3: Policy detail</u></p> <p>More detail in policy required/do not cross reference to SHMA. The policy should set specific targets for housing mix.</p>	<p>The SHMA provides a valuable insight into the borough's housing market and this contains a lot of detail. If the policy contained more detail, rather than referring to a document that is easier to update, the rigidity could adversely affect the market situation. Retain flexibility and do not add rigid specifications to the policy.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS9 Issue 4: Accommodation for the elderly</u></p> <p>Elderly provision needs to be accounted for. It was considered that the policy did not effectively address the needs of the elderly.</p>	<p>The existing SHMA does address elderly provision in the borough. The updated SHMA will also address elderly provision in the borough.</p> <p><b><u>Plan changes</u></b> None.</p>



<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS9 Issue 5: Neighbourhood plans</u></p> <p>Parish councils should have influence over the mix of development, for example in neighbourhood plans.</p>	<p>Neighbourhood plans are different to the purpose of CS9, however, in relation to parish council influence, it is agreed that parish councils do hold valuable local information.</p> <p><b><u>Plan changes</u></b> Reference parish councils as a valuable local stakeholder.</p>
<p><u>Policy CS9 Issue 6: Correlation of dwelling size with the Strategic Housing Market Assessment</u></p> <p>Figures from SHMA do not correlate to the stated requirement for extra family size homes.</p>	<p>Family size housing is a requirement identified in the 2010 SHMA. The policy is flexible enough to respond to SHMA updates because it contains a cross reference to the accommodation profiles set out in the SHMA. Reproducing specific SHMA data in supporting text is superfluous.</p> <p><b><u>Plan changes</u></b> Delete specific 2010 SHMA data (dwelling sizes) from the supporting text.</p>
<b>Policy CS10: Affordable housing</b>	
<p><u>Policy CS10 Issue 1: Sub division of sites</u></p> <p>Consultees were concerned that the sub division of sites would enable developers to avoid affordable housing provision by avoiding the threshold.</p>	<p>This issue will be covered in the affordable and local needs housing supplementary document. In the policy, the threshold is being reduced to one unit, which will address this concern.</p> <p><b><u>Plan changes</u></b> Remove mention from policy as it is now addressed in a different way.</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS10 Issue 2: Viability</u></p> <p>Policy flexibility – for and against. In relation to viability, some consultees were concerned that if developers were allowed to use a viability argument they would not provide any affordable housing. Some consultees were happy that the viability clause of the policy was included as it allows the policy to be flexible and reasonable.</p>	<p>The policy needs to retain flexibility, otherwise it could be considered both as unjustified in terms of the NPPF, and simply against the viability principles of the NPPF.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS10 Issue 3: Affordable housing targets</u></p> <p>Adjustable targets, listen to SHMA, policy is crude, arbitrary percentage. Some developers suggested a graduated policy target e.g. a 20% requirement for 20 dwellings, a 30% requirement for 30 dwellings and a 40% requirement for 40 dwellings and above, or some variation of this. Developers also considered that a 40% uniform target was inflexible and crude, not taking account of viability evidence.</p>	<p>Viability testing, undertaken since the consultation, has informed a more detailed approach to affordable housing targets.</p> <p><b><u>Plan changes</u></b> Amend targets in policy to reflect further evidence.</p>
<p><u>Policy CS10 Issue 4: Viability</u></p> <p>The policy needs to be subject to viability testing as per the requirements of the NPPF.</p>	<p>Up to date viability testing has been undertaken on the new affordable housing targets.</p> <p><b><u>Plan changes</u></b> None.</p>
<p><u>Policy CS10 Issue 5: Relationship between affordable and market housing</u></p> <p>Contradiction in aims – affordable housing versus overall target. If more houses are built in general terms then more</p>	<p>Research has since been undertaken and is ongoing, relating to the housing target for the borough. The council needs to strike a balance between the provision of market housing and affordable housing – it is not as simple as just building more houses. Environmental issues would inevitably apply. Viability</p>

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<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
affordable housing will be delivered.	considerations also affect this.  <b><u>Plan changes</u></b> None.
<u>Policy CS10 Issue 6: Contributions towards affordable Gypsy &amp; Traveller accommodation</u>  The vast majority of respondents did not support the allocation of affordable housing funds from conventional sites being used to support the provision of affordable Gypsy and Traveller pitches.	Evidence work, since undertaken, has proved inconclusive on this issue. There is no clear evidence justifying the inclusion of this element of the policy.  <b><u>Plan changes</u></b> Remove Gypsy and Traveller contributions from policy.
<u>Policy CS10 Issue 7: Affordable housing provision in villages not classified as rural service centres</u>  Rural areas are concerned that they will receive no affordable housing as a result of this policy combined with the spatial distribution of development, defined in CS1 (borough wide strategy).	The local needs housing policy (CS11) will address how those areas that do not receive a supply of market housing, and thus general affordable housing, will be catered for.  <b><u>Plan changes</u></b> None.
<u>Policy CS10 Issue 8: Policy detail</u>  The policy is too prescriptive and this issue is better left to be addressed by the markets operating freely.	Leaving the issue to market forces is not an option. Beside socio-economic arguments, the fact that there is a substantial affordable housing need in the borough illustrates that further intervention is required. In terms of the remaining prescriptive elements of the policy, a lot of the detail will be substituted into the affordable and local needs housing supplementary document.  <b><u>Plan changes</u></b> Retain necessary detail in the policy, but other elements can be covered in the affordable and local needs housing

Key issues Arising from Representations	Responses and Plan Changes
	supplementary planning document.
<b>Policy CS11: Local needs housing</b>	
<p><u>Policy CS11 Issue 1: Clarification</u></p> <p>A lot of responses confused the purpose of this policy with that of CS10 (affordable housing), relating to the general provision of affordable housing through market developments. Other responses were unclear how occupation criteria operate and did not understand why local needs housing might not be available to a person with no connection to the settlement in question.</p>	<p>The purpose of this policy needs to be distinct from that of CS10 (general affordable housing). The confusion relating to occupation criteria stems partly from this. However, there does remain an issue of clarity and how these apply/why they apply.</p> <p><b><u>Plan changes</u></b></p> <p>Amend supporting text wholesale to better describe how local needs housing works.</p> <p>Delete the occupation criteria and relocate to the affordable and local needs housing supplementary planning document where more justification and detail can be included.</p>
<p><u>Policy CS11 Issue 2: Defining settlements that the policy covers</u></p> <p>Some consultees considered that this policy was the appropriate point of the document to determine which settlements this policy applies to, i.e. spatial distribution of development.</p>	<p>CS1 (borough wide strategy) is the appropriate policy relating to settlement types and which of these settlements are allocated housing development. There does, however, need to be further distinction as to where exception sites are located. The nature of exception sites is that they would not normally be considered, but an appropriate level of the decision making process still needs to consider sustainability factors.</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p><b>Plan changes</b> Include criteria relating to the appropriate location of local needs housing.</p>
<p><u>Policy CS11 Issue 3: Conformity with the NPPF</u></p> <p>Some consultees considered that this policy did not conform to the Localism Bill/draft National Planning Policy Framework (NPPF) as they were.</p>	<p>The Localism Bill was enacted in 2011 and the NPPF was published in 2012. All policies have been amended with this in mind.</p> <p><b>Plan changes</b> Incorporate appropriate elements of the NPPF into CS11.</p>
<b>Policy CS12: Gypsy, Traveller and Travelling Showpeople accommodation</b>	
<p><u>Policy CS12 Issue 1: Gypsy &amp; Traveller Accommodation Assessment (GTAA)</u></p> <p>The current GTAA is not robust or credible and, as policy is based on it, the policy is therefore no longer credible either. There is a need to explain how the current pitch figure evolved from the GTAA. Several representations commented that 71 pitches seems a high level and several others commented that this figure was too low to reflect the reality of the situation. There were a number of comments that the GTAA did not cover the whole of the plan period and questions have been asked about how we are treating any completions from the period from 2006 to 2011.</p>	<p>A new Gypsy and Traveller and Travelling Showpeople Accommodation Assessment has been completed by Salford University. This assessment reveals a need for some 157 Gypsy &amp; Traveller pitches and some 9 Travelling Showpeople plots between October 2011 and March 2026. These targets have been approved by Cabinet for inclusion in the local plan at its meeting in March 2012.</p> <p>The plan period will be extended to 2031 which means that the pitch and plot requirements have needed to be rolled forward a further 5 years by Salford University. This results in a Gypsy pitch target for 2026-31 of 30 pitches and a Travelling Showpeople plot target of 2 for the same period. The requirements for the whole plan period (2011-31) become 187 pitches and 11 plots.</p> <p>Permanent consents granted since October 2011 contribute</p>

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Key issues Arising from Representations	Responses and Plan Changes
	<p>to the achievement of these targets. Policy CS12 should be amended to include these updated targets (including the intervening targets for the 5 year periods 2011-16, 2017-21, 2022-26 and 2027-31).</p> <p><b>Plan changes:</b> Amend Policy CS12 and the preceding text to include the pitch and plot targets derived from the new Gypsy &amp; Traveller and Travelling Showpeople Accommodation Assessment for the period 2011 to 2031.</p>
<p><u>Policy CS12 Issue 2: Policy criteria</u></p> <p>A number of issues were raised about the detail of the criteria in the policy:</p> <ul style="list-style-type: none"> <li>• The policy should be worded in the positive; "permission will be granted when..."</li> <li>• Criterion 1 (accessibility): the terms used are too vague</li> <li>• Criterion 2 (landscape): the criterion is too onerous</li> <li>• Criterion 4 (flood risk): the Environment Agency's maps are a crude tool and site specific Flood Risk assessments should be referred to. The Environment Agency (EA) states that temporary/seasonal sites are acceptable in flood risk areas</li> <li>• A biodiversity criterion is needed (Kent Wildlife Trust)</li> </ul>	<p>To bring this policy into line with others in the local plan, it should be amended to refer to the conditions when consent will be granted, rather than when it will be refused. For clarity, a further addition should be made to the policy that permission will also be granted on the sites specifically allocated for this use.</p> <p>Criterion 1: This criterion should be revised to be more specific about what 'sustainable modes' are namely on foot, by cycle or public transport. It is not accepted that the criterion is vague. Government guidance points to the importance of access to health and education facilities and in view of the rural nature of many of the Gypsy sites proposed this is considered to be a relevant consideration. Nonetheless, incorporating specific distance thresholds in the policy is not recommended as these would of necessity be arbitrary. Indeed it is recognised that accessibility will be a matter of judgement as this will depend upon such matters as the condition and nature of the connecting routes and the</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p>regularity and destination of bus services.</p> <p>Criterion 2: Landscape impact is considered to be a critical consideration. The criterion would be improved if it were more explicit about the factors which would govern the judgement about landscape impact, namely the impact on landscape character, as set out in the landscape character assessment, the cumulative landscape impact arising from the development in conjunction with other caravans and the extent to which the development would be screened by existing, permanent landscape features. The scope for additional planting to supplement existing features should also be usefully recognised in the policy.</p> <p>Criterion 4: This criterion would be improved by specific reference to flood zones 3a and 3b rather than 'an area liable to flood'. In addition, the actual flood risk (or lack of risk) is sometimes confirmed through a site specific Flood Risk Assessment (FRA) as these can offer a more refined analysis than the Environment Agency's (EA) flood risk maps alone. This should be reflected in the policy with the clear caveat that any such FRAs must have the approval of the EA. The view of the EA regarding sites with temporary consent is not accepted in this case. Experience of planning applications in the borough and EA advice on them is that Gypsy and Traveller applications for temporary permission are also regarded as highly vulnerable to flooding. The key issue is the nature of the occupation, i.e. that the caravan is used as a primary residence albeit that the consent is time limited for a period of years.</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p>In addition, an ecology criterion should be added to the policy. Gypsy sites are frequently proposed on rural sites which have the potential to be of ecological value. In such cases, habitat and species studies are needed to identify the potential for ecological impacts and to identify whether these can be addressed through mitigation.</p> <p>Criterion 3, which relates to highways access, would benefit from the clarification 'by vehicles using the site on a regular basis'.</p> <p><b>Plan changes:</b>                      Reword policy CS12 (1) to refer to health/education facilities being accessible from the site preferably on foot, by cycle or by public transport.</p> <p>Reword CS12 (2) to specify the key landscape considerations of impacts on landscape character.</p> <p>Add to CS12 (3) 'by vehicles using the site on a regular basis'.</p> <p>Add a new criterion requiring ecological survey and the confirmation of arising mitigation and enhancement measures.</p>



<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS12 Issue 3: Affordable pitches</u></p> <p>There was uncertainty for some respondents whether affordable pitches on public sites would contribute to the target number of pitches. Another questioned how quickly the financial contributions towards affordable pitches would be accumulated.</p>	<p>An addition to the text preceding the policy should be made to clarify that any affordable pitches delivered would indeed contribute to the overall pitch target. In the first part of the plan period, 15 public pitches will be delivered using the £1.3million Homes &amp; Communities Agency grant.</p> <p>The requirement in Policy CS10 (affordable housing) to seek financial contributions towards affordable Gypsy pitches will not be pursued. A consequent change is needed to remove the cross reference in Policy CS12 to that aspect of Policy CS10.</p> <p><b>Plan changes:</b> Add text to confirm that affordable pitches as well as private sites contribute to the achievement of the pitch target.</p> <p>Omit the sentence 'financial contributions will be sought for the provision of affordable pitches for affordable rent as set out in Policy CS10 as part of the overall affordable housing requirement'.</p>
<p><u>Policy CS12 Issue 4: Site allocations</u></p> <p>A number of representations request that Gypsy site allocations be made as soon as possible. Large housing sites should include Gypsy pitches. Some representations state that a more even borough distribution of pitches should be achieved.</p>	<p>Gypsy and Traveller site allocations will be made in the Local Plan. The criteria in the policy will be applied in the allocation of sites and this could usefully be clarified in the preceding text as could the national planning policy requirement that local planning authorities should demonstrate a 5 year supply of housing land. Allocated sites should be used in preference to granting consent on windfall sites.</p> <p>At its starting point the search for new Gypsy sites for</p>

Key issues Arising from Representations	Responses and Plan Changes
	<p>allocation will encompass the whole of the borough. As for conventional housing, sites to be allocated will need to be suitable and available as well as being deliverable now, or at a point in the future. When sites are assessed for their suitability in planning terms, recognised planning constraints must be given weight such as the AONB and Green Belt designations, alongside areas of flood risk. Just as the distribution of land with significant planning constraints is uneven, the availability of suitable sites which are acceptable in planning terms will be, in reality, uneven. A pre-determined 'quota' approach would fail to recognise that site allocations should stem from an objective planning assessment of candidate sites, alongside an assessment of their availability and deliverability, so that the most appropriate sites are allocated.</p> <p><b><u>Plan changes</u></b></p> <p>Amend the preceding text to confirm that the policy criteria will guide both the determination of planning applications and the allocation of sites in the Local Plan.</p> <p>Amend the preceding text to refer to the requirement in 'Planning for Traveller sites' for local planning authorities to demonstrate a 5 year supply of Gypsy sites, that allocated sites should be used in preference to granting consent on windfall sites and that there is a preference for sites adjacent to settlements.</p>

Key issues Arising from Representations	Responses and Plan Changes
<b>Policy CS13: Historic and natural environment</b>	
<p><u>Policy CS13 Issue 1: Definition and scope of natural assets</u></p> <p>A number of respondents voiced concern that the wider landscape and assets such as hedgerows and trees would not be properly encompassed within 'natural assets'.</p>	<p>The policy name and the associated text can be improved to ensure it reflects the terminology in the NPPF and is more specific in terms of 'natural assets' defined within the policy.</p> <p><b><u>Plan changes</u></b> Amend the policy name, the policy itself and the associated text to "Historic and Natural Environment".</p>
<p><u>Policy CS13 Issue 2: Landscape</u></p> <p>Reference to landscape designations and the importance of ensuring appropriate protection is also considered to be inconsistent.</p>	<p>It is agreed that landscape is a core policy matter better dealt with under CS13.</p> <p><b><u>Plan changes</u></b> Move supporting text and policy relating to landscape from CS5 (Countryside) to CS13.</p>
<p><u>Policy CS13 Issue 3: Loss of agricultural land</u></p> <p>Criticism has been expressed over the lack of protection for higher grade agricultural land.</p>	<p>The economic issues of loss of agricultural land are best addressed in policy CS5 (countryside) whilst the role of soil in contributing to biodiversity is better dealt with under CS13.</p> <p><b><u>Plan changes</u></b> Amend supporting text and add a reference to high grade agricultural land in policy CS5 (countryside) and its supporting text. Add an explanation of the role of soil to biodiversity to the supporting text of CS13.</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS13 Issue 4: Habitat connectivity</u></p> <p>Views have been expressed relating to the lack of specific references to the importance of ensuring habitat connectivity through enhancing and extending linkages as opposed to just protecting those that currently exist.</p>	<p>Policy CS13 can be more definitive about its support for improved habitat connectivity and promote the need to act on opportunities to enhance and extend linkages as well as protect existing linkages.</p> <p><b><u>Plan changes</u></b> Amend supporting text and policy wording for improved habitat connectivity.</p>
<p><u>Policy CS13 Issue 5: Public rights of way (PRoW)</u></p> <p>The policy does not address the need to protect the existing public rights of way network or to create new links to the existing network to help improve connectivity.</p>	<p>Policy CS13 can provide better safeguarding for the existing public rights of way network and more guidance on improving and enhancing the network.</p> <p><b><u>Plan changes</u></b> Amend supporting text and policy wording to safeguard the existing public rights of way network and improve connectivity.</p>
<p><u>Policy CS13 Issue 6: Climate change</u></p> <p>The issues of concern to respondents include the lack of a reference to water shortages in policy criterion 5 together with a lack of recognition of the Water Framework Directive within the policy and supporting text generally.</p>	<p>The issue of climate change should be broadened to incorporate references to drought, water storage and water quality into the supporting text. The local plan should encapsulate the aims of the Water Framework Directive in order to help the local authority met its responsibility to not compromise the achievement of UK compliance with EC Directives.</p> <p><b><u>Plan changes</u></b> Amend wording of supporting text to add a new section on the Water Framework Directive.</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p><u>Policy CS13 Issue 7: Historic environment</u></p> <p>A key concern is the lack of recognition of heritage assets such as conservation areas, listed buildings and historic parks within the policy.</p>	<p>The policy name and the associated text can be improved to ensure it reflects the terminology of the NPPF and is more specific in terms of 'heritage assets' defined within the policy.</p> <p><b><u>Plan changes</u></b> Amend policy name, policy criteria and associated text to replace "natural assets" with "historic and natural environment".</p>
<p><u>Policy CS13 Issue 8: Open space provision</u></p> <p>Not enough detail has been provided as to how open/green space deficiencies will be identified and addressed.</p>	<p>The policy and its supporting text would benefit from including more definitive advice as to how deficiencies in open space and facilities will be identified and how those deficiencies will be expected to be met. Reference should be made to the Open Space Development Plan Document and the local standards it contains.</p> <p><b><u>Plan changes</u></b> Amend supporting text to explain how open space deficiencies will be met and cross reference the policy to the Open Space Development Plan Document.</p>
<b>Policy CS14: Infrastructure delivery</b>	
<p><u>Policy CS14 Issue 1: Reference to potential reduction in community infrastructure levy (CIL) requirement</u></p> <p>Respondents are concerned that CIL must be charged in full to all developers, the general concern being that the last paragraph of Policy CS14 and the supporting text para 8.9</p>	<p>Some types of development are automatically exempt from CIL (e.g. affordable housing, social housing, development used for charitable purposes) so the policy can not simply say that CIL will be charged on all development.</p> <p>Viability testing (ongoing) will help to determine what the CIL levy will be, or whether the council will use a range of levies</p>

<b>Key issues Arising from Representations</b>	<b>Responses and Plan Changes</b>
<p>readily commits the Borough Council to consideration of reduced CIL contributions.</p>	<p>for housing, employment, retail etc. Once the CIL levy is adopted, it will be applied on all development that meets the qualifying criteria and this will be non negotiable. This needs to be reflected more clearly in the policy.</p> <p><b><u>Plan changes</u></b> Delete paragraph 4 of Policy CS14 and amend the policy to make clear that CIL will be charged to all developments that meet the qualifying criteria, as set out in the charging schedule. Amend the supporting text to ensure consistency with the above.</p>
<p><u>Policy CS14 Issue 2: The role of CIL and the need to prioritise infrastructure</u></p> <p>A number of respondents expressed concern about how infrastructure in the borough will be funded.</p>	<p>The supporting text lacks detail on the intended role of CIL and the importance of prioritising critical infrastructure schemes to ensure the local plan is deliverable.</p> <p><b><u>Plan changes</u></b> Amend supporting text to explain the role of CIL. Include infrastructure priorities in the policy and supporting text, and re-consult on the policy through public consultation (regulation 18).</p>

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

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## Policy NPPF1 - Presumption in favour of sustainable development

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

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

### Policy NPPF 1

#### Presumption in favour of sustainable development

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

### Policy CS5 - Countryside

#### The Countryside

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

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

#### Rural Economy

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

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

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

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

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

### Rural Settlements

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

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

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

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

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

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

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

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

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

### CS5 - Countryside

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

### **Delivery and Monitoring**

#### **Delivery**

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

#### **Monitoring**

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

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

#### Strategic housing sites

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

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

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

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

#### Transport

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

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

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

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

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



### Education

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

### Health, community facilities and open space

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

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

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



### Policy SS1

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

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

#### Transport:

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

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

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

#### General:

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

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

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

### Policy SS1a - Bridge Nursery

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

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

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

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

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

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

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

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

1 No.2 of 2002.

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

### Policy SS1a

#### Bridge Nursery

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

#### On site:

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

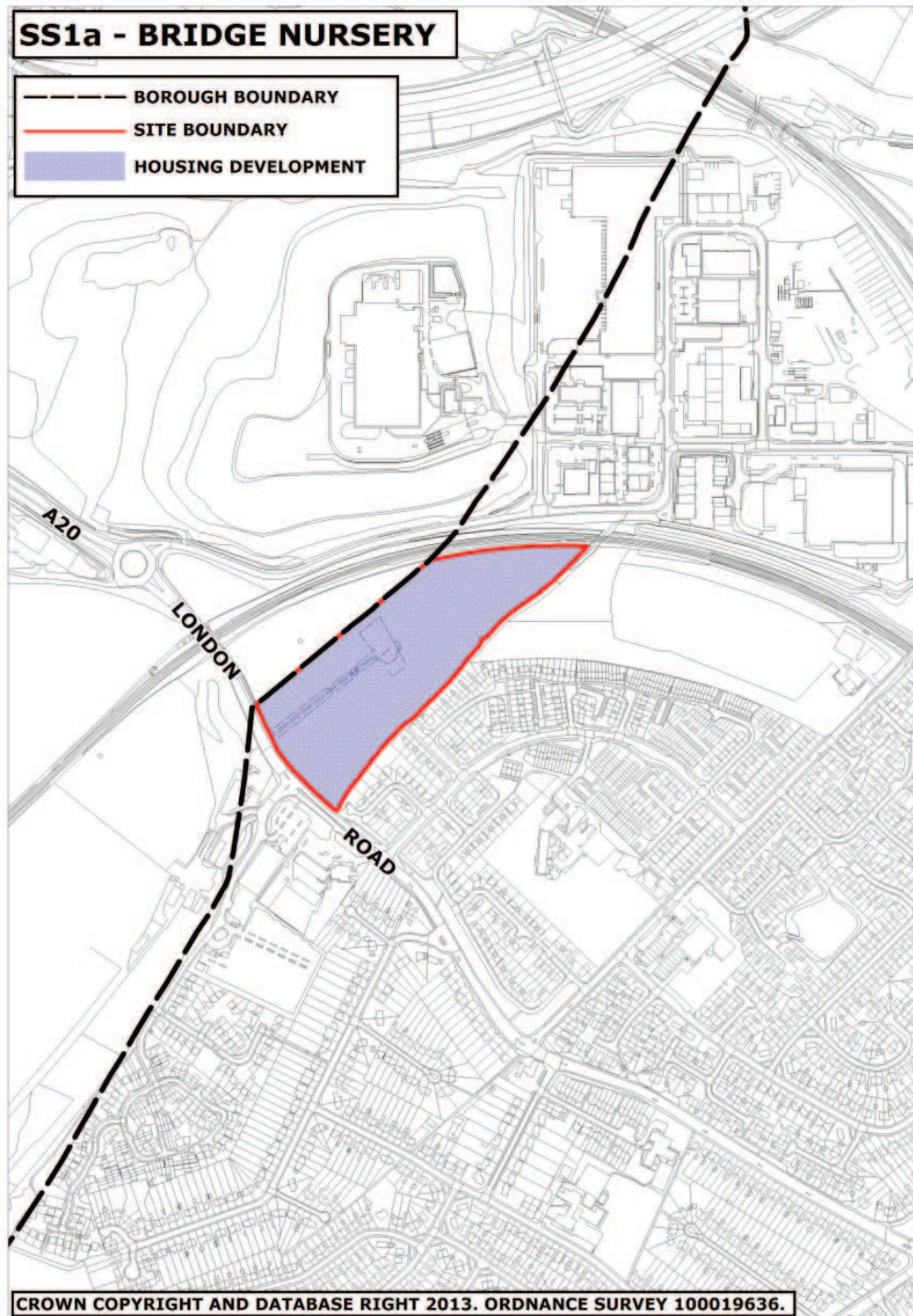
#### Off site:

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

#### Financial contributions:

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

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





### Policy SS1b - East of Hermitage Lane

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

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

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

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

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

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

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

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

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

4 Refer to supporting text for policy SS1.

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

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

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

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

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

### Policy SS1b

#### East of Hermitage Lane

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

#### On site:

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

5 Refer to supporting text for policy SS1.



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

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

#### **Off site:**

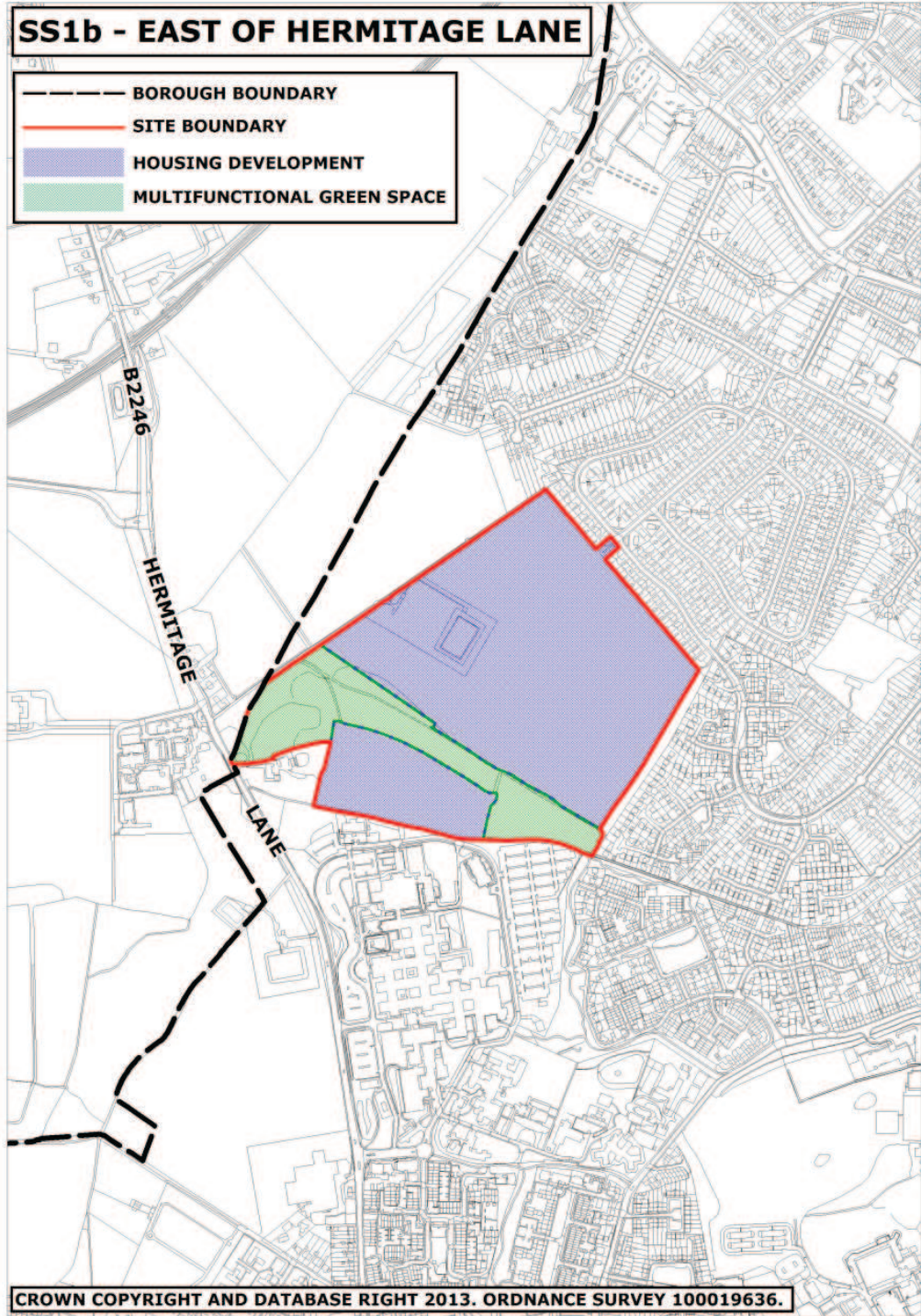
17. Use of land north west of the footpath/restricted byway, as far as the Maidstone East railway line, to mitigate ecological impacts and to provide open space for community purposes; and
18. Provision of a direct pedestrian footpath, complementary to the current character of the orchard and open fields,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

#### **Financial contributions:**

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

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

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



### Policy SS1c - West of Hermitage Lane

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

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

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

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

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

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

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

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

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

### Policy SS1c

#### West of Hermitage Lane

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

##### On site:

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

##### Off site:

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

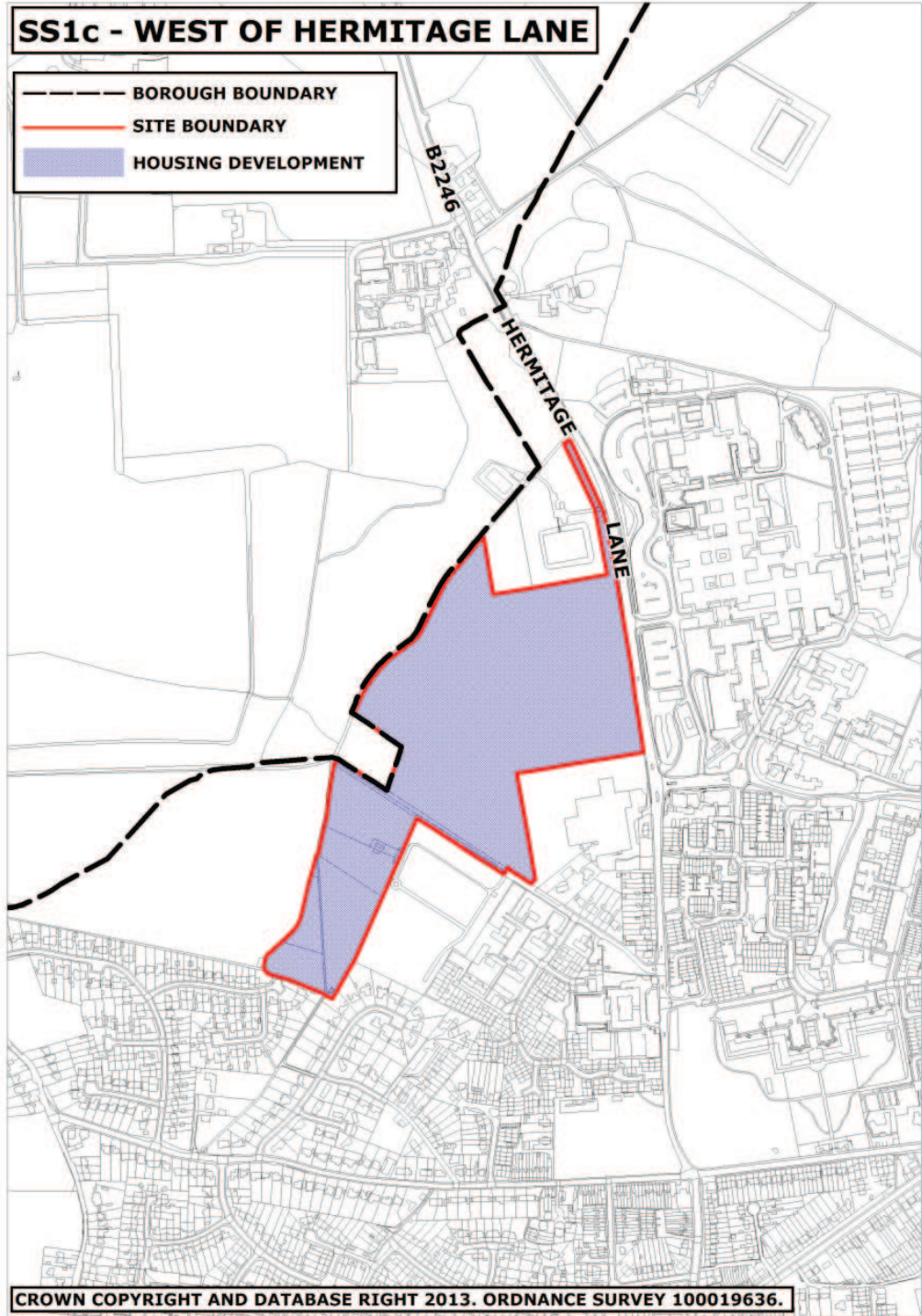
##### Financial contributions:

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

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



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



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

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

#### **Transport**

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

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

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

#### **Education**

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

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

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

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

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



### Policy SS 2

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

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

#### Transport

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

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

#### General

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

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

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

### Policy SS2a - Langley Park

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

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

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

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

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

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

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

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

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

### Policy SS 2a

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

#### On site:

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

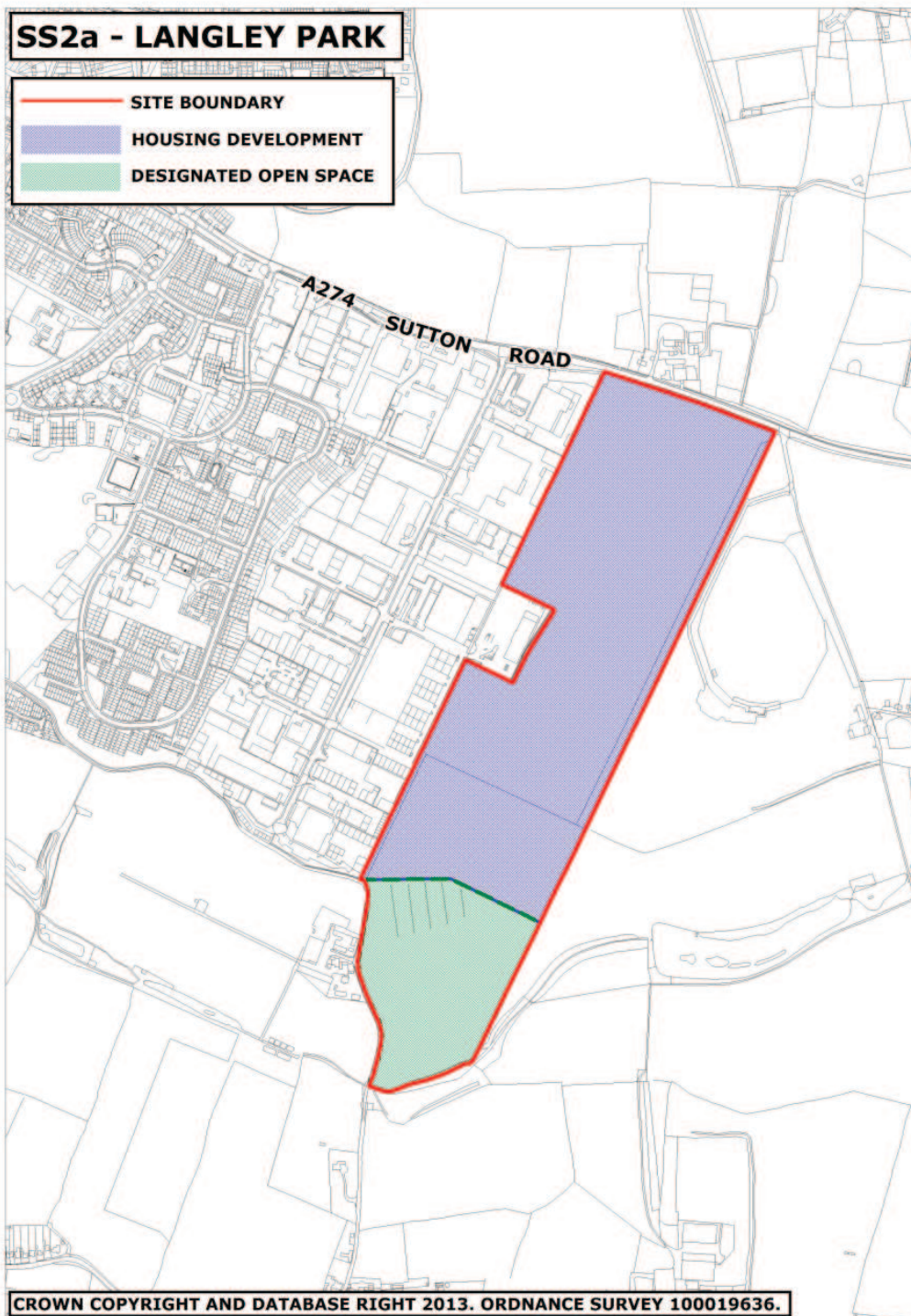
#### Off site:

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

#### Financial contributions

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

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



### Policy SS2b - North of Sutton Road

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

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

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

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

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



### Policy SS 2b

#### North of Sutton Road

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

#### On site:

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

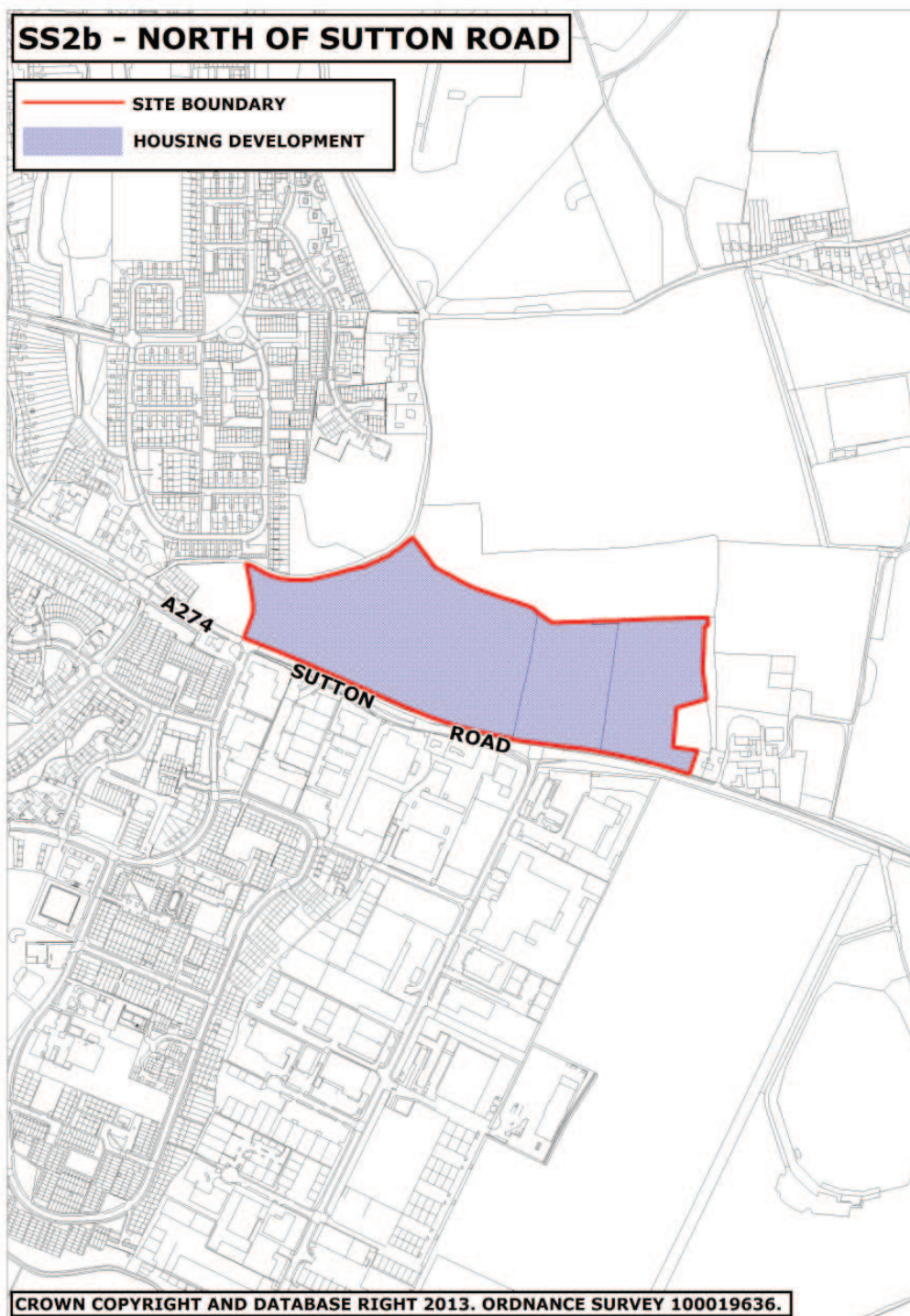
#### Off site:

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

#### Financial contributions:

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

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





### Policy SS2c - North of Bicknor Wood

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

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

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

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

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

### Policy SS 2c

#### North of Bicknor Wood

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

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

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

#### On site:

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

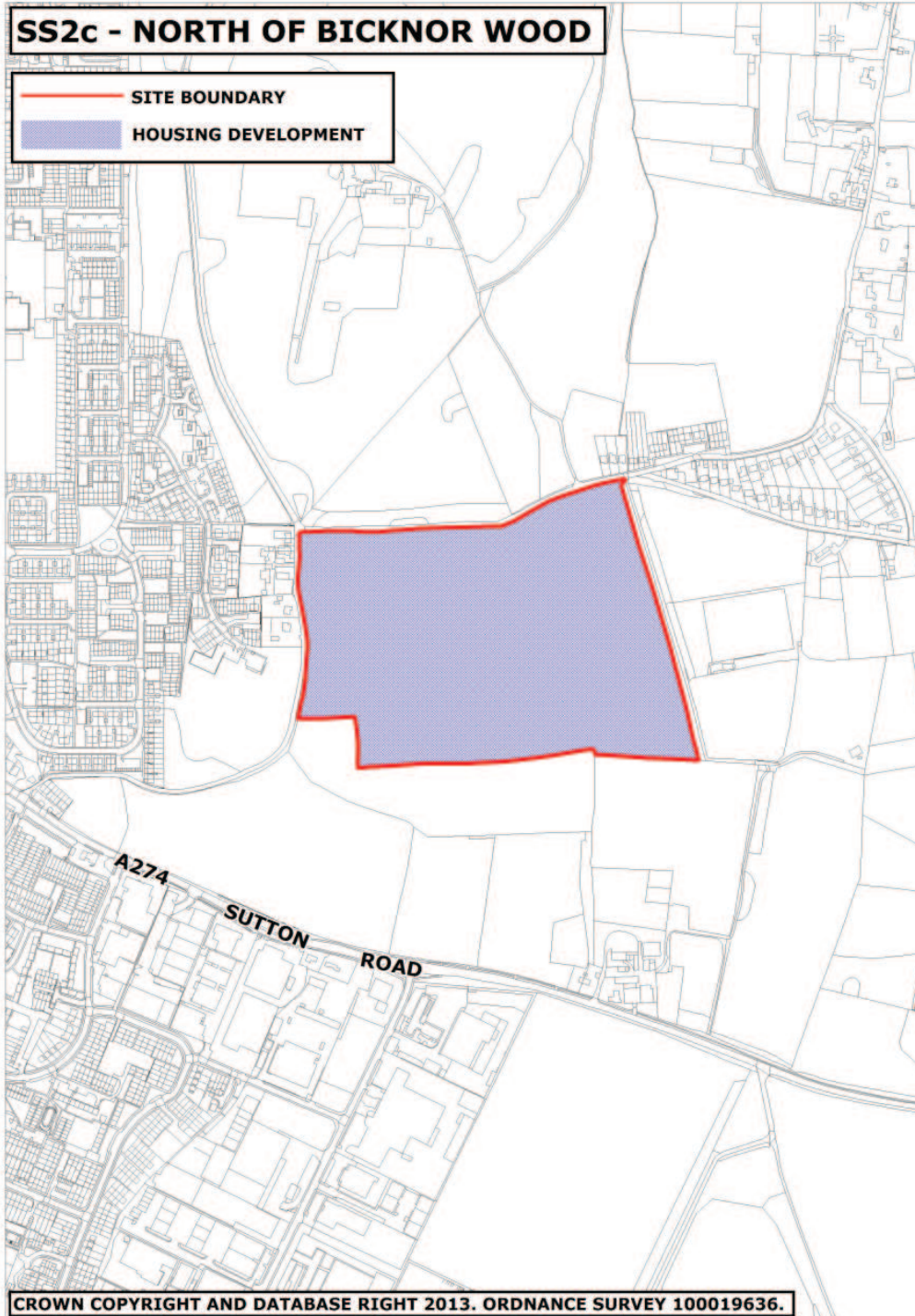
#### Off site:

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

#### Financial contributions:

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

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



### Policy SS4 - Newnham Park

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

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

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

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

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



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

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

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

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

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

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

7 TPO No. 1 of 2002 and TPO No. 13 of 2011  
8 Landscape Character Area Assessment 2012 - ref 14-1.

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

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

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

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

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

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

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

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

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

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

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

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

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

### Policy SS 4

#### Newnham Park

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

#### On site:

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



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

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

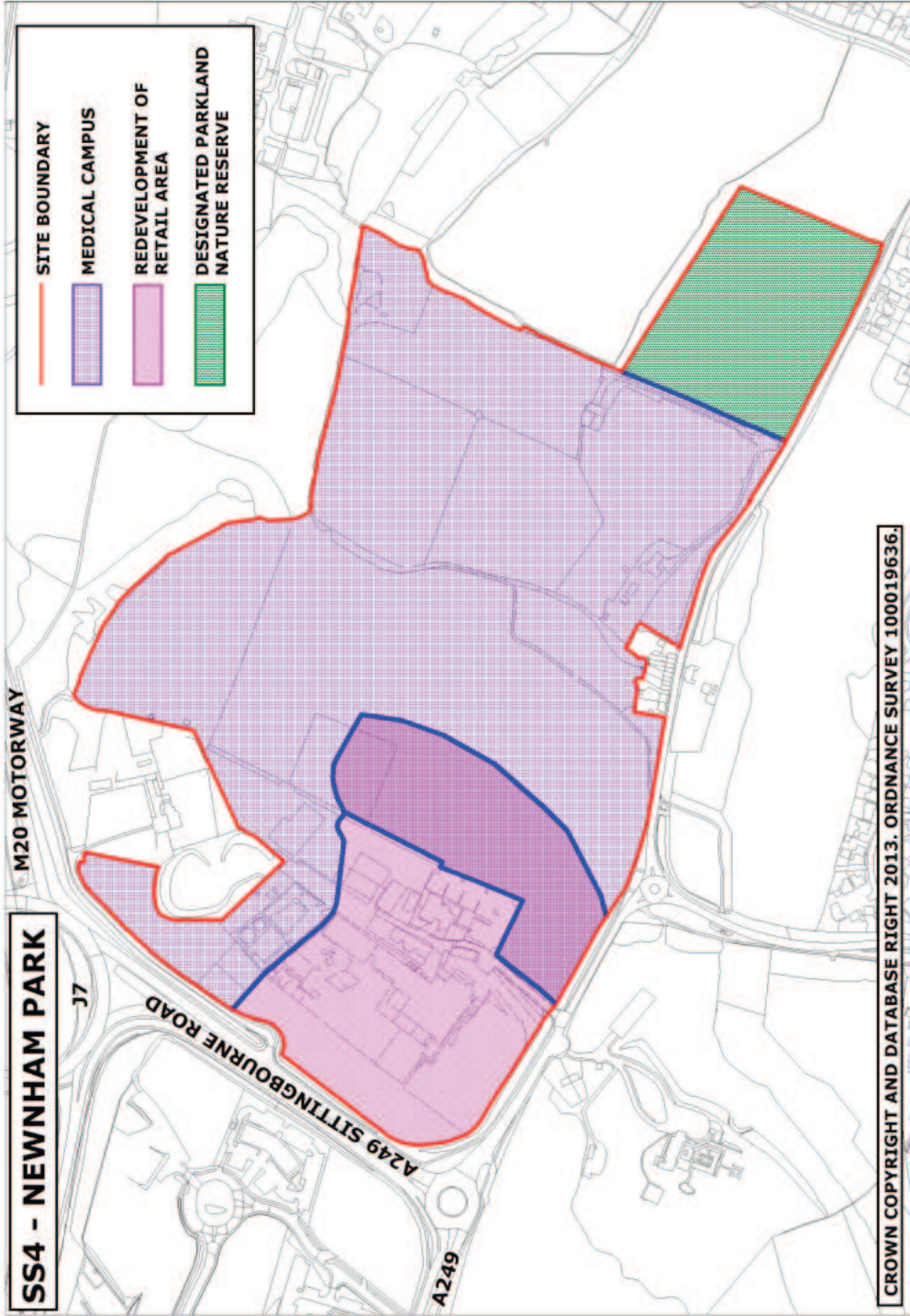
### **Off site:**

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

### **Financial contributions:**

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

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



### Policy CS6 - Sustainable construction standards

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

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

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

### Policy CS 6

#### Sustainable design and development

Development proposals in the borough will:

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

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

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

**Monitoring**

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

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

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

**Traffic Congestion**

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

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

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



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

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

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

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

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

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

### **Air Quality**

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

## Parking

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

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

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

## Rail Services

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

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

### Bus Services

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

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

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

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

### Influencing Travel Behaviour

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

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



## Cycling and Walking

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

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

## Safe and Inclusive Public Environments

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

## Assessing the Transport Needs of Development

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

### Policy CS 7

#### Sustainable transport

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

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

## Delivery and monitoring

### Delivery

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

### Monitoring

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

## Policy CS8 - Economic development

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

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

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

9 Annual Monitoring Report 2011/12.

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

11 Population Forecasts, Kent County Council (October 2012)

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

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

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

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

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

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

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

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

### Centre hierarchy

Primary regional town centre – Maidstone town centre

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

Existing district centres include:

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

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

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

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

### Policy CS 8

#### Economic development

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

#### Delivery and monitoring

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

#### Monitoring

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

**Policy CS9 - Housing mix**

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

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

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

**Policy CS 9****Housing mix**

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

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

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



### Delivery and monitoring

#### Delivery

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

#### Monitoring

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

### Policy CS10 - Affordable housing

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

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

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

#### Targets by area

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



## Policy CS 10

### Affordable housing

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

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

This provision will consist of:

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

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

### Delivery and monitoring

#### Delivery

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

#### Monitoring

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

### Policy CS11 - Local needs housing

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

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

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

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

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

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

## Policy CS 11

### Local needs housing

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

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

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

### Delivery and monitoring

#### Delivery

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

#### Monitoring

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

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

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

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

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

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

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

Table 6.1

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

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

### Policy CS 12

#### Gypsy and Traveller accommodation

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

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

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

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

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

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

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

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

**Monitoring**

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

**Policy CS13 - Historic and natural environment**

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

**Historic Environment**

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

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

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

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

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

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

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

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

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



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

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

### Climate Change

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

### Water Framework Directive

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

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

### Biodiversity

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

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

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

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

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

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

## Landscape

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

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

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

### Policy CS 13

#### CS13 – Historic and Natural Environment

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

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

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

### **Delivery and monitoring**

#### **Delivery**

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

#### **Monitoring**

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

### Policy CS14 - Infrastructure delivery

#### Providing the infrastructure needed to support growth

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

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

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

#### Dedicated planning agreements

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



## Policy CS 14

### Infrastructure delivery

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

#### Infrastructure priorities for residential development:

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

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

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

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

### **Delivery and monitoring**

#### **Delivery**

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

#### **Monitoring**

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