

# STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE MEETING

Date: Tuesday 4 December 2018  
Time: 6.30 pm  
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors D Burton (Chairman), Clark, Cox, Field, Garten, Mrs Grigg (Vice-Chairman), Munford, Parfitt-Reid and de Wiggondene-Sheppard

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

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| 1. Apologies for Absence                                                                                             |                 |
| 2. Notification of Substitute Members                                                                                |                 |
| 3. Urgent Items                                                                                                      |                 |
| 4. Notification of Visiting Members                                                                                  |                 |
| 5. Disclosures by Members and Officers                                                                               |                 |
| 6. Disclosures of Lobbying                                                                                           |                 |
| 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information |                 |
| 8. Minutes of the meeting held on 6 November 2018                                                                    | 1 - 8           |
| 9. Presentation of Petitions (if any)                                                                                |                 |
| 10. Questions and answer session for members of the public                                                           |                 |
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**Issued on Monday 26 November 2018**

**Continued Over/:**



**Alison Broom, Chief Executive**

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### **PUBLIC SPEAKING AND ALTERNATIVE FORMATS**

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

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting (i.e. 30<sup>th</sup> November 2018) . If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk).

Should you wish to refer any decisions contained in these minutes to the Policy and Resources Committee, please submit a Decision Referral Form, signed by three Councillors, to the Head of Policy, Communications and Governance by: 19<sup>th</sup> November 2018.

## **MAIDSTONE BOROUGH COUNCIL**

### **Strategic Planning, Sustainability and Transportation Committee**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 6 NOVEMBER 2018**

**Present:** Councillors D Burton (Chairman), Clark, Cox, Field, Garten, Mrs Grigg, Munford, Parfitt-Reid and de Wiggondene-Sheppard

**Also Present:** Councillors Daley, McKay, Newton, Perry and Round

94. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

Apologies for lateness were received from Councillor de Wiggondene-Sheppard.

95. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Perry was substituting for Councillor de Wiggondene-Sheppard until he arrived.

96. **URGENT ITEMS**

It was noted that urgent updates had been accepted for the following items:

- Item 17. Park and Ride Alternatives. The reason for urgency was that the urgent update was a letter from Kent County Council which was submitted after the deadline for publication. It was in the interests of Committee Members and members of the public to have full sight of the document when this item was being considered.
- Item 20. Tonbridge & Malling Local Plan Reg. 19 Consultation. The reason for urgency was that the update provided additional clarity regarding housing impact and air quality.

97. **NOTIFICATION OF VISITING MEMBERS**

The following Visiting Members were present:

- Councillor Round, who reserved his right to speak on Item 19. Local Enforcement Plan.

- Councillor Newton, who reserved his right to speak on Item 16. Park and Ride – Pay to Park Trial and Item 17. Park and Ride Alternatives.
- Councillor McKay, who reserved his right to speak on Item 16. Park and Ride – Pay to Park Trial and Item 17. Park and Ride Alternatives.
- Councillor Daley, who reserved his right to speak on Item 16. Park and Ride – Pay to Park Trial and Item 17. Park and Ride Alternatives.

98. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

99. DISCLOSURES OF LOBBYING

All Members disclosed that they had been lobbied on:

- Item 16. Park and Ride – Pay to Park Trial;
- Item 17. Park and Ride Alternatives;
- Item 18. Protection of the Greensand Ridge; and
- Item 20. Tonbridge & Malling Local Plan Reg.19 Consultation

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

**RESOLVED:** That all items be taken in public as proposed.

101. MINUTES OF THE MEETING HELD ON 9 OCTOBER 2018

**RESOLVED:** That the minutes of the meeting held on 9 October 2018 be approved as a correct record and signed.

Voting: Unanimous

102. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

103. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

104. COMMITTEE WORK PROGRAMME

Mr Mark Egerton, Strategic Planning Manager, informed the Committee that:

- The “Local Plan Review Evidence Base and Need” item scheduled for 4 December 2018 was no longer necessary.
- The “Local Plan Review Spatial Approach” was to present the Local Plan Review Call for Sites Information Pack, per the resolution of the Strategic Planning, Sustainability and Transportation Committee on 9 October 2018.
- A response to the Government’s National Planning Policy Framework and National Planning Policy Guidance consultation, which focussed on changes to the standardised methodology and habitat regulations assessment, was to be brought to the Committee on 4 December 2018.

**RESOLVED:** That the Committee Work Programme be noted.

105. REPORTS OF OUTSIDE BODIES

**RESOLVED:** That the Reports of Outside Bodies be noted.

106. DRAFT MEDIUM TERM FINANCIAL STRATEGY 2019/20 - 2023/24

Ms Ellie Dunnet, Head of Finance, informed the Committee that the Draft Medium Term Financial Strategy 2019/20 - 2023/24 was presented for consideration and comment. Ms Dunnet explained that as there was financial uncertainty for the period of 2020 onwards, three scenarios had been modelled to reflect neutral, adverse and favourable revenue projections.

In response to questions from the Committee, Ms Dunnet explained that the document was a draft and reflected the current draft consultation version of the Council’s Strategic Plan. The strategic objectives in the final Strategy would reflect the objectives of the Strategic Plan once it had been agreed by Council.

**RESOLVED:** That the Draft Medium Term Financial Strategy 2019/20 - 2023/24 report be noted.

Note: Councillor de Wiggondene-Sheppard arrived during consideration of this item.

107. Q2 PERFORMANCE REPORT 2018/19

Mr Rob Jarman, Head of Planning and Development, informed the Committee that all Key Performance Indicators (KPIs) were on target.

The Committee expressed their thanks to Officers, and commented that this represented excellent progress. It was stated that KPIs could be adjusted to ensure that the most relevant matters were subject to monitoring.

**RESOLVED:** That the summary of performance for Quarter 2 of 2018/19 for Key Performance Indicators (KPIs) be noted.

108. Q2 BUDGET MONITORING 2018/19

Ms Dunnet informed the Committee that there was a negative variance against the budget during Quarter 2, and this was forecasted to total £231,000 by the end of the financial year. Contributing factors to the negative variance included unmet Development Control Applications income targets and the subsidy cost of the Park and Ride service. It was stated that the Council as a whole was projected to end the financial year within budget.

The Committee expressed concern at the update.

Mr Jeff Kitson, Parking Services Manager, explained to the Committee that Penalty Charge Notices (PCNs) hadn't changed significantly in number, and that the anomalous data in the report was due to the introduction of a new reporting tool that required adjustment. Mr Kitson confirmed that this was to be resolved ahead of Quarter 3.

The Committee recognised that while income associated with Development Control Applications was below the budgeted figure, this was expected to increase in the coming years when the Local Plan Review was fully underway. Although the financial figures did not read positively, it was welcomed that the Local Plan had given additional control to planning matters.

**RESOLVED:** That

1. The revenue position at the end of the second quarter and the actions being taken or proposed to improve the position, where significant variances have been identified, be noted.
2. The capital position at the end of the second quarter be noted.

109. PARK AND RIDE – PAY TO PARK TRIAL

Mr Kitson explained to the Committee that the trends demonstrated in the Park and Ride – Pay to Park Trial report used data from June 2018 to September 2018. Mr Kitson stated that an income of £65,000 had been recorded for the first four months, which represented an overall deficit of £49,000 for the service. While the small data sample did not enable accurate forecasting, if the trends continued, a deficit of £134,000 was anticipated by the end of the financial year. It was noted that car sharing was not prevalent at peak times, however, 155 cars were removed from highways each day at peak hours through the Park and Ride Service.

Mr William Cornall, Director of Regeneration and Place, informed the Committee that engagement with KCC regarding the Park and Ride service had been ongoing through various routes. These included the Quality Bus Partnership, liaison between Transport Innovation Teams and direct

contact with the Director of Transport. While KCC supported the scheme, the only available option for financial support was through the Concessionary Travel Scheme.

Councillors Newton, McKay and Daley spoke on this item as Visiting Members.

The Committee commented that:

- Modal shift was more apparent at off-peak times, while a key objective was to achieve this during peak times.
- If the Highway Authority, KCC, considered the service too important to be lost, it should take responsibility for the operation or funding of the Park and Ride service.

**RESOLVED:** That the performance of the Park and Ride – Pay to Park trial be noted.

#### 110. PARK AND RIDE ALTERNATIVES

Mrs Tay Arnold, Planning Projects and Delivery Manager, introduced the report. Mrs Arnold stated that there were a number of options to be considered for the future of the Park and Ride service. If an affordable alternative was not made available, there would be a significant impact on a variety of users, such as those on minimum wage contracts. Mrs Arnold explained that a survey had taken place, and this showed that many users would use alternative forms of transport to reach the town centre if the service was ceased. This would impact upon air quality.

Councillors Daley and McKay addressed the Committee as Visiting Members.

Mr Cornall explained to the Committee that alternative options had been explored, however, no alternatives had been identified that would offer an improved level of uptake or subsidy per user.

The Committee commented that:

- The current Park and Ride contract had been extended twice. This was designed to allow time to explore available options for the continuation of the service in a viable form.
- All options needed to be considered, so that the possibility of a competitive and efficient service was fully explored.
- Alternative sustainable transport options needed to be viewed as a package. If these were viewed individually, the alternatives would not have enough impact to replace the Park and Ride service.
- It was crucial to investigate what the market could provide before defining how the service was to be operated.

- Careful consideration needed to be given to how the car parks could be put to sensible economic use.
- The prevalence of car parking in the town centre undermined an objective of the Park and Ride service; reducing the number of cars in the town centre.
- That any action undertaken with delegated authority should be carried out in consultation with the Chairman and Vice-Chairman of the Strategic Planning, Sustainability and Transportation Committee.

**RESOLVED:** That

1. The pay to park service is closed on 31 May 2019.
2. The sites at Willington Street and London Road are retained for a use to honour the commitments made in the Local Plan and Integrated Transport Strategy.
3. A continuation of service from both sites is facilitated in conjunction with commercial operators, with regard to a competitive solution for the best utilisation of the car park.
4. Further investigation of additional multi-modal services is continued.
5. The Director of Regeneration and Place uses his delegated authority in consultation with the Chairman and Vice-Chairman of the SPST Committee to implement the recommendations of the Committee.

Voting: For – 7 Against – 0 Abstentions – 2

111. PROTECTION OF THE GREENSAND RIDGE

Mrs Deanne Cunningham, Team Leader (Heritage, Landscape and Design), stated that following a report to the Strategic Planning, Sustainability and Transportation Committee on 10 July 2018, the designation of the Greensand Ridge as an Area of Outstanding Natural Beauty (AONB) had been explored. Mrs Cunningham outlined that the Greensand Ridge was part of wider landscape character areas, however, AONB designation would ensure for the highest possible protection when considering planning policy. Mrs Cunningham stated that the creation of an AONB was a lengthy and resource intensive process, and that there was a risk that the application would be unsuccessful if it was too limited and there was no support from neighbouring authorities. The review of national parks and AONBs, however, provided an opportunity to make a representation regarding the Greensand Ridge.

The Committee noted that:

- There was an opportunity for an additional tier of protection to be implemented following the national review.
- In promoting the Greensand Ridge as an AONB, consideration needed to be given as to whether this would devalue Landscapes of Local Value (LLV) in the borough.
- Raising the status of LLVs would ensure that they were not devalued, while also providing additional protection to these areas.
- It was prudent to seek the highest level of protection possible for the Greensand Ridge, as this would allow for protection to be reduced at a later date if required.

**RESOLVED:** That

1. The Protection of the Greensand Ridge report be noted.
2. A representation is made to the Review of National Parks and Areas of Outstanding Natural Beauty (AONBs) to seek to secure AONB protection for the Greensand Ridge and an additional tier of protection for the borough's Landscapes of Local Value areas.
3. Officers liaise with neighbouring authorities and other stakeholders to assess the collective interest in making a joint application on a larger basis.

Voting: Unanimous

#### 112. LOCAL ENFORCEMENT PLAN

Mr James Bailey, Development Manager, referred to the resolution of the Committee on 9 October 2018, and indicated that the suggested KPIs ensured that key elements of the service were monitored, in order to drive the service forward.

Members requested that raw data concerning the number of outstanding cases be reported to the Committee alongside the KPI report, to provide context to the performance figures.

Mr Bailey stated that outstanding enforcement caseload was made up of a number of cases including Enforcement Notices, Injunctions, Appeals, Prosecutions and new cases. Careful consideration would need to be given as to how this was reported, however, it was possible to include this for information alongside the KPI figures.

**RESOLVED:** That

1. The new Local Enforcement Plan is approved for publication.

2. The Key Performance Indicator for Priority 1 cases is agreed as "100% of Priority 1 cases are visited within 1 working day of the report being received."
3. The Key Performance Indicator for Priority 2 cases is agreed as "90% of Priority 2 cases are visited within 10 working days of the report being received."
4. Data regarding outstanding cases be shared with the Committee alongside the KPI report.

Voting: Unanimous

113. TONBRIDGE & MALLING LOCAL PLAN REG.19 CONSULTATION

Mrs Sarah Lee, Principal Planning Officer (Strategic Planning), informed the Committee that Tonbridge and Malling Borough Council had prepared a Regulation 19 Local Plan for consultation. Tonbridge and Malling Borough Council aimed to submit the Local Plan prior to 24 January 2019 to ensure that it was examined against the 2012 National Planning Policy Framework (NPPF). The proposed response from Maidstone Borough Council was particularly focussed on sustainable transport and urged Tonbridge and Malling Borough Council to investigate, and specify in the plan, specific transport measures. The representations would be submitted so that they could be considered by the Local Plan Inspector. It was anticipated that Officers at Tonbridge and Malling would enter into a Statement of Common Ground with Maidstone Borough Council prior to the examination.

The Committee commented that it recognised Tonbridge and Malling Borough Council's ambition to submit the document ahead of the deadline, however, some elements of the Regulation 19 Consultation were not clear, particularly in terms of transport and air quality.

**RESOLVED:** That the responses sets out in Appendix 1, as amended by the urgent update, be agreed as this Council's response to the Tonbridge & Malling Local Plan Regulation 19 Consultation.

Voting: Unanimous

114. DURATION OF MEETING

6.30 p.m. to 10.11 p.m.

## 2018/19 WORK PROGRAMME

|                                                                                            | Committee | Month  | Lead             | Report Author                  |
|--------------------------------------------------------------------------------------------|-----------|--------|------------------|--------------------------------|
| Strategic Plan 2019/20 - 2023/24 - Final                                                   | SPS&T     | Jan-19 | Angela Woodhouse | Angela Woodhouse               |
| Fees & Charges 2019/20                                                                     | SPS&T     | Jan-19 | Mark Green       | Ellie Dunnet                   |
| Medium Term Financial Strategy - Budget Proposals 2019/20                                  | SPS&T     | Jan-19 | Mark Green       | Ellie Dunnet                   |
| Community Infrastructure Levy Governance                                                   | SPS&T     | Jan-19 | Rob Jarman       | Helen Smith/Tay Arnold         |
| Reference from Planning Committee: Day Rooms                                               | SPS&T     | Jan-19 | TBC              | TBC                            |
| Local Plan Review Call for Sites Information Pack                                          | SPS&T     | Jan-19 | Rob Jarman       | Sarah Lee                      |
| Sports Facilities and Playing Pitch Strategies Approval                                    | SPS&T     | Feb-19 | Rob Jarman       | Sue Whiteside/<br>Mark Egerton |
| Maidstone Housing Design Guide                                                             | SPS&T     | Feb-19 | Rob Jarman       | Rob Jarman                     |
| Q3 Budget Monitoring 2018/19                                                               | SPS&T     | Feb-19 | Ellie Dunnet     | Paul Holland                   |
| Q3 Performance Report 2018/19                                                              | SPS&T     | Feb-19 | Angela Woodhouse | Anna Collier                   |
| Infrastructure Delivery Plan (IDP) and Integrated Transport Strategy (ITS) Delivery Update | SPS&T     | Mar-19 | Rob Jarman       | Tay Arnold/Helen Smith         |
| Management Plan for Kent Downs AONB                                                        | SPS&T     | Mar-19 | Rob Jarman       | Stuart Watson/Deanne           |
| Town Centre Opportunity Areas: Planning Briefs                                             | SPS&T     | TBC    | Rob Jarman       | Sarah Lee/Tay Arnold           |
| Neighbourhood Plans Regulatory Consultation Reports                                        | SPS&T     | TBC    | Rob Jarman       | TBC                            |

**2018/19 WORK PROGRAMME**

|                                          | <b>Committee</b> | <b>Month</b> | <b>Lead</b> | <b>Report Author</b> |
|------------------------------------------|------------------|--------------|-------------|----------------------|
| Duty to Cooperate / Other LPA Key Issues | SPS&T            | TBC          | Rob Jarman  | TBC                  |
| Planning Performance Agreements Review   | SPS&T            | TBC          | Rob Jarman  | TBC                  |

## Strategic Planning, Sustainability and Transportation Committee

**4 December 2018**

### External Board/Outside Body

|                                                                     |                                                                               |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <b>External Board/Outside Body</b>                                  | Kent Downs AONB Joint Advisory Committee                                      |
| <b>Councillor(s) represented on the Outside Body/External Board</b> | Patrik Garten                                                                 |
| <b>Report Author</b>                                                | Patrik Garten & Nick Johansen (AONB Unit)                                     |
| <b>Date of External Board/Outside Body Meeting Attended</b>         | Kent Downs AONB Joint Advisory Committee Meeting 16 <sup>th</sup> of November |

#### **Purpose of the External Board/Outside Body:**

##### **Joint Advisory Committee (JAC)**

The Kent Downs relies on many stakeholders who have a role in conserving and enhancing the landscape, supporting local business and communities and enabling quiet recreation. The Joint Advisory Committee plays a pivotal role in helping realise the strategic vision for the Kent Downs AONB and oversee the statutory AONB Management Plan which has been adopted by Maidstone Borough Council and the other Local Authorities with responsibilities for the Kent Downs.

The purpose of the JAC is to provide advice on the statutory responsibilities for the effective management, conservation and enhancement of the Kent Downs AONB. An Executive of representatives from the JAC, with some outside advisors, advises the work of the Kent Downs AONB Unit.

The Kent Downs AONB Unit is employed by Kent County Council and works on behalf of the JAC to carry out the preparation and review of the Management Plan, to advocate its policies and work in partnership to deliver a range of actions described in the Action Plan.

##### **Funding partners & Members**

Defra, Ashford Borough Council, Canterbury City Council, Dover District Council, Gravesham Borough Council, London Borough of Bromley, Medway Council, Maidstone Borough Council, Sevenoaks District Council, Folkestone & Hythe District Council, Swale Borough Council, Tonbridge & Malling Borough Council, Country Land and Business Association, Environment Agency, Kent Association of Local Councils, Action with Communities in Rural Kent, National Farmers Union, English Heritage and Visit Kent

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**Update:**

**In this period the AONB Unit continued its strategic and delivery role, the main focus of this report is a formal meeting of the Kent Downs AONB Joint Advisory Committee held a formal meeting which included**

**A report on progress against the AONB Action Plan**

This demonstrated good progress against the action plan and in particular the very successful 50<sup>th</sup> Anniversary year activities and confirmed that the AONB Unit is very effective at securing external funding to deliver positive work on the ground.

**A report on major planning matters affecting the AONB**

There are several major applications affecting the Kent Downs all of which, in the Unit's view, significantly conflict with both national and local policies. This included the application at Detling on which the AONB Unit will be providing advice to Officers at Maidstone Borough Council and would be happy to provide a briefing to Members if that would be helpful.

**A report on significant tourism funding bid.**

The Kent Downs AONB Unit is working in partnership with Visit Kent to secure in the region of 4m Euros investment through a project called 'Experience' . The basis of the bid is to increase high value, low impact tourism across the County. This may be one of the last opportunities to secure substantial funds from Interreg. This will benefit all Local Authorities in Kent.

**The review of the AONB Management Plan** was discussed and it was agreed that the current plan will stay in place for the time being; a full review is underway including a review of the supporting guidance.

**A report on the Government's review of Designated Areas.**

The JAC drafted some key strategic aims for the review, this included recognising and reflecting in their strategic views the wish expressed by Maidstone Borough Council to either extend the Kent Downs or create a new AONB on the Greensand Ridge.

The JAC confirmed the budget for the AONB Unit for the 2019/2020 financial year.

If Members would like to know more about the Kent Downs AONB Unit or the work of the Joint Advisory Committee they are very welcome to get in touch directly with Nick Johannsen, the Director. [Nick.johannsen@kentdowns.org.uk](mailto:Nick.johannsen@kentdowns.org.uk) 01303 815 170

## Strategic Planning, Sustainability and Transportation Committee

04/12/18

### External Board/Outside Body

|                                                                     |                                   |
|---------------------------------------------------------------------|-----------------------------------|
| <b>External Board/Outside Body</b>                                  | Maidstone Quality Bus Partnership |
| <b>Councillor(s) represented on the Outside Body/External Board</b> | Councillor D Burton               |
| <b>Report Author</b>                                                | Councillor D Burton               |
| <b>Date of External Board/Outside Body Meeting Attended</b>         | 03/10/18                          |

#### Purpose of the External Board/Outside Body:

The Maidstone Quality Bus Partnership is a liaison forum for KCC, MBC and bus operators.

#### Update:

I was unable to attend the previous Maidstone Quality Bus Partnership meeting, however, some key points taken from the confidential Minutes are:

- Operational matters regarding policy enforcement and bus stop access were discussed.
- The new Local Plan will address 'air quality' via the Strategic Planning, Sustainability and Transportation Committee.
- The QBP were advised regarding the committee date and decision for the Park & Ride pilot review.
- Issues with a new bus stop provided by a developer on the A274 were discussed.
- Bus Station improvement plans are at an early stage.
- Bus operators reported to the QBP during a separate session.
- The secured S106s for bus infrastructure were reviewed.
- Dates for next year's meetings are to be confirmed.

# Agenda Item 13

## **STRATEGIC PLANNING SUSTAINABILITY & TRANSPORT COMMITTEE**

**4 December 2018**

### **Statement of Community Involvement 2018 – summary of the consultation**

|                                           |                                                          |
|-------------------------------------------|----------------------------------------------------------|
| <b>Final Decision-Maker</b>               | Strategic Planning, Sustainability & Transport Committee |
| <b>Lead Head of Service/Lead Director</b> | Rob Jarman, Head of Planning & Development               |
| <b>Lead Officer and Report Author</b>     | Stuart Watson, Planning Officer (Strategic Planning)     |
| <b>Classification</b>                     | Public                                                   |
| <b>Wards affected</b>                     | All                                                      |

#### **Executive Summary**

This report provides a summary of the comments received on the Statement of Community Involvement 2018 consultation that was held between 3 August and 17 September 2018. This report also provides a summary of the changes that have been made to the Statement of Community Involvement 2018.

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

That Council be recommended to adopt the Statement of Community Involvement 2018.

#### **Timetable**

| <b>Meeting</b>                                           | <b>Date</b>      |
|----------------------------------------------------------|------------------|
| Strategic Planning, Sustainability & Transport Committee | 4 December 2018  |
| Council                                                  | 12 December 2018 |

# Statement of Community Involvement 2018 – summary of the consultation

## 1. INTRODUCTION AND BACKGROUND

- 1.1 At its meeting on the 10 July 2018 this committee agreed that the Maidstone Statement of Community Involvement (SCI) 2018 (draft) go out for consultation to fulfil the Council's statutory consultation requirement.
- 1.2 The SCI 2018 (draft) consultation was held for 6 weeks between Friday 3 August 2018 and Monday 17 September 2018. Copies of the SCI 2018 (draft) with instructions were deposited at libraries within the borough and at the Maidstone Link. The document was also made available on the Council's website and the Strategic Planning consultation portal. A public notice appeared in the local press and consultees on the Strategic Planning consultation portal were notified. Representation to the SCI 2018 (draft) consultation could be made online via the consultation portal, by email and by letter.
- 1.3 The closure of the SCI consultation was extended to accommodate problems with the links to the SCI document and its provision on the Council's website. The extension was put in place to ensure that the Council would meet the statutory 6 week time period for the SCI's consultation.
- 1.4 By the close of the consultation on 17 September 2018, 20 representations had been received. 18 representations were submitted by email and 2 through the consultation portal. The summarised themes from the responses are listed below:
  - Misunderstanding of the SCI's role in the development of the Council's Local Plan resulting in comments about levels of housing provision, allocation of sites for development and infrastructure provision;
  - How the SCI 2018 (draft) differs from previous versions;
  - Provision of hyperlinks to relevant legislative documents;
  - Enlargement and minor amendments to 'Diagram 1: Plan making' to correct grammatical errors and to make it easier to read;
  - The roles of the authority monitoring report, supplementary planning documents and development plan documents and the SCI in the Council's Plan making and planning decisions;
  - Regularity on updating the Council's SCI;
  - Infrastructure providers whose responses stated their satisfaction with the draft SCI 2018.
  - Provide detail on what the consultation portal is and its role;
  - Support for neighbourhood forums with an adopted neighbourhood plan being able to call in planning applications to committee;
  - Clarity on what constitutes a major development in pre-application discussions;

- The difference between Maidstone Borough Council and Kent County Council pre-application advice service.
- Procedures for notifying neighbours on planning applications and planning decisions;
- Minor amendments to tables and text for clarity and to correct grammatical errors.

1.5 The appropriate responses to the consultation have been duly considered by officers and incorporated within the SCI. Amendments to the SCI were considered on their relevance to the Councils plan making and planning decision procedures, current legislative requirements and to provide clarity and correct grammatical errors. The amendments as summarised are listed below:

- Inclusion of churches and religious groups to the list of hard to reach groups, requested by a church organisation, however, this category applies to a diverse range of religions;
- Instalment of hyperlinks to relevant legislative documents to make cross referencing with the SCI easier;
- Enlargement and minor amendments to 'Diagram 1: Plan making' to correct grammatical errors and to make it easier to read;
- Details provided on the Strategic Planning consultation portal to explain its independent role from the Council's website;
- Amendments to the subsection on pre-application advice to clarify the consideration given to developments and to strongly encourage pre-applications and planning performance agreements;
- Amendments to the subsection on planning enforcement to clarify the action the Council may take on enforcement matters and the role of the Planning Inspectorate;
- Explanation of KCC's pre-application service and how it differs to the service provide by the Council;
- Further details on the notification process to adjoining owners and occupiers for amendments to planning applications and that adjoining owners and occupiers will be notified about works to trees in conservation areas;
- Inclusion of description on the Council's procedure for public accessibility to viability assessments on Table 4. This is to make clear within the SCI that viability assessments are made public;
- Changes to application type descriptions;
- Very minor amendments to tables and text to correct grammatical errors;

1.6 A number of amendments were received and were not deemed appropriate to be included within the SCI. They are summarised below:

- Requests for duplication of details contained within planning legislation were considered unnecessary with hyperlinks and directions provided within the SCI to relevant legislation;
- Requests for details on changes made to planning legislation to be contained within the SCI were considered, however changes to legislation since 2013 have been extensive and hyperlinks and directions are provided within the SCI to relevant legislation;

- Requests for unnecessary definitions for self-explanatory terms and where links were provided to legislation.
  - Requests for details to be included within the SCI on actual community input and how it has shaped planning documents, this is not role of the SCI and details can be found within relevant committee reports; and,
  - Unnecessary changes to Local Plan and planning decision making procedures in the SCI that deviated from those required in legislation.
- 1.7 The revised SCI containing the appropriate amendments is contained within Appendix 1. The SCI is a local development plan document and after adoption will be made available on the Councils website.
- 1.8 An updated SCI that contains the latest planning legislation and the Council's planning practices will make a positive contribution towards engagement with all sectors of the community. However, it has been identified through the consultation process and as part of an equalities impact assessment that whilst the impact of an updated SCI will be positive, older persons, people with disabilities and Maidstone's religious communities are more difficult to reach. We want to ensure that the needs of these groups are considered to ensure equitable levels of engagement and involvement in planning practices for all residents.
- 1.9 When engaging with these three groups, we will consider the most appropriate consultation and engagement methods such as organising events and meetings in the communities we want to reach and selecting accessible venues. We will ensure internal departmental processes are in place such as the ability to provide planning documents in alternative formats.

---

## **2. AVAILABLE OPTIONS**

- 2.1 Option A. That the Committee resolve to recommend to Council that the Statement of Community Involvement 2018 be adopted and published on the Councils website.

Option B. That Committee request amendments to the Statement of Community Involvement 2018 and that the document be brought back to the committee at a later date.

Option C. That the Committee decide to not recommend the SCI to Council. This option would not meet the Council's statutory duties to undertake 5-yearly reviews of the SCI as a minimum, and the currently adopted SCI does not reflect changes to planning legislation and the Council's planning practices. The risks associated with not updating the SCI at this point are limited, but these will increase over time as the review of the Maidstone Borough Local Plan progresses through its consultation stages to examination, when the Inspector will consider whether such consultations have been undertaken in accordance with an up-to-date SCI.

Option D. That Committee recommend that minor amendments be made to the Statement of Community Involvement 2018 before its consideration by Council and publication on the Councils website.

---

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

3.1 Option A is the preferred option and will ensure that the Council will fulfil its statutory duties by updated the SCI. Changes in legislation governing SCI's require local authorities to:

- Undertake 5-yearly reviews of their SCIs;
  - Set out the Council's consultation processes for the preparation of neighbourhood plans in SCIs; and,
  - Explain how the Council will support and advise parish councils and neighbourhood forums during the preparations of their plans.
- 

### **4. RISK**

4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. That consideration is shown in this report at paragraph 2.1. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

---

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

- 5.1 If the SCI 2018 is adopted, the date the SCI becomes effective will be added to paragraph 1 of the document.
- 5.2 Following a Council decision to adopt the SCI 2018, it will be placed on the Councils website.
- 

### **6. CROSS-CUTTING ISSUES AND IMPLICATIONS**

| <b>Issue</b>                          | <b>Implications</b>                                                              | <b>Sign-off</b>                 |
|---------------------------------------|----------------------------------------------------------------------------------|---------------------------------|
| <b>Impact on Corporate Priorities</b> | It is not expected that the recommendations will by themselves materially affect | Planning Officer<br>(Strategic) |

|                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                 |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
|                                    | achievement of corporate priorities. However, they will support the Council's overall achievement of its aims as set out in section 3.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Planning)                                                       |
| <b>Risk Management</b>             | No implications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Planning Officer (Strategic Planning)                           |
| <b>Financial</b>                   | No implications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Planning Officer (Strategic Planning)                           |
| <b>Staffing</b>                    | No implications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Planning Officer (Strategic Planning)                           |
| <b>Legal</b>                       | The LPA must prepare a statement of community involvement (SCI). An SCI sets out an LPA's policy for consultation and engagement, both in the preparation and revision of local development documents and in dealing with planning applications (section 18, Planning and Compulsory Purchase Act 2004). The LPA must follow their SCI unless there is a good reason not to. Where an SCI includes an assurance that is "clear, unambiguous and devoid of relevant qualification", it may give rise to a legitimate expectation that the LPA will do what they have promised | Russell Fitzpatrick, Lawyer (Planning), Mid Kent Legal Services |
| <b>Privacy and Data Protection</b> | Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with the General Data Protection Regulations and locally adopted policies.                                                                                                                                                                                                                                                                                                                                                                                | Cheryl Parks, Legal Officer (Planning), Mid Kent Legal Services |
| <b>Equalities</b>                  | The equalities impact has been                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Equalities                                                      |

|                           |                                                                                                                                                                                                                                                                                                                                                                                    |                                                |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
|                           | considered and whilst the overall review of the SCI is a positive for all residents, three groups with protected characteristics have been identified as hard to reach. The needs of these groups to facilitate their access to the planning process should be reflected in internal planning processes and the way which consultation and engagement is undertaken going forward. | and<br>Corporate<br>Policy Officer             |
| <b>Crime and Disorder</b> | No implications                                                                                                                                                                                                                                                                                                                                                                    | Planning<br>Officer<br>(Strategic<br>Planning) |
| <b>Procurement</b>        | No implications                                                                                                                                                                                                                                                                                                                                                                    | Planning<br>Officer<br>(Strategic<br>Planning) |

**7. REPORT APPENDICES**

Appendix 1: Statement of Community Involvement 2018

# Statement of Community Involvement

2018

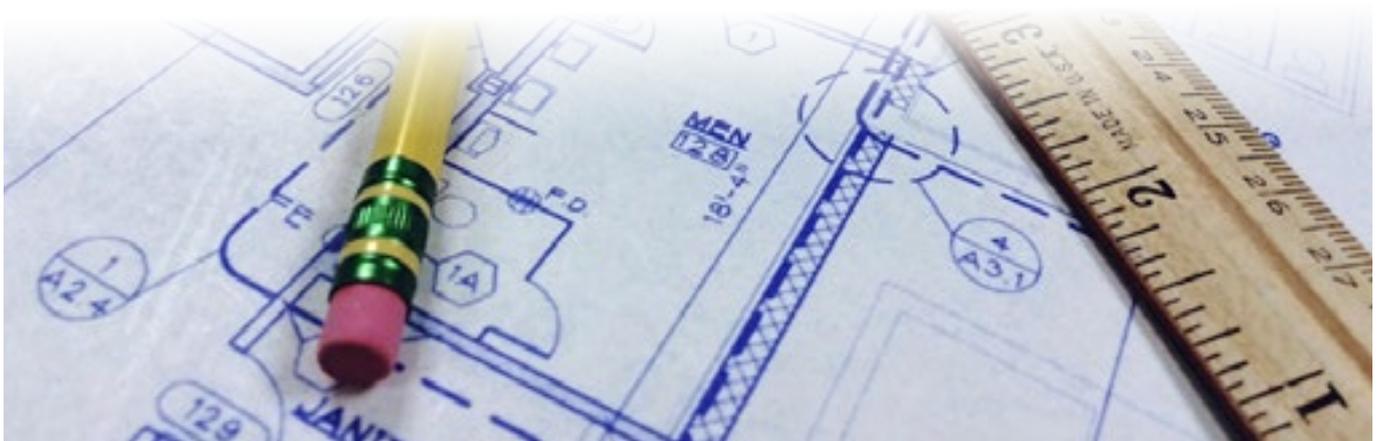
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# 1 Introduction

## What is the Statement of Community Involvement?

1. Local planning authorities are required to prepare a Statement of Community Involvement (SCI) under the **Planning and Compulsory Purchase Act 2004**, (as amended), and to review them every five years as a minimum. The SCI 2018 replaces the Statement of Community Involvement 2013 and is effective from xxx.
2. This Statement of Community Involvement reflects revisions to planning legislation that have occurred since 2013 and changes in the way in which the Council provides its planning services.
3. The Maidstone Development Plan includes adopted planning policy documents known as development plan documents. These include:
  - Local plans that are prepared by borough and county councils.<sup>1</sup>
  - Neighbourhood development plans that are prepared by parish councils and neighbourhood forums.
4. Planning applications are decided in accordance with the Maidstone Development Plan unless other material considerations indicate otherwise. The Council also prepares supplementary planning documents which expand on local plan policies in more detail and provide additional information and guidance.



<sup>1</sup> Kent County Council prepares the Minerals and Waste Local Plan

## Community involvement in planning

5. The SCI sets out when and how stakeholders and the local community can:
  - Get involved in the preparation of local plans<sup>2</sup>, neighbourhood development plans and supplementary planning documents.
  - Be involved in the process of decision making on planning applications.
6. People can submit comments on documents and planning applications either online, by email or by letter. Individuals, businesses and other groups must provide a name and address for their comments to be valid, and any comments received are treated as a public document and are made public. Personal data held on the Council's databases are subject to the prevailing data protection regulations that exist at the time.
7. The Council recognises that early and ongoing consultation and engagement with the local community, the development industry and infrastructure providers is an essential part of the planning processes. To achieve inclusive and effective consultation through the plan making and development management processes, the Council will endeavour to:
  - Provide early opportunities for people to be involved in shaping planning policy.
  - Continue to use new technology that provides easy access to consultations and notifications of development plan documents, supplementary planning documents and planning applications.
  - Provide the information needed for the public and statutory consultees to input to consultations in an informed manner.
  - Ensure communications are clear, contain relevant information and are timely.
  - Manage expectations of the planning system and the level of influence that individuals can have.
  - Engage with the community in a way that encourages participation.

## HAVE YOUR SAY...



<sup>2</sup> Kent County Council is responsible for consultation undertaken on its local plans, and these are not covered by this Statement of Community Involvement



## 2 The Council's commitment to community engagement

8. The community can be involved in all areas of the planning processes, including the preparation and examination of development plan documents, the preparation of supplementary planning documents and the consideration of planning applications.
9. When preparing development plan documents and supplementary planning documents, the Council maintains an up-to-date consultation database so that those who would like to be informed of the progress of documents are directly consulted at the important stages of consultation. Draft development plan documents may be sent for comments to the specific and general consultation bodies listed in **The Town and Country Planning (Planning)(England) Regulations 2012**, (as amended) and **The Neighbourhood Planning (General) Regulations 2012**, (as amended). These regulations require the Council, as the local planning authority, to decide which of these stakeholders might be appropriate to consult during the consultation period and for their views to be taken into account.
10. In accordance with this SCI, when notifying the community about the receipt of planning applications, the Council will ensure there is appropriate publicity to enable the public to comment on proposals. The list of key stakeholders to whom planning applications may be sent for comments is set out in **The Town and Country Planning (Development Management Procedure) (England) Order 2015**, (as amended). Applications for listed building consent or conservation area consent are governed by **The Planning (Listed Buildings and Conservation Areas) Regulations 1990**, (as amended). These regulations require the Council, as the Local Planning Authority, to decide which of these might be the appropriate bodies to consult during the consultation period and for their views to be taken into account.

### Community involvement

11. There are many individuals and groups in the local community who will be given the opportunity to be involved in the preparation of plans and to comment on planning applications in accordance with this SCI. In addition to the general public and statutory consultees, who include parish

councils and neighbourhood forums, the Council will consult, and/or notify hard-to-reach groups and local stakeholder groups where appropriate and relevant, such as:

- Amenity and local resident groups
- Businesses and local employers
- Housing associations
- Schools and colleges
- Landowners, developers and planning agents
- Gypsy and traveller communities
- Travelling show people
- Local cultural, sport and recreation groups
- Local nature conservation organisations
- Local countryside management organisations
- Religious groups and churches

## The duty to cooperate and statements of common ground

12. **The Localism Act 2011**, introduced the 'duty to cooperate'. Neighbouring authorities and other relevant organisations are required to work together on strategic planning issues that cross boundaries and affect their areas. The Council will make sure that it fulfils its legal requirements, and will prepare 'statements of common ground' with:
  - Ashford Borough Council
  - Kent County Council
  - Medway Council
  - Swale Borough Council
  - Tonbridge & Malling Borough Council
  - Tunbridge Wells Borough Council.
13. The progress of 'strategic cross-boundary' matters being addressed will be included in the statements, and statements that are prepared by Maidstone Borough Council for its planning policies will be made available on the Council's website. The Council will consider preparing other statements of common ground with additional authorities, including those prescribed in legislation, as necessary. This will be based on individual merit.
14. The Council also takes part in regular discussions as part of these forums:
  - Kent Planning Officers Group (KPOG)
  - Kent Planning Policy Forum (PPF)
  - Maidstone Borough Council Developers' meetings.

## WORKING TOGETHER





### 3 How does the plan making process work?

15. The Strategic Planning team is responsible for the preparation of the Council's local plans and supplementary planning documents. Parish councils and neighbourhood forums prepare neighbourhood development plans for their designated neighbourhood areas.
16. The Strategic Planning team makes recommendations to the Strategic Planning, Sustainability and Transportation Committee for all three types of plans. An essential part of the planning process is effective involvement and communication with all parts of the community. How much consultation and the type of consultation will differ depending on the type of document and the stage reached in the planning process.
17. The **Local Development Scheme** is a project plan which sets out the timetable for the production of Maidstone Borough Council's local plans, so that communities know when they can participate in public consultations. When a scheme is published, a notice will be displayed on the Council's website and a public notice will appear in a local newspaper.
18. The **Authority Monitoring Report** for Maidstone provides a framework with which to monitor and review the effectiveness of planning policies. The reports are updated annually and published on the website.
19. Where required as part of the plan making process, **Strategic Environmental Assessments** (SEA), **Sustainability Appraisals** (SA) and **Habitat Regulations Assessments** (HRA) are prepared to support development plan documents. If an assessment is required to support a neighbourhood plan, then its preparation is the responsibility of the parish council or neighbourhood forum. The community can comment on an SEA/SA/HRA during the public consultation stages for development plan documents.





Diagram 1: Plan making

## Keeping communities informed during plan making

20. The Council actively uses a number of ways to help keep everyone informed throughout the stages of plan making. How much consultation and the different ways the Council chooses to stay in touch depends on the type of plan and its consultation stage. These methods may include, but are not limited to:
- The Council's website - Consultation activities will be publicised on the Council's website, and planning documents and, as appropriate, background studies will be available for viewing and downloading.
  - The consultation portal - The portal is a secure externally hosted database that is made available for people to comment on the consultation documents. The portal can be accessed from the Council's website.
  - Inspection points - Documents and notifications will be made available for viewing at the Council's offices and at local libraries during consultation periods.
  - Emails/Letters - Notifications will be sent to statutory bodies, stakeholders, and other relevant groups, individuals and organisations on the Council's consultation database (this will be subject to the prevailing data protection regulations that exist at the time).
  - Local newspapers - Consultations will be publicised in the local press through public notices and/or press releases.
  - Public exhibitions and/or roadshows - Larger consultation events may be promoted through public exhibitions or roadshows, to target members of the community who may not get involved through more formal methods.
  - Stakeholder meetings and/or workshops – Early consultation with stakeholders may

be best served through focus group meetings or workshops, depending on the type of plan being produced and the plan preparation stage.

- Borough Insight – There may be opportunities for the inclusion of articles in the Council's information magazine, which is delivered to all homes throughout the borough three times a year.
- Questionnaires – These may be available on the Council's website, at consultation events, and on request, and completed questionnaires can be submitted as valid representations.
- Community and residents groups – Established community and resident groups may be used to target people with particular local interests.
- Facebook and Twitter - Consultations may be advertised on the Council's corporate Facebook and Twitter pages to explain how the community can get involved in the consultation.

21. Ward Councillors play a very important role at Committee meetings where they can represent the views of their local communities, as well as providing good knowledge of their areas. They are also vital in helping to engage with local communities during the consultation process.

## Local plans

22. The Maidstone Borough Local Plan sets out policies and proposals for development and the use of land and buildings within the authority's area. This is the Council's main planning policy document.
23. Any local plan is required to be reviewed every five years. It is subject to two rounds of mandatory public consultation and an independent examination before it can be adopted and becomes part of the Maidstone Development Plan. When a draft local plan is submitted for examination it is accompanied by a set of supporting documents, including a consultation statement detailing what consultation has been carried out and how the representations made have informed the plan's preparation.
24. Community involvement is continuous throughout the plan making process, although there are individual stages of prescribed public consultation as part of the process. The stages of local plan preparation are set out in [Table 1](#), which summarises the consultation methods that are to be undertaken at each stage.
25. There is no legal consultation period for the preparation stage of plan production (known as Regulation 18). There is a distinct difference between ongoing informal consultations with stakeholders and formal consultation with the wider public. The earlier stages of plan preparation may involve consultation on draft policies or potential site allocations with groups of stakeholders, such as parish councils, neighbourhood forums or infrastructure providers. A pre-submission local plan (known as Regulation 19 stage) will require wider engagement, and the Council will undertake a 6-week consultation with the community. The extent of further consultation on a pre-submission plan that has already been the subject of 6 weeks public consultation, and the period of any further consultation, will be at the discretion of the Council.
26. During public consultations on local plans, the Council receives hundreds of representations that raise a wide range of issues. The Council will acknowledge receipt of all representations but will not respond to individual submissions.

27. A summary of the main issues raised by respondents, together with recommendations, will be reported to the Strategic Planning, Sustainability and Transportation Committee. The public can view and download Committee reports and decisions from the Council’s website. Representations received during the early stages of plan production (Regulation 18) can help to shape and refine the local plan before the statutory 6-week consultation on the pre-submission version of the plan (Regulation 19) is undertaken. Representations made during this latter stage are given consideration by the Inspector during the examination into the plan.

| Local Plan<br>Production Stage                                                    | Engagement and Consultation Methods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Evidence gathering and the early stages of local plan preparation (Regulation 18) | <p><u>Preparing the evidence base:</u></p> <ul style="list-style-type: none"> <li>• Ongoing engagement with relevant stakeholders and specialist groups.</li> <li>• Publication of documents and information on the website.</li> </ul> <p><u>Undertaking calls for sites:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Notify statutory bodies, stakeholders and everyone on the consultation database.</li> <li>• Public notice placed in the local newspaper.</li> <li>• Use of questionnaires.</li> </ul> <p><u>Public consultation on a Scoping Paper and/or a draft local plan:</u></p> <ul style="list-style-type: none"> <li>• Minimum 6-week voluntary public consultation.</li> <li>• Publication of information on the website use of the consultation portal for submission of comments.</li> <li>• Material placed at inspection points.</li> </ul> <p><u>Notify statutory bodies, stakeholders and everyone on the consultation database</u></p> <ul style="list-style-type: none"> <li>• Public notice placed in the local newspaper.</li> <li>• Use of Facebook and Twitter.</li> </ul> <p><i>And may additionally use:</i></p> <ul style="list-style-type: none"> <li>• Questionnaires.</li> <li>• Public exhibitions and/or roadshows.</li> </ul> |
| Public consultation on a pre-submission local plan (Regulation 19)                | <p><u>Minimum 6-week statutory public consultation:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Use of the consultation portal for submission of comments.</li> <li>• Material placed at inspection points.</li> <li>• Notify statutory bodies, stakeholders and everyone on the consultation database.</li> <li>• Public notice placed in the local newspaper.</li> <li>• Use of Facebook and Twitter.</li> </ul> <p><i>And may additionally use:</i></p> <ul style="list-style-type: none"> <li>• Questionnaires.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Submission and independent examination of a local plan (Regulations 22 to 25)</p> | <p><u>Notifications of the submission and examination of a local plan:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Material placed at inspection points.</li> <li>• Notify statutory bodies, stakeholders and everyone on the consultation database.</li> <li>• Public notice placed in the local newspaper.</li> <li>• Use of Facebook and Twitter.</li> </ul> <p><u>Notification of the receipt of the Inspector’s Report:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Material placed at inspection points.</li> <li>• Notify statutory bodies and those persons who requested to be notified of the publication of the Inspector’s Report.</li> </ul> |
| <p>Adoption of a local plan (Regulation 26)</p>                                      | <p><u>Notification of the adoption of the Local Plan:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Material placed at inspection points.</li> <li>• Notify statutory bodies, stakeholders and everyone on the consultation database.</li> <li>• Public notice placed in the local newspaper.</li> <li>• Use of Facebook and Twitter.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                       |

Table 1: Engagement and consultation methods for Local Plans



## Supplementary planning documents

28. Supplementary planning documents (SPD) expand on policies in local plans, and they can be site specific or topic based. An SPD is required to be reviewed every five years, and its preparation is governed by planning regulations and informed by community involvement. SPDs are not subject to independent examination, but a consultation statement is to be prepared before an SPD can be adopted. The consultation statement includes details of who has been consulted, the key matters raised by respondents, and how the issues have been addressed by the Council. The Council will acknowledge receipt of all representations, but will not respond to individual submissions. [Table 2](#) sets out a summary of the consultation methods that the Council uses when consulting on a supplementary planning document.

| Supplementary Planning Document Production Stage                         | Engagement and Consultation Methods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Preparation of a supplementary planning document                         | <ul style="list-style-type: none"> <li>• Ongoing engagement with relevant stakeholders and specialist groups.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Public consultation on a supplementary planning document (Regulation 12) | <p><u>Minimum 4-week statutory public consultation:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Use of the consultation portal for submission of comments.</li> <li>• Material placed at inspection points.</li> <li>• Notify statutory bodies, stakeholders and everyone on the consultation database.</li> <li>• Public notice placed in the local newspaper.</li> <li>• Facebook and Twitter.</li> </ul> <p><i>And may additionally use:</i></p> <ul style="list-style-type: none"> <li>• Questionnaires.</li> </ul> |
| Adoption of a supplementary planning document (Regulation 14)            | <p><u>Notification of adoption:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Notify statutory bodies, stakeholders and everyone on the consultation database.</li> <li>• Public notice placed in the local newspaper.</li> <li>• Facebook and Twitter.</li> </ul>                                                                                                                                                                                                                                                        |

Table 2: Engagement and consultation methods for Supplementary Planning Documents



## Neighbourhood development plans

29. Parish councils and designated neighbourhood forums can prepare neighbourhood development plans, also known as neighbourhood plans, for their designated neighbourhood areas. Neighbourhood plans are required to conform to national policy and be in general conformity with the strategic policies of the local plan. All neighbourhood plans go through two rounds of mandatory public consultation in addition to an independent examination and local referendum before being 'made' (adopted) by Maidstone Borough Council. A post-examination neighbourhood plan (as modified by the Examiner) is a material consideration in decisions on planning applications and, once made, a neighbourhood plan forms part of the Maidstone Development Plan.
30. Consultation and community engagement during the early stages of the preparation of neighbourhood plans is the responsibility of the parish councils or neighbourhood forums preparing a plan for their areas. Following the formal submission of a neighbourhood plan to the Council, the Council is responsible for undertaking a 6-week consultation and for arranging the independent examination and local referendum. Representations made during the statutory 6-week consultation period are given consideration by the independent Examiner during the examination into the neighbourhood plan.
31. During public consultation on a submission draft neighbourhood plan, arranged by the Borough Council, the Council will acknowledge receipt of all representations but cannot respond to individual submissions which will be considered by the Examiner. At this stage the Strategic Planning, Sustainability and Transportation Committee will approve any further representations on the submission draft plan.
32. Although there is a clear separation of roles for the various stages of plan preparation, local planning authorities have a duty to support the production of neighbourhood plans. The Council will provide a named contact officer(s) for neighbourhood planning enquiries, and offer the following advice and assistance to qualifying bodies preparing or modifying neighbourhood plan.
33. The Council's Strategic Planning team will endeavour to:
  - Explain the different stages involved with neighbourhood planning.
  - Direct qualifying bodies to relevant information .
  - Highlight potential issues around compliance with the Maidstone Borough Local Plan and national planning policy.
  - Provide feedback in the form of comments on draft neighbourhood plans at statutory consultation stages.
  - Carry out a screening exercise of a draft plan to establish whether a strategic environmental assessment and/or a habitats regulations assessment is required.
  - Assess the neighbourhood plan's compliance with statutory requirements following submission of the plan.
  - Undertake public consultation for a minimum 6-week period on the submitted neighbourhood plan.
  - Arrange the appointment of a neighbourhood plan Examiner and make arrangements for the examination.
  - Make arrangements for referendum and, if approved, make (adopt) the neighbourhood plan.

34. Additionally the Council publishes advice notes on its website, which include guidance on neighbourhood planning together with information on external support and funding. The Council's neighbourhood planning protocol sets out the consultation stages and decision process in more detail. The protocol is approved by the Strategic Planning, Sustainability and Transportation Committee.
35. One of the main supporting documents accompanying a neighbourhood plan at submission is a consultation statement. This is prepared by the parish council or neighbourhood forum, and includes details the consultation that has been undertaken. It also explains how the representations made have shaped the plan's preparation. [Table 3](#) explains who is responsible for consultation events, and sets out a summary of the consultation methods that the Council uses at each stage it is responsible for.

| <b>Key: MBC - Maidstone Borough Council; PC – Parish Council;<br/>           NF – Neighbourhood Forum; SEA – Strategic Environmental Assessment;<br/>           HRA – Habitats Regulations Assessment</b> |                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Neighbourhood<br/>           Development Plan<br/>           Production Stage</b>                                                                                                                      | <b>Responsibility</b> | <b>Engagement<br/>           and Consultation Methods</b>                                                                                                                                                                                                                                                                                                                                                                                                     |
| Designating a neighbourhood area which encompasses the whole area of a parish <sup>3</sup> (Regulations 5/5A/7)                                                                                           | MBC                   | <u>Following designation of a neighbourhood area that encompasses a parish:</u> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Notify local and neighbouring ward Councillors, parish councils and neighbourhood forums.</li> <li>• Public notice placed in the local newspaper.</li> </ul>                                                                                                                   |
| Designating a neighbourhood area where it does not encompass the whole area of a parish; and designation of a neighbourhood forum (Regulations 5, 6, 6A and 7; and Regulations 8 to 10)                   | MBC                   | <u>Minimum 6-week statutory public consultation:</u> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Notify local and neighbouring ward Councillors, parish councils and neighbourhood forums.</li> <li>• Public notice placed in the local newspaper.</li> </ul> <u>Following designation of a neighbourhood area or neighbourhood forum (within 13 weeks of the commencement of statutory consultation):</u> |

<sup>3</sup> Public consultation is not required in cases where the application to designate a neighbourhood area is made by a parish council and the neighbourhood area encompasses the whole area of a parish

|                                                                                 |          |                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                 |          | <ul style="list-style-type: none"> <li>• Notify local and neighbouring ward Councillors, parish councils and neighbourhood forums.</li> <li>• Notify those who submitted representations.</li> </ul>                                                                                                                                                                                 |
|                                                                                 | PC or NF | The PC or proposed NF (usually a Residents Association) is responsible for publishing details on its website and for consultation with the local community.                                                                                                                                                                                                                          |
| Public consultation on an initial draft neighbourhood plan (Regulation 14)      | PC or NF | The PC or NF is responsible for widespread local consultation at this stage, including engagement with statutory consultees and the local planning authority. The PC or NF must undertake a statutory 6-week consultation period on a draft plan.                                                                                                                                    |
|                                                                                 | MBC      | <ul style="list-style-type: none"> <li>• MBC will submit comments on the initial draft neighbourhood plan.</li> <li>• MBC will prepare a Screening Report on the need (or otherwise) for an SEA/HRA to support the draft plan, and will seek the views of Natural England, Historic England and the Environment Agency. These bodies have a statutory 5 weeks to respond.</li> </ul> |
| Submission of a draft neighbourhood plan to the local authority (Regulation 15) | MBC      | Following receipt of the submission draft neighbourhood plan from the PC or NF, MBC will update the Screening Report to reflect amendments, and will re-consult Natural England, Historic England and the Environment Agency on the need (or otherwise) for an SEA/HRA. These bodies have a statutory 5 weeks to respond.                                                            |
| Public consultation on a submission draft neighbourhood plan (Regulation 16)    | MBC      | <p><u>Minimum 6-week statutory public consultation:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Use of the consultation portal for submission of comments.</li> <li>• Material placed at inspection points.</li> <li>• Notify statutory bodies, stakeholders and everyone on the consultation database.</li> </ul>        |

|                                                                           |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                           |          | <ul style="list-style-type: none"> <li>• Notify the local and neighbouring ward Councillors, parish councils and neighbourhood forums.</li> <li>• Public notice placed in the local newspaper.</li> </ul> <p><u>As a consultee:</u></p> <ul style="list-style-type: none"> <li>• MBC will submit comments on the submission draft neighbourhood plan.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                           | PC or NF | The PC or NF is responsible for publishing details on its website and for consultation with the local community.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Examination of a neighbourhood plan and referendum (Regulations 17 to 18) | MBC      | <p>The Examiner is responsible for considering representations and will issue a report recommending a move to referendum (or otherwise), and may recommend modifications to the plan. The Examiner determines whether a Hearing is necessary and, if so, sets the agenda and decides who will be invited to attend.</p> <p><u>MBC will publicise receipt of the Examiner’s Report and the Council’s decision on whether to move to Referendum:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Notify the PC or NF of MBC’s decision.</li> </ul> <p><u>If MBC’s decision is to move to Referendum:</u></p> <ul style="list-style-type: none"> <li>• Issue ballot papers to those who live in the neighbourhood area covered by the neighbourhood plan.</li> </ul> |
| Making a neighbourhood plan (adoption) (Regulations 19 to 20)             | MBC      | <p><u>Decision to adopt following a successful Referendum:</u></p> <ul style="list-style-type: none"> <li>• Publication of information on the website.</li> <li>• Notify the PC or NF, together with all those who submitted representations on the draft neighbourhood plan, of the outcome of the Referendum and MBC’s decision.</li> <li>• Public notice placed in the local newspaper.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                    |

Table 3: Engagement and consultation methods for Neighbourhood Development Plans



## 4 How does the development management process work?

36. The Development Management team is responsible for making decisions and recommendations to the Planning Committee on planning applications. Decisions take account of the Maidstone Development Plan and any other material planning considerations.
37. Many people get involved with the planning system when they want to make changes to their home, or if they want to make comments on a planning application which may affect their property. It is important to stress that there is a difference between 'consulting' statutory bodies on planning applications and 'notifying' members of the public. The Council expects to receive a response from statutory consultees, whereas involvement is voluntary for members of the public. The Council is able to take decisions without responses from the public following a 21-day consultation period.

### Permitted development rights

38. Certain types of work can be carried out without the need to apply for planning permission. These are called 'permitted development rights', which originate from a general planning permission granted by Parliament through **The Town and Country Planning (General Permitted Development) (England) Order 2015**, (as amended). The Order sets out the circumstances under which permitted development does, or does not, apply. Permitted development rights apply to many common projects for houses, but do not apply to flats, maisonettes or other buildings. Commercial properties have different permitted development rights to dwellings. Within conservation areas and Areas of Outstanding Natural Beauty, permitted development rights are more restricted. Before some permitted development rights can be used, the developer is required to first obtain 'prior approval' in relation to specified aspects of the development from the local planning authority.

## Pre-application advice and consultation

39. Early engagement in the planning process has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Save in very limited circumstance, the Council cannot require that an applicant engages with us before submitting a planning application, but we do encourage this.
40. The Council offers a pre-application advice service to anyone considering a development proposal<sup>4</sup>. This gives potential applicants an opportunity to identify and resolve any problems and concerns. This can help prevent costly and time-consuming changes to schemes later. and enable early consideration of the fundamental issues relating to whether a particular proposed development is acceptable to the Council in principle without predetermining the outcome. The Council offers both written advice and face-to-face advice, depending on the type of proposal. Applicants may also request pre-application advice **online**, by email or by letter. Further information on how to apply and a list of **fees** for the service is available on the Council's website.
41. Unless specified otherwise in **Table 4**, the Council has no additional requirements as regards minor applications.
42. We encourage early engagement to be as open as possible, giving a genuine opportunity for the local community to influence the design and form of the development proposed. The extent of consultation depends on the proposal, and would include factors like the scale, location and type of planning application.
43. Whilst the Council can identify potential consultees (including Local Ward Councillor(s), Parish Councils and neighbourhood forums, local community and statutory consultees) and encourage applicants, particularly where they think this would be beneficial, to consult with these consultees as part of the pre-application process, we cannot require the applicant to consult with any particular stakeholders. As such, as this is largely an applicant driven process and, in an effort to encourage requests for pre-application discussions, it is important that the Council respect the applicant's requests as to how they wish the pre-application consultation process to be approached by the Council. The planning case officer, through their discussion with the applicant, will endeavor to facilitate discussions between the developer and consultees.
44. For certain proposals the Council has introduced **planning performance agreements**, and will use them where appropriate and where agreement is reached with a developer. A planning performance agreement provides a project plan and timetable for the determination of the application. It also makes sure that the Council has the resources necessary to make a timely decision on the application whilst involving Councillors, stakeholders and local communities in the proposal. Agreements should also help with the submission of a high quality application.
45. For all proposals, the sharing of information can help overcome potential objections and may provide the opportunity for improvements to schemes. Applicants may well be required to show what consultation has taken place during the preparation of planning applications.

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<sup>4</sup> Kent County Council provide a separate pre-application advice service for minerals and waste development, highways matters and major County Council community development.

## Planning applications

46. **Planning regulations**, set out the statutory framework for publicity on planning applications. As well as publishing information on the Council's website, regulations require certain specified types of applications to be publicised by way of a site notice, a public notice in local newspapers and, in some cases, by notification to adjoining owners or occupiers. Ward Councillors, Parish councils and neighbourhood forums are notified of planning applications within their areas. Viability assessments utilising standard residual value analysis will be treated as an integral part of any such planning application and shall be publicised on the Council's website together with other relevant information.
47. The extent of consultation on a planning application, and the range of statutory consultees to be consulted and notifications issued, will vary according to the nature of the application and its location. Representations submitted on a planning application will not be acknowledged but are published on the Council's [website](#).
48. There are no statutory requirements to re-consult on an amended planning application. The Council will not re-consult on every amendment proposed. Depending on the nature of the amendments proposed, the Council will assess and decide whether or not to re-consult on the proposed amendments and with whom to consult and carry out the consultation process accordingly. Details of the changes will in any event be published on the [website](#).
49. A weekly list of planning applications, help on how to find details of applications and advice on how to comment on a planning application can be found on the Council's [website](#). Personal data held on the Council's databases will be subject to the prevailing data protection regulations that exist at the time.
50. The Council will ensure that it fulfils its statutory duties regarding decisions on planning applications. Planning applications are decided by the Planning Committee or by the Development Management team under the local authority's constitutional scheme of delegated powers. With exceptions, Planning Committee meetings are open to the public so anyone can attend and listen to the debate. The applicant and the public may have an opportunity to speak at Planning Committee through prior arrangement with the Council's Democratic Services team and in line with the Council's constitution. It is not possible for all applications to be determined by Planning Committee due to the volume of applications received, so planning legislation permits the delegation of decisions on certain planning applications to Council officers. Reports on individual planning applications are prepared for the Planning Committee and for delegated decisions by the Development Management team. Reports and decisions on planning applications are published on the website.
51. The statutory time limit for the Council to determine most applications is 8 weeks, whilst with major planning application proposals it is 13 weeks, or 16 weeks if the application is subject to an Environmental Impact Assessment. With regard to significant planning application proposals, the timescales may be increased under a planning performance agreement, where one exists. Once a decision on an application has been reached by the Development Management team or the Planning Committee, the decision notice is sent to the applicant and a copy is published on the website together with all other relevant documents. The statutory time limit for the Council to determine applications for planning in principle for minor development (nine residential units or less, with less than 1000sqm of commercial

floorspace, and/or on a site of less than 1 ha) is 5 weeks, unless a longer period is agreed with the applicant. In order to meet the 5-week statutory time limit, adjoining owners or occupiers will not be notified of applications for permission in principle.

## Planning appeals

52. Applicants have the right to appeal against a refusal of a planning application or against any conditions imposed by the Council, or if the Council does not make a decision on an application within the statutory time frame. There are no provisions for third parties, including objectors, to appeal against a decision. The statutory requirements for appeals are set out in **planning regulations**, according to the type of planning application that is the subject of an appeal.
53. The appeals process is managed by the **Planning Inspectorate**, in accordance with their published **procedural guidelines**. An appeal may be determined by written representations or an informal hearing or a public inquiry. Appeals determined by written representations involve an exchange of statements and may include a site visit by the Inspector. Informal hearings are a discussion between the person appealing and the Council about the merits of an application and are chaired by an Inspector. Public inquiries are more formal and are often used for major planning application proposals.

## Planning enforcement

54. Local planning authorities have the power to take enforcement action against inappropriate development or breach of planning conditions. Whether or not the Council deems it appropriate to take enforcement action, the Council will have regard to the Maidstone Development Plan, the Local Enforcement Plan, and any other material considerations. Depending upon circumstances the Council will endeavour to negotiate a solution first but, should this not be possible, formal enforcement action may be taken. This may include the issuing of:
  - An enforcement notice
  - A stop notice
  - A temporary stop notice
  - A breach of condition notice.

The Council will also consider bringing an injunction should the circumstances deem it necessary.

55. Depending on the notice issued, it is a criminal offence on summary conviction to breach a formal notice. Where an appeal exists it may be made to the Planning Inspectorate before the notice takes effect. The Planning Inspectorate will decide on the appeal and has the power to grant planning permission for all or part of the development.
56. It is a criminal offence on summary conviction to breach a formal notice.

## Community involvement in planning applications

57. **Table 4** sets out how the Council agrees to engage with communities and statutory consultees through the development management process.

| Planning Application Stage                                      | Notification and Consultation Methods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Prior approval notifications under permitted development rights | <p>Where a prior approval is sought under permitted development rights:</p> <ul style="list-style-type: none"> <li>• Publish details of the prior approval notification on the website.</li> </ul> <p>And, as appropriate, may additionally:</p> <ul style="list-style-type: none"> <li>• Display site notice(s) on or near the notification site.</li> <li>• Notify adjoining owners or occupiers.</li> <li>• Inform relevant statutory consultees, including parish councils and neighbourhood forums.</li> </ul>                                                                                                                                                                                                                                                                                                                                         |
| Pre-application engagement                                      | <p>In addition to statutory consultees, all applicants are encouraged to consult with adjoining owners or occupiers prior to submitting a planning application. This is strongly encouraged and advocated by the NPPF [on page 13] through formal pre-application correspondence and/or discussions and, in particular, through planning performance agreements on major proposed development [dependent on the nature and location of development]. In connection with planning performance agreements, these will include at least a pre-application meeting with Councillors. However, for all significant proposals, there will be an expectation that there is engagement with Councillors, the local community and relevant organisations.</p>                                                                                                        |
| Receipt of planning applications                                | <p><u>Minimum 21-day period to submit representations on a planning application:</u></p> <ul style="list-style-type: none"> <li>• Publish details of the planning application on the website.</li> <li>• Public notice placed in the local newspaper advertising all major planning applications, and planning applications that affect a listed building, conservation area, public footpath, or is not in accordance with the adopted Maidstone Development Plan.</li> <li>• Display site notice(s) on or near the application site.</li> <li>• Notify adjoining owners or occupiers (<i>except in the case of an application for permission in principle</i>).</li> <li>• Inform relevant statutory consultees, including parish councils and neighbourhood forums.</li> <li>• Publish a weekly list of planning applications on the website.</li> </ul> |
| Amendments to planning applications                             | <p>All amendments to planning applications will be published on the Council's website. Depending on the nature of the amendments proposed the Council will assess and decide whether or not to re-consult on the proposed amendments and with whom and for how long to consult and carry out the consultation process accordingly. This may include:</p> <ul style="list-style-type: none"> <li>• Re-notify adjoining owners or occupiers.</li> <li>• Notify those who made representations on the original planning application.</li> </ul>                                                                                                                                                                                                                                                                                                                |

|                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                            | <ul style="list-style-type: none"> <li>• Inform relevant statutory consultees, including parish councils and neighbourhood forums.</li> <li>• Display amended site notice(s) on or near the application site.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Call in of planning applications to planning committee                     | Ward Councillors, political group spokespersons, parish councils and any other statutory consultee including a neighbourhood forum with an adopted or post examination neighbourhood plan are able to call planning applications in to Planning Committee Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Viability assessments                                                      | Publish viability assessments and any other relevant viability documents for a planning application on the website.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Decisions on planning applications                                         | <ul style="list-style-type: none"> <li>• Publish planning application decisions made by Planning Committee or by the Development Management team (under the local authority's scheme of delegated powers) on the website.</li> <li>• Send a decision notice to the applicant.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Applications for works to protected trees and trees in a conservation area | <p><u>Minimum 21-day period to submit representations on an application for works to protected trees</u></p> <ul style="list-style-type: none"> <li>• Publish details of the application on the website.</li> <li>• Notify adjoining owners or occupiers.</li> <li>• Inform relevant parish councils and neighbourhood forums.</li> <li>• Publish in the weekly list of planning applications on the website.</li> <li>• Display site notices on or near the application site if the works are on Council-owned land.</li> </ul> <p><u>Minimum 14-day period to submit representations on a notification for works to trees in conservation areas</u></p> <ul style="list-style-type: none"> <li>• Publish details of the application on the website.</li> <li>• Notify adjoining owners or occupiers.</li> <li>• Publish in the weekly list of planning applications on the website.</li> </ul> |
| Planning appeals                                                           | <p>The Inspector decides whether an application is to be considered by written representations or by an informal hearing/public inquiry. Further representations can be submitted to the Planning Inspectorate, but the Inspector presiding over a hearing/inquiry decides who is allowed to speak.</p> <p><u>If the appeal is to be dealt with by written representations</u></p> <ul style="list-style-type: none"> <li>• Publish details of the planning appeal on the website.</li> <li>• Re-notify all relevant consultees and those who made comments on the original planning application.</li> </ul>                                                                                                                                                                                                                                                                                     |

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | <p>If the appeal is to be heard by hearing or public inquiry</p> <ul style="list-style-type: none"> <li>• Publish details of the planning appeal on the website.</li> <li>• Re-notify all relevant consultees and those who made representations on the original planning application and include information on the hearing/inquiry.</li> <li>• Re-notify the relevant parish council and/or neighbourhood forum, ward councillors, witnesses, objectors and adjoining owners or occupiers and include details of the hearing/inquiry.</li> </ul> |
| Decisions on planning appeals | <p>The Planning Inspectorate is responsible for notifying relevant parties of the appeal decision. <u>When the Planning Inspectorate makes its decision</u>, the decision is published online and can be viewed using their <b>search facility</b>. The Council will likewise publish the planning appeal decision on its website.</p>                                                                                                                                                                                                             |

Table 4: Notification and consultation methods for planning applications

# Appendix 1: Glossary

**Authority monitoring report** - The Maidstone Monitoring Report is prepared annually and provides a framework with which to monitor and review the effectiveness of Maidstone Borough Local Plan policies.

**Appeal** - The process by which a planning applicant can challenge an adverse decision. The appeals process is managed by the Planning Inspectorate. The appeal may be conducted in writing, or by an informal hearing led by an Inspector, or by a formal public inquiry with cross-examination of witnesses.

**Development plan** - The Development Plan includes adopted local plans and neighbourhood plans. Decisions on planning applications should follow the Development Plan unless other relevant planning factors indicate otherwise.

**Development plan document (DPD)** - A DPD is a spatial planning document that is subject to independent examination. DPDs include local plans and neighbourhood plans and, once adopted, they become part of the Development Plan.

**Hard to reach groups** - Groups of people who are traditionally more difficult to target during consultation exercises, for example, older people, Gypsy and Traveller communities, and people with a disability.

**Independent examination** - an interrogatory process led by one or more members of the Planning Inspectorate, held to examine the soundness of a local plan.

**Informal hearing** - A planning appeal hearing undertaken in a structured way and chaired by a Planning Inspector, but without the formality of a public inquiry.

**Local development scheme (LDS)** - The LDS is a project plan which sets out the timetable for the production of Maidstone Borough Council's local plans, so that communities know when they can participate in public consultations.

**Local plan** - The Maidstone Borough Local Plan is the core document that sets the framework to guide the future development of the borough. It plans for homes, jobs, shopping, leisure and the environment, as well as the associated infrastructure to support new development. It explains the 'why, what, where, when and how' development will be delivered through a strategy that plans for growth and regeneration whilst at the same time protects and enhances the borough's natural and built assets.

**Material consideration** - A matter that should be taken into account in deciding a planning application, such as overlooking/loss of privacy, parking, noise, etc. Issues such as loss of view, or negative effect on the value of properties are not material considerations.

**Neighbourhood area** - A neighbourhood area is an area designated for the purpose of preparing a neighbourhood development plan.

**Neighbourhood development plan (NDP)** - NDPs, which are also called neighbourhood plans, were introduced under the provisions of the Localism Act 2011. Parish councils or neighbourhood forums are able to prepare statutory development plan documents which, once 'made' (adopted) form part of the Maidstone Development Plan.

**Neighbourhood forum** - A designated neighbourhood forum is an organisation or group, often a Residents Association, empowered to lead the neighbourhood planning process in a neighbourhood area where there is no parish council. A group or organisation must apply to the local planning authority to be designated as a neighbourhood forum.

**Permission in principle** - Is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.

**Planning inspectorate (PINS)** - The Planning Inspectorate is responsible for processing planning and enforcement appeals and conducts examinations into local plans.

**Public inquiry** - An independent inquiry carried out by the Planning Inspectorate assessing planning decisions made by the local planning authority, which allows applicants the right to appeal against the refusal of planning permission/ consent/ enforcement proceedings. The inspector produces a decision after hearing evidence in person.

**Representation** - The formal submission of comments on a plan during public consultation or on a planning application following notification and publicity.

**Stakeholder** - An individual or organisation that has specific knowledge and/or expertise of the subject matter.

**Statement of community involvement (SCI)** - A document that sets out how/when communities can be involved in the preparation of plans and the determination of planning applications.

**Supplementary planning document (SPD)** - An SPD provides additional information and guidance in support of policies in local plans. The community is involved in their preparation, but there is no independent examination of the document.



## Appendix 2: Website links

**Below is a list of useful links to some planning procedural legislation and policy (and guidance) documents.**

### Legislation

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)  
**<http://www.legislation.gov.uk/uksi/2012/767/contents/made>**

The Neighbourhood Planning (General) Regulations 2012 (as amended)  
**<http://www.legislation.gov.uk/uksi/2012/637/contents/made>**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)  
**<https://www.legislation.gov.uk/uksi/2015/595/contents/made>**

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)  
**<http://www.legislation.gov.uk/uksi/2015/596/contents/made>**

The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)  
**<https://www.legislation.gov.uk/uksi/1990/1519/regulation/1/made>**

### National policy and guidance

National Planning Policy Framework and Planning Practice Guidance  
**<https://www.gov.uk/government/publications/national-planning-policy-framework--2>**  
**<https://www.gov.uk/government/collections/planning-practice-guidance>**

Planning Portal  
**<https://www.planningportal.co.uk/>**

### Maidstone Borough Council

Planning and Building website  
**<http://www.maidstone.gov.uk/home/primary-services/planning-and-building>**



## **Strategic Planning, Sustainability and Transportation Committee**

**4 December 2018**

### **Loose Neighbourhood Plan Consultation Response (Regulation 16)**

|                                           |                                                                                                                                       |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| <b>Final Decision-Maker</b>               | Strategic Planning, Sustainability and Transportation Committee                                                                       |
| <b>Lead Head of Service/Lead Director</b> | Rob Jarman, Head of Planning and Development                                                                                          |
| <b>Lead Officer and Report Author</b>     | Mark Egerton, Strategic Planning Manager, and Sue Whiteside, Principal Planning Officer                                               |
| <b>Classification</b>                     | Public                                                                                                                                |
| <b>Wards affected</b>                     | The report particularly affects Loose Ward and the adjacent wards of South, Coxheath & Hunton, and Boughton Monchelsea & Chart Sutton |

#### **Executive Summary**

The Committee is to consider the Council's formal response to the consultation on the Loose Neighbourhood Plan, in accordance with Regulation 16 of the Neighbourhood Planning Regulations 2012 (as amended). Representations, together with submission documents, will be passed to the independent Examiner at the next stage of the neighbourhood planning process. The report gives consideration to the neighbourhood plan, in the Council's role as the local planning authority and as a landowner of a designated Local Green Space site (Field to the rear of Herts Crescent and McAlpine Close). The report concludes that regulatory requirements have been met, that the neighbourhood plan is in general conformity with the strategic policies of the Maidstone Development Plan, and that a Strategic Environmental Assessment and/or Habitats Regulations Assessment is not required. However, an objection has been raised to the designation of the Council-owned site as Local Green Space.

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

That:

1. As the local planning authority, the Council supports the Loose Neighbourhood Plan in general terms.
2. As a landowner, the Council objects to the specific designation of Local Green Space at the Field to the rear of Herts Crescent and McAlpine Close in the Loose

Neighbourhood Plan.

3. A consultation response be submitted in accordance with the Committees requirements.

| <b>Timetable</b>                                                |                    |
|-----------------------------------------------------------------|--------------------|
| <b><i>Meeting</i></b>                                           | <b><i>Date</i></b> |
| Strategic Planning, Sustainability and Transportation Committee | 4 December 2018    |

# Loose Neighbourhood Plan Consultation Response (Regulation 16)

## 1. INTRODUCTION AND BACKGROUND

### Background

- 1.1 Parish councils and designated neighbourhood forums can prepare neighbourhood development plans, also known as neighbourhood plans, for their designated neighbourhood areas. Neighbourhood plans are required to have regard to national policy and be in general conformity with the strategic policies of the development plan for the area. Neighbourhood plans go through two rounds of mandatory public consultation before independent examination, local Referendum and being 'made' (adopted) by Maidstone Borough Council. The procedures for designating neighbourhood areas and preparing neighbourhood development plans are set out in The Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.2 Loose Parish was designated as a neighbourhood area on 4 October 2013. During the preparation of the Loose Neighbourhood Plan, officers have offered advice and support to the parish council on matters such as the neighbourhood planning process, the evidence base, the plan's regard to national policy, and general conformity with the strategic policies of the Maidstone Development Plan. Contact with the parish council has been maintained throughout the plan's preparation. The parish council has afforded officers the opportunity to informally comment on draft iterations of the plan, and has responded positively to the advice given.
- 1.3 The parish council undertook public consultation on the pre-submission version of the Loose Neighbourhood Plan (Regulation 14) between 31 October and 13 December 2016. In accordance with this Committee's neighbourhood planning protocol, the Council submitted a representation on the plan under the delegated authority of the Head of Planning and Development. Following consultation, the parish council has amended the plan, as appropriate, in response to all consultation representations.
- 1.4 When a parish council submits a neighbourhood plan to the Borough Council, the Council has a responsibility to ensure that regulatory requirements have been met: that public consultation on the pre-submission draft plan was carried out in accordance with Regulation 14, and that the submission plan and supporting documentation meets Regulation 15 obligations. These requirements have been met.
- 1.5 The next stage is a further public consultation on the submission plan (Regulation 16), prior to the plan's submission for independent examination. The Borough Council is responsible for facilitating this consultation and agreed the consultation dates with the parish council: 2 November to 14 December 2018. Consultation is being undertaken in accordance with neighbourhood planning regulations, the Council's

Statement of Community Involvement 2018, and the neighbourhood planning protocol.

- 1.6 The Loose Neighbourhood Plan is attached as a background document to this report. The full set of consultation documents can be viewed on the planning portal at <http://maidstone-consult.limehouse.co.uk/portal/> , and comprise:
- The Loose Neighbourhood Plan
  - Consultation Statement and Summary
  - Basic Conditions Statement
  - Environmental Statement and Appendix.
- 1.7 The Borough Council has a duty to screen the neighbourhood plan in respect of the need for a Strategic Environmental Assessment or Habitats Regulation Assessment, and to consult the statutory consultees set out in legislation (Natural England, Historic England and the Environment Agency). This exercise has been completed, and an SEA/HRA is not required for the plan.
- 1.8 At this stage, the Borough Council is also a statutory consultee and can submit comments on the plan for consideration by an independent Examiner. One of the policies of the neighbourhood plan, policy LP5(6) Field to the rear of Herts Crescent and McAlpine Close, affects land in the ownership of Maidstone Borough Council. **Consequently, the response set out in the report first considers the Council's role as the local planning authority and, second, as a landowner.**
- 1.9 The Borough Council is responsible for appointing the Examiner (in agreement with the parish council) and, following the close of consultation, for arranging the examination. The Loose Neighbourhood Plan and accompanying submission documents will be forwarded to the Examiner, together with all representations received, for his/her consideration. A neighbourhood plan examination is usually dealt with by written representations, although an Examiner can move to a Hearing for more complex plans or issues.
- 1.10 The Examiner's role is limited to testing the submitted neighbourhood plan against the 'Basic Conditions' tests for neighbourhood plans set out in legislation, rather than considering its 'soundness' or examining other material considerations. It is the role of the local planning authority to be satisfied that a basic condition statement has been submitted, but it is only after the independent examination has taken place and after the examiner's report has been received that the local planning authority comes to its formal view on whether the draft neighbourhood plan meets the basic conditions. The basic conditions are met if:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
  - The making of the neighbourhood plan contributes to the achievement of sustainable development;

- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations<sup>1</sup>; and
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan<sup>2</sup>.

### **Local Planning Authority - Response to the Loose Neighbourhood Plan Consultation (Regulation 16)**

- 1.11 As the local planning authority consultee, the Borough Council's focus is on testing the Loose Neighbourhood Plan against the strategic policies of the Maidstone Borough Local Plan and the Kent Minerals and Waste Local Plan. This is important because, once made (adopted), the neighbourhood plan forms part of the Maidstone Development Plan and will be used when determining planning applications within the neighbourhood area.
- 1.12 The Loose Neighbourhood Plan sets the context for the parish, and includes a vision and objectives that focus on local issues. The plan contains 10 policies that cover access and movement, landscape protection, and design quality; and includes the designation of 12 areas of Local Green Space. Policies are justified in supporting text with illustrative photos and plans.
- 1.13 Overall, the plan is inclusive and well-written, and is considered to be in general conformity with the strategic policies of the Development Plan.
- 1.14 The principle of designating Local Green Spaces in neighbourhood plans is supported. Following the pre-submission plan consultation (Regulation 14), the parish council agreed with the Borough Council's recommendation to remove a number of Local Green Space designations that did not meet NPPF criteria, i.e. that a designation is "(a) in reasonably close proximity to the community it serves;( b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and (c) local in character and is not an extensive tract of land" (NPPF, paragraph 100). Policies for managing development within a Local Green Space should be consistent with those for Green Belts (NPPF, paragraph 101).
- 1.15 The parish council has notified all landowners of designated Local Green Spaces and, in consultation with the community, has set out reasons for the designation of each site based on the criteria of the NPPF definition. All sites are in close proximity to the communities they serve, and none is considered to be an extensive tract of land. With regard to local significance and the value of individual Local Green Spaces to the community, the justification of the designations can be somewhat

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<sup>1</sup> For example, the need for a Strategic Environmental Assessment or Habitats Regulation Assessment

<sup>2</sup> This applies to the need for an Environmental Impact Assessment for certain development proposals, and is not applicable to the Loose Neighbourhood Plan

subjective. Regardless, none of the sites designated raises concerns.

1.16 The Loose Neighbourhood Plan (submission version) was first published in June 2018, prior to the publication of the revised NPPF in July 2018. This has resulted in two instances where the plan should be updated to reflect the new NPPF, in addition to two further factual errors noted:

- Paragraph 2.15 – The Loose Valley Conservation Area extends into Tovil Parish, but it abuts the Parish of Boughton Monchelsea rather than extends into it;
- Paragraph 2.18 – Reference to the General Permitted Development Order 2011 should be replaced by The Town and Country Planning (General Permitted Development) (England) Order 2015;
- Paragraph 4.5 – Amend quotation to reflect paragraph 29 of the NPPF 2018; and
- Paragraph 4.7 Objective 4 – Amend reference to carbon-neutral to a low carbon future, to reflect the NPPF 2018.

These are minor points that do not affect the policies of the plan.

1.17 In summary, the Loose Neighbourhood Plan is considered to be in general conformity with the strategic policies of the Maidstone Development Plan. Following assessment, a Strategic Environmental Assessment and/or Habitats Regulations Assessment is not required. The regulatory requirements for consultation (Regulation 14) and submission (Regulation 15) have been met.

1.18 IT IS RECOMMENDED THAT THE LOOSE NEIGHBOURHOOD PLAN (ATTACHED AS A BACKGROUND DOCUMENT) IS SUPPORTED, AND THAT THIS REPORT IS APPROVED AS THE COUNCIL'S RESPONSE TO THE CONSULTATION.

### **Landowner - Response to the Loose Neighbourhood Plan Consultation (Regulation 16)**

1.19 A neighbourhood plan can designate land as Local Green Space, even if the landowner objects to the designation. Any objections to a designated site, supported by the reasons for the objection will be considered by the Examiner who will recommend the retention or deletion of the site in the neighbourhood plan. Although policies for managing development within a Local Green Space should be consistent with those for Green Belts, boundaries can be amended where exceptional circumstances are fully evidenced and justified, through the preparation or updating of development plans (NPPF, paragraph 136).

1.20 In the case of the Loose Neighbourhood Plan, the Borough Council is the landowner of one of the Local Green Space designations: Field to the rear of Herts Crescent and McAlpine Close (policy LP5, site 6). The land is managed for informal recreation has a football kick-about goal and is used by dog walkers.

1.21 Departmental officer-level consultations on the neighbourhood plan have included the Parks and Open Spaces Manager and the Corporate Property

Manager. The Council has no current plans for an alternative use of the site and is sympathetic to the aspirations expressed in the draft Neighbourhood Plan. However, it is considered that the specific 'Local Green Space' designation is too inflexible. The designation of the Field to the rear of Herts Crescent and McAlpine Close may at some future date prevent the land from being used for the benefit of the whole Borough's residents. It is also worth noting that there are already 11 other sites identified in the Plan as Local Green Space. Taken in the context of the Council's overall responsibilities and strategic priorities as a public body, it is therefore proposed that an objection be raised to this specific designation.

- 1.22 IT IS RECOMMENDED THAT, AS A LANDOWNER, AN OBJECTION IS RAISED TO THE DESIGNATION OF LOCAL GREEN SPACE AT FIELD TO THE REAR OF HERTS CRESCENT AND MCALPINE CLOSE (POLICY LP5, SITE NO. 6) IN THE LOOSE NEIGHBOURHOOD PLAN (ATTACHED AS A BACKGROUND DOCUMENT).
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## **2. AVAILABLE OPTIONS**

- 2.1 Option A: To not to make representation on the Loose Neighbourhood Plan. The consultation is being run in accordance with the requirements of national legislation. There is no requirement for the Council to submit a representation on the neighbourhood plan. However to follow this option means that the Council's overall view as the Planning Authority is not asserted and its objection as landowner to a specific designation within the Plan is not made to the neighbourhood body. This approach would compromise the Council's opportunity to inform the Examiner of its position on the Neighbourhood Plan.
- 2.2 Option B: To approve this report as the basis for the Borough Council's representation on the Loose Neighbourhood Plan including the objection to the designation of the land at the rear of Herts Crescent and McAlpine Close as Local Green Space.
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## **3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 3.1 Option B is recommended. Once a Neighbourhood Plan is made, it becomes part of the Maidstone Development Plan and is used for development management decisions. This option affords an opportunity to inform the Examiner of the Council's position in respect of the Loose Neighbourhood Plan.
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## **4. RISK**

- 4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. That consideration is shown in this

report at paragraph 2.1.

- 4.2 There are some risks to the examination including the Council's objection as landowner and the fact that it may fail if statutory requirements are not met in terms of the latter point. These risks have been mitigated by the parish council's positive response to the constructive advice offered by officers on draft iterations of the neighbourhood plan, by ensuring compliance with regulatory requirements and the strategic policies Development Plan, and by undertaking consultation (regulation 16) in accordance with the Statement of Community Involvement.
- 4.3 The risks associated are within the Council's risk appetite and will be managed as per the Council's policy.
- 

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

- 5.1 The Loose Neighbourhood Plan is subject to two rounds of public consultation. The first (Regulation 14) was undertaken by the parish council in 2016. Maidstone Borough Council's representation to that consultation was submitted under delegated authority to the Head of Planning and Development. The comments received during consultation, together with the parish council's responses to the issues raised, are summarised in the Consultation Statement. The plan has been amended as a result.
- 5.2 The current consultation (Regulation 16) is undertaken by the Borough Council on behalf of Loose Parish Council. All representations will be collated by the Borough Council and forwarded to the independent Examiner of the plan, together with the submission documents, for his/her consideration.
- 

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

- 6.1 Examination of the Loose Neighbourhood Plan would normally be expected to be dealt with by written representations rather than a Hearing. However, given that the council is objecting as landowner there is a possibility that a hearing may be necessary. Maidstone Borough Council is required to pay for the costs of the examination. Following the examination, the Examiner will issue his/her report and recommendations. A report will be presented to this Committee, outlining the Examiner's recommendations and seeking a decision on whether to move the plan to Referendum. If more than half of those voting in the Referendum have voted in favour of the plan being used to inform planning applications in the area, the plan will move forward to being made (adopted) by full Council.
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## **7. CROSS-CUTTING ISSUES AND IMPLICATIONS**

| <b>Issue</b>                          | <b>Implications</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Sign-off</b>                                  |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| <b>Impact on Corporate Priorities</b> | It is not expected that the recommendations will by themselves materially affect achievement of corporate priorities. However, when the neighbourhood plan is 'made', it will form part of the Maidstone Development Plan, which will assist in the delivery of the Council's objectives, notably 'Keeping Maidstone Borough an attractive place for all'.                                                                                                            | Rob Jarman, Head of Planning and Development     |
| <b>Risk Management</b>                | Risks are set out in Section 4. This consultation (Regulation 16) is being run to ensure that the plan maintains the requirements of national legislation.                                                                                                                                                                                                                                                                                                            | Rob Jarman, Head of Planning and Development     |
| <b>Financial</b>                      | The costs for consultation (Regulation 16), examination, Referendum and adoption of the Loose Neighbourhood Plan are borne by the Borough Council. There is a dedicated budget for this purpose, funded by HCLG neighbourhood planning grants. No additional budget is required for neighbourhood planning at this stage. The Council's position as landowner in relation to one site addressed by the Neighbourhood Plan is set out in paragraph 1.21 of the report. | Finance Team                                     |
| <b>Staffing</b>                       | The recommendations can be delivered within current staffing levels.                                                                                                                                                                                                                                                                                                                                                                                                  | Rob Jarman, Head of Planning and Development     |
| <b>Legal</b>                          | Accepting the recommendations will fulfil the Council's duties under the Town and Country Planning Act 1990, as amended by the Localism Act 2011, the Housing and Planning Act 2016, and the Neighbourhood Planning Act 2017. The recommendations also comply with the Neighbourhood Planning (General) Regulations 2012 (as                                                                                                                                          | Cheryl Parks, Mid Kent Legal Services (Planning) |

|                                    |                                                                                                                                                                                                   |                                                              |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
|                                    | amended).                                                                                                                                                                                         |                                                              |
| <b>Privacy and Data Protection</b> | Accepting the recommendations will increase the volume of data held by the Council. The data will be held in line with the Council's data protection policies and the GDPR.                       | Cheryl Parks,<br>Mid Kent<br>Legal<br>Services<br>(Planning) |
| <b>Equalities</b>                  | The needs of all interested parties have been considered as part of the consultations. As part of the neighbourhood planning process it is for the parish council to consider equalities matters. | Strategic<br>Planning<br>Manager                             |
| <b>Crime and Disorder</b>          | There are no implications for Crime and Disorder.                                                                                                                                                 | Rob Jarman,<br>Head of<br>Planning and<br>Development        |
| <b>Procurement</b>                 | The appointment of an Examiner from IPE or NPIERS can be made under the procurement waiver signed by the Director of Finance and Business Improvement.                                            | Rob Jarman,<br>Head of<br>Planning and<br>Development        |

## 8. REPORT APPENDICES

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

None

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## 9. BACKGROUND PAPERS

- Loose Neighbourhood Plan  
[https://www.maidstone.gov.uk/\\_data/assets/pdf\\_file/0004/227542/Loose-Neighbourhood-Plan.pdf](https://www.maidstone.gov.uk/_data/assets/pdf_file/0004/227542/Loose-Neighbourhood-Plan.pdf)
- Consultation Statement and Summary, Basic Conditions Statement, Environmental Statement and Summary can be viewed at  
<http://maidstone-consult.limehouse.co.uk/portal/>

# Agenda Item 15

## Strategic Planning, Sustainability & Transportation Committee

**04 DECEMBER  
2018**

### Lower Thames Crossing formal consultation response to Highways England

|                                           |                                                               |
|-------------------------------------------|---------------------------------------------------------------|
| <b>Final Decision-Maker</b>               | Strategic Planning, Sustainability & Transportation Committee |
| <b>Lead Head of Service/Lead Director</b> | Rob Jarman, Head of Planning & Development                    |
| <b>Lead Officer and Report Author</b>     | Helen Smith, Principal Planning Officer, Strategic Planning   |
| <b>Classification</b>                     | Public                                                        |
| <b>Wards affected</b>                     | All                                                           |

#### Executive Summary

On 10<sup>th</sup> October 2018, Highways England launched a 'pre-application' public consultation on the proposed Lower Thames Crossing. The consultation closes on 20<sup>th</sup> December 2018. This report considers the consultation and recommends that the proposed response as set out in paragraphs 1.28 to 1.33 of this report is submitted to Highways England as the Council's formal response.

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

1. That the responses set out in paragraphs 1.28 to 1.33 be agreed as the Council's response to the Highways England 'pre application' consultation on the Lower Thames Crossing.

#### Timetable

| <b>Meeting</b>                                      | <b>Date</b> |
|-----------------------------------------------------|-------------|
| Strategic Planning, Sustainability & Transportation | 04/12/2018  |

# Lower Thames Crossing formal consultation response to Highways England

## 1. INTRODUCTION AND BACKGROUND

- 1.1 Currently the Dartford Crossing is the only crossing of the River Thames east of London. The first two-lane Dartford tunnel was opened in 1963 with a second two-lane tunnel added in 1980. Subsequently, the four-lane Queen Elizabeth II Bridge was opened in 1991. Free flowing tolls via the Dart Charge was introduced in 2014.
- 1.2 There are 50 million crossings made each year on the Dartford Crossing and although it was designed for 135,000 vehicles a day, it carried more than 180,000 on some days in 2017. The Crossing has one of the highest incident rates on the strategic road network and it can take anywhere between 3 to 5 hours for the roads to clear following a closure.
- 1.3 Alternatives to the Dartford Crossing are the Woolwich Ferry (operational 14 hours/day), the Blackwall Tunnel, or the Silvertown Tunnel (expected to open in 2023). Alternatively, traffic could make a 100-mile diversion around the M25.
- 1.4 The proposed Lower Thames Crossing is expected to improve journey times, cut congestion on approach roads to the Dartford Crossing, increase capacity across the Thames from four to seven lanes in each direction, and allow nearly double the amount of traffic to cross the Thames. In its first year, more than 27 million drivers are forecast by Highways England (HE) to use the Lower Thames Crossing (around 75,000 vehicles per day).
- 1.5 In reaching this current pre-application consultation stage, Highways England have already refined their three initially identified broad locations ('A' at Dartford, 'B' at the Swanscombe Peninsular and 'C' to the East of Gravesend), to option 'C' being their preferred location.
- 1.6 In 2016, Highways England undertook a formal public consultation on their preferred location 'C' to the east of Gravesend and sought feedback on a number of route variants within that location corridor both north and south of the river. Maidstone Borough Council made a formal response to the consultation in support of the preferred route 'C' corridor and expressed a preference for the Eastern Southern Link route south of the river, as opposed to the Western Southern Link. The reason submitted for this preference was that "this route provides a better connection to the A2/M2 corridor and has the potential to remove traffic and thus increase capacity/resilience earlier on the A2 than the Western Southern Link" [see Section 9, Background Papers for the web link to the 2016 SPST report].
- 1.7 The Kent and Medway Economic Partnership (KMEP) also submitted a response to the 2016 Highways England consultation that was supported by MBC. In summary, the KMEP strongly agreed with the preferred location

('C'), citing improved connectivity to the Channel Ports, increased economic benefits and reduced journey times/greater road capacity. The KMEP response also sought to lobby for an accompanying package of funded improvements to the wider Kent motorway and road network (including the A229 and A249), of which it was stated that the proposals should be worked up concurrently to the Crossing proposals. For clarification, this requested package of additional works was not proposed by Highways England as part of their consultation, but was suggested by KMEP.

- 1.8 In April 2017, Highways England announced their preferred route, which included the Western Southern Link rather than the Eastern Southern Link. Again, no additional package of works to roads in Maidstone borough or in its immediate surrounds were proposed specifically in relation to the Lower Thames Crossing proposals.

### **Changes since the 2017 preferred route**

- 1.9 In the time between the 2017 preferred route announcement and this 2018 pre-application consultation, a number of changes have been made to the scheme including: an increase in tunnel width from two to three lanes in each direction, and widening of the M2/A2 through junction 1 of the M2 to provide four lanes rather than three. The full list of changes, including maps and images can be viewed on the Highways England website: <https://highwaysengland.co.uk/lower-thames-crossing-home/>

### **2018 Development Consent order 'pre-application' stage**

- 1.10 As part of the government's Nationally Significant Infrastructure Projects (NSIP) process, Highways England are now undertaking a formal pre-application public consultation exercise that seeks representations on the proposed Lower Thames Crossing and the evidence supporting the proposed scheme. The consultation commenced on 10<sup>th</sup> October 2018 and runs until the 20<sup>th</sup> December 2018. In undertaking this consultation, Highways England are going beyond their duty (as set out under section 47 of the Planning Act 2008) to consult with local authorities in the vicinity of the land to which the application relates, and are actively engaging with local authorities beyond that, including Maidstone Borough Council and other local authorities across Kent and Essex.
- 1.11 At Members' request, representatives from Highways England provided a briefing on 6<sup>th</sup> November 2018, outlining the case for the crossing and the current scheme proposals. Members had the opportunity to ask questions about the scheme and raised concerns predominantly around the issue of increased traffic flows and reduced road capacity in and around Maidstone – most notably the A229, Bluebell Hill and the M2 Junction 3.
- 1.12 The following sections of this report highlight the key elements of the current pre-application consultation that are considered of most relevance to Maidstone borough.

### **Traffic modelling**

- 1.13 The Traffic Forecasting Report released as part of the supporting documentation to the consultation (for link to the non-technical summary see Section 9, Background Papers), uses the Lower Thames Area Model (LTAM) to forecast the impact of providing a new road crossing of the River Thames on the performance of the highway network. The LTAM is used to assess the changes in traffic flows, travel times, speeds and levels of congestion on the road network. The modelled hours are AM peak (0700-0800), Average inter peak hour (0900-1500), and PM peak (1700-1800). The years modelled are 2026 (assumed opening year at time of modelling), 2031, 2041 and 2051. The two scenarios modelled are 'Do minimum', where the crossing is not provided but all other planned highways projects (not related to the Lower Thames Crossing) are undertaken; and 'Do something', where the crossing is provided in addition to all other planned highways projects (not related to the Lower Thames Crossing).
- 1.14 The core modelling includes all changes to the network that have funding or are more than likely to be built. It also includes planned land use developments that are classified by Highways England as "near certain" and "more than likely" to happen. For Maidstone borough, this includes projects such as: M2 J5 improvements; M20 J3-5 smart motorway project; and Maidstone Bridge Improvement Scheme. Developments modelled include: Land east and west of Hermitage Lane; North and south of Sutton Road, Langley; North of Bicknor Wood, Gore Court Road; Bicknor Farm, Sutton Road; Springfield, Royal Engineers Road and Mill Lane; Newnham Park, Bearsted Road; and Eclipse Park, Sittingbourne Road.
- 1.15 Understandably, the housing and employment developments input into the traffic modelling only provide a snapshot in time. MBC is in the early stages of a Local Plan Review, as part of which we will revisit our overall spatial strategy, housing numbers and employment land requirements. Anticipated adoption of the updated Local Plan is 2022. Based on the current thinking and indications from central government, it is highly likely that Maidstone, like many other Kent authorities, will be experiencing a significant uplift in their housing figures. This potential level of development goes well beyond that which has currently been modelled and is likely to have an even greater impact on both the local and Strategic Road Network in terms of both flow and capacity. As part of the ongoing Local Plan Review, MBC officers will ensure that Highways England remain aware of our potential levels of growth.
- 1.16 The traffic modelling for Maidstone shows that the A229 and M2 both have increases in traffic flows at the AM, PM and inter peak hours with the opening of the new crossing. Flow increases are, perhaps unexpectedly, greatest along the M2 west of the A229. Positively, there are reduced vehicle flows along the M20 west of the A229 at all times of the day as a result of road users altering their route north towards the M2 and the new river crossing rather than towards the M25 and the Dartford crossing.
- 1.17 The A229, Bluebell Hill is forecast to see an increase in traffic flows under the 'do something' scenario, equating to approximately 4,000 vehicles per day (rounded to the nearest 1,000) (see Section 9, Background Papers, Preliminary Environmental Information Report, para. 6.6.34). Highways England does not consider that this increase in vehicle flows justifies

mitigation measures specifically as part of the Lower Thames Crossing project of works.

- 1.18 However, whilst the increase in traffic flows are relatively modest relative to the project as a whole, it is important to understand the effect of the flows on the existing road capacity. For example, in 2026, during the morning peak hour, without the Lower Thames Crossing (the 'do minimum' scenario), a number of sections of the local road network including sections of the A229 and A249 reach 95% or more volume over capacity. Under the equivalent conditions in the 'do something' scenario, there is an increase in the number of road sections at 85%- 94.9%, including the M20, and 95% or more volume over capacity, as shown in the Traffic Forecasting Report Non-technical Summary (see Section 9, Background Papers). Anything above 85% capacity is likely to result in slower traffic speeds and more unreliable journey times.
- 1.19 Therefore, when put into perspective, whilst the capacity of a number of Maidstone's roads, or sections thereof, are forecast to worsen in the future; this is likely to occur with or without the construction of the Lower Thames Crossing. Whilst the crossing is forecast to increase the number of vehicles using the roads, particularly the A229; the issue of road capacity is far greater than just the effect of the proposed river crossing. Highways England is clear that when considered in isolation, the Lower Thames Crossing's effects on Maidstone's roads do not justify road improvements as part of the project.
- 1.20 However, this is not to say that funding for improvement works cannot or should not be sought outside of the Lower Thames Crossing project. From officer discussions with Highways England, it is evident that a preferred approach would be to explore other opportunities for securing funding of key road improvement schemes, such as the inclusion of projects on the upcoming Road Investment Strategy (RIS) 2 or RIS 3; or through the preparation of business cases to bid for funding from Highways England's designated funds or the government's Housing Infrastructure Fund (HIF).
- 1.21 Accessing these sources of funding has the potential to enable road improvement works ahead of, or in conjunction with, the construction of the Lower Thames Crossing. Indeed, the LTAM work may help to demonstrate the clear need for improvements to roads and junctions within Maidstone, irrespective of the Lower Thames Crossing proposals.

### **Air Quality**

- 1.22 According to the Preliminary Environmental Information Report (PEIR) that accompanies the pre-application proposals, construction of the tunnel would result in an increase in traffic of up to 4,000 vehicles per day on the A229, which leads to an increase in NO<sub>2</sub> at receptor PEIR0358 of 1.7 µg.m<sup>-3</sup> (annual mean), compared to not constructing the crossing. This increase remains below the annual mean Air Quality Strategy objective figure. There are no receptors which exceed the annual mean PM<sub>10</sub> AQS objective and there are expected to be no exceedances of the 24-hour mean objective for PM<sub>10</sub>.

- 1.23 A full compliance risk assessment will be undertaken for the Environmental Statement, assessing compliance with the EU Directive on Ambient Air Quality. Based on current information, Highways England consider the project to have a low risk of leading to non-compliance with the aforementioned EU Directive.
- 1.24 Given that an Air Quality Management Area (AQMA) is designated specifically around the M20 (east of junction 5 to east of junction 7); the A229 from the town centre to just north of the junction with the M20 (junction 6); the A249 from the town centre to just north of the junction with the M20 (junction 7); and Maidstone town centre gyratory, it is important that Highways England undertake full air quality assessment as part of their Environmental Statement and if significant negative effects are predicted, it is imperative that Highways England work closely with MBC and KCC to agree appropriate mitigation measures to manage the effects of traffic in the affected area(s).

### **2018 pre-application: Consultation questionnaire**

- 1.25 The 'pre-application' consultation questionnaire seeks views on the following main topic areas:

1. The need for the Lower Thames Crossing
2. The preferred route for the Lower Thames Crossing
3. Sections of the route (south of the river in Kent; the crossing; and north of the river in Thurrock, Essex and Havering)
4. Connections (south of the crossing and north of the crossing)
5. Walkers, cyclists and horse riders
6. Environmental impacts and how we [Highways England] plan to reduce them
7. Development boundary
8. Proposed rest and service area, and maintenance depot
9. Traffic
10. Charges for using the crossing
11. Building the Lower Thames Crossing
12. Utilities and pylons
13. Other comments
14. The consultation

- 1.26 It is proposed that the Council responds only to those questions of most relevance to Maidstone Borough in order that the response remains focused on the issues most likely to impact the borough and its residents. Highways England have asked officers, where possible, to suggest mitigation or improvements rather than simply highlighting road capacity issues. However, this would require specialist technical transport input.

- 1.27 The suggested responses to the relevant questions are as follows:

- 1.28 Question 1a: Do you agree that the Lower Thames Crossing is needed?  
(*Strongly agree; Agree; Neutral; Disagree; Strongly disagree; Don't know*)

A: Strongly agree

Question 1b: Please let us know the reasons for your response to question 1a and any other views you have on the case for the Lower Thames Crossing.

A: Maidstone Borough Council (MBC) strongly agrees that the Lower Thames Crossing (LTC) is needed in order to provide greater long-term capacity and resilience on the Strategic Road Network and also to alleviate capacity issues in the area surrounding the Dartford Crossing. MBC recognises that without the LTC, the current issues surrounding the Dartford Crossing will only be set to worsen; negatively impacting upon those residents and businesses of Maidstone borough whom currently rely upon the Dartford Crossing to cross the River Thames.

1.29 Question 2a: Do you support or oppose our selection of the preferred route for the Lower Thames Crossing? (Strongly support; Support; Neutral; Oppose; Strongly oppose; Don't know)

A: Support

Question 2b: Do you support or oppose the changes we have made to the route since our preferred route announcement in 2017? (Strongly support; Support; Neutral; Oppose; Strongly oppose; Don't know)

A: Support

Question 2c: Please let us know the reasons for your response to Q2a-Q2b and any other views you have on our selection of a preferred route for the Lower Thames Crossing.

A: Maidstone Borough Council supports in principle the changes Highways England have made to the route since the preferred route announcement was made in 2017, particularly the widening of the M2 and A2 to junction 1 and the redesign of the M2/A2 junction in order to cut journey times and improve junction safety.

Whilst MBC generally supports the selection of the preferred route corridor 'C', the Council previously expressed a preference in favour of the Eastern Southern Link as opposed to the chosen Western Southern Link during the 2016 consultation. MBC considered the Eastern Southern Link to provide a better connection to the A2/M2 corridor and had the potential to remove traffic and thereby increase capacity/resilience earlier along the A2 than the alternative Western Southern Link.

Subsequently and in favour of this preference, Table 9.13: Summary assessment of the Eastern Southern Link, published in Highways England's LTC Approach to Design, Construction and Operation document, states that the Eastern Southern Link would provide higher benefits in terms of supporting sustainable local development and regional economic growth in the medium to long term and would provide better value for money than the alternative Western Southern Link.

Notwithstanding the Council's previously expressed preference, MBC recognises that the Eastern Southern Link would have had greater

environmental impacts including more significant intrusion into the AONB, and is satisfied with the additional appraisal work undertaken by Highways England concluding that the Western Southern Link is, on balance, more appropriate.

The Council's in principle support is, however, subject to caveat over concerns related to the impact of the proposed crossing on the local road network. Road capacity is forecast to reduce on sections of the A229, A249, and M20 east of the A229 due to increased levels of traffic. Whilst reduced road capacity is forecast with or without the construction of the Lower Thames Crossing, the impact is greater with the construction of the crossing. MBC strongly advocates the concurrent provision of road and junction improvements to ensure the benefits of the speedier, more reliable river crossing are not stymied by insufficient road infrastructure further along the road network, and to ensure that local traffic is not unduly impacted as a result of the crossing.

- 1.30 Question 3a: Do you support or oppose the proposed route south of the river? (This refers to the section of the proposed route starting at the M2/A2 and ending to the south of the southern tunnel entrance). (Strongly support; Support; Neutral; Oppose; Strongly oppose; Don't know)

A: Support

Question 3b: Please give us your comments or any other views you have on the proposed route south of the river, including structures such as bridges, embankments and viaducts.

A: Maidstone Borough Council supports the widening of the M2 and A2 to Junction 1 and the redesign of the M2/A2 junction in order to cut journey times and improve junction safety.

Question 3c: Please give us your comments on the tunnel, the north and the south tunnel entrances and any other feedback you have on this part of the proposed route. (This refers to two bored tunnels beneath the Thames, the southern tunnel entrance and the northern tunnel entrance).

A: The Council supports the proposal for both the north and south tunnels to have three lanes in each direction in order to maximise road capacity and to meet future need.

- 1.31 Question 6a: Do you agree or disagree with the proposed measures to reduce the impacts of the project? (This refers specifically to the potential environmental impacts of the Lower Thames Crossing). (Strongly agree; Agree; Neutral; Disagree; Strongly disagree; Don't know)

A: Neutral

Question 6b: Please let us know the reasons for your response to Q6a and any other views you have on the environmental impacts of the Lower Thames Crossing as set out in the Preliminary Environmental Report, including our approach to assessing and reducing the impacts of the project.

A: For Maidstone borough, the primary environmental concern relates to air quality around the main routes in the borough: the A229 and M20. Whilst the traffic modelling shows reduced traffic flows along the M20 under the 'do something' scenario, the A229 is expected to see in the region of an additional 4,000 vehicles, including HGVs, per day (rounded to the nearest 1,000). According to the Preliminary Environmental Information Report (PEIR), this would lead to an increase in NO<sub>2</sub> of 1.7 µg.m<sup>-3</sup> (annual mean). As this is below the annual mean Air Quality Strategy objective figure, no form of air quality mitigation measures are currently being proposed.

The Council notes that this is a preliminary air quality assessment that will be updated at the Environmental Statement stage of the project, and that the need for mitigation or monitoring during the operational phase of the project will be identified at that point. If significant negative effects are predicted, it is imperative that Highways England work closely with MBC and KCC to agree appropriate mitigation measures to manage the effects of traffic in the affected area(s).

- 1.32 Question 9a: Do you agree or disagree with the view that the Lower Thames Crossing would improve traffic conditions on the surrounding road network? (Strongly agree; Agree; Neutral; Disagree; Strongly disagree; Don't know)

A: Disagree

Question 9b: Please let us know the reasons for your response to Q9a and any other views you have on the Lower Thames Crossing's impact on traffic.

A: Having viewed the Traffic Forecasting Report and Appendices, and non-technical summary, Maidstone Borough Council is in agreement that the Lower Thames Crossing would improve traffic conditions on the roads in the immediate vicinity of the Dartford Crossing, as well as the M20 and the A2 (west of the LTC junction), by reducing the flow of vehicles on these routes.

However, traffic flows along Maidstone's key routes, specifically the A229, A249, and M2 are generally forecast to increase as a result of the proposed Lower Thames Crossing. The A229 is expected to see an increase in the region of 4,000 vehicles, including HGVs, per day (rounded to the nearest 1,000). This increase in traffic flowing through and around Maidstone is of grave concern given that a number of key roads are shown to be at 95% or above capacity even under the 'do minimum' scenario (Figures 4.4, 4.6 and 4.8 in the Traffic forecast non-technical summary).

Of most notable concern is the M2 Junction 3 at the interchange with the A229/Bluebell Hill. This is an area already known locally to be under strain, particularly during the morning and afternoon peak times, with users regularly experiencing delays.

MBC therefore strongly recommends that the Lower Thames Crossing is accompanied by funded improvements to the road network. As the shortest route between the two motorways and already suffering from significant congestion at peak times, improvement work to the A229, specifically its interchange with the M2 at Junction 3, is of the utmost importance in order

to accommodate the forecast increase in vehicle numbers (particularly commercial vehicles).

Whilst it is understood from discussions with Highways England that the impacts arising from the proposed Lower Thames Crossing do not meet the threshold requirements for mitigation works as part of this specific project; it remains essential that upgraded links between the M2 and the M20 are developed and implemented ahead of or concurrently to the progression of the Lower Thames Crossing, to ensure the new crossing truly relieves congestion across the entirety of the network and does not simply displace it to the next weakest point.

The effects and consequences of the Lower Thames Crossing, beyond the immediate confines of the proposal area must be fully addressed in a coherent, timely and joined up manner. The benefits of improving journey times and reliability across the river can only be fully realised if improvements are made along the entirety of the strategic route network. Otherwise the initial benefits are simply stymied by queues and reduced traffic speeds further along the network; Junction 3 of the M2 being one such key junction.

### 1.33 Question 13: Other comments

A: Maidstone Borough Council remains supportive of the proposal for a Lower Thames Crossing and is satisfied that the Western Southern Link has been appraised to be the most appropriate route option above the alternative Eastern Southern Link. However, this support is caveated with a significant degree of concern for the worsening of existing problematic traffic pinch points with no proposals for mitigation measures or improvements to the wider road network.

For MBC, the primary concern with the current proposals is the increase in the volume of traffic on Maidstone's roads, especially along the A229; and the resultant inadequacy of the current M2 Junction 3 to be able to accommodate the increased traffic flows. Highways England's traffic modelling clearly demonstrates that a number of Maidstone's roads (or sections thereof) are forecast to be at 95% or more capacity even under a scenario where the LTC is not built. Therefore, whilst the forecast increase in traffic flows resulting from the construction of the crossing may be perceived by Highways England as relatively modest when considered against the LTC project as a whole; it becomes a different matter when they are added to the already at or near capacity roads and key junctions in the area.

Added to this concern is that the assumptions of "near certain" or "more than likely" housing and employment developments input into the traffic modelling are, understandably, only a snapshot in time. MBC is in the early stages of a Local Plan Review, as part of which we will revisit our overall spatial strategy, housing numbers and employment land requirements. Anticipated adoption of the updated Local Plan is 2022. Based on the current thinking and indications from central government, it is highly likely that Maidstone, like many other Kent authorities, will be experiencing a

significant uplift in their housing figures. This potential level of development goes well beyond that which has currently been modelled and is likely to have an even greater impact on both the local and Strategic Road Network in terms of both flow and capacity.

Whilst the Lower Thames Crossing is not responsible for this overall proposed increase in development and cannot be expected to account for all such uncertainties at this point in time, it is something that simply cannot be ignored as, without sufficient mitigation or road improvements, the impact of the Lower Thames Crossing may in fact suppress the wider housing and growth agenda. Any residual route capacity will be consumed, congestion will appreciate and capabilities for development generated improvements will be lost. An even greater scale of improvements will be required to enable development, likely with increased complexities and associated costs.

At a local level, improvements to the A229, particularly the interchange with the M2 (Junction 3) are imperative. Providing dedicated, free-flow slip lanes onto the M2 from the A229 would be one possible solution that would have a lesser impact on the AONB compared to the alternative of, for example, widening of the A229 carriageway. However, a clear overriding economic development case would need to be made to justify the need over any potential harm to the environment, landscape and ecology. Or indeed, exploring the option of a completely new tunnelled road, dedicated to carrying strategic traffic between the M2 and M20, thus freeing up capacity along the A229 for local traffic.

MBC is keen to work collaboratively with Kent County Council and Highways England to ensure that required improvements to the road network within and surrounding the borough are promoted as a priority through appropriate channels such as the government's Road Investment Strategy (RIS) 2 or 3, and that any potential sources of funding or support are pursued.

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

- 2.1 The public consultation closes on 20<sup>th</sup> December 2018. If agreed, the proposed response set out in this report will be submitted to Highways England to meet that deadline.
- 2.2 Highways England will then consider all consultation responses received and use them to further develop and refine their proposals where they consider it necessary. They will produce a consultation report explaining if, and how, their proposals have changed in response to the consultation feedback, and this will be submitted as part of the Development Consent Order application in 2019. This part of the process provides a short window of time to register to participate in the examination process, and to prepare Local Impact Reports, written representations and Statements of Common Ground where appropriate.

- 2.3 The DCO examination and a decision recommendation are both expected in 2020, with a final decision made by the Secretary of State in 2021 and commencement of the project soon after. It is expected that the Lower Thames Crossing will then be open to traffic in 2027.
- 

### **3. AVAILABLE OPTIONS**

- 3.1 There are two options available to Members. Firstly, a formal response from the Council can be sent to Highways England; secondly Members could choose not to make a formal representation to the public consultation.
- 3.2 Choosing to make representations by way of a formal response to the public consultation will enable the Council's views to be taken into account as further consideration and possible refinement of the project by Highways England takes place prior to any subsequent application for a Development Consent Order (DCO) is made.
- 3.3 Members could choose not submit any formal response to Highways England on the public consultation. This would result in a missed opportunity to set out the Council's position and to ensure that the Council's comments are taken account of by Highways England prior to any submission of a DCO application.
- 

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

- 4.1 The preferred option is for the Council to make formal representations to the current public consultation within the timescales set out by Highways England as this is the only way to ensure the Council's views are formally recorded and can be taken account of in any project refinement prior to the submission of a DCO application by Highways England in 2019.
- 

### **5. RISK**

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

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

- 6.1 Following a series of early studies and a public consultation in 2013, the government commissioned Highways England to carry out a more detailed assessment of two location options for the construction of a Lower Thames

Crossing: Location 'A' close to the existing Dartford Crossing, and Location 'C' east of Gravesend.

- 6.2 In March 2016, Maidstone Borough Council submitted a formal response to Highways England's consultation on the preferred crossing location 'C' and the various route options within that location, both north and south of the river. In summary, the submitted response expressed MBC's strong agreement with the preferred choice of Location C and the Eastern Southern Link route as opposed to the Western Southern Link route south of the river. Full details of the Council's response are given in the 2016 SPST report [see link in Background Papers].
- 6.3 As detailed in Section 1, the Council also supported the response submitted by the Kent and Medway Economic Partnership.

## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

| Issue                                 | Implications                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Sign-off                             |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>Impact on Corporate Priorities</b> | The scheme, if constructed, is likely to assist the connectivity of the Borough with the National Strategic Road Network and could potentially boost economic activity within the Borough. However, the potential increase in traffic flows could have an environmental impact on the Borough, particularly in terms of air quality. The environmental impacts will need to be balanced against the wider economic benefits that could accrue from the scheme. | Rob Jarman, Head of Planning         |
| <b>Risk Management</b>                | Risks are set out in Section 5 of this report.                                                                                                                                                                                                                                                                                                                                                                                                                 | Rob Jarman, Head of Planning         |
| <b>Financial</b>                      | The work on this consultation is within already approved budgetary headings so there is no financial implications with the production of this report.                                                                                                                                                                                                                                                                                                          | Paul Holland, Senior Finance Manager |
| <b>Staffing</b>                       | The recommendations can be delivered within current staffing levels.                                                                                                                                                                                                                                                                                                                                                                                           | Rob Jarman, Head of Planning         |

|                                    |                                                     |                                            |
|------------------------------------|-----------------------------------------------------|--------------------------------------------|
|                                    |                                                     |                                            |
| <b>Legal</b>                       | No implications arising directly out of this report | Estelle Culligan,<br>Principal Solicitor   |
| <b>Privacy and Data Protection</b> | No implications directly arising from this report.  | Helen Smith,<br>Principal Planning Officer |
| <b>Equalities</b>                  | No implications directly arising from this report.  | Helen Smith,<br>Principal Planning Officer |
| <b>Crime and Disorder</b>          | No implications directly arising from this report.  | Rob Jarman,<br>Head of Planning            |
| <b>Procurement</b>                 | No implications directly arising from this report.  | Rob Jarman,<br>Head of Planning            |

## 8. REPORT APPENDICES

There are no appendices as part of this report.

## 9. BACKGROUND PAPERS

The SPST committee report outlining the Council's formal response to Highways England 2016 consultation on the Lower Thames Crossing route consultation can be viewed here:

<https://meetings.maidstone.gov.uk/documents/s47535/Response%20to%20Consultation%20by%20Highways%20England%20on%20proposed%20Lower%20Thames%20Crossing.pdf>

LTC Traffic Forecasting Report Non-technical Summary can be viewed here:

[https://highwaysengland.citizenspace.com/ltc/consultation/supporting\\_documents/LTC%20a%20Traffic%20forecast%20nontechnical%20summary.pdf-1](https://highwaysengland.citizenspace.com/ltc/consultation/supporting_documents/LTC%20a%20Traffic%20forecast%20nontechnical%20summary.pdf-1)

LTC Preliminary Environmental Information Report (PEIR) can be viewed here:

[https://highwaysengland.citizenspace.com/ltc/consultation/supporting\\_documents/LTC%20Preliminary%20Environmental%20Information%20Report%20PEIR%20Non%20Technical%20Summary.pdf-1](https://highwaysengland.citizenspace.com/ltc/consultation/supporting_documents/LTC%20Preliminary%20Environmental%20Information%20Report%20PEIR%20Non%20Technical%20Summary.pdf-1)

LTC Design, Construction and Operations can be viewed here:

[https://highwaysengland.citizenspace.com/ltc/consultation/supporting\\_documents/LTC%203\\_4%20Design%20Consultation%20and%20Operations.pdf](https://highwaysengland.citizenspace.com/ltc/consultation/supporting_documents/LTC%203_4%20Design%20Consultation%20and%20Operations.pdf)

# Agenda Item 16

## **STRATEGIC PLANNING SUSTAINABILITY & TRANSPORTATION COMMITTEE**

**4 December 2018**

### **Authority Monitoring Report 2017/18**

|                                           |                                                           |
|-------------------------------------------|-----------------------------------------------------------|
| <b>Final Decision-Maker</b>               | Strategic Planning Sustainability and Transport Committee |
| <b>Lead Head of Service/Lead Director</b> | Rob Jarman, Head of Planning and Development              |
| <b>Lead Officer and Report Author</b>     | Stuart Watson, Planning Officer, Strategic Planning       |
| <b>Classification</b>                     | Public                                                    |
| <b>Wards affected</b>                     | All                                                       |

#### **Executive Summary**

This report provides a summary of the main issues that are reported within the Authority Monitoring Report 2017/18.

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

1. That the Authority Monitoring Report 2017/18 be approved for publication on the Council's website.

#### **Timetable**

| <b>Meeting</b>                                                  | <b>Date</b>     |
|-----------------------------------------------------------------|-----------------|
| Strategic Planning, Sustainability and Transportation Committee | 4 December 2018 |

## 1. INTRODUCTION AND BACKGROUND

- 1.1 Local Plan guidance states that local planning authorities must publish information at least annually that shows progress with Local Plan preparation, reports any activity relating to the duty to cooperate and shows how the implementation of policies in the Local Plan is progressing and are encouraged to report as frequently as possible on planning matters to communities.
- 1.2 The Authority Monitoring Report (AMR) is prepared in accordance with Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the Regulations"). It also has a broad remit not exclusive to planning, highlighting a number of important contextual matters such as deprivation, crime, and housing delivery.
- 1.3 The AMR 2017/18 focuses on monitoring indicators that help to illustrate the key features of the borough and monitors the policies set out within the Local Plan 2017. The AMR comprises:
- An introduction to the Authority Monitoring Report;
  - A Maidstone Profile which demonstrates the wider demographic, social, economic and environmental characteristics of the borough;
  - Development plan progress which includes a review of the Local Development Scheme (LDS), Local Plan review, Neighbourhood Development Plans, Kent Minerals and Waste Local Plan, Community Infrastructure Levy (CIL) and Duty to Cooperate;
  - Local Plan performance, monitoring the policies set out in the Local Plan 2017. The key indicators monitored in AMR focus on General/Whole Plan, Housing, Employment, Retail, Gypsies Travellers & Travelling Show people Accommodation, Heritage, Natural Environment – Biodiversity, Agricultural Land, Good Design and Sustainable Design, Open Space, Air Quality, Infrastructure and Transport.
- 1.4 The AMR 2017/18 draws on an extensive range of data from the following sources:
- The 2011 census and updates
  - The Office for National Statistics (ONS)
  - Ministry of Housing Communities and Local Government
  - Department for Business, Energy and Industrial Strategy
  - Department for Environment, Food and Rural Affairs
  - Department of Education

- Department for Transport
- Kent Police
- The Environment Agency
- Historic England
- Kent County Council
- MBC's Strategic Planning team, the wider Planning department and GIS (Geographical Information Systems) department.

## **The Key findings from the AMR 2017/18**

### Maidstone Profile

- 1.5 Maidstone's population continues to grow and in mid 2017 there were 167,730 persons. The largest resident's age groups in 2017 were 45-49 and 50-54 and they made up 15% of the total population. In the thirteen years to 2015/16 the average total net migration inflow per year was 1,382 people. Having climbed sharply since 2011/12, net migration fell for the first time in four years in 2015/16.
- 1.6 Since 2011 there has been a 6.3% rise in total dwellings in Maidstone, rising from 65,530 to 69,700. In 2017 the average house price in Maidstone had risen to the same average as Kent. Semi-detached houses formed the highest percentage of household sales in 2017, the first time since 2013. There was a 33% fall in vacant dwellings in Maidstone between 2011 and 2017; vacant dwellings make up 1.51% of the total dwelling stock.
- 1.7 Professional occupation workers (resident population) continue to be the largest employment group for Maidstone (20%), followed by managers, directors and senior officials (17%). Maidstone continues to have a low wage economy and there is a disparity between resident earnings and work place earnings, a trend reported in the last two AMR's.
- 1.8 Maidstone has shown steady growth in the number of businesses from 2011 to 2017. Medium size business (50 to 249 employees) in Maidstone saw the largest percentage growth of 26.3% during the period 2011 to 2017.

### Social Profile

- 1.9 In 2017 35% of Maidstone residents over the age of 16 years have a degree or above. Schools in Maidstone continue to perform well compared to County and National results with students gaining 5 or more subjects at GCSE (A\* to C), standard pass (9-4) and for English Baccalaureate. The number of persons taking up a trade apprenticeship in Maidstone has fallen for two years in a row, down from a peak of 5,400 in 2015 to a seven year low of 2,200 in 2017.

1.10 The number of 19+ year olds who consider themselves physically active continues to rise in Maidstone from 60.9% of the population in 2012 to 68.1% in 2017.

1.11 Between 2011 and 2017 Maidstone reported a lower rise in crime than the County, however over the 7 year period the rise in crime has been higher than the national average.

#### Built and Natural Environment

1.12 Maidstone Borough has a range of designated heritage assets, including a large number of Listed Buildings and 41 Conservation Areas, of which six are located in or adjacent to the urban area.

1.13 CO<sub>2</sub> emissions rose sharply in Maidstone in 2016 after three progressive years of reduction. There has been a reduction in the number of existing dwellings with an energy performance certificate lodged in 2017/18. The number of new dwellings with energy performance certificates lodged in 2017/18 exceeds the number of reported dwelling completions.

#### Local Plan Review

1.14 During the period 2018-2022, the Council intends to produce a review of the Maidstone Borough Local Plan. The Local Plan Review (LPR) as this document will be known will affect the whole of Maidstone Borough. The council adopted a new Local Development Scheme (LDS 2018-2022) in July 2018 and the LDS outlines the programme for the LPR.

#### Community Infrastructure Levy (CIL)

1.15 The Council formally approved the CIL Charging Schedule (CS) in October 2017 and the CS was implemented on the 1 October 2018.

#### Local Plan Performance

1.16 Key monitoring indicators (KMI) are reported within the AMR, the KMI's enable the Council to understand the progress being made towards its local plan objectives and targets.

1.17 There were no departures from the Local Plan granted in 2017/18. During 2017/18 there were 64 appeals dismissed, 6 withdrawn, 3 disqualified and 22 allowed. The main reason given by planning inspectors for allowing the appeals was disagreement on character and landscape matters.

- 1.18 Over the past seven years a total of 5,291 dwellings have been completed which represents a shortfall of 890 dwellings against the seven year target of 6,181 dwellings. The five-year housing supply at 1 April 2017 demonstrates a surplus of 1,557 dwellings which represents 6.5 years' worth of housing land supply.
- 1.19 The council has established a self-build and custom housing building register (SBCH) and in 2017/18 there was one planning permission for SBCH granted totalling 1 plot.
- 1.20 Between 2015/16 and 2017/18 the Council secured affordable homes from qualifying sites close to the targets set out within Local Plan policy SP20. During the monitoring years 2011/12 to 2017/18, there has been 1,583 affordable dwellings completed in Maidstone, and this represents 30% of all completed dwellings within the Borough for this period.
- 1.21 There has been a net loss of 17,715sqm in B class floorspace from completed permissions. B1a floorspace has a net loss of 10,048sqm. A further loss of B class floorspace can be expected from planning applications consented but not yet implemented. In total there is expected to be a decrease of 2,795sqm across all B class floorspace from consents.
- 1.22 The percentage of those claiming job seekers allowance in Maidstone is 3.3%, a decrease of 1.8% since 2011. There has been a steady rise in the number of jobs within Maidstone with 7,000 created between 2011 and 2016.
- 1.23 Between 1 April 2016 and 31 March 2017 there has been an increase of 2,142sqm in net sales area of comparison and convenience retail floorspace from completed permissions. However, consented permissions result in a loss of 6,878sqm net sales.
- 1.24 At 1 April 2018, the Council can demonstrate 5.2 years' worth of deliverable planning traveller pitches. The Traveller Count published by MHCLG in July 2017 reported 582 caravans and 594 in January 2018.
- 1.25 There has been no loss of designated open space as a result of development during 2017/18. 1.6(ha) of outdoor sport provision was secured in accordance with Local Plan policy OS1 (4). In the monitoring year 2017/18 there were 16 major sites that qualified to make provision for open space, three sites had accepted viability assessments stating that no open space provision could be provided and the other 13 made provisions in line with Local Plan policy DM19 resulting in 12.93ha of on-site open space and payment for off-site provision totalling £369,569.

1.26 During 2017 Maidstone adopted and a new low emission strategy incorporating a new Air Quality Action Plan. There has been a reduction of 5.84ug/m<sup>3</sup> of No<sub>2</sub> emissions since 2011. In 2017/18 there were two applications granted for air quality mitigation: 16/507464 34c Gabriels Hill approved for 22 flats was conditioned for bike lockers and racks, electric vehicle charging points and efficient, low NO<sub>x</sub> boilers; and, 17/504186 Kent House Romney Place approved for 6 flats was conditioned to provide 8 electric vehicle charging points. Also, in 2017/18 there were 7 submissions of details applications permitted to discharge conditions relating to air quality.

1.27 There were 31 applications granted planning permission with S106 agreements in the 2017/18 reporting year. 27 were able to provide all contributions sought. Three were able to provide some and only one application was unable to provide any developer contributions sought due to specific site viability issues.

1.28 The Council maintains an Infrastructure Delivery Roadmap that tracks the progress of all infrastructure projects listed in the Infrastructure Delivery Plan (IDP). For the reporting year, all projects remain on track to be delivered within the five year periods identified in the IDP. The delivery of planned development has not been affected by the non-delivery of infrastructure.

### Conclusion

1.29 Results from the local plan indicators within the AMR 2017/18 make it clear that the Council continues to make good progress towards the targets set out within the Local Plan 2017.

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## **2. AVAILABLE OPTIONS**

- A The Committee resolve to publish the AMR 2017/18 on the Council's website.
- B The committee do not resolve to publish the AMR 2017/18 on the Council's website.
- C The committee request amendments are made to the AMR 2017/18 before publication on the Council's website.

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

3.1 Option A is the preferred option. The publication of the AMR 2017/18 will ensure the Council has met its duty to produce a monitoring report. Further, an up to date monitoring report will help to inform the Local Plan Review.

#### **4. RISK**

4.1 The report is presented for information only and has no risk implications.

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

5.1 Subject to a positive resolution from this Committee the AMR 2017/18 will be published on the Council’s website.

#### **6. CROSS-CUTTING ISSUES AND IMPLICATIONS**

| <b>Issue</b>                          | <b>Implications</b> | <b>Sign-off</b>                                                         |
|---------------------------------------|---------------------|-------------------------------------------------------------------------|
| <b>Impact on Corporate Priorities</b> | No implications     | Planning Officer<br>(Strategic Planning)                                |
| <b>Risk Management</b>                | No implications     | Planning Officer<br>(Strategic Planning)                                |
| <b>Financial</b>                      | No implications     | Planning Officer<br>(Strategic Planning)                                |
| <b>Staffing</b>                       | No implications     | Planning Officer<br>(Strategic Planning)                                |
| <b>Legal</b>                          | No implications     | Cheryl Parks,<br>Lawyer<br>(Planning),<br>Mid-Kent<br>Legal<br>Services |

|                                    |                  |                                          |
|------------------------------------|------------------|------------------------------------------|
| <b>Privacy and Data Protection</b> | No implications  | Legal Team                               |
| <b>Equalities</b>                  | No implications. | Equalities and Corporate Policy Officer. |
| <b>Crime and Disorder</b>          | No implications. | Planning Officer (Strategic Planning)    |
| <b>Procurement</b>                 | No implications. | Planning Officer (Strategic Planning)    |

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## 7. REPORT APPENDICES

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

- Appendix 1: Authority Monitoring Report 2017/18

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

**All enquiries should be addressed to:**

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Maidstone Borough Council  
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## Introduction

**1.1** The Authority Monitoring Report (AMR) for Maidstone provides a framework with which to monitor and review the effectiveness of Local Plan policies that address local issues over the monitoring period 1st April 2017 to 31st March 2018. During the monitoring year 2017/18 the borough's adopted development plan comprised the Maidstone Borough-wide Local Plan (2017), the Kent Minerals and Waste Local Plan and Neighbourhood Development Plans. These documents are available to view and download from the Council's website.

**1.2** The AMR includes a profile of Maidstone, which focuses on the broader and more descriptive character of the borough and includes: its demographic, economic, social and environmental structure. The report often includes a series of data so that changes over time can be understood. It reviews the progress of the development plan against the timetable for plan making set out in the Council's Local Development Scheme and reports on the progress of the preparation of Neighbourhood Development Plans. The AMR contains a section on the Kent Minerals and Waste Local Plan; an outline of the progress of the Council's Community Infrastructure Levy; and an update on the requirement for continued collaboration with partners over strategic cross-boundary issues through the 'duty to cooperate'.

**1.3** The performance of local plan policies is monitored in accordance with the monitoring indicators of the Maidstone Local Plan 2017 and Sustainability Appraisal 2017. A glossary of terms is included to assist the reader.

**1.4** Some of the key points highlighted in the AMR 2018 include:

- The Council is continuing to meet its objectively assessed needs for housing and, as at 1 April 2018, it has 6.5 years worth readily available housing sites;
- Completed dwellings on sites allocated within the Local Plan 2017 have been in line with the allocations targets.
- Affordable housing is being secured in accordance with Local Plan 2017 policies, and completion rates are, over the Local Plan period 2011 to 2018 in line with target.
- There has been a significant drop in the number of applications on the housing register, since 2011, however the number of homeless households within the borough has risen by 26% between 2011 and 2016.
- There has been a net loss in both consented and completed B class floorspace. Most of this loss can be attributed to prior notifications for conversion from office to residential.
- There has been an increase of 2,142sqm in net sales area of comparison and convenience retail floorspace from completed permissions. However, consent permissions result in a loss of 955sqm (net sales).
- There has been a steady rise in the number of jobs within Maidstone Borough. Between 2011 and 2016 an additional 7,000 jobs have been created.
- The Local Plan 2017 was adopted and the Community Infrastructure Levy charging rates were agreed by Full Council on 25 October 2017.

### Maidstone Profile

**2.1** The Maidstone profile indicators have been chosen, including recommendations from the Council's Sustainability Appraisal 2017 to reveal the broader descriptive character of the borough in terms of the demographic, economic, social and environmental characteristics in Maidstone. The following section includes statistical data and commentary, illustrating historic trends where data is available. The profile indicators focus on the key characteristics of the area and local issues, setting the scene for planning the future growth of the borough.

**2.2** The demographic structure contains data on: population and migration; the economic structure reviews house prices and sales, earnings and commuting patterns; the social profile includes education achievements, crime statistics and data on areas of deprivation; and the built and natural environment section highlights the borough's assets and constraints. Some of the indicators that have been recommended within the Maidstone Sustainability Appraisal 2017 are also contained within the profile.

### Demographic Structure

#### Population

**2.3** Maidstone's population in mid 2017 was estimated as 167,730 persons compared to 155,764 in 2011, an estimated rise of 11,966 or 7.7%. In 2017 the estimated population was made up of 51% females and 49% males. The two largest age groups in 2017 were 45-49 and 50-54 and they made up 15% of the total population. The percentage of males and females are generally equal up to the age of 74 with the proportion of males decreasing from the age of 75. Comparisons between 2011 and 2017 show that in both years the proportion of persons drop in the age range 20-24 and that the highest proportion of residents has changed from 40-44 in 2011 to 45-49 in 2017 (Figure 2.1).

**2.4** In the thirteen years to 2015/16 the average total net migration inflow per year was 1,382 people. Having climbed sharply since 2011/12, net migration fell for the first time in four years in 2015/16. However, this is not as low as the levels of 2003/04 and 2004/05 (Figure 2.2). Internal migration makes up the greater proportion of net migration at 54%, which is similar in comparison to 55% in 2011/12. The cumulative net inflow to Maidstone between 2003/04 and 2015/16 was 17,969 persons (Figure 2.3).

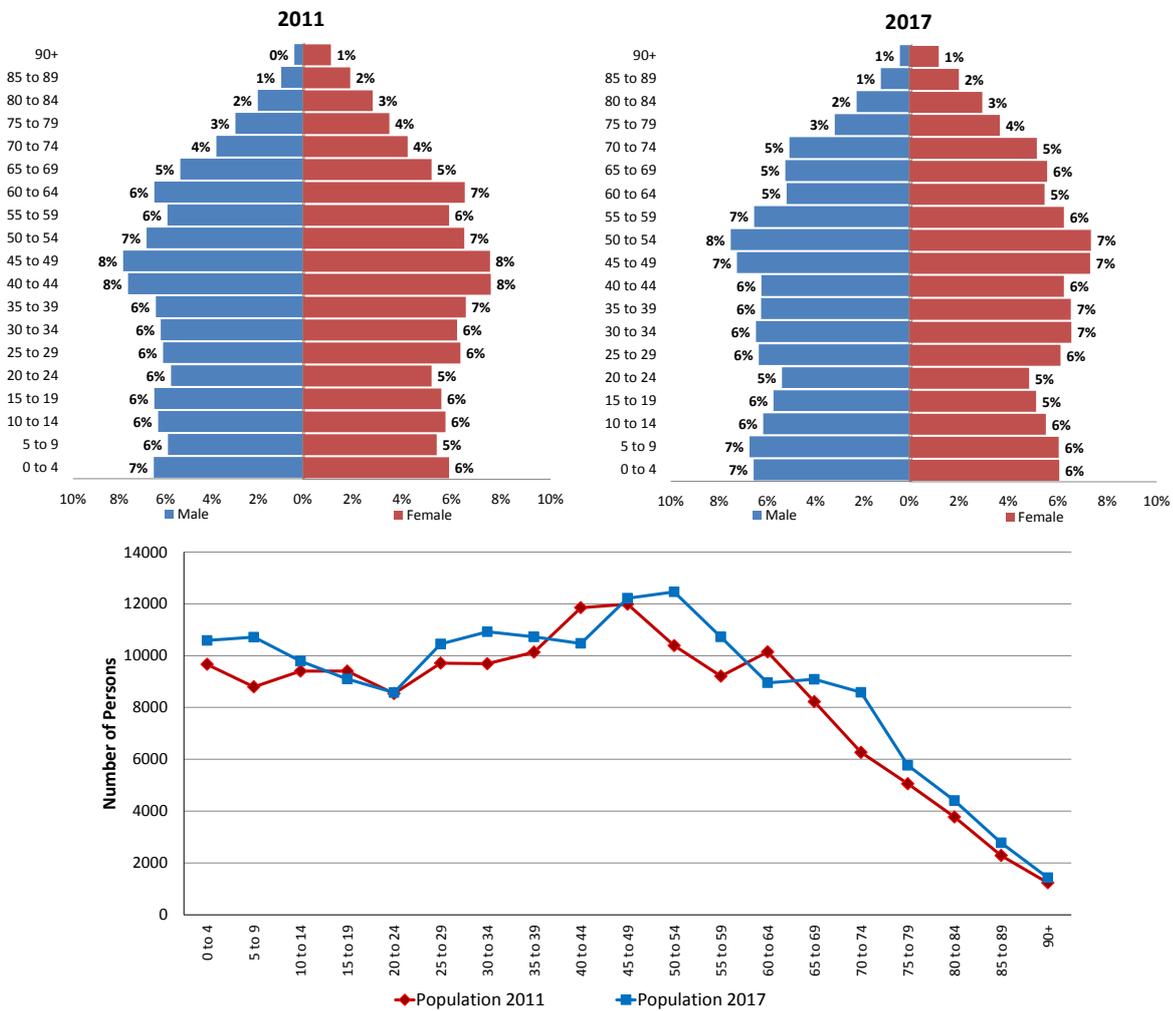


Figure 2.1 Population of Maidstone Borough 2011 & 2017 (source: ONS 2011 & 2017)

## 2 . Maidstone Profile

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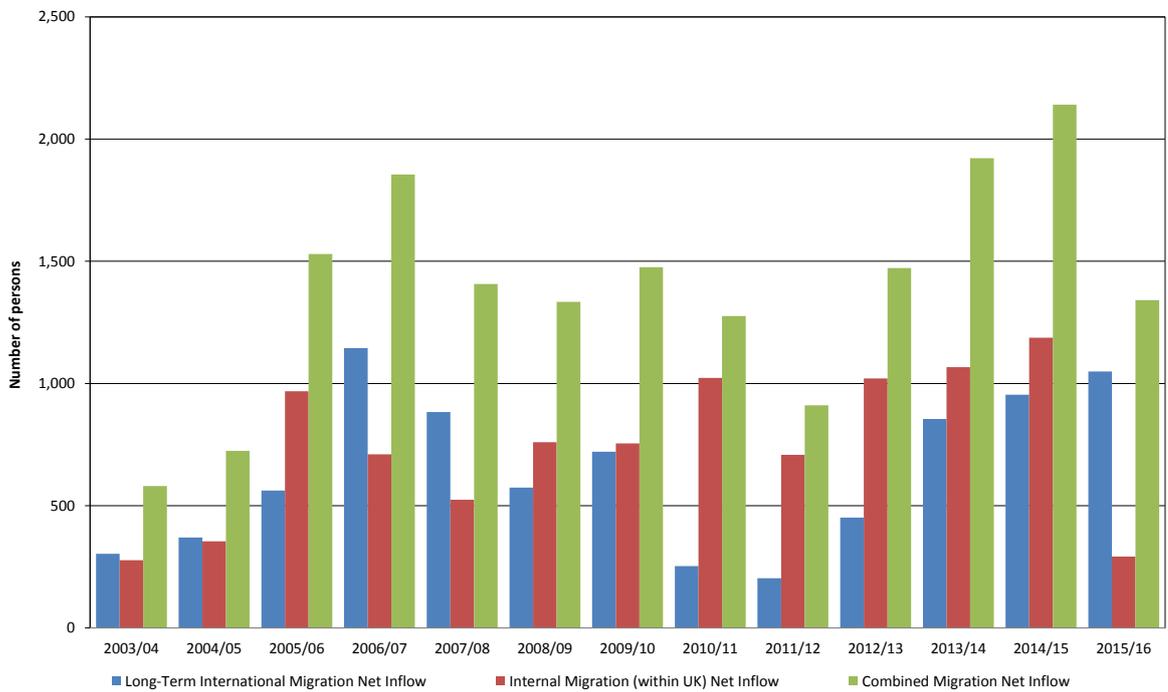


Figure 2.2 Maidstone Borough Council International and internal migration (source: ONS 2018)

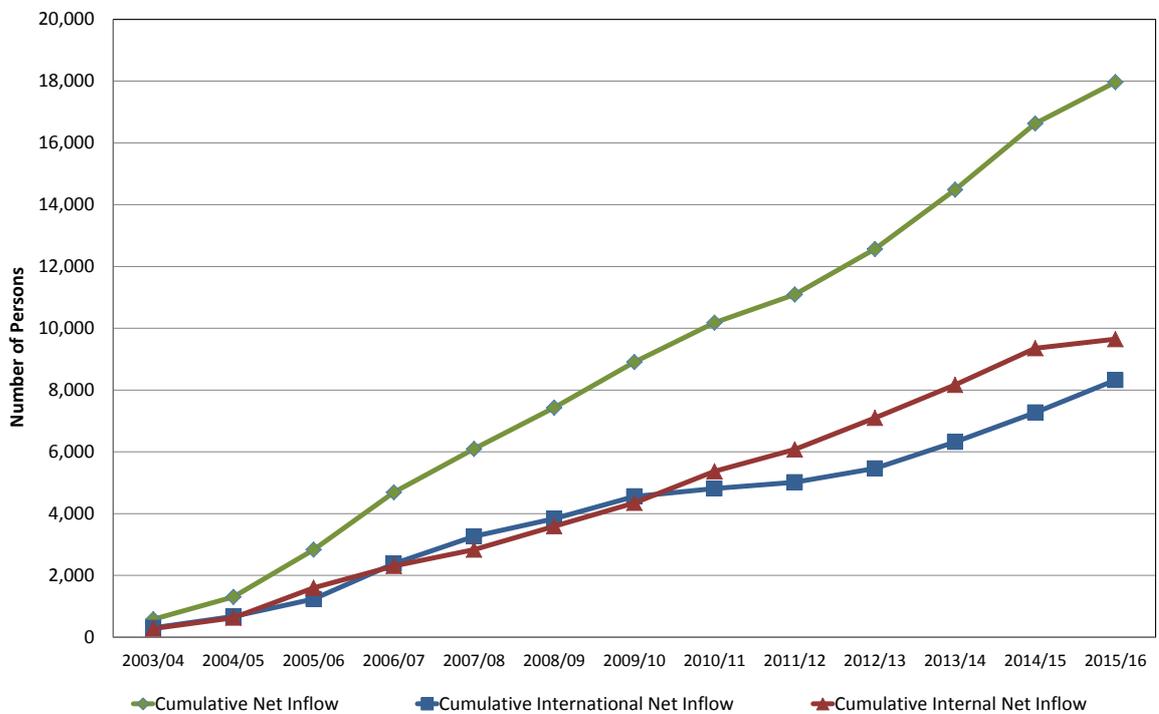


Figure 2.3 Maidstone Borough Council cumulative migration (source: ONS 2018)

## Economic Structure

### Housing stock, prices and sales

**2.5** Since 2011, there has been a 6.3% rise in total dwellings in Maidstone, rising from 65,530 to 69,700 dwellings, compared to 4.8% rise in Kent (excluding Medway) and a 4.2% rise in England (KCC June 2018). The tenure of private sector dwelling stock in Maidstone is 87% which is similar to Kent and England, however, Maidstone has only a very small amount of local authority owned dwellings compared to Kent and England and has a much higher number of private dwellings provided by registered providers (Table 2.1). The average household size in Maidstone is 2.4 people, which is comparable to household sizes across the county, the region and nationally (Table 2.2).

**2.6** Since 2011 house prices in Maidstone have been steadily climbing with detached dwellings showing the highest price rise and flats/maisonettes showing only a minimal rise (Figure 2.4). In 2017 the average house price in Maidstone had risen to the same average as Kent (Table 2.3).

**2.7** The total number of house sales per annum increased steadily between 2011 and 2014. In 2016 there was a sharp decrease which was followed by a significant jump to a 7 year high. This extraordinary trend was reflected in Kent and the South East (Table 2.4). Terraced and semi-detached housing continue to be the two largest types of dwelling sold in Maidstone, and they regularly average two thirds of the total dwellings sold. (Figure 2.5).

| Tenure                      | Maidstone | Kent (excluding Medway) | England    |
|-----------------------------|-----------|-------------------------|------------|
| Local authority owner       | 40        | 30,850                  | 1,602,000  |
| Private registered provider | 8,970     | 57,020                  | 2,511,000  |
| Other public sector         | 0         | 960                     | 56,000     |
| Private sector              | 60,700    | 575,150                 | 19,781,000 |

Table 2.1 Dwelling stock by tenure 2017 (source: KCC 2018)

| Maidstone | Kent (including Medway) | South East | England    |
|-----------|-------------------------|------------|------------|
| 63,477    | 711,847                 | 3,555,463  | 22,063,368 |
| 2.4       | 2.4                     | 2.4        | 2.4        |

Table 2.2 Number of households and average size (source: KCC demography 2011 Census data)

## 2 . Maidstone Profile

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| Year        | Maidstone | Kent (excluding Medway) | South East |
|-------------|-----------|-------------------------|------------|
| <b>2017</b> | 9.0       | 6.1                     | 5.7        |
| <b>2016</b> | 6.59      | 5.03                    | 7.64       |
| <b>2015</b> | 10.47     | 8.58                    | 7.84       |
| <b>2014</b> | 6.95      | 6.02                    | 6.23       |
| <b>2013</b> | 1.20      | 2.84                    | 2.66       |
| <b>2012</b> | 3.92      | 1.55                    | 1.78       |
| <b>2011</b> | -5.91     | -3.17                   | -1.64      |

Table 2.3 All dwellings house price change % (source: KCC 2017)

| Year                    | Maidstone  | Kent (excluding Medway) | South East |
|-------------------------|------------|-------------------------|------------|
| <b>% change 2011-17</b> | <b>57%</b> | <b>41%</b>              | <b>30%</b> |
| <b>2017</b>             | 3,127      | 26,544                  | 202,756    |
| <b>2016</b>             | 2,015      | 19,114                  | 148,404    |
| <b>2015</b>             | 2,692      | 26,455                  | 213,054    |
| <b>2014</b>             | 2,915      | 27,237                  | 224,795    |
| <b>2013</b>             | 2,349      | 22,497                  | 190,971    |
| <b>2012</b>             | 2,038      | 19,123                  | 160,059    |
| <b>2011</b>             | 1,997      | 18,877                  | 156,122    |

Table 2.4 Number of house sales (source: KCC 2017)

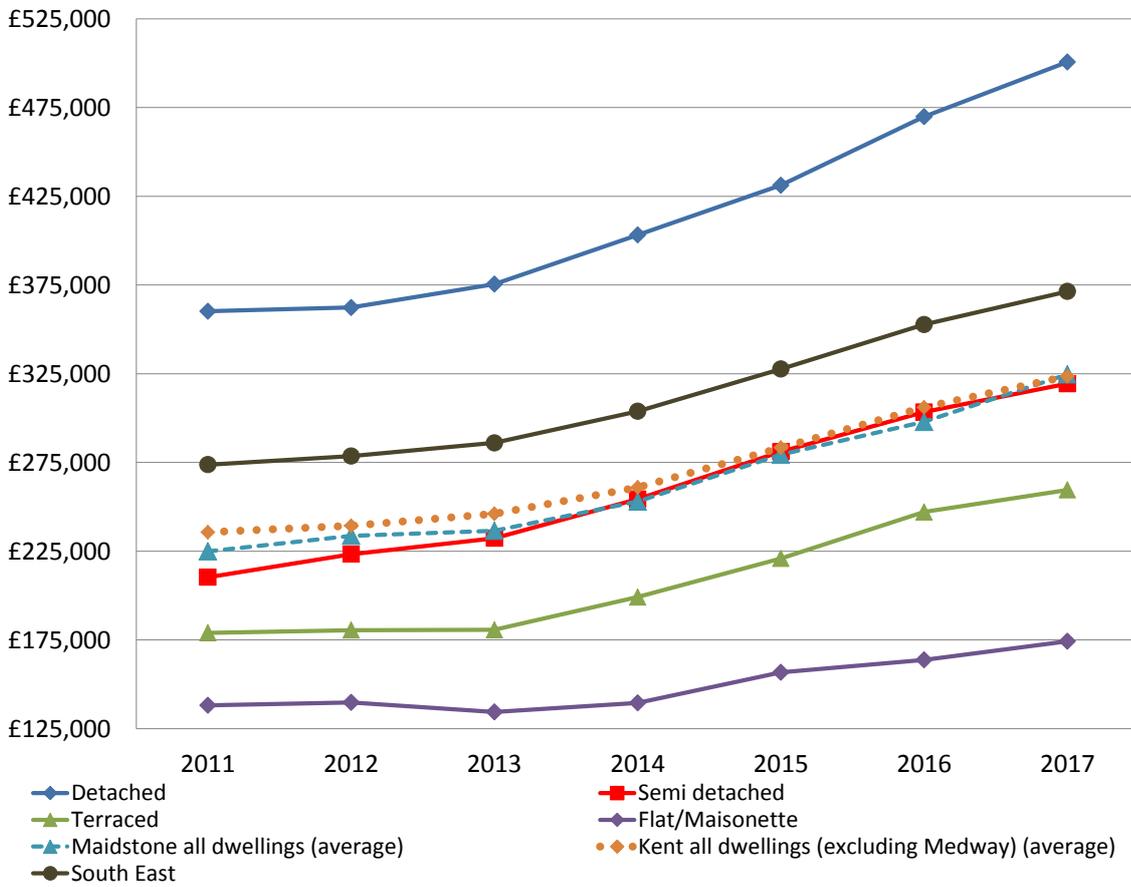


Figure 2.4 Maidstone annual house price change (KCC 2018)

## 2 . Maidstone Profile

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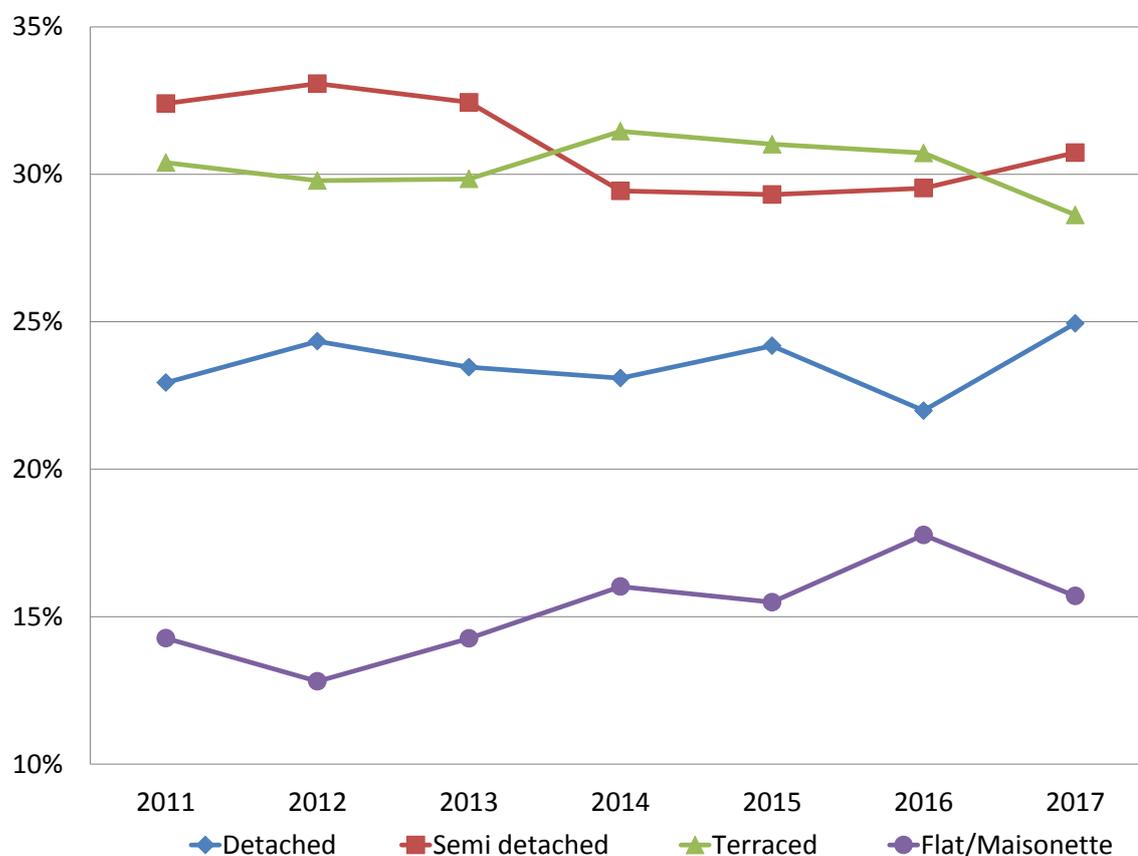


Figure 2.5 Maidstone types of house sold as a percentage of total house sales (source: KCC 2016)

### Vacant dwellings

**2.8** There has been a 33% fall in vacant dwellings in Maidstone between 2011 and 2017, a trend higher than in Kent and England (Table 2.5). Long term vacancy rates have fallen in Maidstone for two consecutive years up to 2017, where as the trend has been inconsistent in Kent and England (Figure 2.6).

**2.9** Vacant dwellings in Maidstone make up 1.51% of total dwelling stock of 69,700 homes, which is a lower trend than Kent 2.41%, and England 2.53% (KCC 2018).

|                            | Maidstone | Kent (excluding Medway) | England |
|----------------------------|-----------|-------------------------|---------|
| <b>% Change since 2011</b> | -33%      | -18%                    | -16%    |
| <b>2017</b>                | 1,053     | 16,053                  | 605,891 |
| <b>2016</b>                | 1,039     | 16,009                  | 589,766 |
| <b>2015</b>                | 1,017     | 15,470                  | 600,179 |
| <b>2014</b>                | 1,112     | 15,799                  | 610,123 |
| <b>2013</b>                | 1,239     | 16,640                  | 635,127 |
| <b>2012</b>                | 1,401     | 19,012                  | 704,357 |
| <b>2011</b>                | 1,583     | 19,621                  | 719,352 |

Table 2.5 Vacant dwellings 2011 to 2017 (source: KCC 2017)

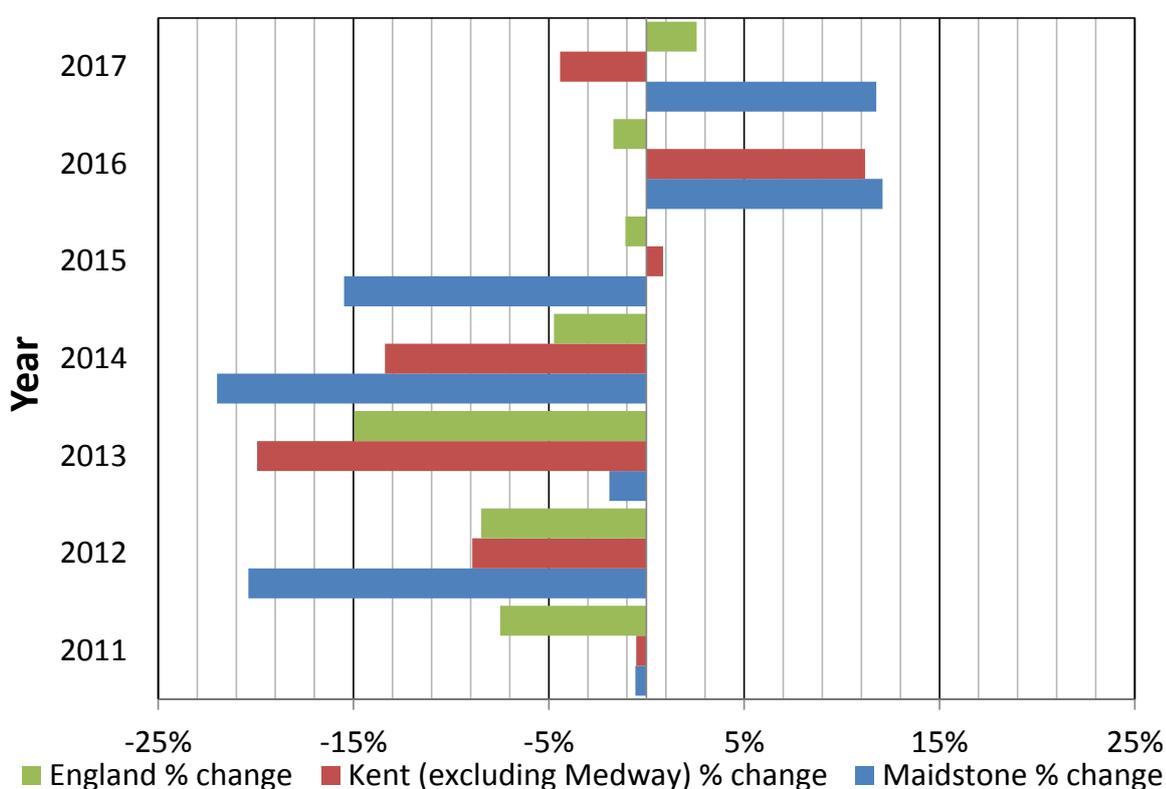


Figure 2.6 Long term vacancy rate change (source: KCC 2018)

### Employment by occupation, earnings and commuting patterns

**2.10** Figure 2.7 shows that professional occupation workers (resident population) are the largest employment group for Maidstone (20%) followed by both manager directors and senior officials (19%). The Council strives to maintain

## 2 . Maidstone Profile

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a balance of job opportunities within the borough, reflected through the policies of the Local Plan 2017 and the Maidstone Economic Development Strategy. Maidstone Borough has a low wage economy: there is a disparity between residence earnings and work place earnings (Figure 2.8).

**2.11** Table 2.6 shows net commuting patterns between Maidstone and London, and the seven local authority areas with which Maidstone has the highest levels of commuting flows. From the seven local authority areas, 49% of the total commuting flow are workers coming into Maidstone Borough. There is a high proportion of workers commuting out to Tonbridge and Malling (58%) and all London metropolitan boroughs (83%) than commuting in from these locations. Medway has the highest proportion of workers commuting into Maidstone (65%). These patterns reflect Maidstone's strong transport links with the M20 motorway junctions 5,6,7 and 8, three railways lines across the borough and good public transport links with the Medway Towns.

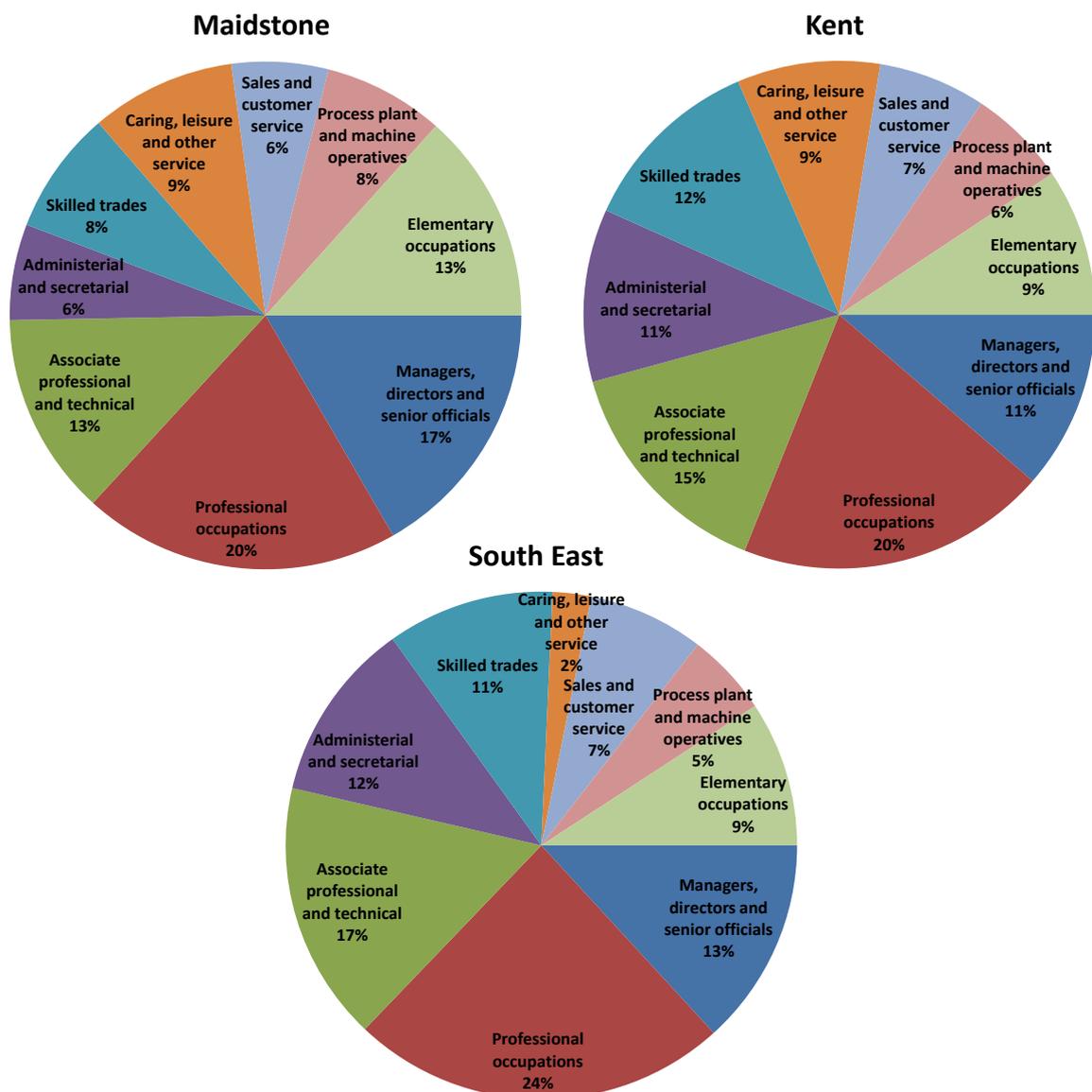


Figure 2.7 Employment by occupation 2017 (source: NOMIS 2018)



Figure 2.8 Workplace and residence-based earnings 2017 (source: NOMIS 2018)

| Local Authority       | Commuting in  | Commuting out | Net commuting flow |
|-----------------------|---------------|---------------|--------------------|
| Tonbridge and Malling | 5,471         | 7,479         | - 2,008            |
| Medway                | 7,578         | 4,165         | 3,413              |
| Swale                 | 3,190         | 1,533         | 1,657              |
| Ashford               | 2,882         | 1,636         | 1,246              |
| Tunbridge Wells       | 1,838         | 2,671         | - 833              |
| Canterbury            | 1,090         | 517           | 573                |
| Gravesham             | 901           | 569           | 332                |
| London                | 1,491         | 7,325         | - 5,834            |
| <b>Total</b>          | <b>24,441</b> | <b>25,895</b> | <b>- 1,454</b>     |

Table 2.6 Maidstone commuting flows (source: NOMIS census data 2011)

### Types of business units

**2.12** Maidstone has shown steady growth in the number of businesses from 2011 to 2017 a trend reflected in Kent and the South East. Medium size businesses (50 to 249 employees) in Maidstone saw the largest percentage growth of 26.3% during the period, with micro businesses (0 to 9 employees) seeing the smallest growth at 19.9% (Figure 2.9).

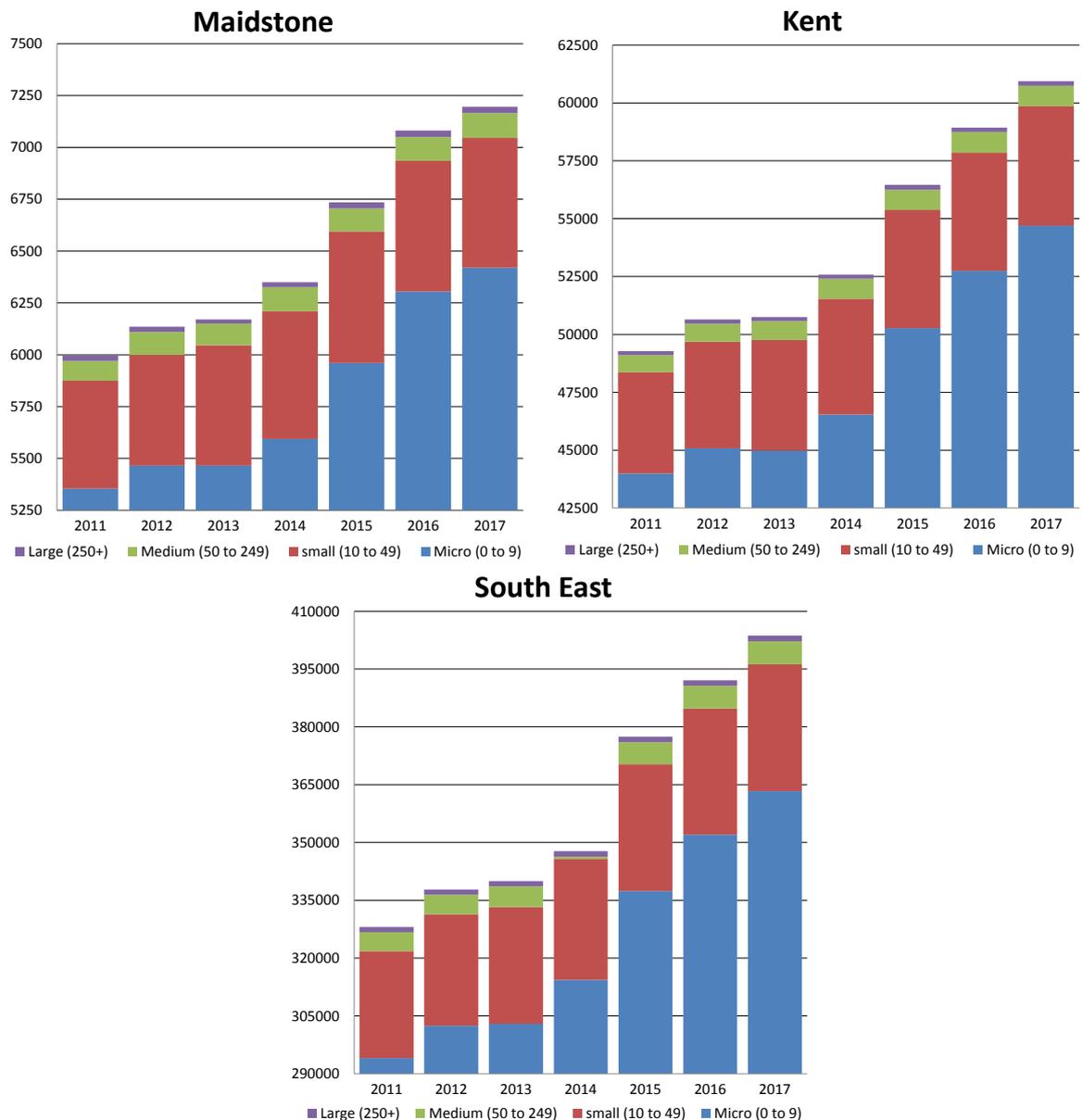


Figure 2.9 Business enterprise counts 2017 (source: NOMIS 2018)

## Tourism

**2.13** Between 2014 and 2016 the number of nights stayed by overseas visitors to Maidstone increased by 6% (Table 2.7). There has been a steady increase in visiting friends or relatives by overseas visitors as the reason to visit, whilst visits for holidays has seen a slight decrease (Figure 2.10).

|                 | 2014    | 2015    | 2016    |
|-----------------|---------|---------|---------|
| Nights stayed   | 517,000 | 699,000 | 550,000 |
| Spending (£mil) | 26      | 30      | 27      |

Table 2.7 Nights stayed and spending by overseas visitors to Maidstone (source: ONS 2017)

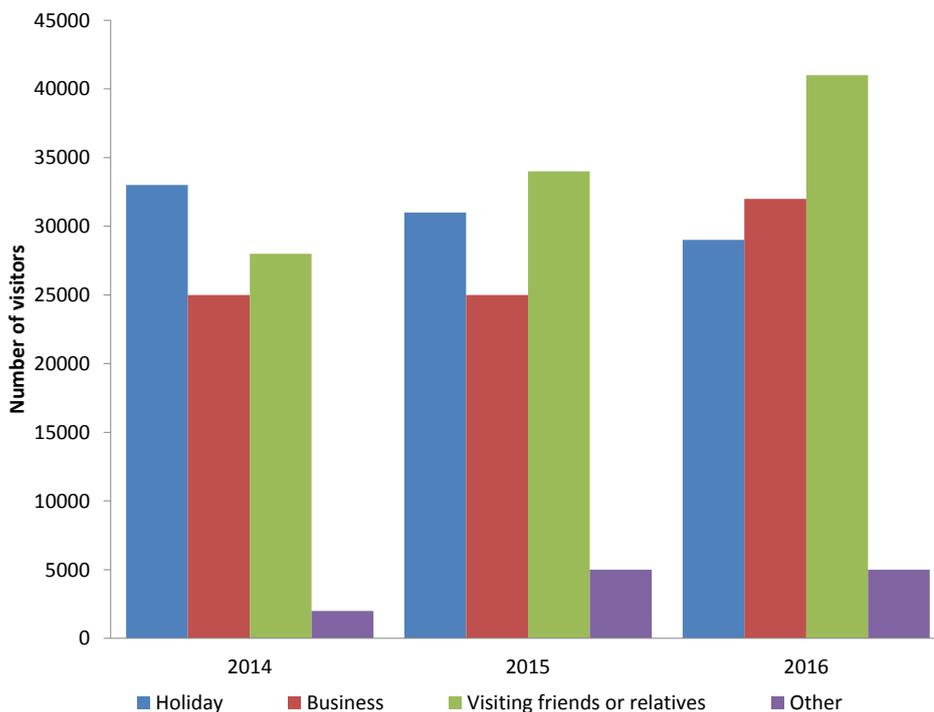


Figure 2.10 Purpose and number of overseas visitors to Maidstone (source: ONS 2017)

### Energy

**2.14** Maidstone had a slight increase in renewable electricity capacity between 2014 and 2016, a trend that was considerably lower than Kent and only slightly lower than the south East (Table 2.8). There has been a decrease in total energy consumption within Maidstone, with the largest proportion of the decrease in industrial and commercial usage (Figure 2.11).

|                                    | 2014 | 2015 | 2016 | % change |
|------------------------------------|------|------|------|----------|
| Maidstone                          | 56   | 58   | 58   | 3%       |
| Kent Local Authority average       | 116  | 135  | 142  | 22%      |
| South East Local Authority average | 37   | 47   | 53   | 4%       |

Table 2.8 Installed renewable electricity capacity (MW) (source: DBEIS 2017)

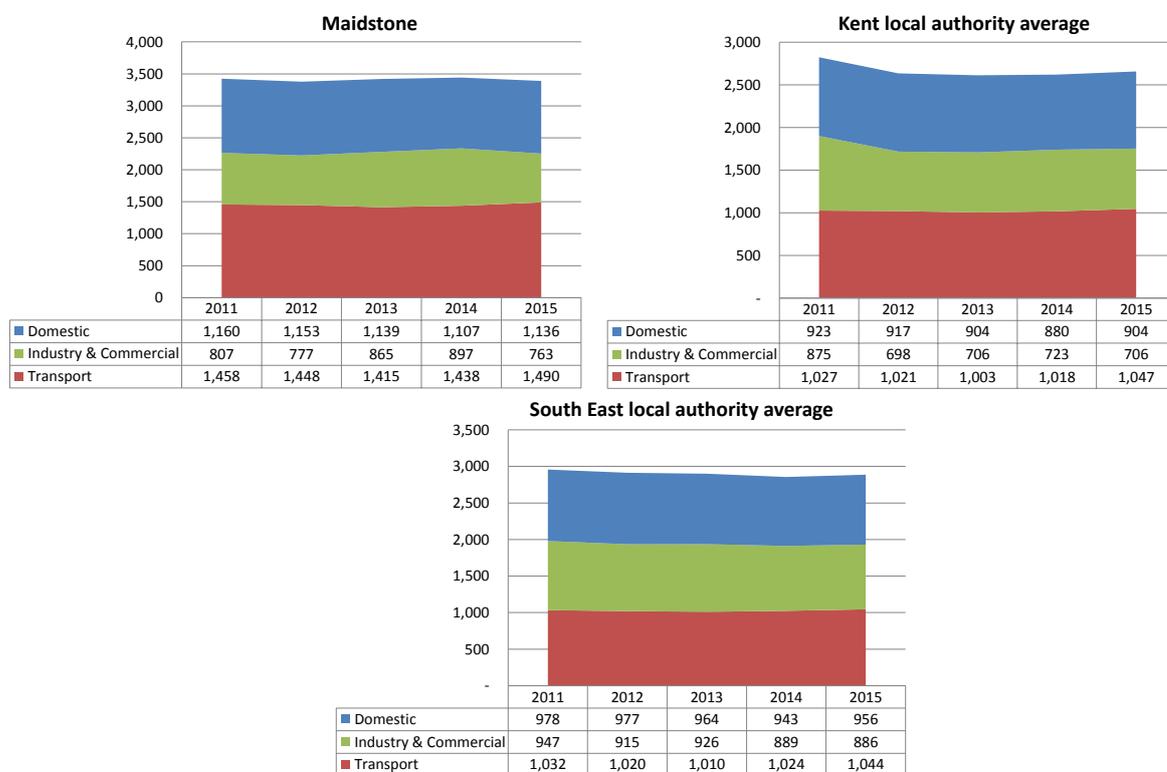


Figure 2.11 Energy consumption by consuming sector (source: DBEIS 2017)

### Waste management

**2.15** There has been a slight decrease in household waste collected in Maidstone since 2011/12, a trend lower than Kent and the South East (Table 2.9). Between 2011/12 to 2016/17 non-household waste has slightly reduced in Maidstone, a trend much lower than Kent and slightly higher than South East (Table 2.10).

|                 | Maidstone | Kent  | South East |
|-----------------|-----------|-------|------------|
| <b>% Change</b> | -1.7%     | -3.3% | 1.9%       |
| <b>2016/17</b>  | 344       | 348   | 369        |
| <b>2015/16</b>  | 347       | 345   | 356        |
| <b>2014/15</b>  | 352       | 352   | 362        |
| <b>2013/14</b>  | 352       | 351   | 359        |
| <b>2012/13</b>  | 332       | 349   | 354        |
| <b>2011/12</b>  | 350       | 360   | 362        |

Table 2.9 Collected household waste per person (kg) (source: DEFRA 2017)

|                 | <b>Maidstone</b> | <b>Kent</b> | <b>South East</b> |
|-----------------|------------------|-------------|-------------------|
| <b>% Change</b> | -5.6%            | 11.9%       | -7.7%             |
| <b>2016/17</b>  | 202              | 10,326      | 370,949           |
| <b>2015/16</b>  | 523              | 14,999      | 387,010           |
| <b>2014/15</b>  | 558              | 17,462      | 403,914           |
| <b>2013/14</b>  | 1,054            | 13,190      | 389,902           |
| <b>2012/13</b>  | 1,603            | 10,590      | 355,118           |
| <b>2011/12</b>  | 214              | 9,229       | 377,484           |

Table 2.10 Non household waste (tonnes) (source: DEFRA 2018)

### Social Profile

#### Education

**2.16** The latest data available for Maidstone's education results are set out in figures 2.12, 2.13, 2.14, 2.15, 2.16 and table 2.11.

**2.17** The achievements overall show:

- A greater percentage of students gaining 5 or more subjects at grades A\* to C and grades Standard pass (grades 9-4) in English and Maths, compared to county and national results;
- Maidstone has a higher percentage of young people achieving English Baccalaureate compared to the county and nationally;
- There is a considerably higher percentage of pupils gaining standard pass (Grades 0-4) in English Baccalaureate than Kent and nationally.
- The number of persons taking up a trade apprenticeship in Maidstone has fallen two years in a row, the number of persons taking up trade apprenticeships in Kent regionally and nationally has remained stable between 2016 and 2017.
- In 2017 Maidstone's Primary and Secondary schools have been at a higher level of capacity than the Kent and national average.
- 35% of Maidstone residents over the age of 16 years have a degree or above a rate lower than the South East and similar to Kent and nationally.

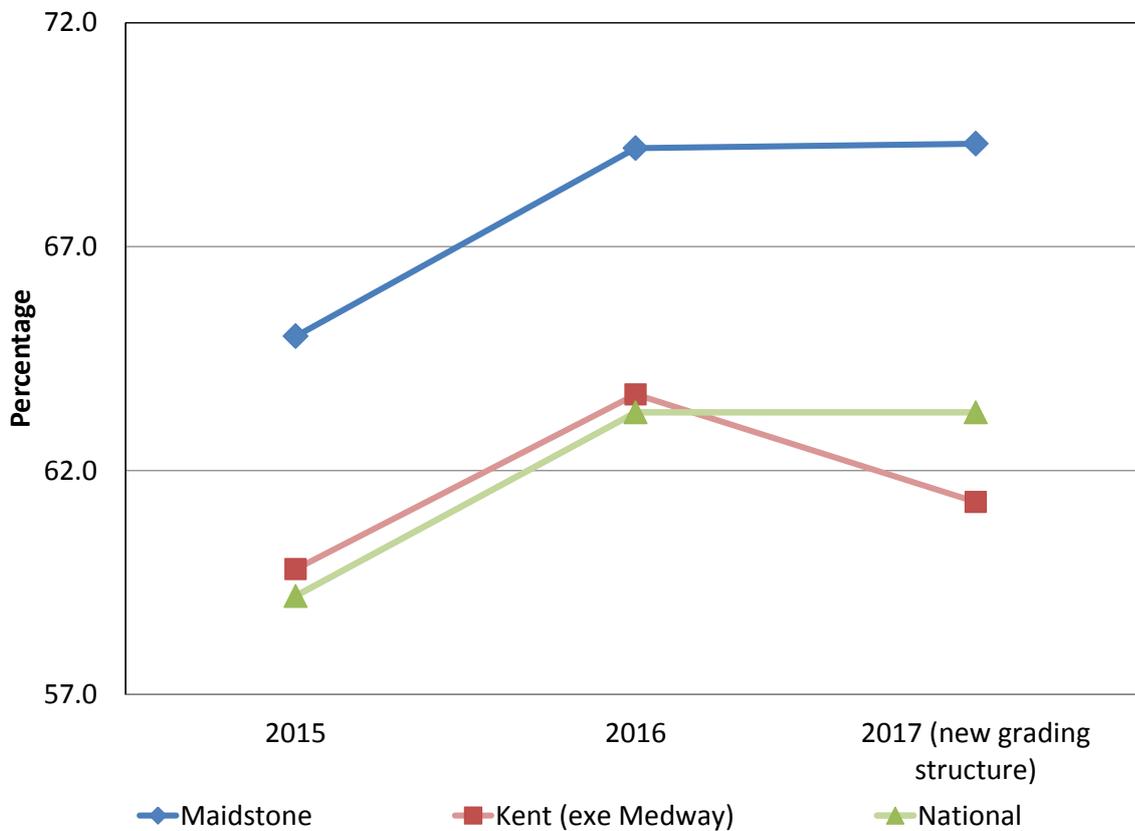


Figure 2.12 Percentage of pupils achieving A\*-C Grades and Standard Pass (grades 9-4) in English and Maths (source: KCC 2018)

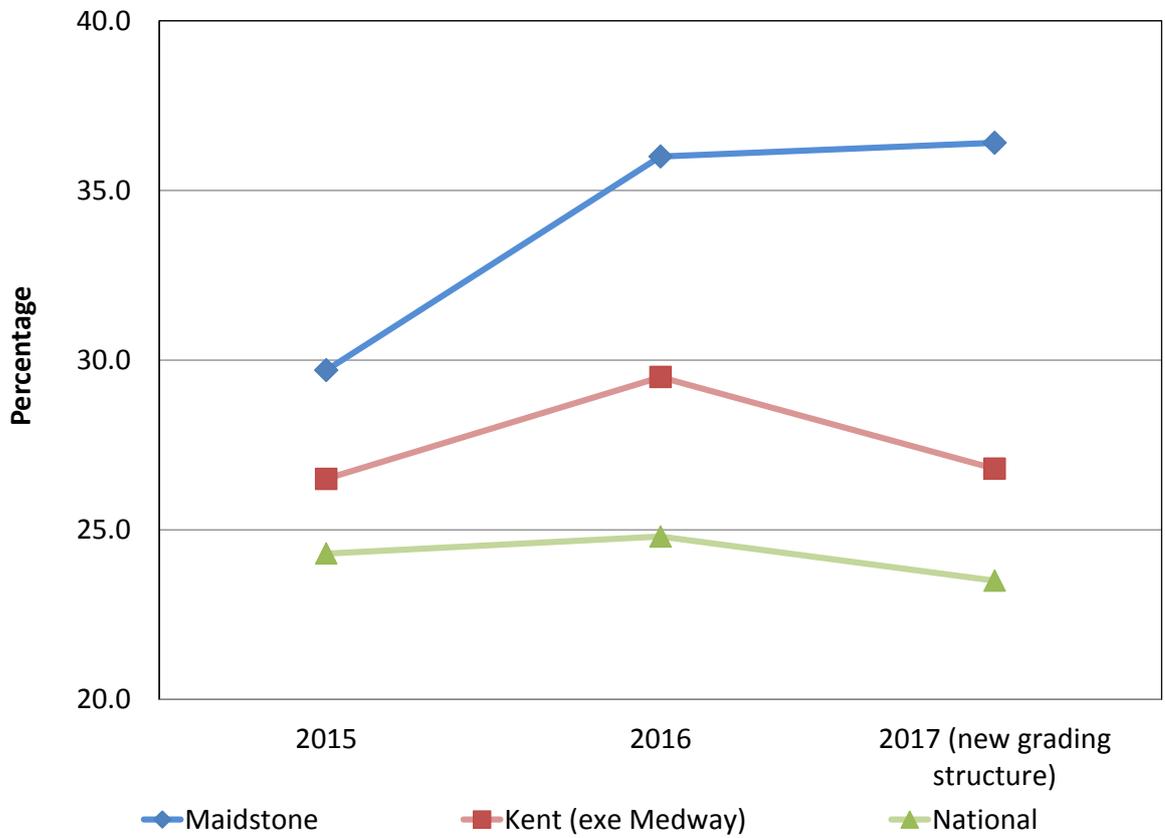


Figure 2.13 Percentage of pupils achieving A\*-C and Standard Pass (Grades 9-4) in English Baccalaureate (source: KCC 2018)

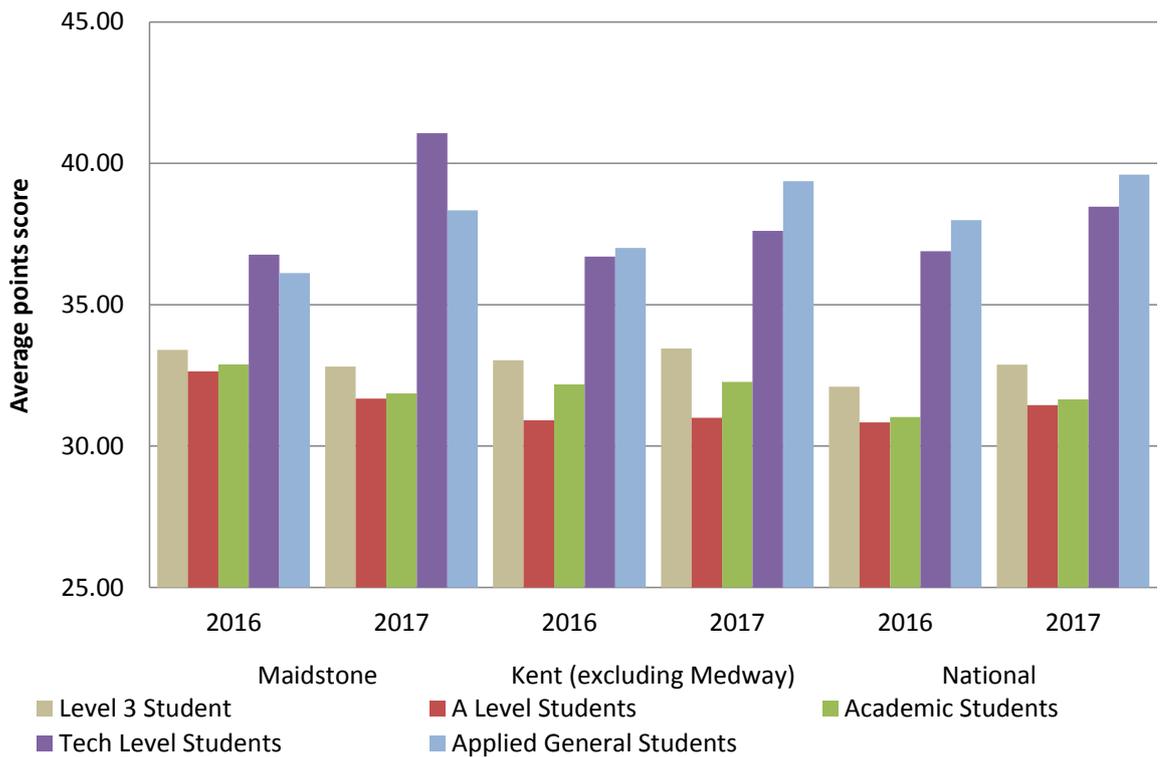


Figure 2.14 Post 16 APS data (source: KCC 2018).pdf

|      | Maidstone | Kent (including Medway) | South East | England   |
|------|-----------|-------------------------|------------|-----------|
| 2017 | 2,200     | 31,200                  | 166,500    | 1,013,300 |
| 2016 | 3,700     | 31,600                  | 159,900    | 1,019,000 |
| 2015 | 5,400     | 43,500                  | 173,500    | 1,060,900 |
| 2014 | 4,500     | 45,600                  | 182,300    | 1,109,800 |
| 2013 | 3,400     | 41,400                  | 182,200    | 1,128,500 |
| 2012 | 1,300     | 34,400                  | 177,900    | 1,156,000 |
| 2011 | 2,300     | 33,700                  | 184,600    | 1,162,600 |

Table 2.11 Number of persons taking up a trade apprenticeship (source: ONS 2018)

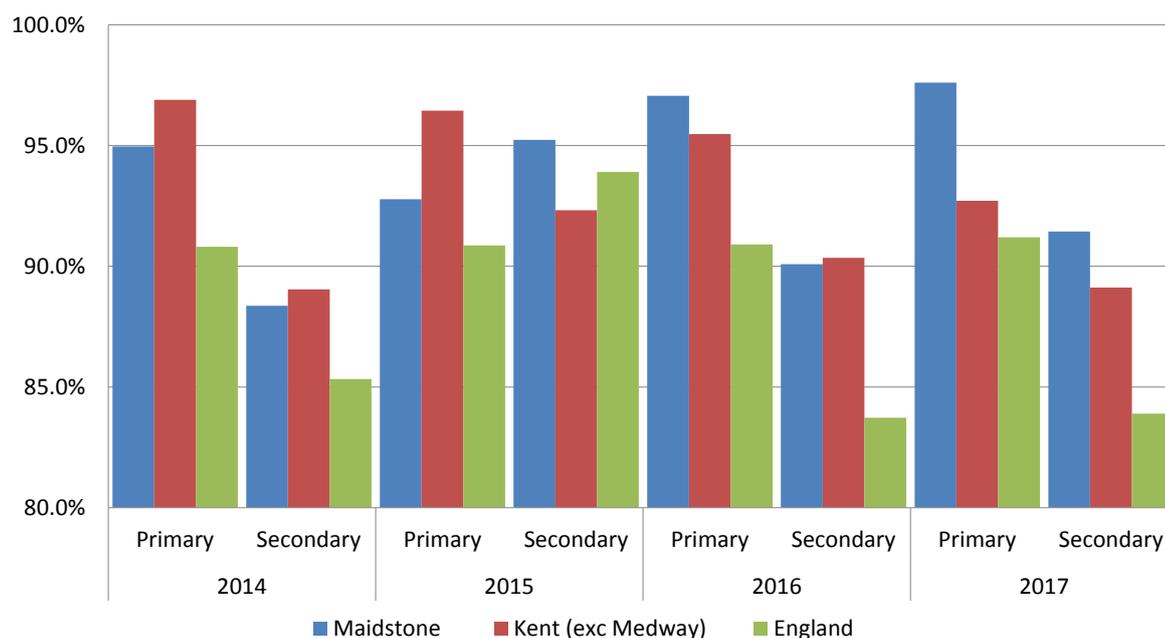


Figure 2.15 State schools capacity (source: KCC 2018 & DfE SCAP 2017)

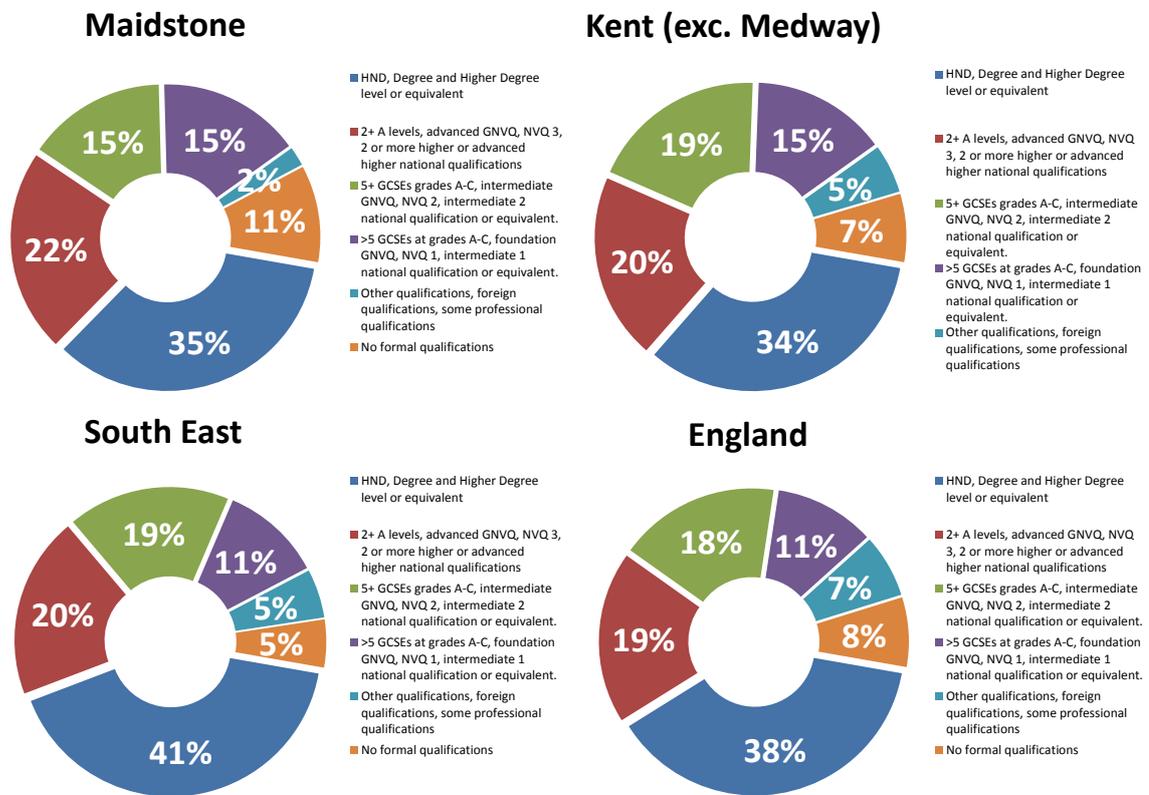


Figure 2.16 Residents highest qualification 2017 (source: NOMIS 2018)

## Benefit claimants and unemployment

**2.18** The Claimant Count is the number of people claiming benefit principally for the reason of being unemployed. This is measured by combining the number of people claiming Jobseeker's Allowance (JSA) and National Insurance credits with the number of people receiving Universal Credit principally for the reason of being unemployed. Claimants declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made. In 2018 there was a decrease in claimants in the borough compared to a continued rise in Kent, the South East and England (Figure 2.17).

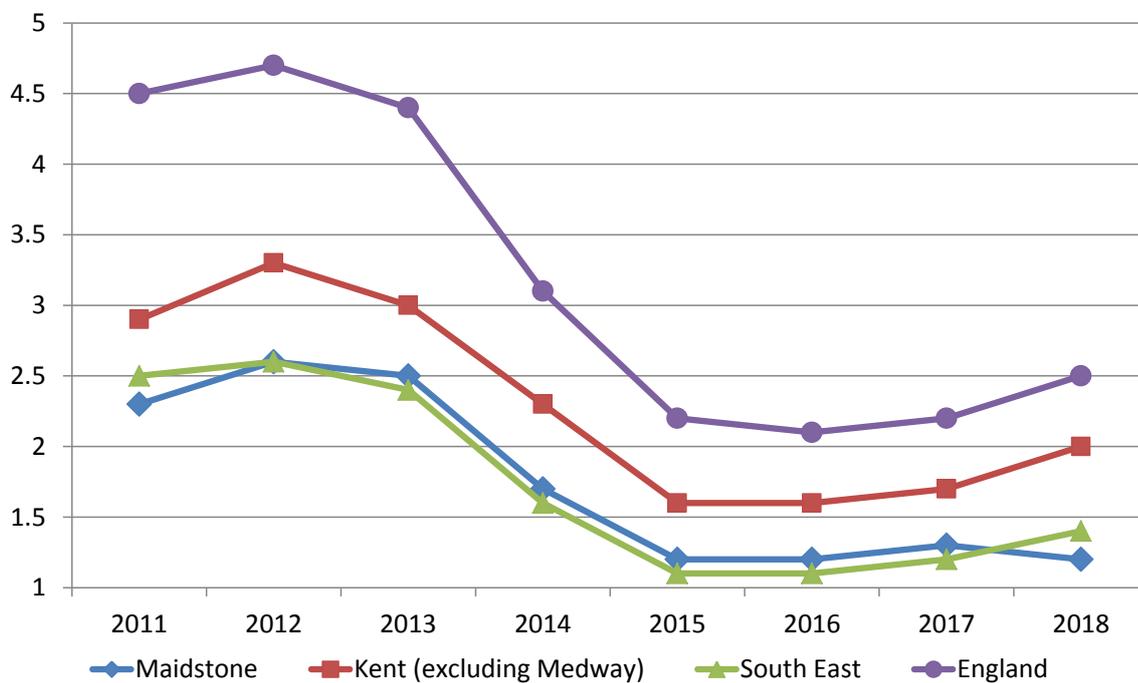


Figure 2.17 Percentage of claimants/workforce Jobs (source: Nomis 2018)

### Free school meals

**2.19** The percentage of pupils in Maidstone qualifying for free school meals in primary, secondary and special needs education is lower than in Kent and Nationally. However, the overall proportion of pupils eligible for free school meals has increased for Maidstone whilst Kent and Nationally it has decreased (Table 2.12).

|               | Maidstone |       |       | Kent (exe Medway) |       |       | National |       |       |
|---------------|-----------|-------|-------|-------------------|-------|-------|----------|-------|-------|
|               | 2016      | 2017  | 2018  | 2016              | 2017  | 2018  | 2016     | 2017  | 2018  |
| Primary       | 10.1%     | 10.1% | 10.4% | 12.5%             | 12.2% | 12.1% | 15.6%    | 15.2% | 14.1% |
| Secondary     | 8.0%      | 7.7%  | 7.6%  | 10.8%             | 10.6% | 10.3% | 13.9%    | 14.1% | 12.9% |
| Special Needs | 32.7%     | 31.5% | 29.8% | 32.3%             | 32.7% | 31.7% | 36.7%    | 37.4% | 35.9% |
| Overall       | 9.6%      | 9.6%  | 9.7%  | 12.1%             | 11.9% | 11.7% | 15.2%    | 15.1% | 14.0% |

Table 2.12 Percentage of statutory aged pupils eligible for free schools meals at January 2016 to January 2018 (source: KCC 2018)

### Health

**2.20** Maidstone has a consistently higher percentage of adults who consider themselves physically active than Kent and nationally (Table 2.13).

|           | 2012  | 2013  | 2014  | 2015  | 2016<br>(new methodology) | 2017  |
|-----------|-------|-------|-------|-------|---------------------------|-------|
| Maidstone | 60.9% | 58.7% | 59.3% | 60.7% | 67.0%                     | 68.1% |
| Kent      | 57.2% | 57.1% | 56.6% | 59.0% | 64.9%                     | 66.6% |
| England   | 56.0% | 56.0% | 57.0% | 57.0% | 66.0%                     | 66.1% |

Table 2.13 Percentage of 19+ years physically active adults (source: Public Health England 2018)

### Crime

**2.21** Crime statistics are reported annually from the 1 January to 31 December. The definition of each type of offence is shown below:

- Domestic burglaries include burglaries in all inhabited dwellings, including inhabited caravans, houseboats and holiday homes, as well as sheds and garages connected to the main dwelling (for example, by a connecting door).
- A robbery is an incident or offence in which force or the threat of force is used either during or immediately prior to a theft or attempted theft.
- Vehicle offences cover private and commercial vehicles and comprises theft or unauthorised taking of a motor vehicle, aggravated vehicle taking, theft from a vehicle and interfering with a motor vehicle.
- Violence with injury includes all incidents of wounding, assault with injury and robbery which resulted in injury.
- Violence without injury includes all incidents of assault without injury.

**2.22** The Council helps address local crime and disorder through the Safer Maidstone Partnership, and the Maidstone Community Safety Partnership Plan 2013-18 (refreshed April 2017) is a rolling five year document and highlights how to tackle community safety issues that matter to the local community. The statutory partners of the Safer Maidstone Partnership are: Maidstone Borough Council, Kent County Council, Kent Police, Kent Fire and Rescue Service, National Probation Service, Kent Surrey and Sussex Community Rehabilitation Company and the West Kent Clinical Commissioning Group (has the responsibility for local health services).

**2.23** Between 2011 and 2017 Maidstone did not follow county trend in crime statistics and reported a lower increase in all reported crime (Table 2.14). However, over the 7 years period there has been a substantial higher rise in crime in Maidstone and Kent compared to England and Wales.

**2.24** The High Street Ward in 2017 reported a steep rise in crime during the summer months compared to the previous two years. The two winter months of December and January have consistently been the lowest months for reported crime (Figure 2.18).

| Offence type                    | Maidstone |       |             | Kent<br>(excluding<br>Medway) | England<br>and<br>Wales |
|---------------------------------|-----------|-------|-------------|-------------------------------|-------------------------|
|                                 | 2011      | 2017  | %<br>change | %<br>change                   | %<br>change             |
| Domestic burglary               | 440       | 667   | 52%         | 45%                           | 15%                     |
| Robbery                         | 45        | 110   | 144%        | 78%                           | -4%                     |
| Vehicle offences                | 862       | 858   | -0.5%       | 18%                           | 7%                      |
| Violence with injury            | 875       | 1,702 | 95%         | 88%                           | 47%                     |
| Violence without injury         | 573       | 2605  | 455%        | 330%                          | 237%                    |
| All reported crime              | 9,191     | 14347 | 56%         | 60%                           | 19%                     |
| Crime rate per 1,000 population | 59        | 86    | 46%         | 46%                           | 14%                     |

Table 2.14 Crime statistics 2011 to 2017 (source: ONS 2018)

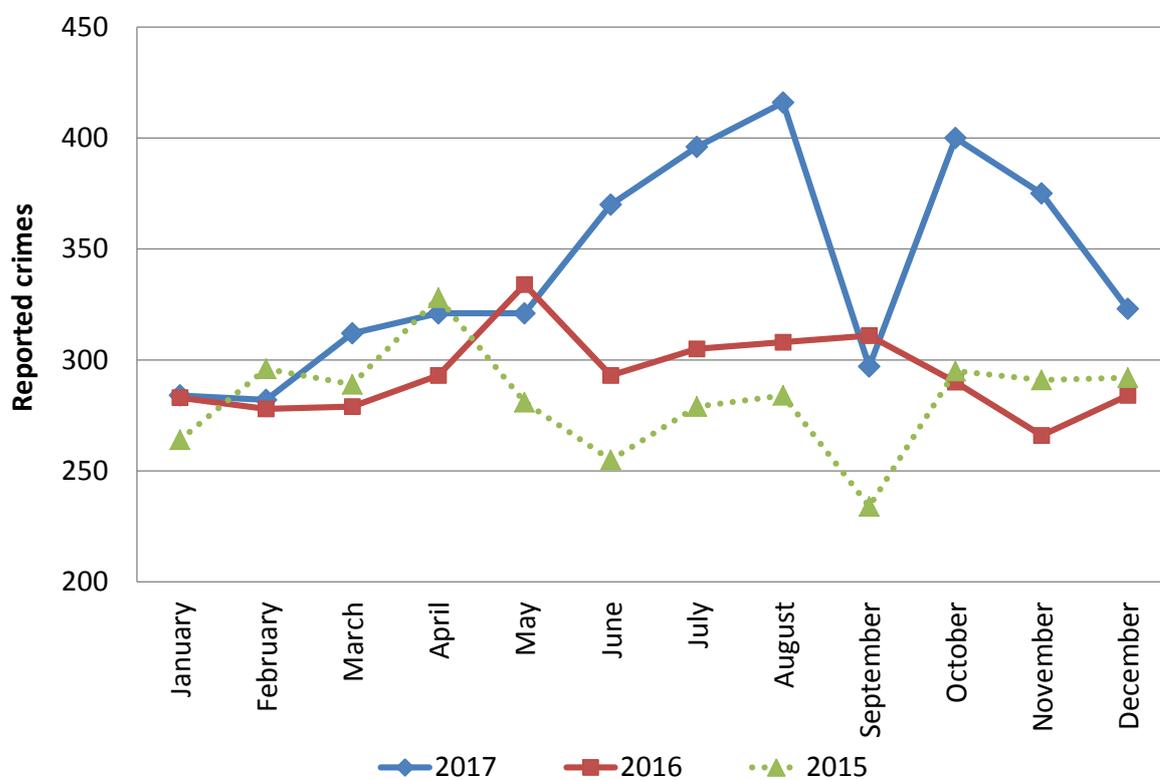


Figure 2.18 Number of reported crimes in High Street ward (source: police.uk 2018)

### Homeless Households

**2.25** Table 2.15 illustrates that there has been a steep rise in households in temporary accommodation in Maidstone and Kent, a rate twice as high as the national rate. Temporary accommodation spans a range of property including: Bed and Breakfast, Hostels, Local Authority or Social landlord dwellings, leased private sector dwellings and other including private land lord.

|                         | 2011   | 2014   | 2017   | Change |
|-------------------------|--------|--------|--------|--------|
| Maidstone               | 40     | 44     | 87     | 118%   |
| Kent (excluding Medway) | 501    | 551    | 1,085  | 117%   |
| England                 | 48,648 | 60,303 | 78,378 | 61%    |

Table 2.15 Yearly average of households in temporary accommodation (source: KCC 2018)

### Areas of multiple deprivation

**2.26** Maidstone is ranked 198 out of 326 authorities in England (DCLG 2015). A rank of 1 is the most deprived and this places Maidstone in England's least deprived half of local authorities.

**2.27** The Maidstone urban wards of Park Wood, Shepway South and High Street contain the highest levels of deprivation in the borough and rank in the top 10% in Kent (Table 2.16)<sup>(1)</sup>. Although pockets of the urban wards of North (004F) and Shepway North (013C) do not fall within the top 10% in Kent, they are the 6th and 7th most deprived wards in Maidstone. The top 5 most deprived Lower Super Output Areas (LSOA) in Maidstone have an average rank of 56 in Kent, 16 times higher than the average rank of 894 for the bottom 5 least most deprived LSOA's in Maidstone (Table 2.16 and 2.17).

**2.28** Map 2.1 illustrates that the most deprived LSOA's in Maidstone are clustered within the inner urban area, and that the least deprived LSOA's are located on the edge of the urban area and on the rural hinterland.

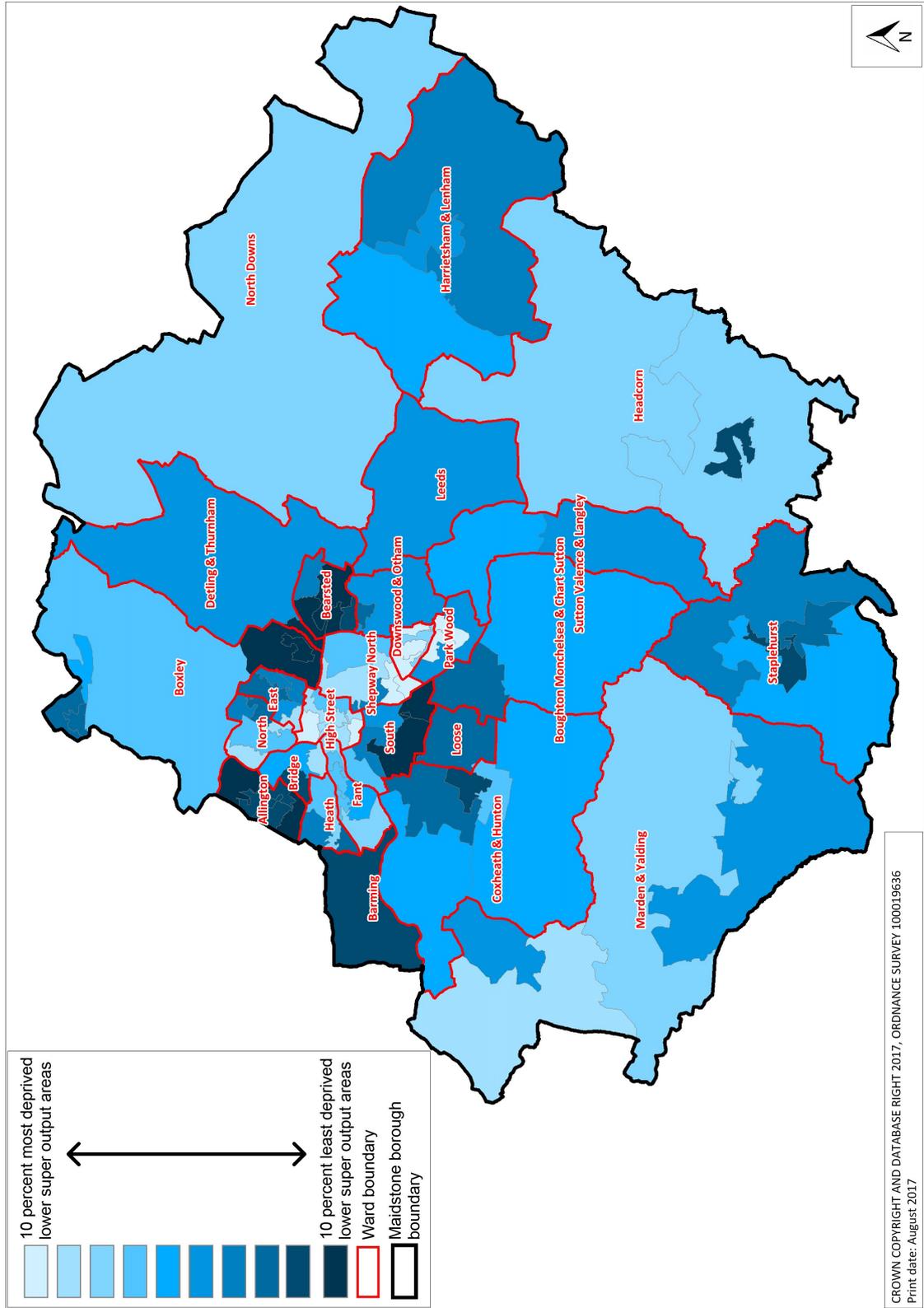
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| Lower Super Output Area | Kent Rank (excluding Medway) | Top 10% | England Rank | Top 10% |
|-------------------------|------------------------------|---------|--------------|---------|
| Park Wood (013A)        | 30                           | Yes     | 1,979        | Yes     |
| Park Wood (013B)        | 45                           | Yes     | 2,857        | Yes     |
| Shepway South (013D)    | 61                           | Yes     | 3,768        | No      |
| Shepway South (013E)    | 67                           | Yes     | 3,928        | No      |
| High Street (009C)      | 77                           | Yes     | 4,490        | No      |

Table 2.16 Maidstone's 5 most deprived lower super output areas. (source: DCLG 2015)

| Lower Super Output Area | Kent Rank (excluding Medway) | Bottom 10% | England Rank | Bottom 10% |
|-------------------------|------------------------------|------------|--------------|------------|
| Boxley (005B)           | 887                          | Yes        | 31,918       | Yes        |
| Boxley (005C)           | 891                          | Yes        | 32,159       | Yes        |
| Bearsted (007A)         | 894                          | Yes        | 32,329       | Yes        |
| Bearsted (007D)         | 899                          | Yes        | 32,679       | Yes        |
| Bearsted (005A)         | 901                          | Yes        | 32,782       | Yes        |

Table 2.17 Maidstone's 5 least deprived lower super output areas (source: DCLG 2015)



Map 2.1 Indices of multiple deprivation 2015, rank of Maidstone lower super output areas (source: DCLG 2015)

## Built and Natural Environment

**2.29** Maidstone Borough has a range of designated heritage assets, including a large number of historically Listed Buildings and 41 Conservation Areas, of which six are located in or adjacent to the urban area (Table 2.18 and Map 2.2).

**2.30** Four of Maidstone's most picturesque parks have been awarded Green Flag Status: Mote Park, Whatman Park, Cobtree Park and Clare Park. The award recognises the best green spaces in England and Wales, and is a sign to the public that the green space offers the best possible standards, is beautifully maintained and has excellent facilities.

**2.31** Maidstone benefits from a substantial rural hinterland of high landscape and environmental quality, much of which is protected by national and local designations (Table 2.19). The borough's environmental assets, together with the constraints of the floodplain, are illustrated in Map 2.3.

**2.32** There are three formally adopted Local Nature Reserves (LNRs) in the borough: Vinters Valley Park, Boxley Warren and River Len. LNRs are places with wildlife or geological features that are of special interest locally, and they offer people opportunities to study or learn about nature or simply to enjoy it. Additional Reserves are being considered for Fant Wildlife Area and Cross Keys, Bearsted. Sandling Park/Cuckoo Wood also offer further potential for designation as an LNR.

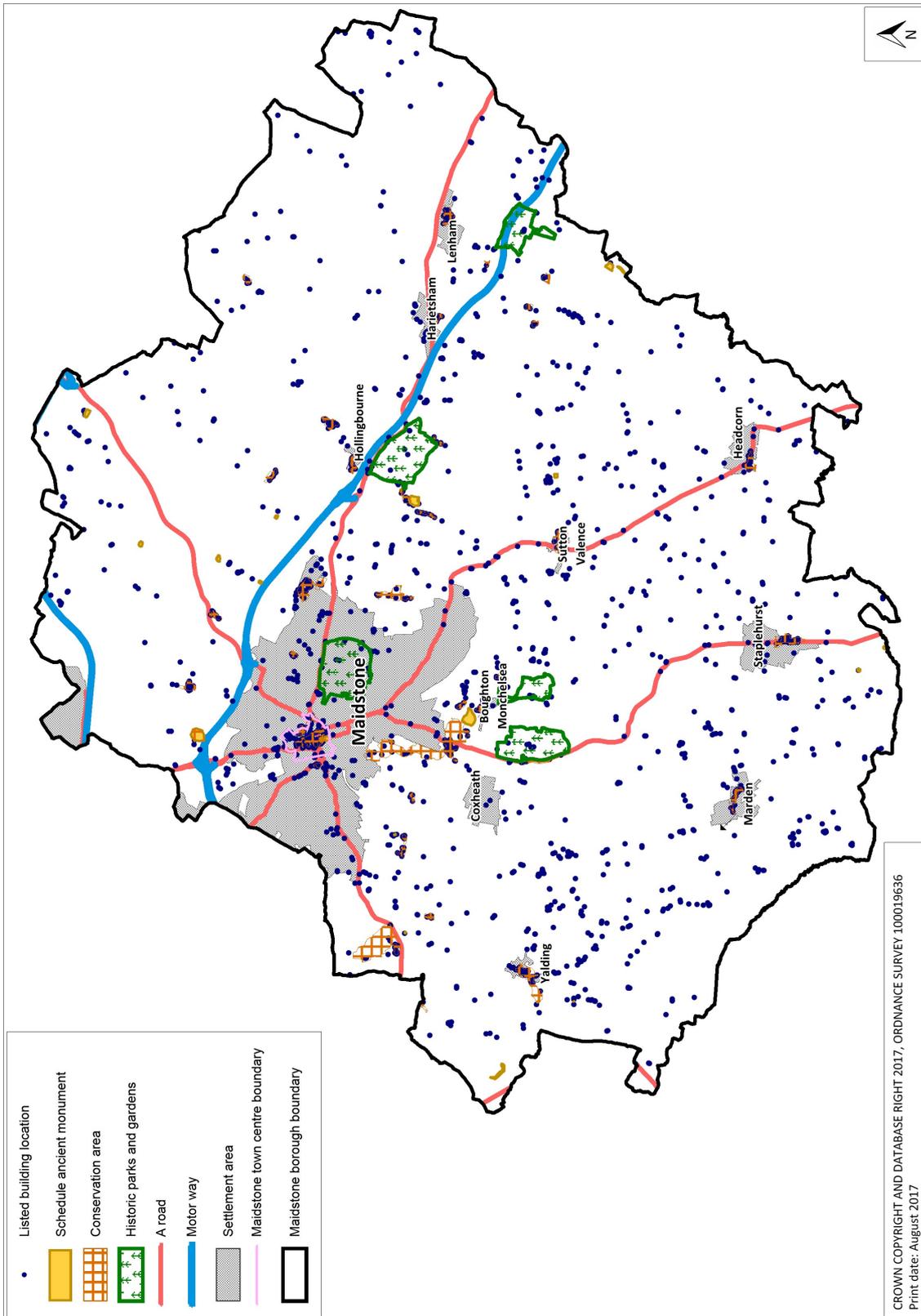
**2.33** The quality and protection of the built and natural environment are important considerations for the Council.

| Built Environment Assets                       | 2016  | 2017  | 2018  |
|------------------------------------------------|-------|-------|-------|
| Conservation areas                             | 41    | 41    | 41    |
| Listed Buildings                               | 2,028 | 2,023 | 2,023 |
| Grade I                                        | 43    | 42    | 42    |
| Grade II*                                      | 106   | 105   | 105   |
| Grade II                                       | 1,879 | 1,876 | 1,876 |
| Scheduled Ancient Monuments                    | 26    | 26    | 26    |
| Parks and Gardens of Special Historic Interest | 5     | 5     | 5     |
| Gardens of County level historic importance    |       |       | 9     |

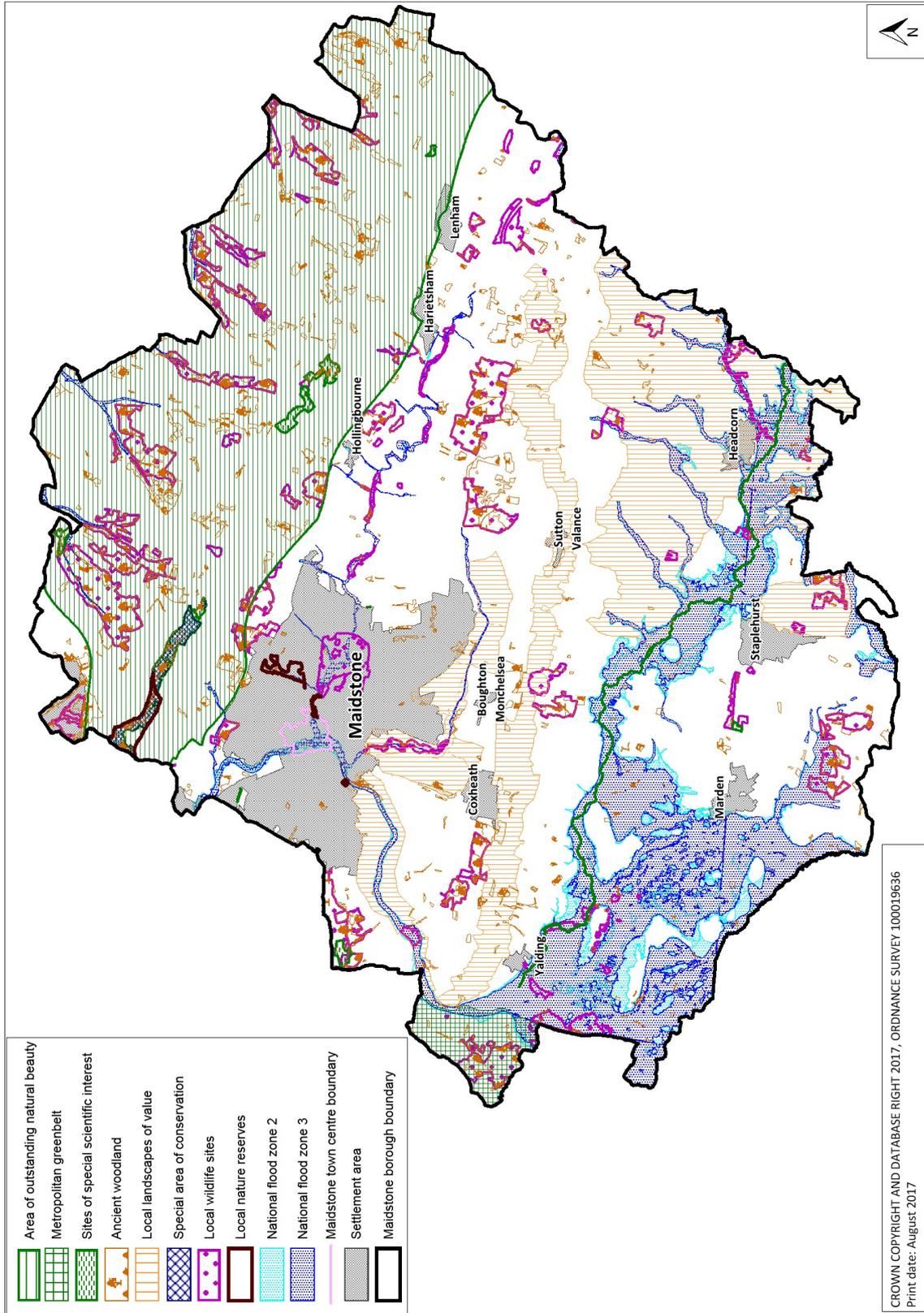
Table 2.18 Key assets of the built environment (source: Historic England 2018)

| <b>Natural Environment Assets and Constraints</b> | <b>KM<sup>2</sup></b> | <b>%</b> | <b>Number</b> |
|---------------------------------------------------|-----------------------|----------|---------------|
| Total area of the borough                         | 391.88                |          |               |
| Metropolitan Green Belt                           | 5.27                  | 1.34%    |               |
| Area of Outstanding Natural Beauty                | 106.8                 | 27.25%   |               |
| National Flood Zone 3                             | 41.39                 | 10.56%   |               |
| National Flood Zone 2                             | 25.05                 | 6.39%    |               |
| Landscaped of Local Value                         | 75.58                 | 19.29%   |               |
| Ancient Woodland (semi-natural and replanted)     | 28.29                 | 7.22%    |               |
| Special Area of Conservation                      | 1.42                  | 0.36%    |               |
| Sites of Special Scientific Interest              | 4.92                  | 1.25%    | 9             |
| Local Wildlife Sites                              | 23.85                 | 6.09%    | 62            |
| Roadside Verges of Nature Conservation Interest   |                       |          | 34            |
| Local Nature Reserves                             | 0.33                  | 0.08%    | 3             |

Table 2.19 Key assets and constraints of the natural environment (source: MBC 2018)



Map 2.2 Key assets and constraints of the built environment (source: MBC 2017)



Map 2.3 Key assets and constraints of the natural environment (source: MBC 2017)

**Climate change**

**2.34** CO<sup>2</sup> emissions rose sharply in 2016 after three progressive years of reduction, a trend similar to the Kent and national average (Figure 2.19). Maidstone's CO<sup>2</sup> emissions were lower than the Kent and national averages in 2015 and 2016.

**2.35** There has been a significant increase in the number of new dwellings with an energy performance certificate lodged in 2017/18, a trend similar to Kent and considerably higher than nationally. There has been a steady decrease in the annual number of existing dwellings that have lodged energy performance certificates, a likely result of less existing dwellings requiring a certificate (Table 2.20).

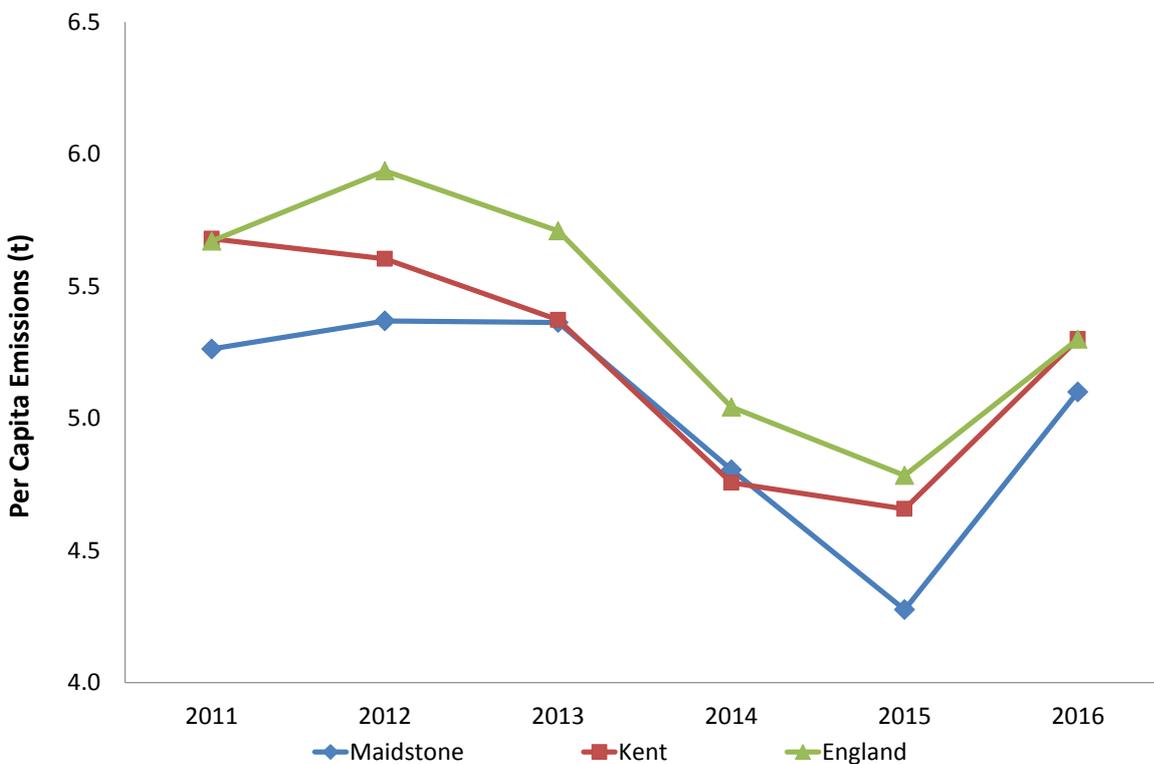


Figure 2.19 Co2 Emissions per capita (source: DBEIS 2018)

## 2 . Maidstone Profile

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|           | Maidstone |          | Kent (excluding Medway) |          | England |           |
|-----------|-----------|----------|-------------------------|----------|---------|-----------|
|           | New       | Existing | New                     | Existing | New     | Existing  |
| Dwellings |           |          |                         |          |         |           |
| % Change  | 213%      | -46%     | 133%                    | -29%     | 64%     | -48%      |
| 2017/18   | 1,296     | 2,463    | 7,196                   | 26,700   | 214,790 | 1,112,760 |
| 2016/17   | 1,014     | 3,105    | 6,629                   | 28,057   | 208,184 | 1,354,680 |
| 2015/16   | 796       | 3,527    | 6,585                   | 36,949   | 188,815 | 1,593,935 |
| 2014/15   | 388       | 4,017    | 4,396                   | 46,236   | 166,662 | 2,020,936 |
| 2013/14   | 414       | 4,580    | 3,093                   | 43,667   | 131,316 | 2,146,444 |

Table 2.20 Number of energy performance certificates lodged (source: DCLG 2018)

## Local Development Scheme

**3.1** The updated Local Development Scheme (LDS) 2018-22 (Figure 3.1) was adopted by the Council in July 2018, the LDS outlines the delivery programme for the Local Plan Review (LPR) and covers a period of four years from 2018 to 2022. The LDS does not include the preparation of a separate Air Quality Development Plan Document, this document will be compassed within the LPR.

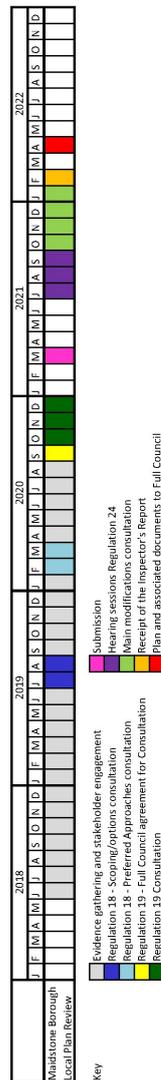


Figure 3.1  
Local  
Development  
Scheme  
2018 to  
2022  
(source:  
MBC 2018)

### Local Plan Review

**3.2** Maidstone Borough Local Plan contains Policy LPR1 'Review of the Local Plan'. This requires a review of the local plan to ensure that the plan continues to be up to date. Policy LPR1 outlines matters which may be addressed by the review. Key considerations are the need to maintain and enhance the natural and built environment; and improve air quality.

**3.3** During the period 2018-2022, the Council intends to produce a review of the Maidstone Borough Local Plan. The Local Plan Review (LPR), as this document will be known, will affect the whole of Maidstone Borough. When developing the project the conceptual master planning exercise will precede the call for sites. As part of the review the Council will create an evidence base to ensure it has sufficient social, environmental, economic and physical information to inform the review of the local plan.

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### Neighbourhood Development Plans

**3.4** There has been considerable interest in neighbourhood planning in the borough. Maidstone's extensive rural hinterland, development pressure and the very active nature of a large number of the borough's parish councils has led to a significant uptake of the process. This has resulted in greater community involvement in the planning process, allowing local people the chance to shape their local area and have a greater say in planning decisions.

**3.5** Since the introduction of neighbourhood development plans (also known as neighbourhood plans), 16 neighbourhood areas have been formally designated, the earliest being Broomfield & Kingswood in October 2012 and the most recent Yalding in April 2018. A number of parish councils are actively engaged in the plan making process and detailed information on their progress is held on the relevant pages of the Council's website.

**3.6** There are a number of planning stages that must be completed in order to satisfy the regulations before an plan can be formally adopted (or 'made') including at least two rounds of public consultation, an independent examination and a local referendum. The Council currently has two made plans which forms part of its development plan, North Loose Neighbourhood Plan was made by the Council on 13 April 2016 and the Staplehurst Neighbourhood plan on the 7 December 2016.

**3.7** The Neighbourhood Planning Act 2017 received Royal Assent on the 27 April 2017 and seeks to strengthen the weight afforded to Neighbourhood plans in the consideration of planning decision making. In addition the Act also makes provision for the modification of a Neighbourhood Plan and has strengthened requirement for Local Planning Authorities to provide advice or assistance for Neighbourhood Plan proposals.

### Kent Minerals and Waste Local Plan

**3.8** The Kent Minerals and Waste Local Plan, which is prepared by Kent County Council, sets out a vision and strategy for mineral provision and waste management in Kent up to the year 2030. The plan also contains a number of development management policies for evaluating minerals and waste planning

applications. The Kent Minerals and Waste Local Plan 2013-2030 has completed its statutory stages of public consultation and independent examination, and was adopted on 14 July 2016. The plan now forms part of the development plan in Maidstone which guides the decision making process for land uses and development proposals.

### Community Infrastructure Levy

**3.9** The Community Infrastructure Levy (CIL) is a per square metre charge payable on almost all new development which creates net additional floorspace (calculated on gross internal area). The charge can be differentiated by geographical area, and by development type, and must be based on viability evidence. The purpose of the charge is to provide a funding source which will help to deliver necessary infrastructure to accommodate new development across the borough. This necessary infrastructure is identified within the Local Plan 2017 and the accompanying Infrastructure Delivery Plan. Some types of development, notably affordable housing, self-build housing and charitable uses, are exempt from being charged the CIL.

**3.10** The CIL Examiner's Report was published in July 2017 and Council formally approved the Charging Schedule (CS) in October 2017. The CS was implemented from 1 October 2018.

### Duty to Cooperate

**3.11** The 'duty to cooperate' places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis with certain organisations in order to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters. It is not a duty to agree, but every effort should be made to resolve any outstanding strategic cross boundary matters before local plans are submitted for examination. Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their local plans.

**3.12** The Local Plan 2017 Inspector was satisfied that the Council had effectively discharged its Duty to Cooperate in the preparation of the Local Plan 2017. The Council continues to actively engage on strategic matters with neighbouring authorities and relevant prescribed bodies, to support both the effective implementation of the Local Plan 2017 and the preparation of Local Plans in neighbouring authorities. The Councils commitment to engagement on duty to cooperate will also be continued through out the Local Plan Review.

## Local Plan Performance

**4.1** Key monitoring indicators (KMI) enable the Council to understand the progress being made towards its local plan objectives and targets. The KMIs focus on the quantitative and qualitative delivery of homes and economic development, including supporting infrastructure, provision of recreational open space, and the protection and enhancement of the built and natural environment. The indicators are carried forward from the Local Plan 2017 and Sustainability Appraisal 2017.

### General/Whole Plan

#### Indicator M1. Number and nature of departures from the Local Plan granted consent per year

**4.2** There were no departures from the Local Plan granted during 2017/18.

#### Indicator M2. Appeals lost against Local Plan policy per year

**4.3** There was an increase in the number of appeals lodged against the Council's planning decisions in 2017/18, however a number were withdrawn as the Maidstone Local Plan 2017 progressed from examination to adoption and three appeals were disqualified. There was a small reduction in appeals allowed by the planning inspectorate in 2017/18 (Table 4.1)

**4.4** The main reason given by the planning inspectors for the appeals that were allowed involved the inspector being in disagreement with the Council's planning decision on character and landscape matters.

| Year    | Allowed | Dismissed | Withdrawn | Disqualified | Total |
|---------|---------|-----------|-----------|--------------|-------|
| 2017/18 | 22      | 64        | 6         | 3            | 95    |
| 2016/17 | 24      | 62        |           |              | 86    |

Table 4.1 Planning appeal decisions (source: MBC 2018)

#### Indicator M3. Successful delivery of the schemes in the Infrastructure Delivery Plan

**4.5** The Council maintains an Infrastructure Delivery Roadmap that tracks the progress of all infrastructure projects listed in the IDP. For the reporting year, all critical and essential projects remain on track to be delivered within the five year periods identified in the IDP. The delivery of planned development has not been affected by the non-delivery of infrastructure.

### Housing

#### Indicator M4. Progress on allocated housing sites per annum

**4.6** Table 4.2 shows that in 2017/18, compared to high total dwelling completion rate for the monitoring year, the allocated sites in the Local Plan 2017 delivered dwellings at a lower rate than the target rates set out within the Local Plan trajectory.

| Year    | Local Plan target | Actual | % Target | % Cumulative target |
|---------|-------------------|--------|----------|---------------------|
| 2017/18 | 939               | 767    | 82%      | 88%                 |
| 2016/17 | 470               | 473    | 101%     | 101%                |

Table 4.2 Completed dwellings on allocated sites measured against Local Plan trajectory (source: MBC 2018)

#### Indicator M5. Predicted housing delivery in the next 5 years

**4.7** For the past seven years a total of 5,291 dwellings have been completed which represents a shortfall of 890 dwellings against the seven year target of 6,181 dwellings, this shortfall will be delivered over the next eight years 2019 to 2027. Table 4.3 demonstrates a surplus of 1,557 dwellings which represents 6.5 years' worth of housing land supply at the base date of 1 April 2018.

## 4 . Local Plan Performance

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|    | <b>5 - year housing land supply - 'Maidstone hybrid' method</b>              | <b>Dwellings (net)</b> | <b>Dwellings (net)</b> |
|----|------------------------------------------------------------------------------|------------------------|------------------------|
| 1  | Local Plan Housing Target 2011 - 2031                                        | 17,660                 |                        |
| 2  | Annual need 17,660/20 years                                                  | 883                    |                        |
| 3  | Delivery target 01.04.11 to 31.03.18 (883 x 7 years)                         | 6,181                  |                        |
| 4  | Minus completed dwellings 01.04.11 to 31.03.18                               | -5,291                 |                        |
| 5  | Shortfall against target 01.04.11 to 31.03.18                                | 890                    |                        |
| 6  | Annual delivery of shortfall 1293/9 years (Maidstone Hybrid)                 | 111                    |                        |
| 7  | Five-year delivery target 01.04.18 to 31.03.23 (883 x 5 years)               | 4,415                  |                        |
| 8  | Plus delivery of shortfall against target (111 x 5 years)                    | 556                    |                        |
| 9  | Plus 5% buffer (4,415+556 = 4,971 x 5%)                                      | 249                    |                        |
| 10 | Total five year housing land target at 01.04.18                              |                        | 5,220                  |
| 11 | Five-year land supply at 01.04.18                                            |                        | 6,777                  |
| 12 | Surplus                                                                      |                        | 1,557                  |
| 13 | No. Years' worth of housing land supply (5,220/5 = 1,044; 6,777/1,077 = 6.5) |                        | 6.5                    |

Table 4.3 5 year housing land supply at 1 April 2018 (source: MBC 2018)

### **M6. Housing trajectory: Predicted housing delivery in the next 15 years**

**4.8** Table 4.4 breaks down the various elements of the Local Plan housing land supply and demonstrates a surplus of 693 dwellings. Figure 4.1 illustrates how the target is delivered over the 20-year housing trajectory.

|   | <b>20 year housing land supply 1 April 2011 to 31 March 2031</b>                            | <b>Dwellings (net)</b> | <b>Dwellings (net)</b> |
|---|---------------------------------------------------------------------------------------------|------------------------|------------------------|
| 1 | Local Plan housing target                                                                   |                        | 17,660                 |
| 2 | Completed dwellings 1 April 2011 to 31 March 2018                                           | 5,291                  |                        |
| 3 | Extant planning permissions as at 1 April 2018 (including a 5% non-implementation discount) | 6,665                  |                        |
| 4 | Local Plan allocated sites (balance of Local Plan allocations not included in line 3 above) | 2,574                  |                        |
| 5 | Local Plan broad locations for future housing development                                   | 2,333                  |                        |
| 6 | Windfall sites contribution                                                                 | 1,490                  |                        |
| 7 | Total housing land supply                                                                   |                        | 18,353                 |
| 8 | Housing land supply surplus 2011/2031                                                       |                        | 693                    |

Table 4.4 20 year housing land supply 1 April 2011 to 31 March 2031 (source: MBC 2018)

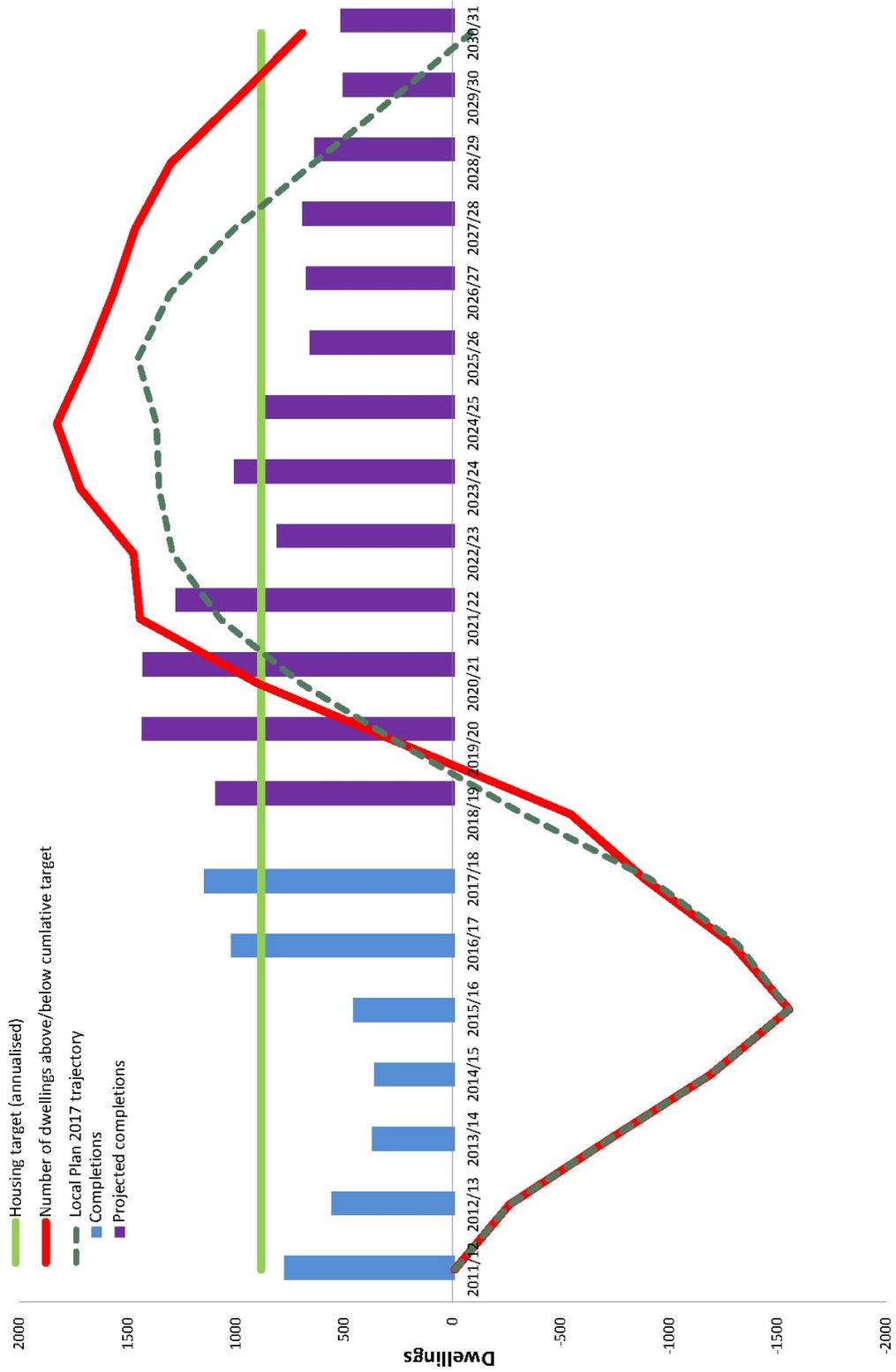


Figure 4.1 Housing Trajectory 2011/31 (source: MBC 2018)

**M7. Windfalls: delivery of housing on unidentified sites**

**4.9** The Housing Topic Paper 2016 sets out the methodology used to calculate the windfall allowance. Table 4.5 lists the dwellings completed on large and small windfall sites between 2008/09 and 2017/18, this has resulted in an increase in the average completion rate of 48 to 53 dwellings on small sites and 137 to 175 dwellings on large windfall sites. The revised windfall was applied at 1 April 2018 to give an allowance of 1,490 dwellings.

**4.10** The definition of a windfall site has been amended in the NPPF 2018, to include greenfield sites that have not been identified through the development plan process. This amendment to the windfall definition will be applied to the housing land supply position from 1 April 2019 and will be reflected in updated historical data for the years 2008/09 to 2017/18.

| Year                                               | Small      | Large        | Total        |
|----------------------------------------------------|------------|--------------|--------------|
| 2008/09                                            | 55         | 46           | 101          |
| 2009/10                                            | 38         | 228          | 266          |
| 2010/11                                            | 26         | 189          | 215          |
| 2011/12                                            | 51         | 139          | 190          |
| 2012/13                                            | 49         | 148          | 197          |
| 2013/14                                            | 59         | 111          | 170          |
| 2014/15                                            | 39         | 96           | 135          |
| 2015/16                                            | 77         | 125          | 202          |
| 2016/17                                            | 74         | 389          | 463          |
| 2017/18                                            | 61         | 278          | 339          |
| <b>Total</b>                                       | <b>529</b> | <b>1,749</b> | <b>2,278</b> |
| <b>Average over 10 years</b>                       | <b>53</b>  | <b>175</b>   | <b>228</b>   |
| <b>Windfall allowance Local Plan 2017</b>          | <b>48</b>  | <b>137</b>   |              |
| <b>% change from Local Plan windfall allowance</b> | <b>10%</b> | <b>28%</b>   |              |

Table 4.5 Annual rates of expired planning permissions 2008/09 to 2017/18 (source: MBC 2018)

**M8. Prior notification office to residential conversions in the town centre**

**4.11** The Housing Topic Paper 2016 set out within the Local Plan housing trajectory a Town Centre broad location for 350 dwellings from the conversion of identified poor office stock to residential dwellings. Figure 4.2 outlines the

## 4 . Local Plan Performance

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progress of sites gaining planning permission that contribute to the broad location allowance. In the monitoring year 2017/18 there were two applications permitted on the identified poor office stock, these applications totalled 84 dwellings.

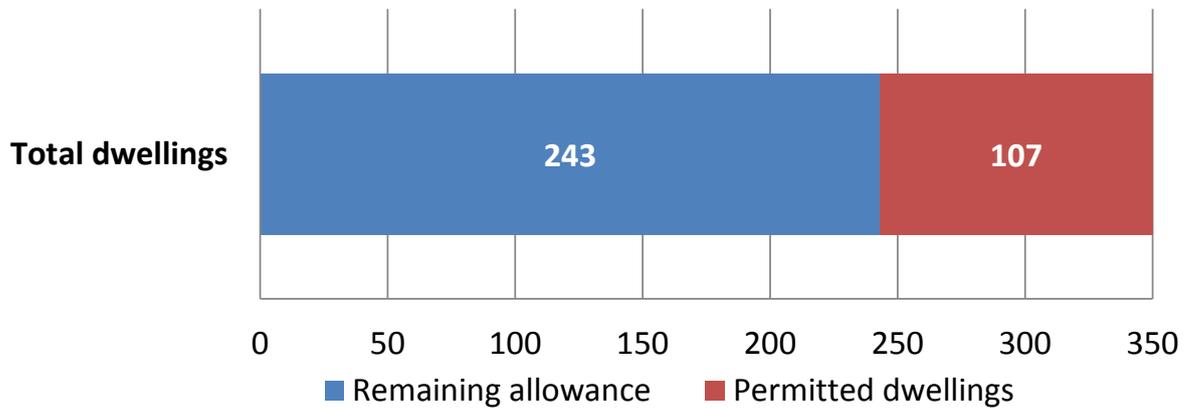


Figure 4.2 Permitted dwellings on identified poor office stock in Town Centre broad location (source: MBC 2018)

### M9. Number of entries on the self-build register and number of plots for self build consented per annum

**4.12** The Council has established a self build and custom house building register (SBCH). The 31 October 2016 is the first base date for measuring Maidstone's SBCH need (Table 4.6). There has been one planning permission for self build/custom house building granted on the 1 November 2017 totalling 1 plot.

| Base Period                         | Individuals | Associations |
|-------------------------------------|-------------|--------------|
| 1 April 2016 to 30 October 2016     | 134         | 3            |
| 31 October 2016 to 30 November 2017 | 127         | 2            |

Table 4.6 Maidstone Self Build Custom House building base dates (source: MBC 2018)

### M10. Number of dwellings of different sizes (measured by number of bedrooms) consented per annum

**4.13** Table 4.7 outlines the number of bedrooms per dwelling that have been granted planning permission during 2017/18 against the targets set out within the Strategic Housing Market Assessment (SHMA) 2014. The table demonstrates that there has been an under delivery of permitted affordable housing for 1 bed dwellings, and that there has been a high number of permitted market 1 and 4+ bedroom dwellings.

|                                    | All dwelling types |       | Market  |            |                  | Affordable |            |                 |
|------------------------------------|--------------------|-------|---------|------------|------------------|------------|------------|-----------------|
|                                    | 2017/18            |       | 2017/18 | SHMA 2014  | Difference       | 2017/18    | SHMA 2014  | Difference      |
| 1 Bedroom                          | 402                | 16.3% | 20.0%   | 5% to 10%  | 17% to 12%       | 17.2%      | 30% to 35% | -12.8% to 17.8% |
| 2 Bedrooms                         | 550                | 22.3% | 23.8%   | 30% to 35% | -6.2% to 11.2%   | 47.3%      | 30% to 35% | 17.3% to 12.3%  |
| 3 Bedrooms                         | 525                | 21.2% | 25.9%   | 40% to 45% | -14.1% to -19.1% | 33.1%      | 25% to 30% | 8.1% to 3.1%    |
| 4+ Bedrooms                        | 438                | 17.7% | 28.3%   | 15% to 20% | 13.3% to 8.3%    | 2.5%       | 5% to 10%  | -2.5% to -7.5%  |
| Unknown (other/prior notification) | 556                | 22.5% |         |            |                  |            |            |                 |

Table 4.7 Bedroom size of dwellings granted planning permission 2017/18 (source: MBC 2018)

### M11. Number and tenure of affordable homes consented

**4.14** Table 4.8 demonstrates that between 2015/16 and 2017/18 the Council has secured affordable homes from qualifying sites close to the targets set out within Local Plan 2017 Policy SP20. However, Springfield at present is providing affordable housing at a rate significantly lower than target.

|                      | Maidstone, urban |            | Policy H1 (11)<br>Springfield,<br>Royal Engineers<br>Road |            | Countryside,<br>rural service centre<br>and larger villages |            |
|----------------------|------------------|------------|-----------------------------------------------------------|------------|-------------------------------------------------------------|------------|
| Tenure               | Permitted        | Affordable | Permitted                                                 | Affordable | Permitted                                                   | Affordable |
| Difference           | -5%              |            | -11%                                                      |            | -3%                                                         |            |
| Achieved             | 25%              |            | 9%                                                        |            | 37%                                                         |            |
| Affordable<br>Target | 30%              |            | 20%                                                       |            | 40%                                                         |            |
| Total                | 2,679            | 655        | 556                                                       | 49         | 3,673                                                       | 1,356      |
| 2017/18              | 1,078            | 250        | 310                                                       | 0          | 1,086                                                       | 381        |
| 2016/17              | 605              | 155        | 0                                                         | 0          | 1,517                                                       | 577        |
| 2015/16              | 996              | 250        | 246                                                       | 49         | 1,070                                                       | 398        |

Table 4.8 Affordable dwellings permitted on qualifying sites (source: MBC 2018)

### M12. Affordable housing as proportion of overall housing delivery

**4.15** Table 4.9 demonstrates that between 2011/12 and 2017/18 the Council has completed 1,583 affordable dwellings, a total of 30% of all completed dwellings.

|              | Total dwellings completed | Affordable dwellings completed | % Affordable |
|--------------|---------------------------|--------------------------------|--------------|
| <b>Total</b> | <b>5,291</b>              | <b>1,583</b>                   | <b>30%</b>   |
| 2017/18      | 1,286                     | 226                            | 18%          |
| 2016/17      | 1,145                     | 303                            | 26%          |
| 2015/16      | 521                       | 139                            | 27%          |
| 2014/15      | 413                       | 163                            | 39%          |
| 2013/14      | 423                       | 189                            | 45%          |
| 2012/13      | 630                       | 183                            | 29%          |
| 2011/12      | 873                       | 380                            | 44%          |

Table 4.9 Affordable dwelling completions as a proportion of total dwelling completions (source: MBC 2018)

### M13. Density of housing development

**4.16** Between 2015/16 and 2017/18 there has been a considerably higher density of windfall permissions granted within the town centre and urban area compared to targets set out within the Local Plan 2017, it is therefore proposed to continue to keep this policy under review to ensure that it is being implemented correctly. Permissions granted in sites adjacent to rural, service centres, large villages are approximately in line with targets (Table 4.10).

| Area                                                                   | Target density (dwellings per ha) | 2015/16 | 2016/17 | 2017/18 | Average    |
|------------------------------------------------------------------------|-----------------------------------|---------|---------|---------|------------|
| Sites within and adjacent to the town centre                           | 45-170                            | 238     | 306     | 220     | <b>255</b> |
| Other sites within adjacent to the urban area                          | 35                                | 74      | 81      | 88      | <b>81</b>  |
| Sites within and adjacent to rural service centres and larger villages | 30                                | 34      | 33      | 27      | <b>31</b>  |
| Other rural                                                            | No target                         | 47      | 20      | 36      | <b>34</b>  |

Table 4.10 Average density of permitted large (5+ dwellings) windfall sites (source: MBC 2018)

### M14. Number of nursing and care homes delivered

**4.17** Between 1 April 2017 and 31 March 2018 there has been no change in the number of bedspaces completed. There has been a net increase of 75 bedspaces from consented permissions (Table 4.11). The calculations include C2 floorspace permitted at Newnham Park under application 16/507292/OUT (renew 13/1163) and the reserved matters application 17/501723/REM.

**4.18** Note that some applications include ancillary C2 use accounts for a loss of 500sqm (currently under construction).

| C2 Bed Spaces     |                                                       |
|-------------------|-------------------------------------------------------|
| Gross requirement | 980 (245 every 5 years to the end of the plan period) |
| Completed         |                                                       |
| Gain              | 0                                                     |
| Lost              | 0                                                     |
| Net               | 0                                                     |
| Consent           |                                                       |
| Gain              | 75                                                    |
| Lost              | 0                                                     |
| Net               | 75                                                    |

Table 4.11 Delivery of nursing and care homes and bedspaces 2017/18 (source: MBC 2018)

#### M15. Number of applications on the housing register

**4.19** The number of households on the housing register in Maidstone has decreased by 2,657 between the years 2011 and 2016 (latest available data), a fall of 77% (Table 4.12).

|           | 2011  | 2012  | 2013  | 2014  | 2015  | 2016 | 2011-2016 % change |
|-----------|-------|-------|-------|-------|-------|------|--------------------|
| Maidstone | 3,442 | 3,674 | 3,151 | 1,288 | 1,460 | 785  | -77%               |

Table 4.12 Number of households on the housing register (waiting list) dates from 1 April (source: KCC Housing Register 2015/16)

#### M16. Number of homeless households in the borough

**4.20** There are 26% as many households accepted as homeless in Maidstone in the monitoring year 2016/17 than there was at the start of the Local Plan period in 2011/12 (Table 4.13).

|           | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % change |
|-----------|---------|---------|---------|---------|---------|---------|----------|
| Maidstone | 189     | 198     | 155     | 213     | 192     | 231     | 26%      |

Table 4.13 Households accepted as homeless (source: KCC Homelessness Bulletin 2017 Q4)

## M17. House price earnings ratio

**4.21** The house price to earnings ratio has risen sharply by over 2% between 2011 and 2017 (Figure 4.3). The house price to earnings ratio is a significant element within the Government's new housing need calculation.

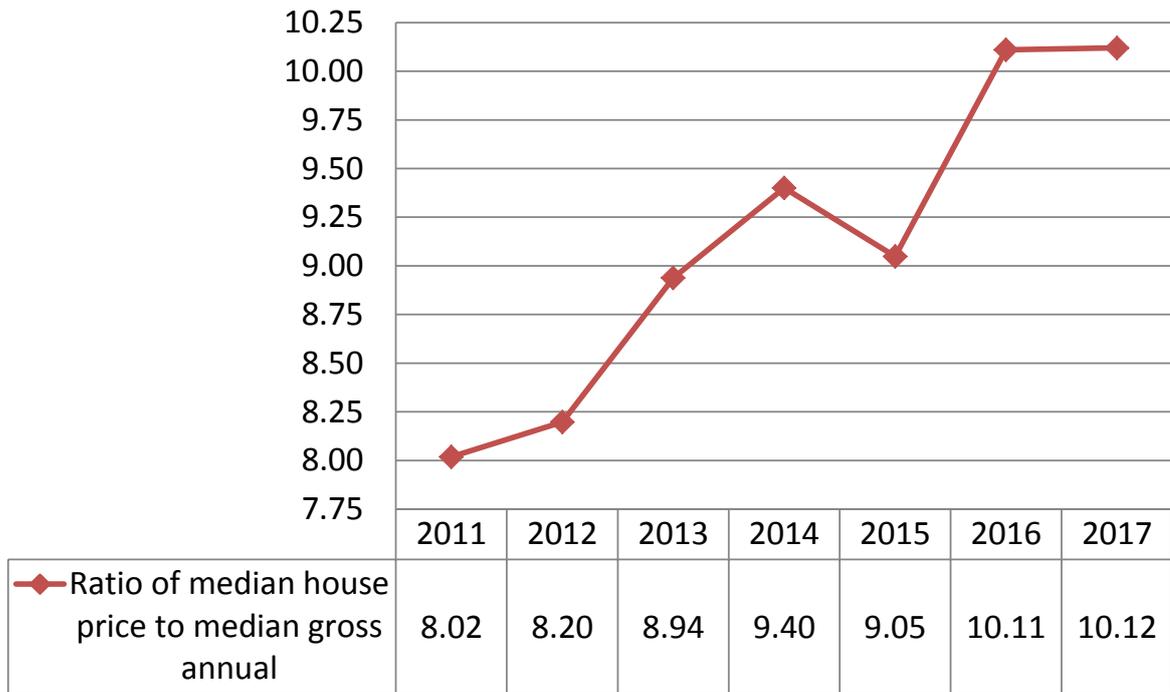


Figure 4.3 Ratio of house price to workplace based earnings (source: ONS 2018)

## Employment

### M18. Total amount of B class employment floorspace consented/completed by type per annum

**4.22** There has been a net loss of 17,715sqm in B class floorspace from completed permissions. B1a floorspace has a net loss of 10,048sqm. Part of the loss in B1a can be attributed to the permitted development rights to convert office into residential. Over the monitoring year 4,510sqm was lost in the town centre from prior notifications for conversion from office to residential. There is a further 15,402sqm of office space in the town centre from consented prior notifications.

**4.23** A further loss of B class floorspace can be expected as a result of planning applications with consents. In total there is expected to be a decrease of 2,795sqm across all B class floorspace. B2 has the highest net loss of 9,957sqm. B1b is expected to show the highest increase in floorspace with 14,128sqm.

**4.24** The calculations include ancillary B1a and B1b floorspace permitted at Newnham Park.

|                                 | B1a     | B1b | B1c    | B2      | B8     | Total   |
|---------------------------------|---------|-----|--------|---------|--------|---------|
| Gross requirement sqm (2011-31) | 39,830  |     |        | 20,290  | 49,911 | 110,031 |
| Net requirement sqm (2016-31)   | 24,600  |     |        | -18,610 | 7,965  | 13,955  |
| Gain                            | 2,351   | 28  | 413    | 628     | 4,166  | 7,586   |
| Lost                            | 12,399  | 0   | 1,718  | 4,284   | 6,900  | 25,301  |
| Net                             | -10,048 | 28  | -1,305 | -3,656  | -2,734 | -17,715 |

Table 4.14 Completed B class development by type, per annum 2017/18 (source: MBC 2018)

|                                 | B1a    | B2b    | B1c    | B2      | B8     | Total   |
|---------------------------------|--------|--------|--------|---------|--------|---------|
| Gross requirement sqm (2011-31) | 39,830 |        |        | 20,290  | 49,911 | 110,031 |
| Net requirement sqm (2016-31)   | 24,600 |        |        | -18,610 | 7,965  | 13,955  |
| Gain                            | 28,268 | 14,128 | 4,037  | 7,181   | 24,805 | 78,419  |
| Lost                            | 26,784 | 0      | 8,507  | 17,138  | 28,785 | 81,214  |
| Net                             | 1,484  | 14,128 | -4,470 | -9,957  | -3,980 | -2,795  |

Table 4.15 Consented B class development by type, per annum 2017/18 (source: MBC 2018)

#### **M19. Amount of B class floorspace by type consented/completed within Economic Development Areas per annum**

**4.25** Within the borough's designated Economic Development Areas (EDA) there has been a decrease of 9,183sqm in B class floorspace from completed permissions. B1a floorspace has decreased by a total of 5,892sqm. (Table 4.16).

**4.26** Consent applications account for an increase of 18,060sqm across all B class floorspace within EDAs. B1a has the highest net increase of 8,404sqm (Table 4.17).

## 4 . Local Plan Performance

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|                                 | B1a    | B1b | B1c | B2      | B8     | Total   |
|---------------------------------|--------|-----|-----|---------|--------|---------|
| Gross requirement sqm (2011-31) | 39,830 |     |     | 20,290  | 49,911 | 110,031 |
| Net requirement sqm (2016-31)   | 24,600 |     |     | -18,610 | 7,965  | 13,955  |
| Gain                            | 120    | 0   | 0   | 0       | 983    | 1,103   |
| Lost                            | 6,012  | 0   | 0   | 3,770   | 504    | 10,286  |
| Net                             | -5892  | 0   | 0   | -3,770  | 479    | -9,183  |

Table 4.16 Completed B class development within Economic Development Areas 2017/18 (source: MBC 2018)

|                                 | B1a    | B1b   | B1c   | B2      | B8     | Total   |
|---------------------------------|--------|-------|-------|---------|--------|---------|
| Gross requirement sqm (2011-31) | 39,830 |       |       | 20,290  | 49,911 | 110,031 |
| Net requirement sqm (2016-31)   | 24,600 |       |       | -18,610 | 7,965  | 13,955  |
| Gain                            | 9,035  | 1,511 | 3,795 | 3,795   | 6,794  | 24,930  |
| Lost                            | 631    | 0     | 1,341 | 1,724   | 3,174  | 6,870   |
| Net                             | 8,404  | 1,511 | 2,454 | 2,071   | 3,620  | 18,060  |

Table 4.17 Consented B class development within Economic Development Areas 2017/18 (source: MBC 2018)

### M20. Amount of B Class floorspace by type consented/completed on allocated sites per annum

**4.27** The following allocated employment sites within the Maidstone Local Plan have permission; West of Barradale Farm (B2 and B8) and Newnham Park (medical campus). Development has been completed in the northern part of EMP1(3) West of Wheelbarrow Industrial Estate (B2), but the remainder of the site is not covered by an application. Whilst the Maidstone East site has current planning permission, it is only for a temporary use of the site (Table 4.18).

| Site Allocation                                           | Floorspace                      | Current Planning Postion                                            |
|-----------------------------------------------------------|---------------------------------|---------------------------------------------------------------------|
| EMP1 (1) West of Barradale Farm, Maidstone Road, Headcorn | 5,500sqm<br>B1,B2,B8<br><br>131 | 17/503152/FULL 2 industrial units of B2 and B8 use – 967.66sqm each |

| Site Allocation                                                            | Floorspace                                                                    | Current Planning Postion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EMP1 (2) South of Claygate, Pattenden Lane, Marden                         | 6,800sqm<br>B1,B2,B8                                                          | No current planning application                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| EMP1 (3) West of Wheelbarrow Industrial Estate, Pattenden Lane, Marden     | 14,500sqm<br>B1,B2,B8                                                         | Development of 4,307sqm B2 floorspace completed under 14/4058 (previous year) in the northern portion of the site. The remaining area of 1.9ha could deliver in the order of 7,600-9,500sqm of Class B floorspace.                                                                                                                                                                                                                                                                                                                                                                                                   |
| EMP1 (4) Woodcut Farm, Bearsted Road, Bearsted                             | Up to 49,000sqm<br>B1,B2,B8, with at least 10,000sqm of B1a/B1b               | Outline planning application for 47,750sqm mixed Class B floorspace (15/503288) – refused permission in July 2016; appeal pending<br><br>Resubmission – for 45,295sqm B use class. Awaiting heads of terms/master plan (17/502331)                                                                                                                                                                                                                                                                                                                                                                                   |
| RMX1 (1) Newnham Park, Bearsted Road, Maidstone                            | 100,000sqm of medical related uses – of which 25,000sqm is associated offices | 13/1163 approved outlined application for medical campus up to 98,000sqm. Includes additional hospital facilities, clinics, consultation rooms and a rehabilitation centre (C2/D1); education and training facilities with residential accommodation (C2/D1); key worker accommodation for nurses and doctors (C3); pathology laboratories (B1); business uses (B1); ancillary retail (A1, A2 and A3) and up to 116 class C2 neuro-rehabilitation accommodation units – renewed by 16/507292/OUT<br><br>REM application granted for 65 unit hospital (16/500360/REM) at Plot 10 and 75 bed (17/501723/REM) at Zone 5 |
| RMX1 (2) – Maidstone East and forming Royal Mail sorting office, Maidstone | 4,000sqm of B1a                                                               | Temporary permission for 5 years under 16/507358/FULL for mix use B1a (873sqm gain of B1a), B8 (3,945sqm gain with 2,731sqm loss) and A1 (450sqm gain) is completed                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| Site Allocation                                                           | Floorspace              | Current Planning Postion                                                           |
|---------------------------------------------------------------------------|-------------------------|------------------------------------------------------------------------------------|
| RMX1 (4) Former Syngenta works, Hampstead Lane, Yalding                   | Not specified           | No current planning application                                                    |
| RMX1 (5) Powerhub Building and Baltic Wharf, St Peter's Street, Maidstone | Not specified           | 13/0297 granted permission for foodstore (7,430sqm) and ancillary uses now expired |
| RMX1 (6) Mote Road, Maidstone                                             | Minimum of 2,000sqm B1a | No current planning application                                                    |

Table 4.18 Consent/Completed B class development on allocated sites 2017/18 (source: MBC 2018)

### **M21. Amount of land/floorspace within Economic Development Areas and allocated sites and elsewhere lost to non B class uses**

**4.28** Across the borough there has been a total loss of B class uses to non B Class uses of 12,183sqm, with a further 75,319sqm anticipated from consent permissions. The highest loss of B class floorspace is from areas elsewhere in the borough, with a combined loss of 10,530sqm (completed) and 71,933sqm (consent). (Table 4.19).

**4.29** There has been a temporary loss of B8 at Maidstone East. This is for a period of 5 years.

|                                  | B1a    | B1b | B1c   | B2     | B8     | Total  |
|----------------------------------|--------|-----|-------|--------|--------|--------|
| <b>Economic Development Area</b> |        |     |       |        |        |        |
| Completed                        | 1,312  | 0   | 0     | 0      | 0      | 1,312  |
| Consented                        | 1,254  | 0   | 0     | 384    | 1,749  | 3,386  |
| <b>Allocations</b>               |        |     |       |        |        |        |
| Completed                        | 0      | 0   | 0     | 0      | 341    | 341    |
| Consented                        | 0      | 0   | 0     | 0      | 0      | 0      |
| <b>Elsewhere</b>                 |        |     |       |        |        |        |
| Completed                        | 6,357  | 0   | 1,633 | 264    | 2,276  | 10,530 |
| Consented                        | 25,133 | 0   | 7,166 | 14,023 | 25,611 | 71,933 |
| <b>Completed total loss</b>      |        |     |       |        |        | 12,183 |
| <b>Consented total loss</b>      |        |     |       |        |        | 75,319 |

Table 4.19 Land/floor space within Economic Development Areas and allocated sites lost to non B class uses 2017/18 (source: MBC 2018)

## M22. Percentage unemployment rate

**4.30** The percentage of people claiming Job Seekers Allowance<sup>(2)</sup> in Maidstone is 3.3% a decrease of 1.8% since 2011 (Figure 4.4).

2 Some benefits are available to those who work and live on low income, and to those who are unemployed

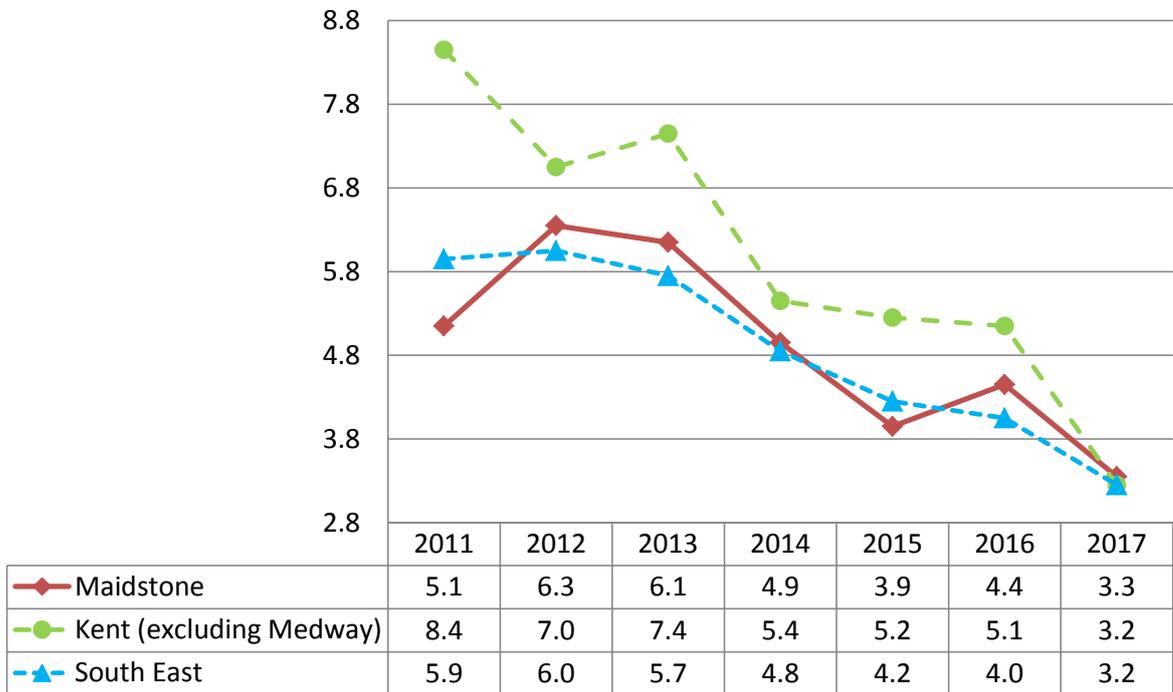


Figure 4.4 Percentage of unemployed January to December (source: Nomis 2018)

### M23. Number of jobs in the borough

**4.31** There has been a steady rise in the number of jobs within Maidstone borough. Between 2011 and 2016 there has been an additional 7,000 jobs created (Figure 4.5).

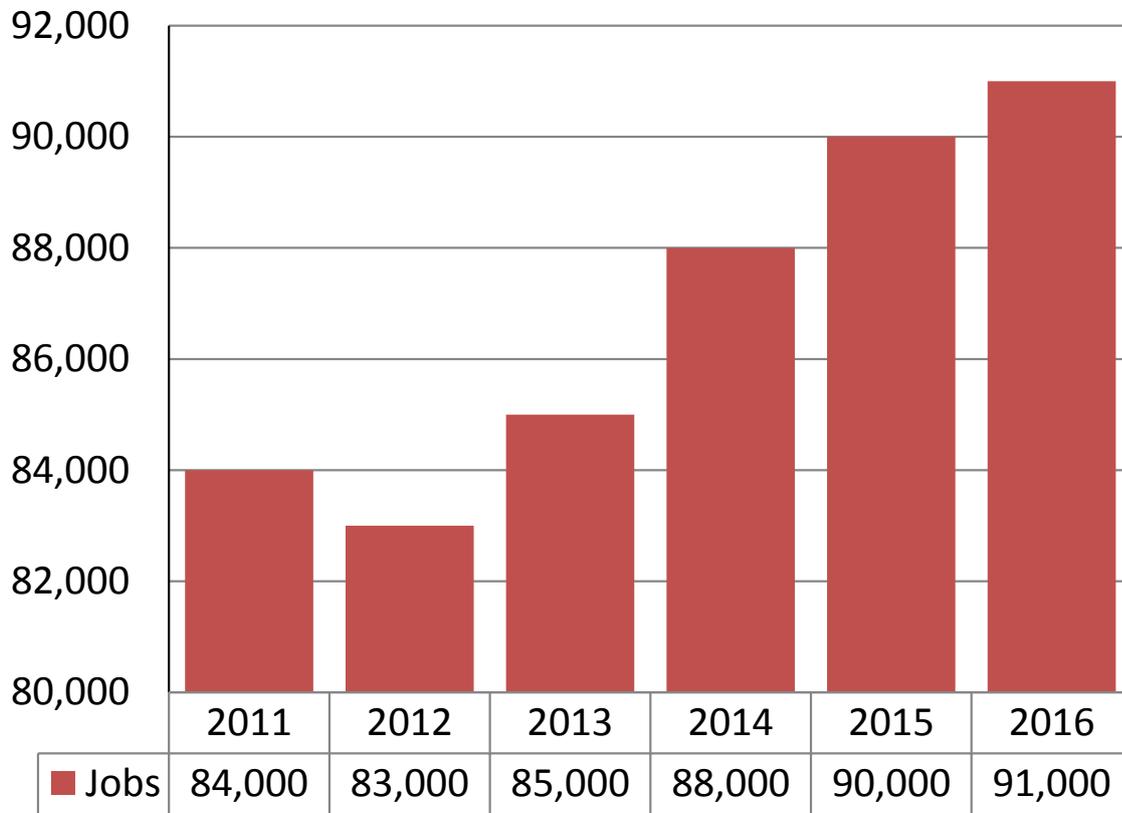


Figure 4.5 Number of jobs in Maidstone Borough (source: Nomis 2018)

## Retail

### M24. Amount of additional comparison and convenience retail floorspace consented/completed per annum

**4.32** Between 1 April 2016 and 31 March 2017 there has been an increase of 2,189sqm in net sales area of comparison and convenience retail floorspace from completed permissions (unknown not included in this figure) (Table 4.20). However, consent permissions result in a loss of 6,878sqm net sales (unknown not included in this figure) (Table 4.21). The net sales floorspace was calculated in a multistage approach. Some applications provided details of the net sales, but where applications did not specify whether the floorspace was gross or net, an agreed methodology was used.

|             | Convenience<br>(Net sales<br>area) | Comparison<br>(Net sales<br>area) | Unspecified<br>(Net sales<br>area) | Total |
|-------------|------------------------------------|-----------------------------------|------------------------------------|-------|
| Requirement | 6,100                              | 23,700                            | n/a                                |       |
| Gain        | 1,843                              | 1,254                             | 0                                  | 3,097 |
| Loss        | 49                                 | 859                               | 47                                 | 955   |
| Net         | 1,794                              | 395                               | -47                                | 2,142 |

Table 4.20 Completed convenience, comparison and unspecified retail floor space (sqm) 2017/18 (source: MBC 2018)

|             | Convenience<br>(Net sales<br>area) | Comparison<br>(Net sales<br>area) | Unspecified<br>(Net sales<br>area) | Total  |
|-------------|------------------------------------|-----------------------------------|------------------------------------|--------|
| Requirement | 6,100                              | 23,700                            | n/a                                |        |
| Gain        | 5,189                              | 653                               | 588                                | 6,430  |
| Loss        | 514                                | 12,138                            | -656                               | 11,996 |
| Net         | 4,675                              | -11,485                           | -68                                | -6,878 |

Table 4.21 Consented convenience, comparison and unspecified retail floor space (sqm) 2017/18 (source: MBC 2018)

### **M25. Amount of convenience and comparison retail floorspace consented/completed on allocated sites per annum.**

**4.33** Within the Local Plan 2017, 4 sites have been allocated for retail development following the addition of the Powerhub Building and Baltic Wharf site. There is a temporary permission at the Maidstone East site. Currently, RMX1 (5) Powerhub Building and Baltic Wharf has a permission for foodstore and ancillary uses (Table 4.22).

| Site Allocation                                                                                           | Floorspace               | Current Planning Position                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RMX1 (1) – Newnham Park, Bearsted Road, Maidstone                                                         | Replacement<br>14,300sqm | No current planning application for the retail element.<br><br>Note: 13/1163 (renewed by 16/507292) approved outlined application for medical campus up to 98,000sqm. Includes additional hospital facilities, clinics, consultation rooms and a rehabilitation centre (C2/D1); education and training facilities with residential accommodation (C2/D1); key worker accommodation for nurses and doctors (C3); pathology laboratories (B1); business uses (B1); ancillary retail (A1, A2 and A3) and up to 116 class C2 neuro-rehabilitation accommodation units. |
| RMX1 (2) – Maidstone East and forming Royal Mail sorting office, Maidstone                                | 10,000sqm                | Temporary permission for 5 years under 16/507358/FULL for mix use B1a (873sqm gain of B1a), B8 (3,945sqm gain with 2,731sqm loss) and A1 (450sqm gain) is completed                                                                                                                                                                                                                                                                                                                                                                                                |
| RMX1 (3) – King Street car park and former AMF Bowling site, Maidstone                                    | 1,400sqm                 | No current planning application                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| RMX1 (5) Powerhub Building and Baltic Wharf, St Peter's Street, Maidstone (as per modifications ELP 2017) | Not specified            | 13/0297 granted permission for food store (7,430sqm) and ancillary uses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

Table 4.22 Completed/consented convenience and comparison retail floorspace (sqm) on allocated sites 2017/18 (source: MBC 2018)

## M26. Proportion of non-A1 uses in primary shopping frontages

**4.34** To ensure that A1 retail continues to be the principal use in the heart of Maidstone town centre, Policy DM26 aims to maintain the proportion of floorspace in A1 use in the primary shopping frontages 85% or above. There are 8 defined primary frontages; these are along Fremlin Walk, along the southern stretches of Week Street and in The Mall, including Sainsbury's at Romney Place. A survey of the frontages has confirmed that all 8 frontages currently exceed the 85% threshold (Table 4.23).

| Frontage                              | A1 Retail |
|---------------------------------------|-----------|
| P1 - Fremlin Walk (excl. P2)          | 95%       |
| P2 House of Fraser unit, Fremlin Walk | 100%      |
| P3 - 10-16 Week Street (east)         | 94%       |
| P4 - 1-39 Week Street (west)          | 89%       |
| P5 - Dukes Walk, The Mall             | 91%       |
| P6 - Water Lane, The Mall             | 89%       |
| P7 - Lower Ground Floor, The Mall     | 100%      |
| P8 - Sainsbury's, Romney Place        | 100%      |

Table 4.23 Percentage of primary shopping frontage in A1 use 2017/18 (source: MBC 2018)

### Gypsies, Travellers & Travelling Showpeople Accommodation

#### M27. Annual delivery of permanent pitches/plots

**4.35** Between 1 April 2017 and 31 March 2018 there have been permission for:

- 31 Permanent non-personal pitches
- 3 Permanent personal pitches
- 0 Temporary non-personal pitches
- 5 Temporary personal pitches

#### M28. Delivery of permanent pitches on allocated sites

**4.36** Between 1 April 2017 and 31 March 2018 a total of 4 pitches have been granted permission on allocated sites. All 4 being non-personal consents (2 at Blossom Lodge and 2 at Little Boarden).

#### M29. Five year supply position

**4.37** The Ministry of Housing Communities and Local Government's (MHCLG) 'Planning policy for traveller sites' (PTS) requires Local Plans to identify a supply of 5 years' worth of deliverable sites against the Plan's pitch target.

**4.38** At 1 April 2018, the Council can demonstrate **5.2 years'** worth of deliverable planning pitches. .

#### M30. Number of caravans recorded in the bi-annual caravan count.

**4.39** As reported in the Traveller Count published by the MHCLG in July 2017 there were 582 caravans and in January 2018 594 caravans were recorded. This includes both mobiles and tourers.

## Heritage

### **M31. Number of and nature of cases resulting in a loss of designated heritage asset as a result of development**

**4.40** There have been no applications permitted for demolition, and for the removal of a heritage asset during the monitoring year 2017/18.

### **M32. Change in the number of entries on Historic England's Heritage at Risk register**

**4.41** In 2017/18 English Heritage reported that there were 13 entries for Maidstone on the risk register an increase of 1 since 2011/12.

## Natural Environment - Biodiversity

### **M33. Loss of designated wildlife sites as a result of development (hectares)**

**4.42** There has been no loss in designated wildlife sites as a result of development during 2017/18.

### **M34. Loss of Ancient Woodland as a result of development (hectares)**

**4.43** There has been no loss in Ancient Woodland as a result of development during 2017/18.

## Agricultural Land

### **M35. Loss of the best and most versatile agricultural land as a result of development (hectares)**

**4.44** Agricultural land is graded into five categories according to versatility and suitability for growing crops. Grades 1 is excellent, Grade 2 very good, Grade 3 good to moderate, Grade 4 poor and Grade 5 as very poor. No windfall sites were granted planning permission on agricultural land during 2017/18 (Table 4.24).

|                | Grade 1 | Grade 2 | Grade 3 | Grade 4 |
|----------------|---------|---------|---------|---------|
| <b>2017/18</b> | 0       | 0       | 0       | 0       |
| <b>2016/17</b> | 0       | 3.06    | 0       | 0       |

Table 4.24 Hectares of agricultural land lost due to windfall planning consent (source: MBC 2018)

### Good Design and Sustainable Design

#### **M36. Number of qualifying development failing to provide BREEAM very good standards for water and energy credits**

**4.45** At present the Council are not monitoring this indicator due to processes that would identify development failing to provide BREEAM very good standards not being available.

#### **M37. Completed development performing well in design reviews**

**4.46** Design quality on local plan site allocations will be continually monitored through the planning decision and appeal processes. During the monitoring year 2017/18, no planning applications have been allowed on appeal following a refusal on grounds of design quality.

### Open Space

#### **M38. Loss of designated open space as a result of development (hectares)**

**4.47** There has been no loss of designated open space as a result of development during the monitoring year 2017/18.

#### **M39. Delivery of open space allocations**

**4.48** Planning application 12/0986/OUT Kent Police HQ provided 1.6(ha) of outdoor sports provision in accordance with OS1 (4). There have been no other sites with OS1 allocations determined within 2017/18.

#### **M40. Delivery of new or improvements to existing designated open space in association with housing and mixed use developments**

**4.49** Local Plan 2017 policy DM19 outlines the Councils requirements for open space provision. In the monitoring year 2017/18, there were 16 major sites that qualified to make provision for open space. Three sites submitted and had accepted viability assessments stating that no open space provision could be provided. The other 13 sites provided open space provision in line with the requirements of policy DM19, and this resulted in 12.93(ha) of on site open space and payments for off site provision totalling £369,569.

### Air Quality

#### **M41. Progress in achieving compliance with EU Directive/national regulatory requirements for air quality within the Air Quality Management Area (AQMA)**

**4.50** During 2017, Maidstone Borough Council adopted a new Low Emission strategy incorporating an updated Air Quality Action Plan. The draft went to public consultation in the summer of 2017 and the final draft was approved by Councillors in December 2017. The action table for the new AQAP is included in the 2018 Air Quality Annual Status Report, together with a summary of progress to date, where appropriate. Table 4.25 reports the annual average NO2

emissions for all monitoring stations across Maidstone Borough. There has been a reduction of 5.84ug/m<sup>3</sup> of NO2 emission since 2011, and average annual results have been consistently lower than the England target.

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|                   | Annual average across monitoring stations | Difference Annual England target 40ug/m <sup>3</sup> |
|-------------------|-------------------------------------------|------------------------------------------------------|
| <b>Difference</b> | <b>5.84</b>                               |                                                      |
| 2017              | 32.68                                     | 7.32                                                 |
| 2016              | 32.76                                     | 7.24                                                 |
| 2015              | 32.84                                     | 7.16                                                 |
| 2014              | 35.61                                     | 4.39                                                 |
| 2013              | 35.92                                     | 4.08                                                 |
| 2012              | 34.19                                     | 5.81                                                 |
| 2011              | 38.52                                     | 1.48                                                 |

Table 4.25 Average annual NO2 monitoring results for all stations Maidstone (source: Kentair 2018)

### **M42. Applications accompanied by an Air Quality Impact Assessment (AQIA) which demonstrate that the air quality impacts of development will be mitigated to acceptable levels**

**4.51** Local Plan 2017 Policy DM6 set the criteria for when an AQIA will be required. The housing and community services team provide responses to the development management team on matters involving air quality, noise, potentially contaminated land and lighting. The Mid Kent Environmental Health Report 2016 - 18 published in October 2018 outlined the level of consultation with development management (Table 4.26).

**4.52** In 2017/18 there were two applications that were granted for air quality mitigation: 16/507464 34c Gabriels Hill approved for 22 flats was conditioned for bike lockers and racks, electric vehicle charging points and efficient, low Nox boilers; and, 17/504186 Kent House Romney Place approved for 6 flats was conditioned to provide 8 electric vehicle charging points. Also, in 2017/18 there were 7 submission of details applications permitted to discharge conditions relating to air quality.

|                        | 2016/17 | 2017/18 |
|------------------------|---------|---------|
| Planning consultations | 649     | 646     |
| Planning appeals       | 64      | 68      |

Table 4.26 Housing and Community Services engagement with planning on air quality, noise and lighting (source: MBC 2018)

## Infrastructure

### **M43. Planning obligations – contribution prioritisation (Policy ID1(4))**

**4.53** There were 31 applications granted planning permission with S106 agreements in the 2017/18 reporting year. Of those applications:

**4.54** 27 were able to provide all contributions sought.

**4.55** Three of the applications were able to provide some, but not all of the developer contributions sought due to site specific viability issues (all had independently prepared and verified viability assessments). Two of those applications provided developer contributions in line with the prioritisation of infrastructure in policy ID1. The other application departed from the prioritisation list due to agreed infrastructure priority areas for the specific case.

**4.56** Only one application was unable to provide any developer contributions sought due to specific site viability issues. However, a S106 legal agreement was entered into to reassess viability at a future date in order to determine whether an off-site contribution to affordable housing may become viable. This is in line with policy ID1 infrastructure prioritisation.

### **M44. Planning obligations – number of relevant developments with planning obligations**

**4.57** Details covered within monitoring indicator M43.

### **M45. Delivery of infrastructure through planning obligations/conditions**

**4.58** The Council maintains an Infrastructure Delivery Roadmap that tracks the progress of all infrastructure projects listed in the IDP. For the reporting year, all projects remain on track to be delivered within the five year periods identified in the IDP. The delivery of planned development has not been affected by the non-delivery of infrastructure.

### **M46. Introduction of Community Infrastructure Levy**

**4.59** During the 2017/18 reporting year, the CIL Examiner's Report was published in July 2017 and the Council formally approved the Charging Schedule in October 2017. Although outside of the 2017/18 reporting year, it should be noted that the Council has required the submission of the CIL Form Zero since June 2018; 16 weeks ahead of the implementation of CIL on 1 October 2018.

## Transport

### **M47. Identified transport improvements associated with Local Plan site allocations**

**4.60** The Council maintains an Infrastructure Delivery Roadmap that tracks the progress of all known infrastructure projects. Over the reporting year, all relevant transport improvements associated with Local Plan allocations were on track for a timely delivery. Their progress will continue to be monitored through the Roadmap.

### **M48. Sustainable transport measures to support the growth identified in the Local Plan and as set out in the Integrated Transport Strategy and the Walking & Cycling Strategy**

**4.61** All projects remained on track to be delivered within the time periods identified within the Infrastructure Delivery Plan. Target 5 - an independent review has been carried out, encompassing Park and Ride, Bus interchanges and parking strategy. This was approved for publication in January 2018. Targets 1-4 and 6 will be first assessed in 2021, however significant work has been undertaken to facilitate this, including a walking and cycling assessment to identify improvement to existing infrastructure and identify gaps.

### **M49. Provision of Travel Plans for appropriate development**

**4.62** Travel Plans, Transport Assessments and Statements are all ways of assessing and mitigating the negative transport impacts of development in order to promote sustainable development. They are required for all developments which generate significant amounts of movements.

**4.63** In 2017/18, all large residential developments that had gained planning permission and would generate significant transports movements had an appropriate travel plan, transport assessment or statement.

### **M50. Achievement of modal shift through;**

- No significant worsening of congestion as a result of development
- Reduced long stay town centre car park usage
- Improved ratio between car parking costs and bus fares

**4.64** Development may not be the only factor affecting journey times in Maidstone and the Integrated Transport Strategy will be delivered alongside the Local Plan 2017 to provide necessary mitigation. The average speed<sup>(3)</sup> on the 5 main A roads in Maidstone has decreased by 12.4% during peak<sup>(4)</sup> time between 2011 and 2015 (Table 4.27). Figure 4.6 outlines the average combined journey times for public transport, bicycling and car to key services. There has been a continuing small increase in the total average journey times for Maidstone, Kent and the South East.

**4.65** There were 345,509 transactions in town centre long stay car parks during the monitoring year 2016/17, the majority of transactions were made by cash (Table 4.28). Due to a change in the database that monitors car park transactions it has been impossible to monitor this indicator in 2017/18. However, this indicator will be monitored over subsequent future years to identify any trends.

3 Average vehicle speeds have been derived using flow weighted estimates for individual months and cover the whole route including outside Maidstone.

4 Morning peak defined as 7am to 10am and excludes school holidays.

**4.66** Table 4.29 illustrates the ratio of the cost of parking in a long stay car park in Maidstone compared to the cost of a bus day ticket. The ratio between parking charges and bus fares has increased since the previous monitoring year, this is due to a bus ticket fare drop by the bus provider Arriva in May 2017.

| Road name    | Road direction | 2011    | 2012    | 2013    | 2014    | 2015 | Change        |
|--------------|----------------|---------|---------|---------|---------|------|---------------|
| A20          | Eastbound      | 28.4    | 29.9    | 30.2    | 30.5    | 28.9 | 1.6%          |
|              | Northbound     | 28.9    | 30.1    | 29.9    | 30.5    | 29.3 | 1.3%          |
| A229         | Eastbound      | 28.6    | 29.0    | 28.0    | 27.2    | 26.6 | -7.2%         |
|              | Northbound     | 27.8    | 28.1    | 27.5    | 26.9    | 27.4 | -1.4%         |
| A249         | Eastbound      | No data | No data | No data | No data | 39.6 | Incomplete    |
|              | Northbound     | No data | No data | No data | No data | 25.4 | Incomplete    |
| A26          | Eastbound      | 21.0    | 21.4    | 21.2    | 20.8    | 21.2 | 0.6%          |
|              | Northbound     | 21.3    | 22.2    | 20.6    | 20.2    | 21.0 | -1.2%         |
| A274         | Eastbound      | 28.3    | 28.4    | 27.7    | 26.8    | 27.7 | -2.0%         |
|              | Northbound     | 30.0    | 30.6    | 30.0    | 29.3    | 28.8 | -4.1%         |
| <b>Total</b> |                |         |         |         |         |      | <b>-12.4%</b> |

Table 4.27 Average vehicle speeds during the weekday morning peak (source: DfT 2016)

| Car Park          | Cash          | Cashless       | Total          |
|-------------------|---------------|----------------|----------------|
| Barker Road       | 6,781         | 2,649          | 9,430          |
| Brooks Place      | 584           | 44,985         | 45,569         |
| College Road      | 5,237         | 20,720         | 25,958         |
| Lockmeadow        | 24,624        | 185,232        | 209,856        |
| Lucerne           | 1,770         | 8,716          | 10,486         |
| Union Street East | 3,702         | 16,961         | 20,663         |
| Union Street West | 2,804         | 11,493         | 14,297         |
| Well Road         | 2,462         | 6,788          | 9,250          |
| <b>Total</b>      | <b>47,965</b> | <b>297,544</b> | <b>345,509</b> |

Table 4.28 Town Centre long stay car park transactions 2016/17 (source MBC 2017)

## 4 . Local Plan Performance

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| Car Parks    | 2018           |                   | Ratio<br>2018 | Ratio<br>2017 | Change |
|--------------|----------------|-------------------|---------------|---------------|--------|
|              | Long Stay Cost | Arriva Day Ticket |               |               |        |
| MBC          | 6.90           | 5.00              | 1.38          | 1.25          | 0.13   |
| Fremlin Walk | 9.80           | 5.00              | 1.96          | 1.83          | 0.13   |
| The Mall     | 9.00           | 5.00              | 1.80          | 1.73          | 0.07   |

Table 4.29 Ratio of car parking costs compared to bus fares (£) (source: MBC 2018)

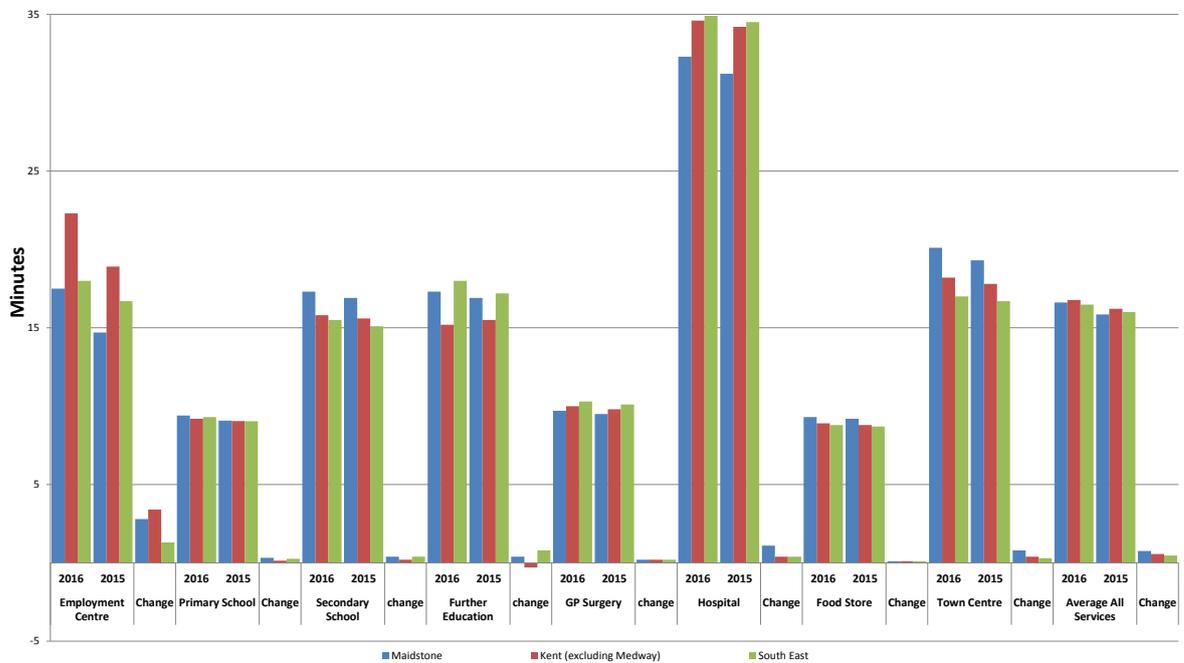


Figure 4.6 Average journey times to key services 2016 (source: MHCLG 2018)

## Glossary

| Acronym | Term                                                    | Description                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| -       | Affordable Housing                                      | Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision (source: NPPF glossary). |
| AMR     | Authority Monitoring Report                             | The Monitoring Report provides a framework with which to monitor and review the effectiveness of local plans and policies.                                                                                                                                                                                                                                                                                                                                |
| APS     | Average Point Score                                     | The average points achieved in SAT's or GCSE's                                                                                                                                                                                                                                                                                                                                                                                                            |
| AQMA    | Air Quality Management Area                             | Local authorities who identify parts of their area where they expect the air quality objectives to be exceeded by the relevant future year, will be required to designate such parts as an Air Quality Management Area.                                                                                                                                                                                                                                   |
| AQIA    | Air Quality Impact Assessment                           | AQIA considers the potential impacts of pollution from individual and cumulative development, and to demonstrate how the are quality impacts of the development will be mitigated to acceptable levels.                                                                                                                                                                                                                                                   |
| CIL     | Community Infrastructure Levy                           | The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities to help deliver infrastructure to support the development of the area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010.                                                                                                                                                   |
| DBEIS   | Department for Business, Energy and Industrial Strategy | The Department for Business, Energy and Industrial Strategy brings together responsibilities for business, industrial strategy, science, innovation, energy, and climate change.                                                                                                                                                                                                                                                                          |
| DCLG    | Department for Communities and Local Government         | The Department of Communities and Local Government work to move decision-making power from central government to local councils. This helps put communities in charge of planning, increases accountability and helps citizens to see how their money is being spent. They work on housing, the UK economy, local government, planning and building, public safety and emergencies, community and society.                                                |
| DEFRA   | Department for Environment, Food and Rural Affairs      | The Department for Environment, Food and Rural Affairs is the UK government department responsible for safeguarding our natural environment, supporting our world-leading food and farming industry, and sustaining a thriving rural economy. Their broad remit means we play a major role in people's day-to-day life, from the food we eat, and the air we breathe, to the water we                                                                     |

| Acronym | Term                          | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| -       | Development Plan              | In accordance with legislation all planning applications should normally be determined in accordance with Development Plan policies. This includes adopted local plans and neighbourhood plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.                                                                                                                                                                                                                                                                          |
| 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.                                                                                                                                                                                                                                                                                                                                                                                                             |
| DfE     | Department of Education       | The Department of Education is responsible for children’s services and education, including higher and further education policy, apprenticeships and wider skills in England. The department is also home to the Government Equalities Office. They work to provide children’s services and education that ensure opportunity is equal for all, no matter what their background or family circumstances.                                                                                                                                               |
| DfT     | Department for Transport      | Department for Transport works with its agencies and partners to support the transport network that helps the UK’s businesses and gets people and goods travelling around the country. They plan and invest in transport infrastructure to keep the UK on the move.                                                                                                                                                                                                                                                                                    |
| EA      | Environment Agency            | The Environment Agency is the leading public body for protecting and improving the environment in England and Wales, with particular responsibilities for river, flooding and pollution ( <a href="http://www.environment-agency.gov.uk">www.environment-agency.gov.uk</a> ).                                                                                                                                                                                                                                                                          |
| -       | Gross Internal Floorspace     | The entire area inside the external walls of a building and includes corridors, lifts, plant rooms, mezzanines, services accommodation e.g. toilets but excludes internal walls.                                                                                                                                                                                                                                                                                                                                                                       |
| -       | Historic England              | Historic England are the public body that looks after England's historic environment. They champion and protect historic places, helping people understand, value and care for them.                                                                                                                                                                                                                                                                                                                                                                   |
| IDP     | Infrastructure Delivery Plan  | The Infrastructure Delivery Plan identifies the infrastructure schemes necessary to support the development proposed in the Local Plan and outlines how and when these will be delivered.                                                                                                                                                                                                                                                                                                                                                              |
| IMD     | Index of Multiple Deprivation | The Index of Multiple Deprivation 2015 provides a relative measure of deprivation at small area level across England. Areas are ranked from least deprived to most deprived on seven different dimensions of deprivation and an overall composite measure of multiple deprivation. The domains used in the indices of deprivation 2010 are: income deprivation; employment deprivation; health deprivation and disability; education deprivation; crime deprivation; barriers to housing and services deprivation; and living environment deprivation. |

| Acronym | Term                                                                      | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ITS     | Integrated Transport Strategy                                             | The Integrated Transport Strategy 2011-2031 assesses the principal existing and future challenges affecting the transport network, including taking account of jobs and housing growth, and recognises that the populations of the urban area and dispersed villages bring different challenges and solutions.                                                                                                                                                                                                                  |
| JSA     | Job Seekers Allowance                                                     | Jobseeker's Allowance is an unemployment benefit you can claim while looking for work.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| KCC     | Kent County Council                                                       | The county planning and highway 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.                                                                                                                                                                                                                                                                                                           |
| LNR     | Local Nature Reserves                                                     | Local nature reserves are formally designated areas for both people and wildlife. They are places with wildlife or geological features that are of special interest locally. They offer people special opportunities to study or learn about nature or simply to enjoy it ( <a href="http://www.naturalengland.org.uk">www.naturalengland.org.uk</a> ).                                                                                                                                                                         |
|         | Local Plan                                                                | The plan for the future development of the local area, drawn up by a local authority in consultation with the community, these documents are material considerations in development management decisions.                                                                                                                                                                                                                                                                                                                       |
| LSOA    | Lower Super Output Area                                                   | This is the name for Lower Layer Super Output Areas used for census outputs. In England and Wales Super Output Areas (SOAs) are a geographical hierarchy designed to improve the reporting of small area statistics. Unlike electoral wards, the SOA layers are of consistent size across the country and will not be subject to regular boundary change. Lower Layer SOAs have a minimum population of 1,000 and are used as the building blocks for Middle Layer SOAs ( <a href="http://www.ons.gov.uk">www.ons.gov.uk</a> ). |
| MBC     | Maidstone Borough Council                                                 | The local planning authority responsible for producing the local planning policy framework.                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|         | Maidstone Economic Development Strategy                                   | The economic development strategy set out the Council's economic ambitions to be achieved by 2031 and outlines the opportunities and challenges facing Maidstone's economy.                                                                                                                                                                                                                                                                                                                                                     |
| MW      | Megawatt                                                                  | A unit of power equal to one million watts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| -       | Net Tradeable Floorspace                                                  | Sales space which customers have access to (excluding areas such as storage).                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| NOMIS   | Nomis is a web-based database of labour market statistics based in Durham | Nomis is a service provided by the Office for National Statistics, ONS, providing the most                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| Acronym | Term                                           | Description                                                                                                                                                                                                                                                                                                                                                                                       |
|---------|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         |                                                | detailed and up-to-date UK labour market statistics from official sources.                                                                                                                                                                                                                                                                                                                        |
| ONS     | Office for National Statistics                 | The Office for National Statistics (ONS) is the executive office of the UK Statistics Authority, a non-ministerial department which reports directly to Parliament. ONS is the UK Government's single largest statistical producer and is responsible for the production of a wide range of economic and social statistics ( <a href="http://www.ons.gov.uk">www.ons.gov.uk</a> ).                |
| SCAP    | Schools Capacity Survey                        | The school capacity survey is a statutory data collection that all local authorities must complete every year. Local authorities must submit data about: school capacity (the number of places and pupils in a school) pupil forecasts (an estimation of how many pupils there will be in future) capital spend (the money schools and local authorities spend on their buildings and facilities) |
| -       | Public Health England                          | Public Health England exist to protect and improve the nation's health and wellbeing, and reduce health inequalities, it is an executive agency, sponsored by the Department of Health.                                                                                                                                                                                                           |
| 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.                                                                                                                                                                                                                                                                |
| SHLAA   | Strategic Housing Land Availability Assessment | The purpose of a Strategic Housing Land Availability Assessment is to establish realistic assumptions about the availability, suitable location and the likely economic viability of land to meet the identified need for housing over the plan period (source: NPPF).                                                                                                                            |
| SHMA    | Strategic Housing Market Assessment            | A Strategic Housing Market Assessment to assesses the local planning authority's full objectively assessed housing needs and affordable housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries.                                                                                                                                          |
| 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.                                                                                                                                                                                                            |
|         | Submission Plan                                | The Maidstone Borough Local Plan submitted on 20 May 2016 to the Secretary of State for independent examination.                                                                                                                                                                                                                                                                                  |
|         | Sustainability Appraisal                       | The Sustainability appraisal is a mechanism for considering and communicating the likely effects of a draft plan, and reasonable alternatives; with a view to avoiding and mitigating negative effects and maximising the positives before the plan is finalised.                                                                                                                                 |
| -       | Unidentified Sites or Windfall Sites           | Sites which have not been specifically identified as available in the local plan process. They normally comprise previously-developed sites that have unexpectedly become available (source: NPPF glossary).                                                                                                                                                                                      |

# Agenda Item 17

## **STRATEGIC PLANNING SUSTAINABILITY & TRANSPORTATION COMMITTEE**

**4<sup>th</sup> December 2018**

### **Technical Consultation on National Planning Policy and Guidance**

|                                           |                                                               |
|-------------------------------------------|---------------------------------------------------------------|
| <b>Final Decision-Maker</b>               | Strategic Planning, Sustainability & Transportation Committee |
| <b>Lead Head of Service/Lead Director</b> | Rob Jarman, Head of Planning & Development                    |
| <b>Lead Officer and Report Author</b>     | Sarah Lee, Principal Planning Officer (Strategic Planning)    |
| <b>Classification</b>                     | Public                                                        |
| <b>Wards affected</b>                     | All                                                           |

#### **Executive Summary**

The Government is consulting on proposed changes to the National Planning Policy Framework and the associated guidance. The most significant changes relate to the standard methodology for calculating local housing need. Other minor, clarifying changes are proposed which impact on the definition of 'deliverability', housing land supply and the technical approach to the Appropriate Assessment of internationally important nature conservation sites. The report provides a summary of the proposed changes, the implications for MBC and recommends that the responses in Appendix 1 be submitted by the deadline of 7<sup>th</sup> December.

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

1. That the responses set out in Appendix 1 be agreed as this Council's response to the technical consultation on changes to the National Planning Policy Framework and National Planning Practice Guidance.

#### **Timetable**

| <b>Meeting</b>                                                | <b>Date</b>                   |
|---------------------------------------------------------------|-------------------------------|
| Strategic Planning, Sustainability & Transportation Committee | 4 <sup>th</sup> December 2018 |

# Technical Consultation on National Planning Policy and Guidance

## 1. INTRODUCTION AND BACKGROUND

- 1.1 The Ministry of Housing, Communities and Local Government is undertaking a technical consultation on changes to the National Planning Policy Framework (NPPF) and the associated guidance (NPPG). The consultation document is available here;  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751810/LHN\\_Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)

### Standard methodology

- 1.2 The most significant of the proposed changes relates to the standard methodology for calculating a borough's minimum local housing need figure. The standard methodology was introduced in the revised NPPF in July with details of the calculation in the NPPG.
- 1.3 The standard methodology is a 'top-down' approach. By devising a standard approach, the Government is essentially prescribing what the housing figures for districts and boroughs should be. The Government's reasons for doing this are;
- To reduce the time and resources spent establishing the correct figure to include in a local plan; and
  - To achieve the Government's objective of building on average 300,000 new homes per year from the mid-2020s onwards.
- 1.4 The current consultation does not alter the Government's expectation, expressed in the revised NPPF, that local planning authorities will follow the standard approach unless there are exceptional circumstances which justify doing otherwise<sup>1</sup>.
- 1.5 To recap, the inputs to the standard methodology calculation are;
- Projected average annual household growth using data from the latest Office of National Statistics (ONS) projections
  - An affordability adjustment using the latest ONS median workplace based affordability ratios
  - A cap on the increase at 40% of the current target (provided the current target was set within the last 5 years)
- 1.6 The latest 2016-based ONS household projections, issued in September 2018, reveal an overall reduction in household formation rates. Nationally, household formation is predicted to fall by some 56,000 to 213,000/year compared with the preceding (2014-based) projections. This finding puts at risk the Government's goal of 300,000 new homes per year.

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<sup>1</sup> 2018 NPPF paragraph 60

- 1.7 The consultation includes a critique of the limitations of using household projections to estimate future demand for housing. In summary it says that;
- The ability of people to form new households will be limited by an overall lack of housing supply – new households can't form if there is nowhere for them to move into;
  - There has been historic under-delivery of housing;
  - There is a need to increase the responsiveness of housing supply to demand;
  - Boosting supply will help to address the overall affordability of housing; and
  - Household projections are not a measure of how many homes would be needed to meet demand.
- 1.8 In the current consultation the Government's proposed way forward has 3 elements;
- a. In the short term (not defined), the 2014-based household projections should be used as the baseline for the standard housing calculation. The rest of method is unchanged.
  - b. The fact the 2016-based projections are lower do not amount to 'exceptional circumstances' to depart from the standard approach.
  - c. In the longer term (not defined), the Government will renew the standard calculation to establish a new method which meets the principles of boosting housing supply by the time the next projections are issued.
- 1.9 The consultation also confirms that where a joint plan is being prepared, the 40% cap on standard methodology figure applies to the total plan requirement figure, not constituent authorities' individual figures.
- 1.10 **Commentary and response:** The Government is completely committed to its objective to significantly increase house building. Its response to the latest projections is clearly output led; it does not want to divert from its 300,000 homes/year goal.
- 1.11 The use of the superseded 2014-based projections in the short term is not a permanent fix but it would give some certainty for those authorities which are close to submitting their plans for examination. The position is much less certain for councils like Maidstone which are 2 or more years from submission. New, 2018-based household projections should be issued in Autumn 2020, ahead of the submission of the Local Plan Review which is scheduled for March 2021. If the Government introduces a new approach at around this time, it could mean the council is faced with a significant change to the local housing need figure for the borough and there is a risk that the plan's approach may need to be reviewed when the plan has reached an advanced stage if transitional arrangements are not in place.
- 1.12 In response, the proposed answers to the consultation questions in Appendix 1 make the following points;

- There is support, in principle, for the continued use of a standardised approach where this can help to reduce unproductive debate about housing numbers.
- The new method, when devised, should retain the cap on how much the local housing need figure can increase to give those preparing plans some ceiling on the scale of the increase that may be required. The cap should certainly be no higher than the 40% figure which has been consulted upon previously and preferably should be significantly lower with growth distributed more evenly across the country.
- The Government should provide an outline of timescales when new method will be consulted upon and implemented so that councils preparing plans can anticipate which method they will need to follow. This should include transitional arrangements so that plans at an advanced stage are not diverted off course. The housing number is a fundamental part of the plan-making process and can have implications for other aspects of the plan such as site selection and strategic infrastructure requirements amongst other things.
- The new approach should address the significant concerns previously made by this committee in its consultation responses with respect to;
  - the current methodology serves to perpetuate established patterns of household growth and to disproportionately load requirements on authorities such as Maidstone with the highest base populations and which have delivered good levels of housing in the past.
  - The realism of achieving this rate of housebuilding is also at question on the grounds of the availability of sufficient labour, skills and materials (a point previously highlighted by this Committee), coupled with a concern that housebuilders have an incentive to manage build out rates to maintain house prices at or above current levels.

### **Housing land supply calculations**

1.13 Amendments to the 2018 NPPF are proposed which clarifies that the NPPF is not inviting alternative approaches to the calculation of housing land supply in connection with application and appeals. There was a risk of misinterpretation with the current wording.

1.14 **Response:** There is no objection to this clarification.

### **Definition of 'deliverable'**

1.15 Sites included in the 5 year land supply must be demonstrably 'deliverable' and the 2018 NPPF revised the definition of 'deliverable'. Clarifying changes to the definition are now proposed to help avoid misinterpretation and in particular to confirm that non-major developments<sup>2</sup> with outline permission are in principle 'deliverable'.

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<sup>2</sup> Major development - For housing, development of 10+ homes or the site of 0.5+ ha. For non-residential development, additional floorspace of 1,000+ sqm or a site of 1+ ha.

1.16 The Government will produce additional guidance to provide further information on the way that sites with different degrees of planning certainty may be counted when calculating housing land availability.

1.17 **Response:** There is no objection to the clarification. The introduction of future guidance to reduce unnecessary debate and challenge at appeals and examination can be welcomed.

### **Habitat Regulations Assessment**

1.18 In response to recent case law, a clarification will confirm the application of the presumption in favour sustainable development to development that impacts on international sites of nature conservation importance. The proposed wording of the NPPF is as follows;

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that there will be no adverse effect from the plan or project on the integrity of the habitats site.”

1.19 **Response:** There is no objection to the clarification.

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## **2. AVAILABLE OPTIONS**

2.1 Option A: the Committee could decide that no consultation responses should be submitted.

2.2 Option B: the Committee could decide to submit responses to the Government consultations on the proposed changes to the National Planning Policy Framework and to the National Planning Practice Guidance.

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

3.1 Option B is the preferred option. Submitting a consultation response will ensure that the Council’s viewpoint can be taken into account as the Government finalises its proposed changes to planning policy and guidance.

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## **4. RISK**

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

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## 5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 This Committee previously made consultation responses to the Housing White Paper (SPST March 2017), 'Planning for the right homes in the right places' (October 2017) and the draft NPPF (April 2018).

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## 6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 Subject the Committee's agreement, the consultation responses will be submitted on-line by the deadline of 7<sup>th</sup> December 2018.

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## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

| <b>Issue</b>                          | <b>Implications</b>                                                                                                                                                                                                                                                  | <b>Sign-off</b>                                     |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b>Impact on Corporate Priorities</b> | It is not expected that the recommendation will, of itself, materially affect achievement of corporate priorities.<br>Contributing positively to the Government's consultation does nonetheless accord with the Council's overall priority of 'a home for everyone'. | Rob Jarman,<br>Head of<br>Planning &<br>Development |
| <b>Risk Management</b>                | Already covered in the risk section.                                                                                                                                                                                                                                 | Rob Jarman,<br>Head of<br>Planning &<br>Development |
| <b>Financial</b>                      | Responding to the Government consultation can be done within existing resources and does not require additional financing.                                                                                                                                           | Suzan Jones,<br>Finance<br>Officer                  |
| <b>Staffing</b>                       | Responding to the Government consultation can be done within existing resources.                                                                                                                                                                                     | Rob Jarman,<br>Head of<br>Planning &<br>Development |
| <b>Legal</b>                          | There are no specific legal implications arising from the recommendations in this report.<br>Should the proposals in the                                                                                                                                             | Cheryl Parks,<br>Mid Kent<br>Legal<br>Services      |

|                                    |                                                                                                                                                                                                                                                                                                                                                     |                                                                                 |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
|                                    | consultation be taken forward there could be a need to review practices and protocols to accommodate them.                                                                                                                                                                                                                                          | (Planning)                                                                      |
| <b>Privacy and Data Protection</b> | Responding to this consultation as recommended would not have specific implications for privacy and data protection.                                                                                                                                                                                                                                | Cheryl Parks,<br>Mid Kent<br>Legal<br>Services<br>(Planning)                    |
| <b>Equalities</b>                  | There is no detrimental impact on groups with protected characteristics in responding to this consultation as recommended.<br>The Council supports the principle of a standardised approach to its numerical need so that it can plan for the right homes in the right places, which will help ensure the diverse needs of our communities are met. | Equalities<br>and<br>Corporate<br>Policy Officer.                               |
| <b>Crime and Disorder</b>          | Responding to this consultation as recommended would not have specific implications for Crime and Disorder in the borough                                                                                                                                                                                                                           | Rob Jarman,<br>Head of<br>Planning &<br>Development                             |
| <b>Procurement</b>                 | Responding to this consultation as recommended does not require the procurement of any services, expertise or materials                                                                                                                                                                                                                             | Rob Jarman,<br>Head of<br>Planning &<br>Development<br>& Section<br>151 Officer |

## 8. REPORT APPENDICES

- Appendix 1: Proposed responses to the consultation

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## 9. BACKGROUND PAPERS

Technical consultation on national planning policy and guidance –  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751810/LHN\\_Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)

## **Appendix 1 – Proposed response to the Technical consultation on updates to national planning policy and guidance (October 2018)**

***Q1: Do you agree that planning practice guidance should be amended to specify that 2014-based projections will provide the demographic baseline for the standard method for a time limited period?***

A – Whilst this would give some certainty for those authorities which are close to submitting their plans for examination, the position is much less certain for councils like Maidstone BC which are 2 or more years from submission. The new 2018-based household projections are expected to be issued in Autumn 2020, ahead of the submission of Maidstone’s Local Plan Review which is scheduled for March 2021. If the Government introduces a new approach at around this time, it could mean this council and others will be faced with a significant change to the local housing need figure for the borough and there is a risk that the plan’s approach may need to be reviewed when the plan has reached an advanced stage if transitional arrangements are not in place.

MBC supports the principle of a standardised approach to help reduce the time, money and effort spent establishing what the ‘correct’ local housing need figure should be.

The new method, when devised, should retain the cap on how much the local housing need figure can increase by to give those preparing plans some ceiling on the scale of the increase that may be required. The cap should be no higher than the 40% figure which has been consulted upon previously and preferably significantly lower, coupled with achieving a more even national distribution of growth.

The Government should provide an outline of timescales when any new method will be consulted upon and implemented so that councils preparing plans can anticipate which method they will need to follow. This should include transitional arrangements so that plans at an advanced stage are not diverted off course. The housing number is a fundamental part of the plan-making process and can have implications for other aspects of the plan such as site selection and strategic infrastructure requirements amongst other things.

The new approach is an opportunity to address failings with the current approach, namely;

- the current methodology serves to perpetuate established patterns of household growth and to disproportionately load requirements on authorities such as Maidstone with the highest base populations and which have delivered good levels of housing in the past. The approach is considered to be demand-led with the outcome of increasing requirements in areas where there is considerable existing development pressure whilst reducing supply (principally in more northern authorities) where Strategic Housing Market Assessments have shown needs to be higher.
- The realism of achieving this rate of housebuilding is also at question on the grounds of the availability of sufficient labour, skills and materials, coupled with a concern that housebuilders have an incentive to manage build out rates to maintain house prices at or above current levels.

***Q2: Do you agree with the proposed approach to not allowing 2016-based household projections to be used as a reason to justify lower housing need?***

A – As one of the purposes of introducing the standardised methodology is to reduce uncertainty, the Government should be definitive in whichever route it chooses. It would seem contradictory to guide councils to use the 2014-based projections in the short term but then allow for the use of the 2016-based projections ‘exceptionally’.

***Q3: Do you agree with the proposed approach to applying the cap to spatial development strategies?***

A – No objection.

***Q4: Do you agree with the proposed clarifications to footnote 37 and the glossary definition of local housing need?***

A – No objection.

***Q5: Do you agree with the proposed clarification to the glossary definition of deliverable?***

A – No objection to the clarification. The introduction of future guidance to reduce unnecessary debate and challenge at appeals and examination is welcomed.

***Q6: Do you agree with the proposed amendment to paragraph 177 of the National Planning Policy Framework?***

A – No objection to the clarification.

**Strategic Planning,  
Sustainability and  
Transportation Committee**

**4 December 2018**

**Review of National Parks and Areas of Outstanding Natural Beauty - Response**

|                                           |                                                                 |
|-------------------------------------------|-----------------------------------------------------------------|
| <b>Final Decision-Maker</b>               | Strategic Planning, Sustainability and Transportation Committee |
| <b>Lead Head of Service/Lead Director</b> | Rob Jarman, Head of Planning and Development                    |
| <b>Lead Officer and Report Author</b>     | Deanne Cunningham, Team Leader (Heritage, Landscape and Design) |
| <b>Classification</b>                     | Public                                                          |
| <b>Wards affected</b>                     | All                                                             |

**Executive Summary**

SPS&T Committee has resolved to make a representation to the 2018 Review of National Parks and Areas of Outstanding Natural Beauty (AONBs) in relation to the proposal to create an AONB protecting the Greensand Ridge and for an enhanced level of protection for its Landscapes of Local Value (LLVs). In the meantime the Kent Downs AONB Joint Advisory Committee (JAC) is drafting a strategic response to the Review and welcomes the intention of this Council to submit its own response. This report outlines the matters for inclusion in the Council's corporate response using the approach of the JAC. The key points raised relate to the purposes of National Parks and AONBs, financial and governance arrangements, extending AONBs and boundary reviews, the National Parks 8 point plan, the role of the AONB Management Plan and branding and the AONB name.

**This report makes the following recommendations to Strategic Planning, sustainability and Transportation Committee**

That:

1. The JAC's approach to the 2018 Review of National Parks and Areas of Outstanding Natural Beauty (AONBs) be endorsed.
2. That the proposed response to the Review be approved

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| <b>Timetable</b>      |                    |
|-----------------------|--------------------|
| <b><i>Meeting</i></b> | <b><i>Date</i></b> |
| SPS&T Committee       | 4 December 2018    |

# Review of National Parks and Areas of Outstanding Natural Beauty - Response

## 1. INTRODUCTION AND BACKGROUND

- 1.1 In January 2018 the Government published a 25 year plan for the environment, 'A Green Future: Our 25 Year Plan to Improve the Environment'. It sets out an approach to protect landscapes and habitats in England and commits to an independent review of National Parks and Areas of Outstanding Natural Beauty (AONBs), known as the 'Designated landscapes (national parks and AONBs): 2018 review'.
- 1.2 The Review is now under way and the current call for evidence expires on 18 December 2018. The findings are due to be published towards the end of 2019.
- 1.3 At the meeting of SPS&T Committee on 6 November 2018 Members considered a report on the issues relating to the proposal to promote the Greensand Ridge as a candidate for designation as an AONB. The Committee resolved that:
  - A representation is made to the Review of National Parks and Areas of Outstanding Natural Beauty (AONBs) to seek to secure AONB protection for the Greensand Ridge and an additional tier of protection for the borough's Landscapes of Local Value areas (LLVs).
  - Officers liaise with neighbouring authorities and other stakeholders to assess the collective interest in making a joint application on a larger basis.
- 1.4 Subsequently, on 15 November 2018, the Kent Downs Area of Outstanding Natural Beauty JAC met to discuss the Review call for evidence and agreed to:
  - Provide a strategic level response from the JAC
  - Urge individual responses from JAC partner Local Authorities and other organisation which reflect local issues and views
- 1.5 As a result of this, Councillor Patrik Garten, JAC Member, requested that SPS&T Committee consider the JAC's response with a view to following that approach in its own representation to the Review.
- 1.6 The AONB Unit has circulated its draft response to the Review and asked for comments by 30 November 2018; a copy of which is included in this report. The final version should be available for consideration at the meeting on 4 December 2018.

## **Proposed draft response by the JAC**

1.7 The AONB JAC considered the context of the Kent Downs AONB and took a very positive approach to the Review by not taking a defensive position. It aims to recognise the opportunities and challenges and seeks to enable a positive response in the interest of local and national communities. The response follows the framework generated by the terms of reference of the Review as well as the specific questions asked in the call for evidence. This response raises the key points detailed below.

### Purposes

1.8 There should be parity between AONBs and National parks. The JAC does not propose that this AONB should become a National Park but should be recognised and valued equally. There should be common purposes between all designated landscapes given the fact that the landscapes offer equivalence of benefit to society. Additionally, supporting health and well-being should be specifically included in the purposes of designated landscapes.

### Financial and governance arrangements

1.9 The JAC was keen for the AONB not to become a National Park as it is unlikely to be welcomed locally and would be overly bureaucratic. It was felt the AONB should not be a planning authority but that the advisory role should be strengthened in land use planning matters. 'Conserve and enhance' guidelines are considered to include the built environment and development should be accepted in the designated landscape and its setting where the scale and quality of design seeks to recognise and enhance the qualities of the place.

1.10 The resources provided to the AONB partnership should be sufficient to meet and deliver its purposes and that should new purposes be agreed then new resources would be needed to deliver them.

1.11 Should greater resources be afforded to achieve the purposes of the designated landscape, then an effective way to use these would be through developing partnerships with local businesses, local authorities and charities. This should be cost effective, widen the 'ownership' of ways to conserve and enhance the natural beauty of the landscape and potentially bring matched resources and expertise. This approach is informed by the Danish National Park model.

### Extending AONBs and boundary reviews

1.12 The JAC had considered potential extensions to the boundary of the Kent Downs AONB in the past but had decided against promoting them because the process was too costly, time consuming and presented other risks which meant it would not be a good use of public resources.

1.13 It is proposed that, where there is a shared local wish to extend the AONB, this should be simpler to achieve and not require a complete boundary review. Several members of the JAC could identify areas where it would be

beneficial to extend the boundary of the Kent Downs AONB. This Council's resolution to seek either a new AONB for the Greensand Ridge or a wider landscape area, potentially including consideration of an extension to the Kent Downs AONB, was raised.

- 1.14 The JAC also considered that there could be merits in taking forward other levels of formal protection of landscapes of local value as identified by this Council in its resolution.

#### The National Parks 8 point plan

- 1.15 Many of the activities in this Plan, published in March 2016, are taken forward in the Kent Downs and should be recognised and adequately resourced but the important work on the conservation and enhancement of natural beauty should not be diminished in any way. It is recognised that there are many challenges faced by countryside recreation sites. This approach should help support the ambition for parity between National Parks and AONBs.

#### The role of the AONB Management Plan

- 1.16 The JAC's view is that the AONB Management Plan's role in influencing Environmental Land Management Schemes as well as rural development funding (and other activity which affects the AONB) should be an important and enhanced one. The Plan is a locally developed, accountable articulation of how to conserve and enhance a national and international asset.
- 1.17 It is recognised that new payments will be for public good and that the landscapes of the Kent Downs offer considerable public good.
- 1.18 The JAC was concerned about the loss of LEADER programmes and recognised that each Kent LEADER scheme supported the purposes of the AONB and was influenced by the Management Plan.
- 1.19 There was also concern raised about the current administration and penalty regimes for agri-environment schemes and that farmers/landowners were at risk of exiting schemes. New schemes should be easy to engage with and reflect the local understanding of landscape and be for the public good.

#### Branding and the AONB name

- 1.20 Generally it was felt that the Area of Outstanding Natural Beauty name was appropriate but some representatives felt that the brand was not a strong one and not recognised from a visitor and tourism perspective. It was suggested that the community's views on the brand should be sought with a particular emphasis on engaging the youth.

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## **2. AVAILABLE OPTIONS**

- 2.1 Option 1- The Committee decides not to endorse the response of the Kent Downs AONB and agrees to make its own detailed response to the Review. However, this is likely to weaken the weight of the JAC's response.
- 2.2 Option 2- The Committee decides to endorse the response of the Kent Downs AONB and follow the same approach as the JAC in its representation but amends the section on extending AONBs and boundary reviews to reflect the Committee's resolution to seek to secure AONB protection for the Greensand Ridge and an additional tier of protection for the borough's Landscapes of Local Value areas. This joint approach also helps towards meeting the further objective of SPS&T Committee's decision for liaison with neighbouring authorities and other stakeholders to assess the collective interest in making a joint application on a larger basis.
- 2.3 Option 3- The Committee decides to endorse the response of the Kent Downs AONB but wishes to express its views through a different approach. However, this Council is part of the JAC and has already provided a resolution on its ambitions for the creation of a Greensand Ridge AONB and additional protection for its Landscapes of Local Value (LLVs), which has been put forward to the JAC and been considered in the drafting of its response.

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

- 3.1 The preferred option is Option 2 above as this will provide the response with the greatest weight but still ensure the Council's specific views on the protection of its important locally designated landscapes is fully considered.

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## **4. RISK**

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

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

- 5.1 There are no additional issues other than those raised in the main body of this report.

## 6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Subject to agreement by Committee, the Council's consultation response will be submitted before the deadline of 18 December 2018 and a final draft of the Review is due to be published towards the end of 2019.

## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

| Issue                                 | Implications                                                                                                                                                                                                                                                                                                                                                                                                                          | Sign-off                                           |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| <b>Impact on Corporate Priorities</b> | <ul style="list-style-type: none"> <li>• We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims of:               <ul style="list-style-type: none"> <li>- Keeping Maidstone an attractive place for all; and</li> <li>- Respecting the character and heritage of the Borough</li> </ul> </li> </ul> | Head of Planning and Development                   |
| <b>Risk Management</b>                | <ul style="list-style-type: none"> <li>• No direct risk management implications arise from this report</li> </ul>                                                                                                                                                                                                                                                                                                                     | Head of Planning and Development                   |
| <b>Financial</b>                      | <ul style="list-style-type: none"> <li>• No direct financial implications arise from this report</li> </ul>                                                                                                                                                                                                                                                                                                                           | Paul Holland, Senior Finance Manager               |
| <b>Staffing</b>                       | <ul style="list-style-type: none"> <li>• No direct staffing implications arise from this report</li> </ul>                                                                                                                                                                                                                                                                                                                            | Head of Planning and Development                   |
| <b>Legal</b>                          | <ul style="list-style-type: none"> <li>• No direct legal implications arise from this report</li> </ul>                                                                                                                                                                                                                                                                                                                               | Cheryl Parks<br>Mid Kent Legal Services (Planning) |
| <b>Privacy and Data Protection</b>    | <ul style="list-style-type: none"> <li>• No implications have been identified</li> </ul>                                                                                                                                                                                                                                                                                                                                              | Cheryl Parks<br>Mid Kent Legal                     |

|                           |                                                                                                                                                                     |                                              |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
|                           |                                                                                                                                                                     | Services (Planning)                          |
| <b>Equalities</b>         | <ul style="list-style-type: none"> <li>The recommendations do not propose a change in service therefore will not require an equalities impact assessment</li> </ul> | Team Leader (Heritage, Landscape and Design) |
| <b>Public Health</b>      | <ul style="list-style-type: none"> <li>We recognise that the recommendations will have a positive impact on population health or that of individuals. .</li> </ul>  | Head of Planning and Development             |
| <b>Crime and Disorder</b> | <ul style="list-style-type: none"> <li>No implications have been identified</li> </ul>                                                                              | Head of Planning and Development             |
| <b>Procurement</b>        | <ul style="list-style-type: none"> <li>No implications have been identified.</li> </ul>                                                                             | Team Leader (Heritage, Landscape and Design) |

## 8. REPORT APPENDICES

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

- None

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## 9. BACKGROUND PAPERS

8-Point Plan for England's National Parks

<https://www.gov.uk/government/publications/national-parks-8-point-plan-for-england-2016-to-2020>

Designated landscapes (national parks and AONBs): 2018 review

<https://www.gov.uk/government/news/national-parks-review-launched>