

# STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE MEETING

Date: Tuesday 10 March 2020  
Time: 6.30 pm  
Venue: Town Hall, High Street, Maidstone

## Membership:

Councillors D Burton (Chairman), Clark, English, Garten, Mrs Grigg (Vice-Chairman), McKay, 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.	
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9. Presentation of Petitions (if any)	
10. Question and Answer Session for Members of the Public	
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**Issued on Monday 2 March 2020**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

16. Maidstone Local Plan Review - Feedback from the Scoping, Themes & Issues (Regulation18) consultation	58 - 77
17. Maidstone Local Plan Review - Progress Update & Next Steps	78 - 98
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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. by 5 p.m. on Friday, 6<sup>th</sup> March. 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 **Head of Policy and Resources Committee**, please submit a Decision Referral Form, signed by **three** Councillors, to the **Head of Policy and Communications** by: **27 January 2020**

## **MAIDSTONE BOROUGH COUNCIL**

### **STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 7 JANUARY 2020**

**Present:** Councillors D Burton (Chairman), Clark, English, Garten, Mrs Grigg, McKay, Munford, Parfitt-Reid and Perry

99. APOLOGIES FOR ABSENCE

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

100. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Perry was present as a Substitute for Councillor de Wiggondene-Sheppard.

101. URGENT ITEMS

There were no urgent items.

102. NOTIFICATION OF VISITING MEMBERS

It was noted that Councillor Purle was in attendance as a Visiting Member and indicated his wish to speak on Agenda Item 13 – Reference from Planning Committee – Matters Arising from consideration of application 17/504568/FULL - and Agenda Item 14 – Fees and Charges 2020/21.

Councillor Spooner attended as an observer.

103. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

104. DISCLOSURES OF LOBBYING

It was noted that all Members of the Committee, with the exception of Councillor Perry, had been lobbied.

105. EXEMPT ITEMS

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

106. MINUTES OF THE MEETING HELD ON 5 NOVEMBER 2019

**RESOLVED:** That the minutes of the meeting held on 5 November 2019 be approved as a correct record and signed.

107. MINUTES OF THE ADJOURNED MEETING HELD ON 19 NOVEMBER 2019

**RESOLVED:** That the minutes of the adjourned meeting held on 19 November 2019 be approved as a correct record and signed, subject to the following amendment to Item 94 – Protection of Greensand Ridge Update:-

The Committee **agreed noted** that every opportunity should be taken to pursue AONB, or equivalent, status for the Greensand Ridge. However, there was debate over Landscapes of Local Value and the best way to approach those in responding to the review, that had not yet been adopted by the Government. It was felt that the review had reached a certain point and then ended before the work on local landscape designations had been done. ~~The Committee agreed that~~ The work to review Landscapes of Local Value needed to come first before pushing them forwards for national recognition.

108. PRESENTATION OF PETITIONS

In accordance with Council Procedure Rule 12 Claudine Russell presented a petition in the following terms:

*The Maidstone Borough New Garden Committees Prospectus (February 2019) states that the qualities of garden village communities include "strong local vision and engagement" and that "local community engagement, involvement and support is also likely to be instrumental to delivering a successful proposal".*

*As "people who will be most clearly impacted by the new garden community proposal", we do not share the vision of the landowners, do not support the proposal, and will not engage or be involved in the creation of a garden community in or around Marden village".*

The presentation of the petition was recorded on the webcast and was made available on the Maidstone Borough Council website and can be viewed here

The Committee agreed to accept the petition as a consultation response to the Local Plan Review.

109. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

110. COMMITTEE WORK PROGRAMME

The Committee considered the Committee Work Programme and agreed the following actions:-

- That the reports due to be presented to the Committee on 4<sup>th</sup> February be moved to the March meeting in order that a Member Workshop could be held instead on 4 February 2020 to enable Members to be properly briefed on the Local Development Scheme and the Local Plan Review Progress and Update before these are considered in March.
- An additional column be added to the work programme to incorporate who the instigator of the report was.

In response to a question from a Member further clarification was given in respect of the report titled "Ensuring conditions are incorporated in delegated decisions" which was due to be considered by the Committee at their meeting in March. It was noted that there was quite clear guidance from central government on this and officers take action on ecological enhancements according to the needs of the individual sites.

**RESOLVED:** That

- 1) The revised Committee Work Programme be noted.
- 2) The format for the Work Programme be changed to incorporate an additional column to identify who instigated the report.

111. REFERENCE FROM PLANNING COMMITTEE - MATTERS ARISING FROM CONSIDERATION OF APPLICATION 17/504568/FULL - FORMER KCC SPRINGFIELD LIBRARY HQ, SANDLING ROAD, MAIDSTONE, KENT

The Committee considered the Reference from Planning Committee in regard to a requirement for a Tall Buildings Policy and a development brief to guide potential future development of the remainder of the Springfield site.

The Chairman of the Planning Committee advised that the reason for the Reference was due to the fact that a number of controversial planning applications had been considered by the Planning Committee which had included tall buildings without any criteria or policy to be assessed by in terms of their impact on the landscape or their siting in general.

To move this forward it was felt by Members of the Planning Committee that a Tall Buildings Policy could be incorporated into the local plan review.

The Committee discussed the merits of a Tall Buildings Policy and recognised that such a policy would provide a back up to any decisions made by Planning Committee in dealing with related applications.

**RESOLVED:** That

- 1) A Tall Buildings Policy be counted as a sister document to the Design for Life Guidance.
- 2) A development brief to guide potential future development of the remainder of the Springfield site not be progressed.

112. FEES & CHARGES 2020/21

The Director of Finance and Business Improvement presented the Fees and Charges 2020/21 Report to the Committee. The report set out the proposed fees and charges for 2020/21 for the services within the remit of the Committee.

The Committee noted that the fees and charges were fundamental to the Council in terms of their provision of an income stream and without them there would be a fifty percent loss of income for the Council.

The Medium Term Financial Strategy had set a standstill budget which had assumed that there would be inflationary increases for both income and expenditure.

It was noted that parking services brought in income of just over £3 million in the current year. However, it was not proposed to put up an inflationary increase each year as this would produce very small increases which would be pointless and would irritate customers so it was proposed that the fees would be increased every two to three years.

In response to questions from Members, the Parking Services Manager advised that:

- There was a small risk that some customers would select the new 2 hour tariff for parking instead of the 3 hour thus reducing income. However, to not introduce the 2 hour tariff would not meet customer needs.
- New machines are being installed which would accept credit card payments or cash.

Comments from the Members included:-

- A concern that the rise in car parking fees was being used as a funding source.
- That an increase in car parking fees would have a detrimental effect on trade in the town.
- There should be more promotion of the car parks to boost income.

- Congestion in the town centre caused poor air quality so should the Council be promoting the car parks in the town centre.
- The fees and charges were consistent with the Council's policy.
- Climate change needed to be funded.
- That the planning budget needed to be properly scrutinised to ascertain whether there was sufficient funds going forward for the Local Plan Review.
- That Officers look at re-scoping the street naming, development and conservation control budgets.

**RESOLVED:** That

- 1) The proposed discretionary fees and charges (including breakeven charges) as set out in Appendix 1 to the report be agreed;
- 2) Officers investigate further the scope of charges related to street naming and development and conservation control practices.

Councillor Parfitt-Reid left the meeting at 8.25 p.m. during the discussion of this item.

113. MEDIUM TERM FINANCIAL STRATEGY AND BUDGET PROPOSALS.

The Committee considered the report of the Director of Finance and Business Improvement which related to the Medium Term Financial Strategy and Budget Proposals.

It was noted that at its meeting on 18 December 2019 the Council agreed an updated Medium Term Financial Strategy (MTFS) for the next five years. The MTFS set out in financial terms how the Strategic Plan would be delivered given the resources available.

The Director of Finance and Business Improvement advised that due to very few new developments being incorporated in the updated MTFS and the delay in the introduction of a new local government funding regime from 2020/21 to 2021/22, a stand-still budget would be set for 2020/21. He added that the financial settlement from central government had been announced and it was in line with the projections.

The Committee noted that there was a contingency of £200,000 per year allocated for the local plan review which would be carried over to the next year if not spent.

In response to Members' concerns about the budget for the local plan review, the Director of Finance and Business Improvement advised that Members would be kept fully apprised of the spend on this budget through the quarterly budgetary reports.

**RESOLVED:**

- 1) That the revenue budget proposals for services within the remit of this Committee, as set out in Appendix A, be agreed;
- 2) That Policy and Resources Committee be recommended to retain the budget of £200,000 per year for the local plan review with the additional caveat that they look in more detail as to whether the budget is sufficient for the ongoing requirements of the local plan review.

114. MAIDSTONE AUTHORITY MONITORING REPORT

The Committee considered the report of the Planning Officer – Strategic Planning in regard to the Authority Monitoring Report which was published on the Council’s website on an annual basis.

The report monitored key indicators to inform the Local Plan Review, outlined activity related to the duty to cooperate and provided information on the implementation of policies in the Maidstone Borough Local Plan.

In response to questions from Members, Officers advised that resources within the team are dedicated to collate the data required but essentially it was raw data as the Council’s duty in this regard does not extend to causes of the findings for the purposes of this report.

**RESOLVED:** That the report be noted.

115. DURATION OF MEETING

6.30 p.m. to 9.10 p.m.

## 2019/20 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Annual Reports of Outside Bodies and Consideration of Outside Bodies for the Next Municipal Year	SPI	10-Mar-20	Standing item	No	Angela Woodhouse	Mike Nash
Q3 Budget and Performance Monitoring	SPI	10-Mar-20	Standing item	Yes	Mark Green	Ellie Dunnet/ Anna Collier
Lenham Neighbourhood Plan Regulation 16	SPI	10-Mar-20	Officer Update	Yes	Mark Egerton	Sue Whiteside
Local Plan Review - Progress Update and Next Steps	SPI	10-Mar-20	Local Plan Process	Yes	Mark Egerton	Sarah Lee
Local Plan Review - Feedback from the Scoping, Themes & Issues Consultation	SPI	10-Mar-20	Local Plan Process	Yes	Mark Egerton	Sarah Lee
Local Development Scheme	SPI	10-Mar-20	Local Plan Process	Yes	Mark Egerton	Anna Ironmonger
Affordable and Local Needs Housing SPD Adoption	SPI	07-Apr-20	Local Plan Process		Rob Jarman	Mark Egerton
Results from the Marden Referendum	SPI	07-Apr-20	Officer Update		Mark Egerton	Sue Whiteside
Upper Stone Street Air Quality Update Report	SPI	09-Jun-20	Officer Update		William Cornall	
Local Plan Review Regulation 18b - Preferred Approaches Public Consultation	SPI	08-Sep-20	Local Plan Process		Mark Egerton	Sarah Lee
Local Plan Review - Update on Evidence	SPI	27-Oct-20	Local Plan Process		Mark Egerton	Gavin Ball
KCC 20mph Speed Limit Pilot - Summary of Conclusions (Requested by Cllr English)	SPI	Awaiting Date for Pilot Information to be Released by KCC	Cllr Request		TBC	TBC
Ensuring Conditions are Incorporated in Delegated Decisions	SPI	TBC	Cllr Request		Rob Jarman	Rob Jarman
Minimum Space Standards - Development Plan Document	SPI	TBC	Local Plan Process		William Cornall	Mark Egerton

# Agenda Item 13

## Strategic Planning and Infrastructure Committee

10/03/20

### Outside Body Report

<b>Outside Body</b>	Kent Community Railway Partnership Steering Group
<b>Councillor(s) represented on the Outside Body</b>	Clive English
<b>Report Author</b>	Clive English
<b>Date of Outside Body Meeting Attended</b>	6th February

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

To coordinate community involvement in the Medway Valley and Swale Lines, and to promote and enhance the provision of rail services to the community

#### **Update:**

The most recent meeting was of the Medway valley section on 6<sup>th</sup> February which agreed the main activities and objectives for the coming year and reported on ongoing activities, including station adoption, events such as the music train and the St Pancras Community Rail day (promoting the Medway Valley Line to visitors and travellers), a number of educational and public access projects and making representations on a number of Local Plans to secure improvements in the travelling infrastructure.

## Strategic Planning and Infrastructure Committee

10/03/20

### Outside Body Report

<b>Outside Body</b>	Maidstone Cycling Forum
<b>Councillor(s) represented on the Outside Body</b>	Clive English
<b>Report Author</b>	Clive English
<b>Date of Outside Body Meeting Attended</b>	04/02/20

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

To campaign for and to secure improvements in Maidstone's Cycling infrastructure and to represent the broader cycling community

#### **Update:**

The most recent meeting was on the 4<sup>th</sup> February and agreed a full restructure of the campaign to make the organisation more effective with a full range of officer posts. The meeting also agreed arrangements for the Cyclefest on July 4<sup>th</sup> in Jubilee Square and for UK bike week.

The meeting agreed on its updated representations on the gyratory and on its contribution to the update of the Maidstone walking and cycling strategy and the wider Integrated Transport Strategy and to a number of major planning applications.

# Strategic Planning and Infrastructure Committee

10/03/20

## Outside Body Report

<b>Outside Body</b>	Maidstone Quality Bus Partnership
<b>Councillor(s) represented on the Outside Body</b>	David Burton
<b>Report Author</b>	David Burton
<b>Date of Outside Body Meeting Attended</b>	24/01/20

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

Liaison forum for KCC, MBC and bus operators reflecting the commitment in the Integrated Transport Strategy (Action PT4 – Continue to engage with and facilitate statutory Quality Bus Partnership Scheme in Maidstone).

### **Update:**

Full Minutes yet to be published from previous meeting due to staff sickness.

Some key points: -

- Covered the usual regular bus performance reports.
- Attended by both Arriva and Nu-venture.
- Plans to add a hospital stop to the P&R route.

## STRATEGIC PLANNING & INFRASTRUCTURE COMMITTEE

**10 MARCH 2020**

### 3rd Quarter Budget & Performance Monitoring Report 2019/20

<b>Final Decision-Maker</b>	Strategic Planning & Infrastructure Committee
<b>Lead Head of Service</b>	Mark Green, Director of Business Improvement
<b>Lead Officer and Report Authors</b>	Ellie Dunnet, Head of Finance Paul Holland, Senior Finance Manager (Client) Clare Harvey, Data Intelligence Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### **Executive Summary**

This report sets out the 2019/20 financial and performance position for the services reporting into the Strategic Planning and Infrastructure Committee (SPI) as at 31st December 2019 (Quarter 3). The primary focus is on:

- The 2019/20 Revenue and Capital budgets; and
- The 2019/20 Key Performance Indicators (KPIs) that relate to the delivery of the Strategic Plan 2019-2045.

The combined reporting of the financial and performance position enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues in their proper context, reflecting the fact that the financial and performance-related fortunes of the Council are inextricably linked.

#### Budget Monitoring

With regard to revenue, at the Quarter 3 stage, net income of £757,000 has been received against a profiled budget of £1.023 million, representing a shortfall of £266,000. SPI is expected to record a net income shortfall of £332,000 for the year, compared to an overall net income budget of £1.229 million.

With regard to capital, at the Quarter 3 stage, expenditure of £58,000 has been incurred against a *revised* budget allocation of £371,000. At this stage, it is anticipated that there will be slippage of £101,000 into 2020/21.

#### Performance Monitoring

Overall, 100% (3 out of 3) of targetable quarterly Key Performance Indicators (KPIs), reportable to SPI, achieved their Quarter 3 target.

**Purpose of Report**

The report enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues as at 31st December 2019.

**This report makes the following Recommendations to the Committee:**

1. That the Revenue position as at the end of Quarter 3 for 2019/20, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted.
2. That the Capital position at the end of Quarter 3 be noted; and
3. That the Performance position as at Quarter 3 for 2019/20, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.

**Timetable**

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Strategic Planning & Infrastructure Committee	10th March 2020

## 3rd Quarter Budget & Performance Monitoring Report 2019/20

### CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>This report monitors actual activity against the revenue budget and other financial matters set by Council for the financial year. The budget is set in accordance with the Council's Medium-Term Financial Strategy which is linked to the Strategic Plan and corporate priorities.</p> <p>The Key Performance Indicators and strategic actions are part of the Council's overarching Strategic Plan 2019-45 and play an important role in the achievement of corporate objectives. They also cover a wide range of services and priority areas.</p>	Director of Finance and Business Improvement (Section 151 Officer)
<b>Cross Cutting Objectives</b>	This report enables any links between performance and financial matters to be identified and addressed at an early stage, thereby reducing the risk of compromising the delivery of the Strategic Plan 2019-2045, including its cross-cutting objectives.	Director of Finance and Business Improvement (Section 151 Officer)
<b>Risk Management</b>	This is addressed in Section 5 of this report.	Director of Finance and Business Improvement (Section 151 Officer)

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Financial</b>	<p>Financial implications are the focus of this report through high level budget monitoring. Budget monitoring ensures that services can react quickly enough to potential resource problems. The process ensures that the Council is not faced by corporate financial problems that may prejudice the delivery of strategic priorities.</p> <p>Performance indicators and targets are closely linked to the allocation of resources and determining good value for money. The financial implications of any proposed changes are also identified and taken into account in the Council's Medium-Term Financial Strategy and associated annual budget setting process. Performance issues are highlighted as part of the budget monitoring reporting process.</p>	Senior Finance Manager (Client)
<b>Staffing</b>	<p>The budget for staffing represents a significant proportion of the direct spend of the Council and is carefully monitored. Any issues in relation to employee costs will be raised in this and future monitoring reports.</p> <p>Having a clear set of performance targets enables staff outcomes/objectives to be set and effective action plans to be put in place.</p>	Director of Finance and Business Improvement (Section 151 Officer)
<b>Legal</b>	<p>The Council has a statutory obligation to maintain a balanced budget and the monitoring process enables the Committee to remain aware of issues and the process to be taken to maintain a balanced budget.</p> <p>There is no statutory duty to report regularly on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. One of the purposes of the Key Performance Indicators is to facilitate the improvement of the economy, efficiency and effectiveness of Council services. Regular reports on Council performance help to demonstrate best value and compliance with the statutory duty.</p>	Team Leader (Corporate Governance), MKLS

Issue	Implications	Sign-off
<b>Privacy and Data Protection</b>	The performance data is held and processed in accordance with the data protection principles contained in the Data Protection Act 2018 and in line with the Data Quality Policy, which sets out the requirement for ensuring data quality. There is a program for undertaking data quality audits of performance indicators.	Team Leader (Corporate Governance), MKLS
<b>Equalities</b>	There is no impact on Equalities as a result of the recommendations in this report. An EqIA would be carried out as part of a policy or service change should one be identified.	Equalities and Corporate Policy Officer
<b>Public Health</b>	The performance recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	There are no specific issues arising.	Director of Finance and Business Improvement (Section 151 Officer)
<b>Procurement</b>	Performance Indicators and Strategic Milestones monitor any procurement needed to achieve the outcomes of the Strategic Plan.	Director of Finance and Business Improvement (Section 151 Officer)

## 1. BACKGROUND AND INTRODUCTION

- 1.1 The Medium-Term Financial Strategy for 2019/20 to 2023/24 - including the budget for 2019/20 - was approved by full Council on 27th February 2019. This report updates the Committee on how its services have performed in the first nine months of the financial year with regard to revenue and capital expenditure against approved budgets.
- 1.2 This report also includes an update to the Committee on progress against its Key Performance Indicators (KPIs).
- 1.3 Attached at **Appendix 1**, is a report setting out the revenue and capital spending position at the Quarter 3 stage. Attached at **Appendix 2**, is a report setting out the position for the KPIs for the corresponding period.

## **2. AVAILABLE OPTIONS**

- 2.1 There are no matters for decision in this report. The Committee is asked to note the contents but may choose to take further action depending on the matters reported here.
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## **3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 3.1 In considering the current position on the Revenue budget, the Capital Programme and KPIs at the end of December 2019, the Committee can choose to note this information or could choose to take further action.
- 3.2 The Committee is requested to note the content of the report and agree on any necessary action to be taken in relation to the budget position and/or the KPIs position.
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## **4. RISK**

- 4.1 This report is presented for information only and has no direct risk management implications.
- 4.2 The Council has produced a balanced budget for both revenue and capital income and expenditure for 2019/20. The budget is set against a backdrop of limited resources and a difficult economic climate. Regular and comprehensive monitoring of the type included in this report ensures early warning of significant issues that may place the Council at financial risk. This gives the Committee the best opportunity to take actions to mitigate such risks.
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## **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 The KPIs update ("Performance Monitoring") is reported to service committees quarterly: Communities, Housing & Environment Committee; Economic Regeneration & Leisure Committee; and the Strategic Planning & Infrastructure Committee. Each committee will receive a report on the relevant priority action areas. The report is also presented to the Policy & Resources Committee, reporting on the priority areas of "A Thriving Place", "Safe, Clean and Green", "Homes and Communities" and "Embracing Growth and Enabling Infrastructure".
- 

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

- 6.1 The Quarter 2 Budget & Performance Monitoring reports are being considered by the relevant Service Committees during January and February 2020, including a full report to the Policy & Resources Committee on 12th February 2020.

- 6.2 Details of the discussions which take place at Service Committees regarding financial and performance management will be reported to Policy and Resources Committee where appropriate.
- 6.3 The Council could choose not to monitor its budget and/or the Strategic Plan and/or make alternative performance management arrangements, such as the frequency of reporting. This is not recommended as it could lead to action not being taken against financial and/or other performance during the year, and the Council failing to deliver its priorities.
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## **7. REPORT APPENDICES**

- Appendix 1: Third Quarter Budget Monitoring 2019/20
  - Appendix 2: Third Quarter Performance Monitoring 2019/20
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## **8. BACKGROUND PAPERS**

None.

# Third Quarter Budget Monitoring 2019/20

Strategic Planning & Infrastructure Committee

10<sup>th</sup> March 2020

Lead Officer: Mark Green

Report Authors: Ellie Dunnet/Paul Holland

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## **Part A: Third Quarter Revenue Budget 2019/20**

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<b>A3) Revenue Budget: Significant Variances (&gt;£30,000)</b>	<b>Page 6</b>
<b>A4) Local Plan Review (LPR)</b>	<b>Page 8</b>

## **Part B: Third Quarter Capital Budget 2019/20**

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<b>B2) Capital Budget: Strategic Planning &amp; Infrastructure</b>	<b>Page 10</b>

# Executive Summary

This report provides Members with an overview of progress against the 2019/20 revenue and capital budgets as at 31st December 2019 (i.e. the Quarter 3 cumulative position) for the services falling within the remit of the Strategic Planning and Infrastructure Committee (SPI). The analysis also includes both revenue and capital year-end projections (to 31st March 2020) for SPI services, as well as some important context, with consideration given to the Council's overall position.

The headlines for Quarter 3 are as follows:

## **Part A: Third Quarter Revenue Budget 2019/20**

- Overall net income for the services reporting to SPI is £757,000, compared to the profiled budget of £1.023 million, representing a net income shortfall of £266,000. Based on forward projections, SPI is expected to record a net income shortfall of £332,000 for the year, compared to an overall net income budget of £1.229 million.
- Overall net expenditure for the Council is £12.10 million, compared to the profiled budget of £12.211 million, representing an under spend of £0.111 million. Based on forward projections, the Council is expected to remain within its overall net revenue expenditure budget of £20.561 million for the year.

## **Part B: Third Quarter Capital Budget 2019/20**

- Capital expenditure for the services reporting to SPI of £58,000 has been incurred against the *revised* annual budget of £371,000. At this stage, it is anticipated that there will be slippage of £101,000.
- Capital expenditure for the Council overall of £28.754 million has been incurred against a *revised* annual budget of £42.647 million. It is anticipated that there will be slippage of £11.364 million at year end.

# Part A

# Third Quarter Revenue Budget 2019/20

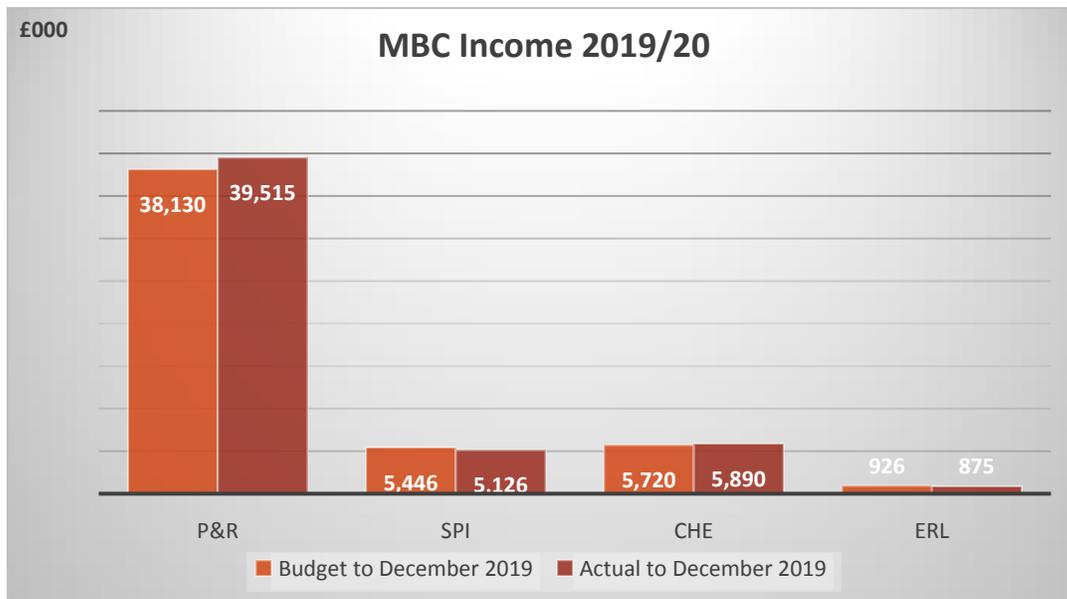


## A1) Revenue Budget: Council

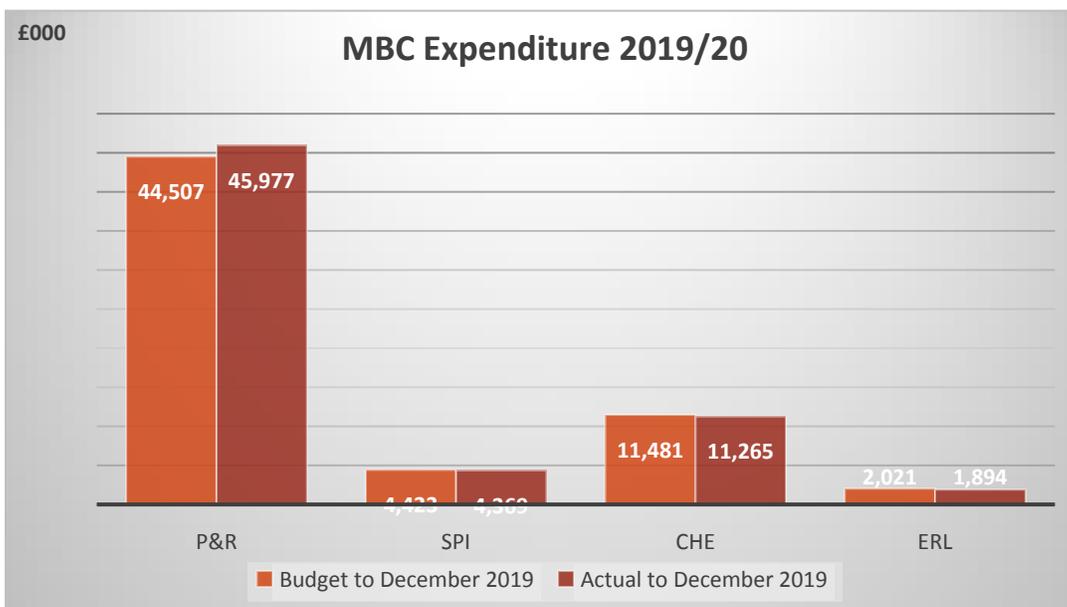
A1.1 At the Quarter 3 stage, overall net expenditure for the Council is £12.10 million, compared to the profiled budget of £12.211 million, representing an under spend of £0.111 million. Based on forward projections, the Council is expected to remain within its overall net revenue expenditure budget of £20.561 million for the year.

A1.2 The two charts below show the income and expenditure position for each service committee.

**Chart 1: MBC Revenue Budget: INCOME BY SERVICE COMMITTEE**



**Chart 2: MBC Revenue Budget: EXPENDITURE BY SERVICE COMMITTEE**



## A2) Revenue Budget: Strategic Planning & Infrastructure (SPI)

A2.1 Table 1 below provides a detailed summary on the budgeted net income position for SPI services at the end of Quarter 3. The financial figures are presented on an 'accruals' basis (e.g. expenditure for goods and services received, but not yet paid for, is included).

**Table 1: SPI Revenue Budget: NET EXPENDITURE**

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Cost Centre	Revised Budget for Year £000	Budget to 31 December 2019 £000	Actual £000	Variance £000	Forecast 31 March 2020 £000	Forecast Variance 31 March 2020 £000
Building Regulations Chargeable	-325	-247	-263	16	-325	0
Building Control	-1	-1	-1	0	-1	0
Street Naming & Numbering	-69	-52	-55	4	-69	0
Development Control Advice	-211	-155	-149	-6	-243	32
Development Control Appeals	124	69	71	-2	124	0
Development Control Majors	-685	-513	-389	-124	-551	-134
Development Control - Other	-837	-630	-528	-102	-692	-145
Development Control Enforcement	67	50	63	-13	67	0
Planning Policy	306	26	24	2	306	0
Neighbourhood Planning	25	0	5	-5	25	0
Conservation	-11	-7	3	-10	-11	0
Land Charges	-297	-211	-191	-20	-297	0
Environment Improvements	25	19	20	-2	25	0
Development Management Section	1,045	799	848	-49	1,094	-49
Spatial Policy Planning Section	416	307	299	8	408	8
Head of Planning and Development	106	80	99	-19	125	-19
Development Management Enforcement Section	201	151	143	8	193	8
Building Surveying Section	376	283	266	18	358	18
Mid Kent Planning Support Service	398	299	227	72	326	72
Heritage Landscape and Design Section	219	166	174	-7	226	-7
CIL Management Section	135	101	109	-8	143	-8
Mid Kent Local Land Charges Section	45	24	41	-17	62	-17
Salary Slippage 2SPI	-71	-53	0	-53	0	-71
<b>Sub-Total - Planning Services</b>	<b>982</b>	<b>506</b>	<b>817</b>	<b>-311</b>	<b>1,294</b>	<b>-312</b>
Name Plates & Notices	18	14	17	-3	18	0
On Street Parking	-361	-264	-330	66	-441	80
Residents Parking	-253	-185	-138	-46	-188	-65
Pay & Display Car Parks	-1,896	-1,393	-1,282	-111	-1,722	-174
Non Paying Car Parks	11	10	8	2	11	0
Off Street Parking - Enforcement	-83	-61	-165	104	-208	125
Mote Park Pay & Display	-189	-157	-169	12	-204	15
Sandling Road Car Park	3	2	0	2	3	0
Park & Ride	190	168	178	-9	190	0
Socially Desirable Buses	33	30	7	23	33	0
Other Transport Services	-10	-11	-19	8	-10	0
Parking Services Section	327	318	319	-1	328	-1
<b>Sub-Total - Parking Services</b>	<b>-2,211</b>	<b>-1,528</b>	<b>-1,574</b>	<b>46</b>	<b>-2,191</b>	<b>-20</b>
<b>Total</b>	<b>-1,229</b>	<b>-1,023</b>	<b>-757</b>	<b>-266</b>	<b>-896</b>	<b>-332</b>

A2.2 The table shows that, at the Quarter 3 stage, overall net income for the services reporting to SPI is £757,000, compared to the profiled budget of £1.023 million, representing a net income shortfall of £266,000. Based on forward projections, SPI is expected to record a net income shortfall of £332,000 for the year, compared to an overall net income budget of £1.229 million.

### A3) SPI Revenue Budget: Significant Variances (>£30,000)

A3.1 Within the headline figures, there are a number of both adverse and favourable net expenditure variances for individual cost centres. It is important that the implications of variances are considered at an early stage, so that contingency plans can be put in place and, if necessary, be used to inform future financial planning.

A3.2 Table 2 below highlights and provides further detail on the most significant variances i.e. those meeting or exceeding £30,000, either at the end of Quarter 3, or expected to do so by year-end.

**Table 2: SPI Variances >£30,000 (@ Quarter 3)**

	Positive Variance Q3	Adverse Variance Q3	Year End Forecast Variance
<b>Strategic Planning &amp; Infrastructure Committee</b>	<b>£000's</b>		
<b>Development Control Advice</b> – although there is a small adverse variance at Q3, over the year stronger than expected income streams from Pre-Application Discussions will generate a surplus in this cost centre.		-6	+32
<b>Development Control Majors</b> – This year has seen a significant drop in income from Planning Applications compared to original budget expectations. A recently completed review of the position has identified the need to reverse earlier virements to the value of £216,040, which has reduced the income expectation on Major Applications, with a corresponding increase in the income expectation for Other (minor) Applications. Against the updated income budget, a shortfall of £124,000 is being experienced on Major Applications at the Q3 stage. The variance is forecast to rise to £134,000 by year end.		-124	-134
<b>Development Control Other</b> – Against the updated income budget, a shortfall of £102,000 is being experienced on Other (minor) Applications at the Q3 stage. The variance is forecast to rise to £145,000 by year end.		-102	-145
<b>On-Street Parking</b> – Higher than budgeted income is being driven by higher than expected (On-Street) parking space turnover.	+66		+80

Table 2 (cont.)	Positive Variance Q3	Adverse Variance Q3	Year End Forecast Variance
<b>Strategic Planning &amp; Infrastructure Committee</b>	<b>£000's</b>		
<b>Residents Parking</b> – A number of Tribunal cases have been lost where the adjudicator has ruled that the wrong contravention code has been used within resident parking bays. Consequently processes have been adapted, entailing a lower contravention code (leading to a lower penalty charge), which is depressing income from this source. PCN volumes for Residents Parking infringements are also down slightly compared to last year.		-46	-65
<b>Pay &amp; Display Car Parks</b> – Income levels from Pay & Display car parks are not meeting expectations.		-111	-174
<b>Off-Street Parking Enforcement</b> – although overall PCN volumes are comparable to last year, a slightly greater proportion have been issued for Off-Street infringements than the budget assumes, which is offset by a slightly lower proportion issued for Residents Parking infringements (as noted above).	+104		+126
<b>Development Management Section</b> – Budget pressures are being experienced on Salaries and Wages (£28,000) and Professional Services (£14,000) due to the use of additional consultancy resources required to address shortfalls in capacity.		-49	-49
<b>Mid-Kent Planning Support</b> – The current variance has arisen due to a number of posts that are being held vacant.	+72		+72
<b>Salary Slippage</b> – This is a credit budget, which allows for service underspends on salaries, due to temporary vacancies arising from staff turnover. There is currently an adverse variance, which is expected to be offset by service underspends by the year end.		-53	-71

## A4) Local Plan Review (LPR)

A4.1 The Local Plan Review (LPR) process is an important, high profile and continuous task undertaken by the Planning Services team. The associated revenue spending profile however is cyclical and does not fit the conventional 12-month financial planning process for general revenue expenditure. Instead, spending tends to follow the four-year lifespan of each Local Plan with various peaks and troughs over that time period.

A4.2 The LPR process is therefore funded through an annual £200,000 revenue contribution with any remaining unspent balances at year end automatically rolled forward into the following financial year. Table 3 below shows the movement in revenue resources currently allocated to fund LPR activities; there is a forecast surplus of £145,000 for the year-end, which will automatically roll forward into 2020/21.

**Table 3: Local Plan Review (LPR) Spending (@ Quarter 3 2019/20)**

<b>Opening Balance 1/04/2019 (including 2019/20 allocation)</b>	<b>Spending April – December 2019</b>	<b>Forecast Spending January – March 2020</b>	<b>Forecast Remaining Balance 31/03/2020</b>
<b>£'s</b>	<b>£'s</b>	<b>£'s</b>	<b>£'s</b>
518,070	(168,285)	(204,412)	145,373

# Part B

# Third Quarter Capital Budget 2019/20



## B1) Capital Budget: Council

- B1.1 The overall five-year Capital Programme for 2019/20 to 2023/24 was approved by the Council on 27th February 2019. Most capital funding will come from prudential borrowing in future as other sources of funding are not sufficient to cover the costs of the Programme, although funding does continue to be available from the New Homes Bonus (NHB).
- B1.2 The *revised* 2019/20 element of the Capital Programme has a total budget of £42.647 million. At the Quarter 3 stage, capital expenditure of £28.754 million has been incurred. It is anticipated that there will be slippage of £11.364 million at year end.

## B2) Capital Budget: Strategic Planning & Regeneration Committee (SPI)

- B2.1 Progress towards the delivery of the 2019/20 SPI element of the Capital Programme at the Quarter 3 stage is presented in Table 3 below. The budget for 2019/20 includes resources brought forward from 2018/19.
- B2.2 At the Quarter 3 stage, expenditure of £58,000 has been incurred against a *revised* budget of £371,000. At this stage, it is anticipated that there will be slippage of £101,000 (the Committee will be asked to approve/note the carry forward of resources into the next financial year).

**Table 4: SPI Capital Programme 2019/20 (@ Quarter 3)**

Capital Programme Heading	Adjusted Estimate 2019/20 £000	Actual to December 2019 £000	Budget Remaining £000	Q4 Profile £000	Projected Total Expenditure £000	Projected Slippage to 2020/21 £000
<b>Strategic Planning &amp; Infrastructure</b>						
Mall Bus Station Redevelopment	250	48	202	202	250	-0
Bridges Gyratory Scheme	121	10	111	10	20	101
<b>Total</b>	<b>371</b>	<b>58</b>	<b>313</b>	<b>212</b>	<b>270</b>	<b>101</b>

B2.3 The most (financially) notable SPI item in the table above is as follows:

- Bridges Gyratory Scheme – the residual budget is being used to fund flood prevention works by the Medway Street subway. Designs have been drawn up and the work is now expected to take place in early 2020/21.

**Third Quarter Performance Monitoring  
2019/20**

## Performance Summary

RAG Rating	Green	Amber	Red	N/A <sup>1</sup>	Total
KPIs	3	0	0	3	6
Direction	Up	No Change	Down	N/A	Total
Last Year	1	0	0	5	6
Last Quarter	1	1	3	1	6

The Quarter 3 headlines are as follows:

- 100% of targetable (3) quarterly Key Performance Indicators (KPIs), reportable to the Strategic Planning and Infrastructure Committee (SPI), achieved their Quarter 3 (Q3) target
- Data for the same period in 2018/19 is only available for one of the KPIs. An improvement in performance can be seen to date for this KPI, and is reflected in the long trend direction of travel, with an 'upward facing arrow'; and
- Compared to Q2, performance for 20% (1) KPI has been sustained, and performance for 60% (3) KPIs has declined.

## Embracing Growth and Enabling Infrastructure

Performance Indicator	Q3 2019/20				
	Value	Target	Status	Long Trend	Short Trend
Percentage of priority 1 enforcement cases dealt with in time	100%	100%		N/A	
Percentage of priority 2 enforcement cases dealt with in time	90.15%	90%		N/A	
Total number of complaints received within period	135			N/A	N/A
Number of affordable homes delivered (gross)	85	45			
Number of priority 1 enforcement cases dealt with in time	3			N/A	
Number of priority 2 enforcement cases dealt with in time	119			N/A	

<sup>1</sup> PIs classified as N/A are not included in the summary calculations

### Key to performance ratings

RAG Rating		<b>E m b r a c i n g G r o w</b>	Direction	
	Target not achieved			Performance has improved
	Target slightly missed (within 10%)			Performance has been sustained
	Target met			Performance has declined
	Data Only		N/A	No previous data to compare

### th and Enabling Infrastructure: Performance Summary

All three targetable Performance Indicators (PIs) relating to Embracing Growth and Enabling Infrastructure achieved their Q3 target.

The 'Number of Affordable Homes Delivered (gross)' in Q3 exceeded the quarterly target with 85 affordable completions. This has resulted in the annual target being achieved early. Of the 85 affordable homes that were delivered in the quarter, 37 were shared ownership homes and 48 were social rented homes. These homes were built across both urban and rural areas. The surpassing of the target for this quarter is a result of Housing Associations delivering more than the minimum policy of 40% affordable homes and some schemes have been completed earlier than scheduled. The overall annual target has been met, however, because this happened earlier than expected, it may result in Q4 being under target.

Quarter 3 performance in relation to Enforcement cases was strong with both Priority 1 and Priority 2 cases achieving target. Performance has been sustained compared to Q2 for Priority 1 cases with 100% dealt with in time. For Priority 2 cases, performance remains strong, however there has been a slight decline compared to Q2; the data shows that the number of cases being processed has remained consistent.

## **STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE**

**10 March 2020**

### **Lenham Neighbourhood Plan Regulation 16**

<b>Final Decision-Maker</b>	Strategic Planning and Infrastructure Committee
<b>Lead Head of Service</b>	Rob Jarman, Head of Planning and Development
<b>Lead Officer and Report Author</b>	Mark Egerton, Strategic Planning Manager and Sue Whiteside, Principal Planning Officer
<b>Classification</b>	Public
<b>Wards affected</b>	This report particularly affects the wards of Harrietsham & Lenham, Headcorn, Leeds and North Downs.

#### **Executive Summary**

The Lenham Neighbourhood Plan (Background Paper 1) has been submitted and published for a second round of public consultation, which runs from 14 February to 27 March 2020. It is the role of the Borough Council to ensure that certain conditions have been satisfied at this stage, and to facilitate the consultation. It is confirmed that the regulatory requirements under Regulations 14 and 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) have been met during the preparation of the plan.

The Borough Council is also a statutory consultee for the purpose of making representations on the Lenham Neighbourhood Plan. The Committee is requested to consider the Council's formal response to the consultation, attached as Appendix 1, in accordance with Regulation 16. Following the close of consultation, the submission documents<sup>1</sup> and all representations received will be passed to the independent Examiner for examination into the plan.

#### **Purpose of Report**

Decision.

The Head of Planning and Development has considered the agreed neighbourhood planning protocol in the context of the Constitution, and he has elected not to use his delegated authority at Regulation 16 because it is important that the Committee has the opportunity to have input into a document that becomes part of the Maidstone Development Plan.

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<sup>1</sup> Submission documents have been forwarded in advance at the Examiner's request

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

1. That the Lenham Neighbourhood Plan be generally supported, subject to the resolution of matters raised in the Council's representation (Appendix 1).
2. That the Council's representation on the Lenham Neighbourhood Plan, attached at Appendix 1, be approved.

**Timetable**

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Strategic Planning and Infrastructure Committee	10 March 2020

# Lenham Neighbourhood Plan Regulation 16

## 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 but, following a successful examination and referendum, the Lenham Neighbourhood Plan will form part of the Maidstone Development Plan, which will assist in the delivery of the Council's four strategic objectives.	Rob Jarman, Head of Planning and Development
<b>Cross Cutting Objectives</b>	The report recommendations support the achievement of the four cross-cutting objectives through the Lenham Neighbourhood Plan, which will eventually become part of the Maidstone Development Plan.	Rob Jarman, Head of Planning and Development
<b>Risk Management</b>	Risks are set out in Section 5 of the report. This consultation (Regulation 16) is being run to ensure that the plan meets the requirements of national legislation.	Rob Jarman, Head of Planning and Development
<b>Financial</b>	The proposals set out in the recommendations are all within already approved budgetary headings and so need no new funding for implementation. The costs for consultation (Regulation 16), examination, Referendum and adoption of the Lenham Neighbourhood Plan are borne by the Borough Council. There is a dedicated budget for this purpose, funded by HCLG neighbourhood planning grants.	Section 151 Officer & 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 amended).	Cheryl Parks Mid Kent Legal Services (Planning)
<b>Privacy and Data Protection</b>	Facilitating the consultation 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.	Anna Collier Policy and Information Manager
<b>Equalities</b>	The Council has a responsibility to support communities in developing a Neighbourhood Plan. The Neighbourhood Planning process provides an opportunity for communities to	Anna Collier Policy & Information Manager

	shape a plan that meets the housing needs of its population.	
<b>Public Health</b>	It is recognised that the recommendations will have a positive impact on population health or that of individuals through the policies of the Lenham Neighbourhood Plan.	Paul Clarke, Public Health Officer
<b>Crime and Disorder</b>	There are no implications for Crime and Disorder.	Rob Jarman, Head of Planning and Development
<b>Procurement</b>	The appointment of an independent Examiner from IPE has been made under the procurement waiver signed by the Director of Finance and Business Improvement.	Rob Jarman, Head of Planning and Development & Section 151 Officer

## 1. INTRODUCTION AND 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 Lenham parish was designated a neighbourhood area on 27 November 2012. The parish council undertook a 6-week public consultation on the pre-submission version of the Lenham Neighbourhood Plan (Regulation 14) between 24 September and 9 November 2018. 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 in response to relevant issues raised in representations.
- 1.3 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, i.e. 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 meet Regulation 15 obligations. These requirements have been met.
- 1.4 The next stage is a second 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 has agreed the consultation dates with the parish council: 14 February to 27 March 2020. The consultation is being undertaken in accordance with neighbourhood planning regulations, the Council's Statement of Community Involvement 2018, and the neighbourhood

planning protocol.

- 1.5 The full set of consultation documents for the Lenham Neighbourhood Plan, which are listed in full below, can be viewed on the neighbourhood plans webpage (Background Papers 1 and 2). For convenience, the Lenham Local Policies Map has been reproduced at Appendix 2.

LNP1	Documents List
LNP2	Lenham Neighbourhood Plan (Regulation 16 Submission Version)
LNP3	Basic Conditions Statement
LNP4	Consultation Statement
LNP5	Strategic Environmental Assessment
LNP6	Masterplanning Report
LNP7	Landscape and Visual Assessment
LNP8	Transport Assessment
LNP9	Archaeological Desk Based Assessment
LNP10a	Financial Viability Statement
LNP10b	Financial Viability Statement Lenham Typologies
LNP11	Housing Needs Assessment
LNP12	Agricultural Land Quality
LNP13	Health Statement
LNP14	Lenham Neighbourhood Plan (Regulation 14 Draft)
LNP15	Lenham Policies Consultation Draft (Regulation 14 Draft)
LNP16	Lenham Infrastructure Delivery (Regulation 14 Draft)
LNP17	Local Green Space Report (Regulation 14 Draft)
LNP18	Lenham Neighbourhood Plan (Regulation 14 Draft)
LNP19	Lenham Public Statement (Regulation 14 Draft)
LNP20	Lenham Parish Basic Conditions (Regulation 14 Draft)

- 1.6 The Borough Council is responsible for appointing an independent Examiner (in agreement with the parish council) and for arranging the examination following the close of consultation. The Lenham Neighbourhood Plan and accompanying submission documents must be forwarded to the Examiner, together with all representations received, for the Examiner's consideration. Mr Derek Stebbing has been appointed to examine the plan and, at his request, all submission documents have been forwarded to him in advance of the close of consultation. The representations will be collated and forwarded at the end of the consultation. 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.
- 1.7 The Examiner's role is limited to testing the submitted 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>2</sup>;
- 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>3</sup>; and
- The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017<sup>4</sup>.

1.8 At this stage of the development of the Lenham Neighbourhood Plan 2017-2031 (Regulation 16), the Borough Council is also a statutory consultee and can submit comments on the plan for consideration by the Examiner.

1.9 The Maidstone Borough Local Plan 2017 designates Lenham as a broad location for housing growth, to deliver 1,000 homes between 2021 and 2031. Specific site allocations could be made through a local plan review or the production of a Lenham Neighbourhood Plan. The parish council decided to prepare a neighbourhood plan and to allocate housing sites in order to deliver 1,000 dwellings in its plan. In addition to making site allocations for residential development, the plan includes policies on design quality; sustainable travel; enhancing and protecting green space; employment, community facilities and tourism; and air quality.

1.10 During the preparation of the plan, the Council has 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. The Council has also assisted with funding, securing a £75,000 HCA grant for transport planning, and exploring the availability of a free government-funded package to assist with the preparation of the Strategic Environmental Assessment. Contact with the parish council has been maintained throughout the plan's preparation. The parish council has afforded the Council opportunities to informally comment on draft iterations of the plan and/or policies, and the parish council has responded positively to the advice given. However, submission is the first opportunity that officers have had to view the final Lenham Neighbourhood Plan and the full suite of evidence, to enable a formal position on the plan to be taken for this Committee's agreement.

1.11 Although there is general support for the plan, subject to the proposed modifications schedule set out in Appendix 1, there are concerns about the robustness of the evidence base and the lack of a strategy to deliver 1,000

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<sup>2</sup> For example, the need for a Strategic Environmental Assessment and/or Habitats Regulation Assessment

<sup>3</sup> This applies to the need for an Environmental Impact Assessment for certain development proposals, and is not applicable to the Lenham Neighbourhood Plan

<sup>4</sup> This new Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

homes with supporting infrastructure between 2021 and 2031 (i.e. 100 dwellings p.a. over 10 years), in accordance with the strategic policies of the Maidstone Borough Local Plan, namely:

- Policy SP8 – Lenham Rural Service Centre, in particular criteria 4 and 6;
- Policy H2 – Broad locations for housing growth; and
- Policy H2(3) – Lenham broad location for housing growth.

1.12 These concerns must be addressed. As an overview, a key omission from the neighbourhood plan is a delivery strategy for the southern road route. This route requires engagement with the landowners of non-allocated sites<sup>5</sup>, where the landowners have no direct benefit from the wider neighbourhood plan allocations and thus limited motivation to engage. It also requires improvements to inadequate infrastructure. The plan contains no strategy in relation to, say, land acquisition or funding. This could be addressed, for example, by some form of Memorandum of Understanding or equalisation agreement between landowners.

1.13 Site 3 is severed from the main village by the railway which is a substantial barrier. It is in effect landlocked, placing a burden on others to deliver infrastructure. The site is only accessible from the west, with the western Smokey Bridge route sub-standard due to the constraints of the bridge. Its location and detachment do not promote sustainable patterns of travel, and it is reliant on the landowners of other sites for delivery. Hence a delivery strategy is needed.

1.14 It is understood that the owners of Site 4 have announced that the appeal scheme (to the north of site 4) will not be amended to widen the access road, so site 4 needs to allow for an access road capable of delivering the bus route should it be required.

1.15 Land outside of the ownership of Site 5 is required for the new road connection to the A20. The landowner of the appeal site to the north of Site 5 could refuse a land deal to facilitate the A20 junction improvements necessary for the new road, resulting in a failure of the plan's Strategic Housing Delivery Sites strategy. Evidence of agreement with the landowner is needed to demonstrate deliverability of the road, and hence the residential allocation within the plan period. Otherwise, there is a material risk that the plan could fail to deliver the required 1,000 units.

1.16 The sports pitches at William Pitt Field (Site 6) are proposed to be relocated to Site 1, to enable Site 6 to be redeveloped for housing. There is a lack of justification for their relocation, particularly given their proximity to housing sites 5 and 7. The relocation site for the pitches is bisected by PROW KH399A, and its diversion has not yet been secured. This could take up to 3 years under the Highways Act 1980, and is not guaranteed to be granted. Sport England has not confirmed whether the indicative layout of the relocated pitches at Site 1 would be viewed as an adequate replacement of

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<sup>5</sup> Two appeal sites to the north of Sites 4 and 5, as shown on the Lenham Local Policies Map on page 47 of the Lenham Neighbourhood Plan (attached as Appendix 2)

the William Pitt pitches lost on Site 6.

- 1.17 Objection is raised to the designation of Royton Avenue as Local Green Space (LGS) under Policy LGS1(6). The site does not meet NPPF criteria for the designation of LGS (NPPF paragraph 100), and its designation would set a precedence for similar sites elsewhere in the borough. In fact, in its Consultation Statement (page 31), the parish council rejects a proposal to designate this site as LGS. The site is not in the ownership of Maidstone Borough Council, and officers are not aware of any engagement that has been undertaken with the landowner.
- 1.18 Policy DM19 of the Maidstone Borough Local Plan sets standards for the provision of publicly accessible open space throughout the borough. Although this is not a strategic policy<sup>6</sup>, the neighbourhood plan should demonstrate how it has had regard to Policy DM19 and how the public open space levels across all of the Strategic Housing Delivery Sites have been determined.
- 1.19 These issues, together with the schedule of additional amendments intended to achieve conformity with national and local policies, and greater clarity and consistency throughout the plan, are set out in the Council's representation on the plan (attached at Appendix 1). The Committee is recommended to generally support the Lenham Neighbourhood Plan, subject to the resolution of matters raised in the representation, and to approve the Council's representation attached at Appendix 1.
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## **2. AVAILABLE OPTIONS**

- 2.1 Option A: To not make representation on the Lenham Neighbourhood Plan. The consultation is being run in accordance with the requirements of national legislation, but 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 local planning authority is not asserted. This approach would compromise the Council's opportunity to inform the Examiner of its position on the plan.
- 2.2 Option B: To approve the Borough Council's representation on the Lenham Neighbourhood Plan, attached at Appendix 1.
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## **3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 3.1 Option B is recommended. Once a neighbourhood plan is the subject of a successful referendum, 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 Lenham Neighbourhood Plan
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## **4. RISK**

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<sup>6</sup> Neighbourhood plans must conform to the strategic policies of the adopted local plan for the area.

- 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 3.1.
- 4.2 There are some risks to the examination of the Lenham Neighbourhood Plan if statutory requirements are not met. These risks have been mitigated by the parish council's positive response to the constructive advice offered by officers on draft iterations of the plan and/or policies; by ensuring compliance with regulatory requirements; by raising matters for the Examiner's consideration with regard to conformity with the strategic policies of the Maidstone 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 Lenham Neighbourhood Plan is subject to two rounds of public consultation. The first (Regulation 14) was undertaken by the parish council in 2018, and the Council's representation on the plan was submitted under delegated authority by 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, and the plan has been amended as a result.
- 5.2 The current consultation (Regulation 16) is facilitated by the Borough Council, and all representations will be collated by the Borough Council and forwarded to the independent Examiner of the plan, together with the submission documents<sup>7</sup>, for his consideration.

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

- 6.1 Examination of the Lenham Neighbourhood Plan will be dealt with by written representations and/or a hearing, and Maidstone Borough Council is required to pay for the costs of the examination. Following the examination, the Examiner will issue his 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. REPORT APPENDICES**

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<sup>7</sup> Submission documents have been forwarded in advance at the Examiner's request

- Appendix 1: Response to Lenham Neighbourhood Plan R16 Consultation
  - Appendix 2: Lenham Local Policies Map (extract from the Lenham Neighbourhood Plan)
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## **8. BACKGROUND PAPERS**

- Background Paper 1: Lenham Neighbourhood Plan  
[http://www.maidstone.gov.uk/\\_data/assets/pdf\\_file/0004/326866/LNP-2-Regulation-16-Submission-Version.pdf](http://www.maidstone.gov.uk/_data/assets/pdf_file/0004/326866/LNP-2-Regulation-16-Submission-Version.pdf)
- Background Papers 2: Lenham Neighbourhood Plan Submission Documents  
<http://www.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/local-plan-information/tier-3-additional-areas/neighbourhood-plans/lenham-neighbourhood-plan>

Strategic Planning  
Maidstone Borough Council

Date: xxx

## Maidstone Borough Council

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### **By email only**

Dear Sir/Madam

### **LENHAM NEIGHBOURHOOD PLAN 2017-2031**

### **Consultation pursuant to Regulation 16 of The Neighbourhood Planning (General) Regulations 2012 (as amended)**

### **Consultation period 14 February to 27 March 2020**

Lenham parish was designated a neighbourhood area on 27 November 2012. The parish council undertook public consultation on the pre-submission version of the Lenham Neighbourhood Plan (Regulation 14) between 24 September 2018 and 9 November 2018. The Borough Council submitted representations on the plan and, in response to all representations received, the parish council amended the neighbourhood plan as it felt appropriate.

The Borough Council is satisfied that public consultation on the pre-submission draft neighbourhood plan was carried out in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended), and the submission of the neighbourhood plan and supporting documents meet the requirements of Regulation 15.

Public consultation on the Lenham Neighbourhood Plan (Regulation 16), facilitated by Maidstone Borough Council, commenced on 14 February 2020 and closes on 27 March 2020.

This letter forms Maidstone Borough Council's representation on the Lenham Neighbourhood Plan (Regulation 16 version).

The Maidstone Borough Local Plan 2017 designates Lenham as a broad location for housing growth, to deliver 1,000 homes between 2021 and 2031. Specific site allocations could be made through a local plan review or the production of a Lenham Neighbourhood Plan. The parish council decided to prepare a neighbourhood plan and to allocate the housing sites to deliver 1,000 dwellings. During the preparation of the plan, the Council has 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. The Council has also assisted with funding, securing a £75,000 HCA grant for transport planning, and exploring the availability

of a government-funded package to assist with the preparation of the Strategic Environmental Assessment. Contact with the parish council has been maintained throughout the plan's preparation. The parish council has afforded the Council opportunities to informally comment on draft iterations of the plan and/or policies, and the parish council has responded positively to the advice given.

This is the first opportunity that the Council has had to view the final Lenham Neighbourhood Plan and the full suite of evidence, to enable a formal position on the plan to be taken. The Lenham Neighbourhood Plan was given consideration by the Council's Strategic Planning and Infrastructure Committee on 10 March 2020.

There is general support for the plan, subject to the resolution of matters raised in this representation. However, the Council has particular concerns about the robustness of the evidence base and the lack of a strategy to deliver 1,000 homes with supporting infrastructure between 2021 and 2031 (i.e. 100 dwellings p.a. over 10 years), in accordance with the strategic policies of the Maidstone Borough Local Plan, namely:

- Policy SP8 – Lenham Rural Service Centre, in particular criteria 4 and 6;
- Policy H2 – Broad locations for housing growth; and
- Policy H2(3) – Lenham broad location for housing growth.

As an overview, a key omission from the neighbourhood plan is a delivery strategy for the southern road route. This route requires engagement with the landowners of non-allocated sites (two appeal sites to the north of Sites 4 and 5), where the landowners have no direct benefit from the wider neighbourhood plan allocations and thus limited motivation to engage. It also requires improvements to inadequate infrastructure. The plan contains no strategy in relation to, say, land acquisition or funding. This could be addressed, for example, by some form of Memorandum of Understanding or equalisation agreement between landowners.

Site 3 is severed from the main village by the railway which is a substantial barrier. It is in effect landlocked, placing a burden on others to deliver infrastructure. The site is only accessible from the west, with the western Smokey Bridge route sub-standard due to the constraints of the bridge. Its location and detachment do not promote sustainable patterns of travel, and it is reliant on the landowners of other sites for delivery. Hence a delivery strategy is needed.

It is understood that the owners of Site 4 have announced that the appeal scheme (to the north of site 4) will not be amended to widen the access road, so site 4 needs to allow for an access road capable of delivering the bus route should it be required.

Land outside of the ownership of Site 5 is required for the new road connection to the A20. The landowner of the appeal site to the north of Site 5 could refuse a land deal to facilitate the A20 junction improvements necessary for the new road, resulting in a failure of the plan's Strategic Housing Delivery Sites strategy. Evidence of agreement with the landowner is needed to demonstrate deliverability of the road, and hence the residential allocations within the plan period. Otherwise, there is a material risk that the plan could fail to deliver the required 1,000 units.

The sports pitches at William Pitt Field (Site 6) are proposed to be relocated to Site 1, to enable Site 6 to be redeveloped for housing. There is a lack of justification for their relocation, particularly given their proximity to housing sites 5 and 7. The relocation site for the pitches is bisected by PROW KH399A, and its diversion has not yet been secured. This could take up to 3 years under the Highways Act 1980, and is not guaranteed to be granted. Sport England has not confirmed whether the indicative layout of the relocated pitches at Site 1 would be viewed as an adequate replacement of the William Pitt Field pitches lost on Site 6.

The Council raises objection to the designation of Royton Avenue as Local Green Space (LGS) under Policy LGS1(6). The site does not meet NPPF criteria for the designation of LGS (NPPF paragraph 100), and its designation would set a precedence for similar sites elsewhere in the borough. In its Consultation Statement (page 31), the parish council rejects a proposal to designate this site as LGS. The Borough Council is not aware that consultation with the landowner has been undertaken.

Policy DM19 of the Maidstone Borough Local Plan sets standards for the provision of publicly accessible open space throughout the borough. Although this is not a strategic policy, the neighbourhood plan should demonstrate how it has had regard to Policy DM19 and how the public open space levels across all of the Strategic Housing Delivery Sites have been determined.

The additional amendments below are intended to achieve conformity with national and local policies, greater clarity and consistency throughout the plan.

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text struck through
2	Paragraph 1.2.1	Correction: 'Following this introduction <del>that</del> <b>the Plan ...</b> '
3-4	Paragraphs 1.5.4 to 1.6.2	Delete paragraph 1.5.4, and amend or delete paragraphs 1.6.1 to 1.6.2  Reason: These paragraphs refer to procedural matters (as opposed to land use policy) that are specific to the Lenham Neighbourhood Plan. The stages highlighted would not necessarily apply to other neighbourhood plans, for example, reference to consultation on a pre-Regulation 14 plan. The paragraphs also give an impression that once an examination is held, there are no barriers to the plan proceeding to local referendum.
5	Paragraph 2.1.1	Correction: ' <del>... as shown on Drawing 1</del> <b>the Lenham Neighbourhood Plan Parish Boundary Map on page 46.</b> '
7	Paragraph 2.2.6, criteria 4 and 6	For clarity: 4) ' <del>... if the scale of development justifies on-site</del> <b>provision ...</b> ' 6) ' <del>... respond positively to the wider area of</del> <b>to create</b> enhanced linkages and networks'
8	Paragraph 3.1.8	Delete ' <del>... which accompanies this Regulation 16 Submission Plan</del> '  Reason: This text is superfluous for a final plan.

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text struck through
9	Paragraph 4.1.5	Delete table.  Reason: The principle of seeking quality design is welcomed and is a central element of the Maidstone Borough Local Plan. The table setting out a formula for securing multiple typologies is considered to be unnecessary, and there is a lack of evidence to support the variables. The supporting text at paragraphs 4.1.6 and 4.1.7 is considered to be adequate.
10/11	Policy D1	Observation: The broad principles set out in Policy D1 are generally sound and expand upon the principles established within Policy DM1 of the Maidstone Borough Local Plan, although there is a degree of repetition with Local Plan Policy DM1.
10	Policy D1(2)	Amendment: 'Design that incorporates opportunities to enhance <b>and provide for net gains for</b> biodiversity are encouraged.'  Reason: Conformity with NPPF.
10	Policy D1(3)	Delete final sentence which is a repeat of criterion 4.
10	Policy D1(4)	Delete criterion 4, and replace with:  <b>'Development within mixed-use areas, including Lenham village centre, should seek to contribute to the vitality of the area and the role of public realm and where appropriate:</b>  <ul style="list-style-type: none"> <li>• <b>Provide active uses and shop window frontages at street level (dead frontages within the village centre should be avoided);</b></li> <li>• <b>Where areas of private realm are to be created, for example outdoor seating areas, these should be designed to complement and not detract from any adjacent public realm;</b></li> <li>• <b>Elements such as vehicular parking, private storage fronting existing public realm areas should be avoided.'</b></li> </ul> Reason: There may be instances where pursuing active frontages is not appropriate and so the policy should be more flexible. The requirement to differentiate between public and private realm should be clarified, for example, the reference to outdoor seating areas.
10	Policy D1(6)	Amendment: 'New development <b>on allocated sites</b> should be designed such that it does not prejudice future development or design of adjoining <b>allocated sites</b> '  Reason: It would be unreasonable and undesirable to apply this criterion to all future development sites.
10	Policy D1(7)	Correction: ' <del>... of the North</del> <b>Kent</b> Downs Area of Outstanding Natural Beauty ...'  Delete criterion 7 and replace with: <b>'The location and design of new development shall have regard to the role Lenham plays within</b>

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text <del>struck through</del>
		<p><b>the setting of the Kent Downs Area of Outstanding Natural Beauty (AONB). Development should not detract from the landscape quality or special characteristics of the AONB. Major developments, or other schemes capable of detracting from the AONB should be accompanied by an appropriate LVA/LVIA and where appropriate, a landscape mitigation strategy.'</b></p> <p>Reason: Relationship to the AONB in the policy refers only to foreground, but the setting is a wider relationship with views to and from the AONB. This section of the neighbourhood plan could also cross reference the AONB Management Plan.</p>
11	Policy D1(8)	<p>Amendment: 'The size of buildings should be such that the buildings are <del>almost</del> <b>well</b> screened by trees and other vegetation when viewed from the AONB <b>and its setting</b>, including <b>taking account of</b> the prominent scarp face and the <del>setting of the AONB</del>'.</p> <p>Reason: "Almost screened by trees" could lead to buildings being of a size that is greater than the proposed tree screening.</p>
11	Policy D1(11)	<p>Observation: It is unclear what is meant by 'of the place'.</p>
11	Policy D1(12), criterion 2	<p>Observation: It is not necessary to specify 'low' front boundaries.</p>
11	Policy D1(12), criterion 3	<p>Correction: '... dominated by car <del>parks</del> <b>parking</b>'.</p>
11	Policy D1(12), criterion 8	<p>Amendment: 'Native trees <b>of local provenance</b> shall be planted alongside roads and in areas which are kept as communal areas, <b>unless other species are characteristically appropriate</b>, in order to achieve <del>maximum screening</del> <b>optimum integration</b> of the development <b>into the landscape</b> when viewed from the AONB;'</p> <p>Reason: The planting in communal areas may incorporate non-native tree species which are appropriate to Kent, such as orchard trees. Screening of a development may only serve to draw attention to it unless it is characteristically appropriate.</p>
11/12	Policy D2	<p>Observation: It is not ideal to combine small housing schemes and extensions in the same policy. Other than Policy D2(1), the rest of the policy does not refer to any principles that cannot or could not be covered under Policy D1.</p>
11	Policy D2(1)	<p>For clarity: '...of Lenham are <del>welcomed</del> <b>supported</b>'.</p>
12	Policy D2(2), criterion 3	<p>Amendment: '...does not result in the <b>net</b> loss of local amenity green space ...'</p> <p>Reason: To conform to NPPF (paragraph 97) and to reflect Policy DM19(7) of the Maidstone Borough Local Plan.</p>
12	Policy D2(4)	<p>For clarity: Refer to the unit threshold rather than simply cross referencing the NPPF.</p>

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text struck through
13	Policy D3	Observation: The objectives of this policy would be better served through the application of an updated Policy D1. 'Bespoke' has no real planning meaning. Design competitions are a matter of choice for an applicant.
13	Policy D4	<p>Amendment: 'Where land is proposed for self or custom house building a site masterplan and <b>design codes</b> individual plot passports should be prepared and submitted as part of a <b>any</b> planning application submitted to Maidstone Borough Council for approval. Together, these will regulate the <b>inform each plot design and ensure that a cohesive and high quality form of development is secured</b> of development. <b>The masterplan should address site layout, open space, vehicular and pedestrian access, whilst codes should address</b> establishing building parameters such as heights, footprints, set-backs, densities, and parking requirements, <b>and materials. Where relevant an application should include strategies for governing the future management of open areas and landscaping.'</b></p> <p>Reason: As a planning policy, this should refer to design codes rather than plot passports.</p>
13	Policy D5	<p>Amendment: '<del>... Proposals for rear or separate parking courts will not be supported.</del> <b>Where proposals incorporate separate parking courts, these should be of a high quality and form an integral element of the overall open space strategy in terms of materials and landscaping. Any such areas should be designed to be visually supervised by the dwellings they serve.'</b></p> <p>Reason: It is not appropriate to oppose all parking courts. Whilst often poorly planned, there are examples of good design such as Poundbury.</p>
14	Paragraph 5.1.8	Correction: Reference to Section 13 should be Section 12.
14	Policy AT1(1)	<p>Amendment: '<del>... they must be direct</del> <b>attractive</b>, safe ...'</p> <p>Reason: 'Direct' footpaths may not always be the best solution.</p>
15	Policy AT2	<p>Delete Policy AT2 and replace with: '<b>New development will be supported where it can demonstrate that it is able to promote sustainable patterns of travel, optimising the ability to link into or access existing or proposed public transport routes.'</b></p> <p>Reason: This is a bus policy, rather than for public transport as a whole, and criterion 1 is not relevant for a planning policy document.</p>
15	Paragraph 5.3	<p>Amendment: 'Active Travel Projects funded by <del>Community Infrastructure Levy</del> <b>Developer Contributions</b> and Government grants'</p> <p>Reason: The proposed change is less restrictive and would future-proof the plan by using more generic terminology.</p>

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text <del>struck through</del>
15	Policy AT4(2)	Delete criterion 2 and replace with: ' <b>Proposals should demonstrate that they are capable of connecting into and where appropriate extending the existing public footpath network. Where a development does not connect directly to the existing network, applicants should demonstrate how improved connections can be achieved.</b> '  Reason: The onus should be on the applicant to show how improved connections can be achieved.
16	Paragraph 6.1.2	Observation: Rather than "space left over after planning", such space can be landscaping as part of development design.
16	Paragraph 6.1.5	Amendment: ' <del>... be expected to comply with</del> <b>have regard to</b> the standards...'  Reason: Policy DM19 of the Maidstone Borough Local Plan is by its nature one that is applied flexibly, for example, subject to a site's location and character.
16	Policy GS1(5)	Amendment: ' <del>... and sustainable urban</del> drainage'  Reason: SuDS are sustainable drainage systems, so there is no need to include 'urban', particularly in the context of Lenham.
16	Policy GS1(6)	Observation: Bearing in mind the need for ancillary facilities, splitting the need for sports facilities for Lenham over 3 sites may not be efficient. The replacement of the William Pitt playing fields on site 1 necessitates a diversion of the PROW (KH399A), which has not yet been secured. This could take up to 3 years under the Highways Act, and is not guaranteed to be granted.  Amendment: "... MBLP Policy DM19 <b>or successor policy</b> , which makes ...'  Reason: To future-proof the policy.
16	Paragraph 6.1.5	Amendment: ' <del>... Policy DM19</del> <b>or successor policy.</b> '  Reason: To future-proof the policy.
16	Paragraph 6.1.6	Observation: The reference to "substantial additional area" of outdoor space at Site 1 could be explained more.
17	Paragraph 6.4.1	Amendment: Delete text of paragraph 6.4.1 and replace with " <b>The allotments sit behind the frontages to Ham Lane, Honeywood Road and Robins Avenue. The allotments are well used and form an important recreational facility which is clearly visible from the many houses which front the surrounding roads. The importance of the allotments to village life is emphasised by the proliferation of crops and flowers grown by enthusiastic Lenham gardeners.</b> "

Page no.	Paragraph/ Policy no.	<b>Representations</b> Proposed additional text <b>emboldened</b> , and deleted text <del>struck through</del>
		Reason: Paragraph 6.4.1 is an incorrect description of the allotments site. The correct description is set out in the pre-consultation draft of the plan (Regulation 14 version).
18	Paragraph 6.5.2	Amendment: ' <del>...open land falls within the village confines</del> <b>lies adjacent to the village boundary</b> and is surrounded ...'  Reason: The site lies outside (but adjacent to) the village boundary, as shown on both the Policies Map of the Maidstone Borough Local Plan and the Lenham Local Policies Map (ref LNP2 submission version).
18	Paragraph 6.5.4, criterion 3	Amendment: ' <del>... country walk within</del> <b>adjacent to</b> the village;'  Reason: The site lies outside (but adjacent to) the village boundary, as shown on both the Policies Map of the Maidstone Borough Local Plan and the Lenham Local Policies Map (ref LNP2 submission version).
18	Paragraph 6.5.5	Amendment: ' <del>... land is relatively contained within</del> <b>adjacent to</b> the built form ..."  Reason: The site lies outside (but adjacent to) the village boundary, as shown on both the Policies Map of the Maidstone Borough Local Plan and the Lenham Local Policies Map (ref LNP2 submission version).
19	Paragraph 6.7.4	For clarity: 'The Meadow is <b>adjacent to the village boundary</b> and is closely ...'
20	Paragraphs 6.8.1 to 6.8.4; and Policy LGS1(6); and Lenham Local Policies Map	Delete the designation of Land at Royton Avenue as Local Green Space (LGS). Delete paragraphs 6.8.1 to 6.8.4 and Policy LGS1(6). Delete the designation from the Lenham Local Policies Map.  Reason: The site does not meet NPPF criteria for the designation of LGS (NPPF para 100). For example, the use of the site as a buffer/green lung is not a justification for LGS, nor is its function as part of wider views. A 30-signature petition, out of a population of 3,370 (2011 census), is not considered to be sufficient evidence to justify the site as being of 'local significance' to the community. The site is not unique and its designation would set a precedence for similar sites elsewhere in the borough. In its Consultation Statement (page 31), the parish council rejects a proposal to include this site as LGS. The Borough Council is not aware that consultation with the landowner has been undertaken.
20	Policy LGS1 (after criterion 6)	Amendment: 'Areas defined as Local Green Space will be given long term protection and priority will be given to preserving their <b>character, function and</b> openness <del>over other planning considerations</del> . <b>Developments within close proximity of designated Local Green Spaces should demonstrate that they will not adversely impact upon their accessibility, function or character.</b> '  Reason: The text refers to the preservation of openness over other considerations, but most of these spaces are significant as much for their function rather than their openness.

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text struck through
20	Policy CP1	<p>Observation: This policy is superfluous because it reiterates the policies of the Maidstone Borough Local Plan.</p> <p>Amendment: `...in terms of the potential <b>visual</b> impact of the development <del>upon the visual setting</del> and landscape features <b>character effects on</b> of the site and its surrounds...`</p> <p>Reason: There is no standard methodology for determining the extent of `visual setting`. Landscape `features` is too restrictive and relates only to specific prominent elements within the landscape, e.g. trees, church steeples, etc.</p>
22	Paragraph 7.2.4 and Policy EMP1 and Lenham Local Policies Map	<p>Amendment: `... and this plan identifies <b>the need for</b> a scheme of environmental improvements at the Square ...`. The extent of Lenham Square is not clear on the Lenham Local Policies Map, and an inset map for the village is suggested.</p> <p>Reason: Policy EMP1(2) confirms that a scheme for environmental enhancement and improved traffic management has not yet been identified.</p>
22	Policy EMP1(1)	<p>For clarity: `Development proposals which <del>reinforce the pre-eminence</del> <b>preserve or enhance the character and function</b> of Lenham Square as the retail, commercial, employment and entertainment hub of the Parish will be supported.</p>
22-23; 35	Lenham Station text and Policy EMP2; and SHD Site 3, criterion 12;	<p>Observation: It is understood that the station hub shown on the Lenham Local Policies Map is in two ownerships. Land to the north of the railway lines is owned by Network Rail, and to the south by the landowners of Site 3. This should be made clear in the supporting text for Policy EMP2, and Policy SHD Site 3, criterion 12.</p>
22	Paragraph 7.3.2	<p>Correction: `... circular bus <del>routed</del> <b>route</b> using ...`</p>
22	Paragraph 7.3.3, criterion 1	<p>For clarity: `... to provide a <b>pedestrian</b> crossing ...`</p>
23	Policy EMP2	<p>Amendment:</p> <p>`1) Limited commercial development to the north of the Railway Station <b>as shown on the Lenham Local Policies Map</b> will be supported. <del>where such</del> Proposals <b>should not affect the function or accessibility of the station and should seek to</b> <del>can</del> demonstrate that they would lead to improvements to the public realm in the area.</p> <p>2) Proposals to the south of the station for new social and commercial development to comprise a community hub incorporating a mixture of uses, including limited retail floor space and some residential development, will be supported. <b>Any scheme should:</b></p> <ul style="list-style-type: none"> <li>• <b>be</b> subject to an assessment of any potential impact upon existing retail provision in the village;</li> </ul>

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text <del>struck through</del>
		<ul style="list-style-type: none"> <li>• <b>deliver pedestrian/cycle connectivity to the residential development to the south; and</b></li> <li>• <b>assess the feasibility of the scheme to deliver new or enhanced</b> pedestrian access from the south side to the north side of the station.'</li> </ul> <p>Reason: It is arguably onerous to require a crossing over the track as a condition of any scheme because crossing of the rail network is difficult to achieve.</p>
23	Policy EMP3(1)	<p>Amendment: `... and medium size businesses, <b>micro businesses, flexible workspace and start-up opportunities</b>, and live work units, are <b>supported</b> welcome, particularly where they reduce out-commuting.'</p> <p>Reason: Criterion 1 refers to small and medium sized enterprises, the definitions of which are 50 and 250 employees respectively. Purpose built live-work accommodation has not been a fundable use for many years.</p>
23	Policy EMP3(2)	Correction: `... and <b>support</b> for small ...'
23	Policy EMP3(3)	Observation: The additional test of not adversely affecting the amenity of neighbouring residents could be added.
24	Policy CF1(2)	<p>For clarity: `<b>Subject to the impact of proposals on residential amenity</b>, all facilities should be ...'</p> <p>Correction: `... Proposal <b>Proposals</b> for new development ...'</p>
24	PolicyCF1(3)	For clarity: `... will be <del>resisted</del> <b>not be supported</b> unless ...'
25	Paragraph 8.4.10 and Policy ED4 and Lenham Local Policies Map	For clarity: Make clear the extent of the proposed site for nursery education on the Lenham Local Policies Map.
26	Policy ED3	Observation: The policy states that non-education development on this site will not be supported. The primary purpose of the site is education, but multi-functional community facilities may also be appropriate.
27	Policy TOU1(1)	<p>Delete criterion 1 and replace with:</p> <p><b>'Proposals which preserve or enhance the quality and diversity of the local tourism economy, including both day trips and longer stays, will be supported where they accord with other policies within this plan and the Maidstone Borough Local Plan.</b></p> <p><b>Proposals for holiday accommodation outside of the built up area will be expected to be of a high quality design and appearance, utilising materials that complement the local landscape. High</b></p>

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text <del>struck through</del>
		<p><b>quality landscaping should be designed to enhance any built elements.</b></p> <p>Reason: It is not clear what a 'tourist facility' is and thus what uses this policy is intended to be directed at. High quality landscaping should be designed to enhance, not just hide, any built elements.</p>
27	Paragraph 9.1.2 and Policy TOU1(2)	Observation: Paragraph 9.1.2 refers to the 'retail offer'. It is not clear if policy TOU1(2) is expected to apply to the loss of retail facilities in Lenham. 12 months marketing is relatively brief in comparison to market cycles.
28	Paragraph 10.1.1	<p>Correction: '... promotes <b>the</b> concept ...'</p> <p>Correction: '... promoted as a <del>viable and attractive alternative</del> <b>viable and attractive alternatives</b> to ...'</p>
28	Policy AQ1(1)	For clarity: '... electric cars and vans <b>vehicles.</b> '
28	Policy AQ3	Observation: It is not clear whether this policy is intended to address freestanding energy generation schemes or the renewable generation components of development in general.
30	Paragraph 11.1.7	<p>Amendment: 'This site will deliver approximately 85 dwellings and an area of <del>Strategic</del> Open Space ...'</p> <p>Reason: Not all open space on the site is strategic.</p> <p>Observation: The indicative parameters plan for the hybrid application at Site 1 indicates 4 pitches not 3 (due to the need to divert PROW KH399A, which has not yet been secured). Confirmation that Sport England is satisfied that the sizes of the 4 pitches are an adequate replacement of the William Pitt pitches (Site 1) is required.</p>
31	Paragraph 11.1.14	For clarity: '... junction with the A20, to the north, <del>possibly</del> within the appeal site ...'
31/32	Policy SHDS1(1)	For clarity: '... a phase one ecological survey, <b>and an appropriate mitigation and enhancement scheme</b> , prepared to ...'
32	Policy SHDS1(5)	<p>Amendment:</p> <p>'Development proposals will <b>be supported by</b> include a detailed Masterplan for the site to be submitted for approval by Maidstone Borough as local planning authority. The submitted Masterplan will <b>have regard to</b> <del>be in general accordance with</del> the proposals shown on the Illustrative Masterplans included within this Neighbourhood Plan. The submitted Masterplan will include details of the landscaping and public open space for the site, access (vehicular, cycle and footway) and drainage (foul and surface water) arrangements for the site, and will demonstrate how these arrangements will work in conjunction <b>the development will integrate with the existing built fabric and</b></p>

Page no.	Paragraph/ Policy no.	Representations
		<p>Proposed additional text <b>emboldened</b>, and deleted text <del>struck through</del></p> <p><b>countryside setting of Lenham. Where the proposals relate to a larger area, the masterplan should demonstrate how the development will connect</b> with other Strategic Housing Delivery Sites within the Village Extension areas <b>and other proposals in the vicinity.</b></p> <p>Reason: It is onerous to suggest that individual schemes should accord with illustrative masterplans within the Lenham Neighbourhood Plan.</p> <p>Observation: "Development proposals should support high quality communications infrastructure." This sentence appears to be an add-on, and is out of context with the remainder of criterion 5.</p>
32	Policy SHDS1(7)	<p>Delete: <del>'The development access roads, including the scheme of shuttle working at Smokey Bridge, will have capacity to accommodate all traffic movements arising when all the sites shown on this Plan are completed. The intention of the Plan is that a</del> All the sites shown will ...'</p> <p>Reasons: The first sentence of the policy criterion is a statement. The first part of the second sentence undermines a robust policy criterion.</p>
32	Policy SHDS2	<p>Delete Policy SHDS2.</p> <p>Reason: The policy criteria is covered by Policies D1 and SHDS1 of the neighbourhood plan and the policies of the Maidstone Borough Local Plan.</p>
33	Policy SHDS3(2)	<p>Amendment: <del>'... An indicative target is 40% one-bedroom and 2 bed-</del> <del>room</del> <b>10% one-bedroom, 30% 2-bedroom ...'</b></p> <p>Reason: To reflect the findings of the Lenham Housing Needs Assessment (June 2019)</p>
33	Policy SHD Site 1	<p>Note: A hybrid planning application for 100 units has been submitted for Site 1 (ref 19/504724/HYBRID).</p>
33	Policy SHD Site 1, criterion 1	<p>Amendment: <del>'... and approximately 85 dwellings</del> <b>at a density of 22 dwellings per hectare.'</b></p> <p>Reasons: For clarity and consistency with all site allocation policies. (Source: Lenham Masterplanning Report, Table 4).</p>
33	Policy SHD Site 1, criterion 2(i)	<p>Amendment: <del>'Access will be via new junctions</del> <b>a new junction</b> with Old Ashford Road ...'</p> <p>Reason: That more than 1 junction is needed to serve Site 1 has not been accepted by Kent County Council (Highways and Transportation).</p>
33/34	Policy SHD Site 1, criterion 3	<p>Observation: The indicative parameters plan for the hybrid application at Site 1 indicates a further 3 pitches, not 2 (due to the need to divert PROW KH399A, which has not yet been secured).</p>

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text <del>struck through</del>
34 and 48	Policy SHD Site 1, criterion 4; and Masterplan	Observation: The policy does not mention the 15m buffers included in the Masterplan for Site 1.
34 and 48	Policy SHD Site 1, criterion 5; and Masterplan	Observation: The illustrative Masterplan shows two accesses that have not been justified, resulting in unnecessary loss of hedgerow, and which have been objected to by Kent County Council (Highways and Transportation).
34	Policy SHD Site 2, criterion 2	Observation: It is understood that the owners of site 4 have announced that the appeal scheme (to the north of site 4) will not be amended to widen the access road, so site 4 needs to allow for an access road capable of delivering the bus route should it be required.
34	Policy SHD Site 2, criterion 3	Delete criterion 3 and replace with: ' <b>The proposal shall enable pedestrian and cycle access to the station, including an enhanced footway along Headcorn Road together with internal routes which interconnect via Site 4 and the appeal site adjacent to the station.</b> '  Reason: The site is separated from the station by two other allocations.
34, 36, and 37	Policy SHD Site 2, criterion 4; Policy SHD Site 4, criterion 19; Policy SHD Site 5, criterion 3; Policy SHD Site 6, criterion 9	Delete criterion in policies for Site 2(4), 4(19), 5(3) and 6(9).  Reason: The criterion a statement rather than policy but, additionally, these site allocations are not dependent upon the Smokey Bridge scheme. To include reference to the scheme is unduly restrictive, and it would be onerous to retain the criteria. (Link to deletion above – page 32 amendment to Policy SHDS1(7)).  Observation: An alternative criterion 4 for Policy SHD Site 2, could be ' <b>The proposal shall demonstrate through a transport assessment that the design of both the access to Headcorn Road and internal routes provide sufficient capacity to accommodate the net traffic generation of the wider network of Strategic Housing Delivery Sites, including the potential bus route. Any application for this site in isolation should demonstrate that it will enable access to adjacent strategic sites.</b> '
34	Policy SHD Site 2, criterion 5	Observation: It is not clear how the figure 0.5 ha of public open amenity space is calculated. Policy DM19 of the Maidstone Borough Local Plan generates a need for 2.39 ha. Even if the sports requirement is taken out and the semi-natural reduced by 2/3, the required figure would be 0.9 ha.
35	Policy SHD Site 3, criterion 13	For clarity: '... The site should also <b>additionally</b> provide for an area of at least 0.25 ha ...'
36	Policy SHD Site 4, criterion 16	Amendment: '... for approximately 110 dwellings <b>at a density of 35 dwellings per hectare.</b> '  Reason: For clarity and consistency with all site allocation policies. (Source: Lenham Masterplanning Report, Table 4).

Page no.	Paragraph/ Policy no.	Representations Proposed additional text <b>emboldened</b> , and deleted text struck through
36	Policy SHD Site 4, criterion 18	For clarity: `... to the south side of Lenham Station to facilitate <b>access to proposed enhanced</b> <del>the provision of enhance</del> crossing facilities ...`
36	Policy SHD Site 4, criterion 20	<p>Observation: It is not clear how the 0.5 ha is derived, and the Neighbourhood Plan should explain how open space levels across all sites have been determined.</p> <p>Delete criterion 20 and replace with: <b>‘The scheme shall provide for a minimum of 0.5ha of open space of a type suited to the character and location of the development. Open space should be designed to integrate with open space provision on adjacent site(s), in order to enhance its benefits to the wider community.’</b></p> <p>Reason: It is key that any development of this site is not undertaken in isolation of the adjacent appeal site.</p>
36	Policy SHD Site 4, criterion 21(3)	<p>Delete criterion 21, sub-criterion 3.</p> <p>Reason: The development of this site is not dependant on a link between Old Ham Lane and the Headcorn Road, so it should not be a condition of the policy. The reasonable expectation would be to demonstrate that its impact upon the network via Headcorn Road is acceptable.</p>
36	Paragraph 11.3.3	Correction: `Policy – Strategic Housing <b>Delivery</b> Site 5 ...`
36	Policy SHD Site 5	Note: Part of Site 5 has a resolution to grant planning permission for 139 units (ref 19/503995).
37	Policy SHD Site 5, criterion 2	Observation: Land outside the ownership of site 5 is required for the new road connection to the A20. Evidence of agreement with the landowner is needed to demonstrate deliverability of the road and, thus, the residential allocations within the plan period. The neighbourhood plan should demonstrate how the road, or an alternative means of access, will be delivered in order to reduce the risk of the plan failing to deliver the required 1,000 homes.
37	Policy SHD Site 5, criterion 6(2)	Correction: `... appropriate <del>vehicular</del> footpath ...`
37	Policy SHD Site 6, criterion 10	Observation: Although the sports pitches on Site 6 are proposed to be relocated to Site 1, in order to redevelop Site 6 for housing, there is a lack of justification for this, particularly given the proximity of the pitches to housing Sites 5 and 7. Sport England has not confirmed whether the indicative layout of the relocated pitches at Site 1 would be viewed as an adequate replacement of the William Pitt pitches on Site 6.
38	Policy SHD Site 7	Note: This site has planning permission for 53 dwellings (ref 18/506657/FULL), and development is to commence shortly.
40	Paragraph 12.2.1	Amendment: `... and which <del>will</del> <b>may</b> include contributions from the Borough-wide strategic infrastructure fund.`

Page no.	Paragraph/ Policy no.	Representations
		Proposed additional text <b>emboldened</b> , and deleted text <del>struck through</del> Reason: There is no certainty that strategic CIL funds will be allocated to these projects because it is an annual bidding process.
40	Table LNP ONE - title	Correction: ' <del>Community</del> <b>Strategic</b> Infrastructure Levy Projects and Exclusions.'
41	Paragraph 12.2.6	For clarity: 'There is a separate project <b>immediately to the south of the station, which is within the same ownership as site 3</b> , <del>within Site 3 immediately adjacent to the station to</del> <b>that will</b> facilitate a new local centre for the southern sites, this could incorporate retail, residential and some employment uses.'
41	Paragraph 12.2.7	Correction: '... authorities the <del>CIL</del> project ...'
43	Glossary	Community Infrastructure Levy: 'Parishes with a <b>made</b> Neighbourhood Plan ...'  Development Plan: '...replace it), <b>the Kent Minerals and Waste Local Plan</b> , and ...'  Delete: Greenfield Site and Planning Practice Guidance definitions because these terms are not used in the document.
47	Lenham Local Policies Map	Observation: An inset map for Lenham Village would be helpful because the boundaries of allocated and designated sites are not always clear.
48	Plan 1 – Site 1 Masterplan	Observation: The Masterplan is factually incorrect as it omits the definitive line of "existing footpath" KH399A. It has a buffer in excess of 30m on the south side so does not correlate with the Masterplanning background paper as that requests in section 3.3, a 15m wide buffer on the east and south of the housing area. It does not correlate with the existing planning application's parameter plan in a number of regards (and to which the PC does not object).

Yours faithfully,

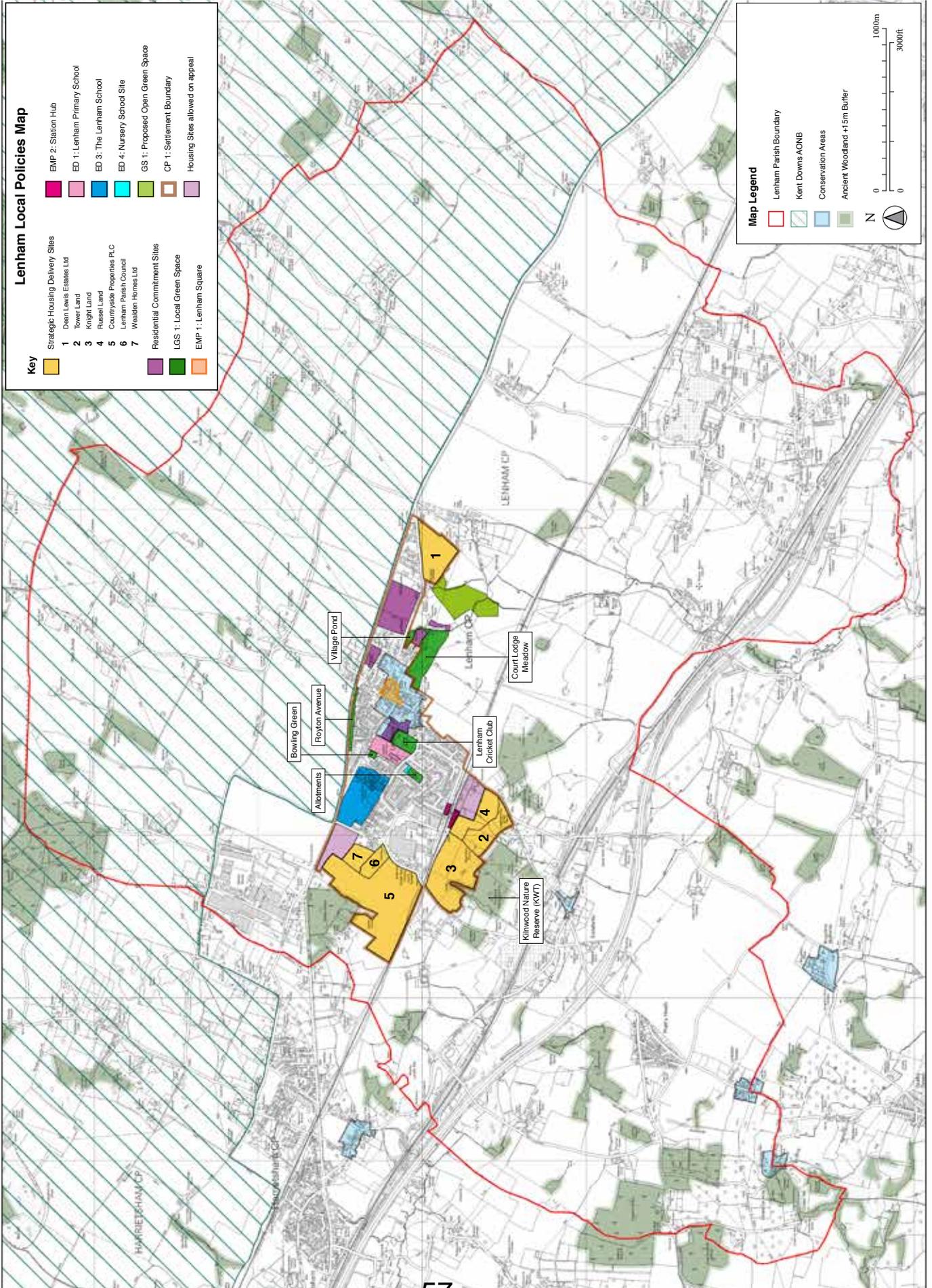
**Rob Jarman**

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# Lenham Neighbourhood Plan - Local Policies - Map



# Agenda Item 16

## STRATEGIC PLANNING & INFRASTRUCTURE COMMITTEE

10<sup>th</sup> March 2020

### Maidstone Local Plan Review – Feedback from the Scoping Themes & Issues (Regulation 18) public consultation

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

#### Executive Summary

In July 2018 the Council agreed to undertake a Local Plan Review. The current Maidstone Borough Local Plan, adopted in October 2017, includes Policy LPR1 setting out matters which such a review should consider. The revised National Planning Policy Framework issued in July 2018 and further revised in February 2019 will also need to be taken into account. A Scoping Themes & Issues document was produced and published for a 10 week consultation period between July and September 2019. A particular purpose of the consultation was to gather early feedback on the matters and issues which the Local Plan Review may need to tackle. This report provides the Committee with headline findings from the consultation. This information will be used to inform future stages of the Local Plan Review as outlined in the report.

#### Purpose of Report

*For information.*

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

1. That the content of this report be noted.

#### Timetable

<b>Meeting</b>	<b>Date</b>
Strategic Planning & Infrastructure Committee	10 <sup>th</sup> March 2020

# Maidstone Local Plan Review – Feedback from the Scoping Themes & Issues (Regulation 18) public consultation

## CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p><b>Impact on Corporate Priorities</b></p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Whilst this report is for information at this stage, the Local Plan Review (LPR) as a whole can contribute to all four objectives. The Scoping Themes and Issues consultation document previously agreed by this Committee explains this inter-relationship between the Strategic Plan objectives and the LPR.</p>	<p>Rob Jarman, Head of Planning &amp; Development</p>
<p><b>Cross Cutting Objectives</b></p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>Similarly, the relationship between these objectives and the LPR is explained in the Scoping, Themes and Issues consultation document itself.</p>	<p>Rob Jarman, Head of Planning &amp; Development</p>
<p><b>Risk Management</b></p>	<p>The report is for information only and the recommendation to note its content does not raise any specific risks at this stage.</p>	<p>Rob Jarman, Head of Planning &amp; Development</p>
<p><b>Financial</b></p>	<p>In addition to core funding for the Strategic Planning team, additional funding has been set aside for the Local Plan Review in the Medium Term Financial Strategy. The Scoping, Themes &amp; Issues consultation was funded from this budget.</p>	<p>Paul Holland, Senior Finance Manager</p>
<p><b>Staffing</b></p>	<p>The Council is currently engaged in a recruitment process for key posts relating to the Local Plan Review. Should</p>	<p>Rob Jarman, Head of Planning &amp; Development</p>

	this prove unsuccessful, it may be necessary to seek secondments from within the Council or to recruit temporary support pending a further recruitment process.	
<b>Legal</b>	This report is 'for information' so it does not raise any specific legal implications in itself. More widely, the preparation of the LPR is governed by specific legislation and regulations and informed by national planning policy and guidance. Legal advice on specific matters is obtained from MKLS and/or counsel as the LPR is progressed.	Cheryl Parks, Mid Kent Legal Services (Planning)
<b>Privacy and Data Protection</b>	The feedback to the Scoping Themes & Issues consultation has increased the volume of data held by the Council. This data is being held in line with our retention schedules. Personal information was redacted from the consultation responses before they were published on the LPR consultation portal.	Policy and Information Team
<b>Equalities</b>	A separate equalities impact assessment is being undertaken for the Local Plan Review. This is a live document that will be revisited as the review progresses. It will consider and be responsive to the the outcomes of the Scoping, Themes & Issues consultation.	Equalities and Corporate Policy Officer.
<b>Public Health</b>	The LPR as a whole will have, or has the potential to have, a positive impact on population health and that of individuals.	[Public Health Officer]
<b>Crime and Disorder</b>	The LPR as a whole can potentially have a positive impact on crime and disorder.	[Head of Service or Manager]
<b>Procurement</b>	This report is for information only and does not raise any specific procurement issues at this stage.	[Head of Service & Section 151 Officer]

## 1. INTRODUCTION AND BACKGROUND

1.1 In July 2018 the Council agreed to undertake a Local Plan Review. The current Maidstone Borough Local Plan, adopted in October 2017, includes Policy LPR1 setting out matters which such a review should consider. Also, the year after the Local Plan was adopted, a revised National Planning Policy Framework was published which introduces amended requirements which the Local Plan review will need to address. Notable amongst these is the introduction of the standard methodology for calculating housing

requirements and the need for local plans to be reviewed on a 5-yearly cycle.

1.2 This report is one of three reports on the Committee's agenda concerning the Local Plan Review;

1. This report provides the headline findings from the Scoping Themes & Issues public consultation held last year.
2. Local Plan Review Progress and Update report provides information on the wider Local Plan Review process including the work undertaken so far and forthcoming work. This report provides important background for the third report on the Local Development Scheme.
3. Local Development Scheme report provides an updated timetable for the Local Plan Review. Subject to the Committee's decision, the timetable will be reported on to Full Council for a final decision.

1.3 The Scoping Themes & Issues (Regulation 18a) consultation document was prepared as a first stage consultation document for the Local Plan Review. A key purpose of the document was to invite feedback on the matters and issues which the Local Plan Review should cover. The draft document was considered by this Committee at its meeting on 25<sup>th</sup> June 2019 and was agreed, with amendments, for public consultation. This public consultation ran for 10 weeks between 19<sup>th</sup> July and 30<sup>th</sup> September 2019.

1.4 Prior to this consultation, a separate 'Call for Sites' exercise was undertaken between February and May 2019. There is further information about the assessment of the submitted sites in the Local Plan Review update report elsewhere on this agenda.

1.5 The Scoping Themes & Issues consultation comprised a set of overarching questions (8) and a separate set of technical questions (31) focused on specific topic areas. We received some 555 responses from the following; parish councils (20), developers/agents/ landowners (90), expert agencies & infrastructure providers (11), other councils and MPs (7), residents associations/ neighbourhood planning groups (3) and other specialist groups<sup>1</sup> (7) with the balance from private individuals (417). Approximately 250 of the responses were on a standard template objecting to the proposed garden community at Marden. The full text of each of the responses has been uploaded onto the consultation portal and is available here; <https://maidstone-consult.objective.co.uk/portal/>

1.6 In addition, we received 3 petitions;

- Staplehurst – 235 signatures 'Remove Staplehurst's designation as a rural service centre'
- Broadway – 5,442 signatures 'Do not develop the Broadway Shopping Centre into Housing'
- Marden – 2,957 signatures 'The villagers of Marden say no to the creation of a garden community in or around Marden village'

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<sup>1</sup> Examples being the National Federation of Gypsy Liaison Groups, Woodland Trust, House Builders Federation

1.7 Appendix 1 provides a question by question summary, showing the most popular responses to each of the consultation questions and the types of respondents who made them. This provides the Committee with an overview of the breadth of feedback across all the topic areas. In addition, the following section picks out some of the overarching themes that emerged from the consultation.

<p>1 - Infrastructure</p>
<p>This was a key matter which was raised in response to the Q ‘what makes good growth’? Respondents wanted infrastructure to be delivered before/at time of development (residents, parishes, agencies and developers) and were also concerned that both current and future needs should be met [14 residents + 6 parish councils]. This point was also made several times in response to different questions.</p> <p>In a similar vein, there was an emphasis that key facilities and services should be retained and expanded if existing village and town centres are to be fit for the future [44 residents; 6 parish councils]. According to the responses, the most important services/facilities for a successful new development are;</p> <ol style="list-style-type: none"> <li>1. Community and retail facilities for all ages and in walking distance (GPs, Shops, pub schools etc)</li> <li>2. Roads should be improved to increase capacity as well as adequate parking provisions</li> <li>3. Public transport needs to be upgraded to meet the demand of local and rural areas (more frequent services, reliability, green)</li> <li>4. Ensure that infrastructure is continually upgraded to meet demand and changing landscapes and create sustainable communities (broadband, EV power points, water supply etc.)</li> </ol> <p>In addition, a number of respondents stated that new housing development should pay for the services and infrastructure needed to create a sustainable community (21 residents; 3 developers; 1 expert agency; 2 councillors; 3 parish councils)</p> <p>A benefit of growth which respondents saw was to create more local facilities in local areas to reduce the amount of people having to travel to larger towns including public transport/highway infrastructure [Residents (124) Expert agency (1) Councillor (1) Parish Council (11)]. However a significant number of respondents, mostly from Marden, felt that there would be no overall benefits as a result of growth in villages [199 residents].</p>
<p>2 – Climate Change</p>
<p>A number of respondents expressed the view that good growth also is about optimising sustainability (renewable energy, water usage, open spaces, low/zero carbon) [18 residents; 3 Parish Councils]. Suggested approaches are;</p> <ul style="list-style-type: none"> <li>• Protect farmland and green spaces to help cope with heavy pollution levels [Residents (256), Parish Council (1) Residents Assoc (1) (many of these are Marden responses)]</li> <li>• To incorporate renewables into new developments and phase out fossil fuels to make Maidstone environmentally attractive [Residents (29) Developer (2) County Council (1)]</li> </ul>

<p>Expert agency (5) Maidstone BC (1) Councillor (1) Parish Council (9)]</p> <ul style="list-style-type: none"> <li>• Open space and tree planting needs to take place to reduce carbon and flooding in existing and new developments (tree preservation orders). [Residents (28) Developers (4) Expert agency (5) Councillor (1) County Council (1) Parish Council (5)]</li> <li>• Ensure the most environmentally sensitive areas of the borough are protected (AONB, Greenbelt, Landscapes of Local Value [Residents (180) Developers (2) Parish Council (1) (many of these are Marden responses)]</li> </ul> <p>Improving public and sustainable transport was popular. Public transport needs to be more environmentally sustainable, cheaper and have a more frequent service [Residents (29) Developers (6) Expert agency (1) Councillor (2) Parish Council (5)]</p>
<p>3 – Brownfield land</p>
<p>When people were asked what makes good growth, and were asked how to sustain and diversify housing delivery, the most popular responses were about maximising delivery on brownfield sites. [Residents (282) (many of these are Marden responses)]</p> <p>When asked how do we achieve brownfield land development (Technical question TQ6), the most popular responses were;</p> <ul style="list-style-type: none"> <li>• Building on brownfield sites/disused offices should be mandatory before greenfield sites are considered or put in the local plan [Resident (25) Developers (3) Expert Agency (2) Parish Council (3)]</li> <li>• Building on brownfield land needs to be made more profitable than greenfield (greater s106/CIL contributions for greenfield)/ Infrastructure needs to be provided to allow for development on brownfield land [Resident (27) Developers (4) Expert Agency (1) County Council (1) Parish Council (12)]</li> </ul>
<p>4 – Housing numbers</p>
<p>Revising the housing projections came up in response to ‘what makes good growth’? [13 residents/ 4 parish councils]. Addressing the housing targets was also highlighted as a way to address climate change [Residents (197) Parish Council (1) (many of these are Marden responses)]</p>
<p>5 – Involvement</p>
<p>A request for involvement in the LPR process was a repeating theme across the consultation topics. In respect of infrastructure there was a request to liaise with residents, service providers, organisation and councils to understand their viewpoints [Residents (246) Developers (4) Expert agency (2) County Council (1) Parish Council (7)]. This general theme was repeated with respect to Gypsy &amp; Traveller provision, the identification of small housing sites and build rates and community facility provision.</p>

1.8 The consultation also asked about future patterns of growth. When considering the responses, it is worth being aware that the consultation took place before the Call for Sites submissions were published.

We asked 'what is your preferred option for the future pattern of growth?'. The options were  
A – Maidstone focus  
B – Dispersal (Maidstone, Rural Service Centres, Larger Villages)  
Bi – Dispersal plus additional villages  
C – Focus on Garden Communities

The responses were;

**(A) Maidstone Focus** - Residents (30) Developers (6) Expert agency (4) Parish Council (8)  
Residents Assoc (1)

**(B) Dispersal/Bi** - Residents (19) Developers (22) Expert agency (3) Councillor (1) Parish Council (1)

**(C) Focus on Planned new settlements and major extensions to existing settlements (garden suburbs)** - Residents (6) Developers (1) Expert agency (2) Councillor (2) Parish Council (3) County Council (1)

**Combination of A and B** - Residents (265) Developers (1) Expert agency (1) Parish Council (2)  
Residents Assoc (1) [especially Marden]

**Combination of A and C** - Residents (2) Parish Council (1)

**Combination of B and C** - Residents (1) Councillor (1)

**Combination of A, B and C** - Residents (1) Developers (6) Expert agency (3) MBC Councillor (2)

We also asked 'For your preferred option, what infrastructure would you want to see brought forward as a priority?'. The responses were;

- For all options - Open space, expansion of facilities (GP, schools etc), renewables/climate change adaption
- For Options A/B – particular focus on transport, highways and parking (in Maidstone town); s106 monies which have been secured need to be spent on infrastructure (raised by Marden respondents in particular)
- For Option B - all infrastructure services should be provided before new developments are built

## Next steps

1.9 The consultation feedback will be one of the inputs as the Local Plan Review moves forward to its next 'preferred approaches' stage.

1.10 The diagram in the Local Plan Review Progress Update report illustrates the range of inputs to the evolving Local Plan Review. This includes plan-wide assessments (e.g. Sustainability Appraisal), evidence studies, feedback from consultation, local strategies such as MBC's Strategic Plan, Duty to Co-operate influences, national policy and guidance and infrastructure requirements. Public feedback is one of the factors which will need to be weighed as the plan moves forward. Potential approaches will be identified for each of the main policy areas and each approach will be tested against this full range of factors. This comparative and objective assessment, which could be presented in the form of an options matrix, would have the purpose of identifying for the next stage of public consultation which approach/es are realistic potential options and which is the preferred way forward. This process is important so that we can demonstrate to the

Inspector that we have explored and consulted upon a range of reasonable alternatives.

1.11 The Local Plan Review Progress Update report and Local Development Scheme report both propose a staged approach to the next stage of public consultation (Regulation 18b). Work on the key growth strategies would be prioritised first so that consultation on the more spatial aspects of the plan is undertaken soonest. Consultation on more detailed topic areas would follow. In both cases, the public feedback to the Scoping Themes & Issues document would be an important input as described above.

1.12 Thereafter, the background work would be finalised (evidence studies, infrastructure requirements, plan-wide assessments, Duty to Co-operate influences, analysis of the Regulation 18b stage feedback). The 'preferred approaches' to the various topic areas would be retained, refined or replaced depending on this latest information. Again, this re-assessment process will need to be comprehensive, objective and recorded in a transparent way. A full draft of the Local Plan Review will be prepared to include the detailed policy wording. This will be subject to a formal stage of public consultation (Regulation 19 stage) before the plan is submitted for Examination. The timings of the forthcoming stages through to adoption of the Local Plan Review are detailed in the Local Development Scheme report.

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### **3. AVAILABLE OPTIONS/PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

3.1 At this stage the Committee is being asked to note the content of the report. As outlined above, 'optioneering' is an important part of the Local Plan Review process by which potential ways forward are compared objectively to help the Council select reasonable approaches for inclusion in the plan.

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### **4. RISK**

4.1 This report is presented for information only and has no specific risk management implications at this stage.

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### **5. REPORT APPENDICES**

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

- Appendix 1: Scoping Themes & Issues Consultation Feedback - most frequent responses

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### **6. BACKGROUND PAPERS**

Maidstone Local Plan Review - Scoping, Themes & Issues (Regulation 18a)

## Scoping Themes & Issues Consultation Feedback

### Most frequent responses

#### **Question OQ1 – what makes good growth?**

Highest level of response to this question proposed the use of brownfield and for new development (283 residents)

Infrastructure was also a key matter – delivery before/at time of development (residents, parishes, agencies and developers) and making sure current and future needs are met (14 residents + 6 parish councils)

Optimise sustainability (renewable energy, water usage, open spaces, low/zero carbon) (18 residents; 3 parish councils)

MBC should revise its housing projections (13 residents/ 4 parish councils)

Holistic approach to housing, infrastructure and community facilities that not only meet today's need but future needs (14 residents; 3 developers; 2 MBC councillors; 6 parish councils; 1 residents association)

Liaise with other borough councils and residents to ensure co-ordinated and integrated development planning (12 residents; 2 expert agencies; 1 parish council)

Ensure roads, infrastructure and public transport are delivered in conjunction/before to new developments Residents (57) Developers (5) Expert agency (7) County Council (1) Councillor (5) Residents Association (2) Parish Council (11)

#### **Question OQ2 – What could the Local Plan Review do to help make our town and village centres fit for the future?**

Ensure villages grow organically (Marden) (252 residents); 8 developers; 1 residents assoc

Ensure key facilities/Services retained or added – GPs, banks etc (residents 44; parish council 6; residents association 1)

Investment in public transport and existing services in the borough to reduce traffic flow in town centres and small villages (24 residents; 4 developers; 1 county council; 4 parish councils)

Do not extend village boundaries beyond railway lines as leads to poor settlement integration (107 residents)

Infrastructure to meet the needs of the villages and that it is in place before new developments are built (30 residents; developers 4; 3 expert agencies; 1 MBC councillors; 1 county council; 10 parish councils)

#### **Issue/Question OQ3 – How can the Local Plan Review ensure community facilities and services are brought forward in the right place and at the right time to support communities?**

Liaise with parish councils, organisations, and local communities to produce a strategy for moving forward in new developments (e.g. Sport England) Residents (280) Developers (7) Expert agency (4) County Council (1) Parish Council (10) ; 3 Residents Assoc [primarily Marden residents]

## Appendix 1

Make sure new housing developments pay for the services and infrastructure needed to create a sustainable community (21 residents; 3 developers; 1 expert agency; 2 councillors; 3 parish councils)

Ensure community facilities/infrastructure is provided in conjunction/before new developments are built (176 residents; 1 county council; 2 expert agencies; 3 MBC councillors; 1 developer; 7 parish councils)

### **Issue/Question OQ4 – What overall benefits would you want to see as a result of growth?**

Create more local facilities in local areas to reduce the amount of people having to travel to larger towns including public transport/highway infrastructure Residents (124) Expert agency (1) Councillor (1) Parish Council (11)

Development should not occur if facilities and infrastructure are not put in place first (20 residents; 1 developer; 6 parishes)

There would be no overall benefits as a result of growth in villages (199 residents) ; 1 Residents Assoc [primarily Marden residents]

MBC should be looking at growth but 'de-growth' to a sustainable level (89 residents; 1 parish council) [primarily Marden residents]

The priority for growth is to ensure the well-being of the borough by having time without development and letting villages function with new residents (165 residents; 3 developers; 3 expert agencies; 2 parishes; 1 Residents Assoc) [primarily Marden residents]

Ensure there is a sufficient amount of open space with trees and shrubs to reduce the effects of climate change (renewables) (14 residents; 1 county council; 7 expert agencies; 1 developer; 1 MBC councillor; 4 parish councils)

Better road infrastructure and investment in public transport (24 residents; 2 developers; 2 expert agencies; 1MBC councillor; 1 county council, 5 parish council; 1 Residents Assoc)

Ensure new developments are built in correct locations and are integrated into the local community (12 residents; 1 parish council)

### **Issue/Question OQ5 – What infrastructure and services, including community services and facilities, do you think are the most important for a successful new development?**

1. Community and retail facilities for all ages and in walking distance (GPs, Shops, pub schools etc) (223 residents; 6 developers; 4 expert agencies, 2 MBC councillors; 7 parish council, 1 county council)
2. Road networks should be improved to increase capacity as well as adequate parking provisions (34 residents; 1 expert agency; 1 County Council; 1 MBC councillors; 9 Parish councils)
3. Public transport needs to be upgraded to meet the demand of local and rural areas (more frequent services, reliability, green) (30 residents; 1expert agency, 10 parish councils; 1 Residents Assoc)
4. Ensure that infrastructure is continually upgraded to meet demand and changing landscapes and create sustainable communities (broadband, EV power points, water supply etc.) (24 residents; 4 developers; 5 expert agencies, 5 MBC councillors; 1 County council; 7 parish councils; 1 Residents Assoc)

5. There should be no new developments which are not sustainable (203 residents) ; 1 Residents Assoc [primarily Marden residents]

**Issue/Question OQ6 – How can the Local Plan Review help support a thriving local economy, including the rural economy?**

Transport infrastructure needs to be able to meet higher demands for new developments and not put too much pressure in rural areas Residents (286) Developers (2) Parish Council (5) ; 2 Residents Assoc [primarily Marden residents]

The local plan review needs to take into account plans for local business development in rural areas Residents (22) Developers (5) County Council (1) Parish Council (5)

Improved connectivity for communities (5G, strengthening masts, WIFI) Residents (13) County Council (1) Councillor (1) Parish Council (9) ; 1 Residents Assoc

Ensure there are enough community facilities to keep up with growth and in close proximity without the need to use a car (e.g. things to do, sports, shops, GP) (20 residents; 3 expert agencies; 3 parish councils)

**Issue/Question OQ7 – How can the Local Plan Review ensure we have an environmentally attractive and sustainable borough that takes a pro-active approach to climate change?**

Protect farmland and green spaces to help cope with heavy pollution levels Residents (256) Parish Council (1) ; 1 Residents Assoc [Marden]

To incorporate renewables into new developments and phase out fossil fuels to make Maidstone environmentally attractive Residents (29) Developer (2) County Council (1) Expert agency (5) Maidstone BC (1) Councillor (1) Parish Council (9) ; 1 Residents Assoc

Open space and tree planting need to take place to reduce carbon and flooding in existing and new developments (tree preservation orders). Residents (28) Developers (4) Expert agency (5) Councillor (1) County Council (1) Parish Council (5) ; 1 Residents Assoc

Wildlife audit of the whole borough Residents (180) [Marden]

Ensure the most environmentally sensitive areas of the borough are protected (AONB, Greenbelt, Landscapes of Local Value Residents (180) Developers (2) Parish Council (1) [Marden]

Brownfield sites should be prioritised over greenfield sites for new development (countryside should be protected (16 residents; 2 parish councils)

New developments should not be used to extend or grow villages (95 residents) [primarily Marden residents]

Have regard to the Maidstone AQMA by not developing in areas and sending further traffic into the centre from a large development (250 residents; 1 expert agency; 1 parish council) ; 1 Residents Assoc [primarily Marden residents]

Create awareness on how to live sustainably (18 residents; 2 developers; 1 MBC councillor)

**Issue/Question OQ8 – Are there any other themes, issues and considerations that you believe we should address as part of this Local Plan Review**

[The responses to this question duplicated other points]. The most popular response was 'Local objections into development need to be taken into account' (9 residents) [primarily Marden residents]

**Issue/Question TQ1 – What do you think should be the end date for the Local Plan Review? Why?**

The end date should be as soon as possible due to the policies in the current Local Plan (20 residents; 1 expert agency; 1 MBC councillor)

The end date should not be a set date as it takes time to make decisions (12 residents; 2 developers; 1 expert agency; 3 parish councils)

**Issue/Question TQ2 – Have we identified the correct cross boundary issues?**

Local councils should collaborate when building new developments (21 residents; 7 developers; 7 expert agencies; 1 MBC councillor; 5 adjoining councils; 1 parish council; 1 county council; 1 Residents Assoc)

**Issue/Question TQ3 - How do you think the council can achieve a consistent annual rate of housebuilding throughout the Local Plan Review Period?**

Providing smaller sites would improve the delivery rate as they do not take as long to deliver and easier to integrate into villages and towns than large developments Residents (276) Developers (13) Expert agency (1) Parish Council (2) County Council (1) (Marden)

By using brownfield and unoccupied sites Residents (15) Developers (3) Agent (1) County Council (1) Parish Council (2)

New housing development should be evenly spread across the borough Residents (13) Developers (7) Expert agency (1) Councillor ( ) Parish Council (2)

There needs to be a mixture of different types of sites to meet the housing target Residents (5) Developers (22) Expert agency (3) Parish Council (3) County Council (1)

Planning policies should continue to support windfall development by giving weight to the benefits of using suitable sites within existing settlements. Residents (1) Developers (10)

MBC will only achieve a consistent rate of housebuilding if the target is set lower (13 residents; 2 developers; 1 expert agency; 2 parish council)

Liaise with housebuilders and developers to know the likely rates of building on each site and when the site will be available (13 residents; 16 developers; 2 expert agencies; 1 county council; 2 parish councils)

Large extensions or new extensions are too difficult to deliver (174 residents) [Marden]

**Issue/Question TQ4 – Have we identified all the possible types of housing sites?**

Allocated but undeveloped employment sites should provide for a mix of uses Residents (270); Parish Council (3)

All brownfield sites should be developed before greenfield sites are considered Resident (13) Developers (1)

All types of housing sites have been identified Resident (14) Developers (6) Councillor (1) Parish Council (4) ; 1 Residents Assoc

Local needs housing should be incorporated into all new developments Resident (13) Developers (3) Parish Council (1) County Council (1) ; 1 Residents Assoc

**Issue/Question TQ5 – What approaches could we use to identify more small sites suitable for allocation in the Local Plan Review?**

Small sites should be allocated as part of the plan making process Residents (204) Developers (17) expert agency (2) Parish Council (1) County Council (1)

Liaise and use parish councils knowledge Residents (6); Parish Council (9)

Dynamic approach to land that has long been allocated for employment uses which has not come forward for that use Residents (197) Parish Council (1) ; 1 Residents Assoc

Promote a general plan policy which promotes the delivery of sustainable and deliverable whiteland within settlements Residents (231) ; 1 Residents Assoc

**Issue/Question TQ6 – What approaches could we use to increase the number of new homes being built on brownfield sites and to make brownfield development more viable and attractive to developers?**

Building on brownfield sites/disused offices should be mandatory before greenfield sites are considered or put in the local plan Resident (25) Developers (3) Expert Agency (2) Parish Council (3)

Building on brownfield land needs to be made more profitable than greenfield (greater s106/CIL contributions for greenfield)/ Infrastructure needs to be provided to allow for development on brownfield land Residents (27) Developers (4) Expert Agency (1) County Council (1) Parish Council (12) ; 1 Residents Assoc

The planning process should be simpler than it is at present and provide greater flexibility Residents (83) Developers (1) Expert Agency (1)

There should be a more dynamic approach to land that has long been allocated for employment uses and which has not come forward for that use Resident (236) Developers (4) Expert Agency (1) Councillor (1) County Council (1) ; 1 Residents Assoc

**Issue/Question TQ7 – What factors should we take into account when considering minimum density standards elsewhere in the borough, beyond the town centre?**

Density should follow the pattern of the existing developments in the area Residents (47) Developers (14) Expert agency (7) County Council (1) Councillor (1) Parish Council (7)

Ensure new developments are located near public transport with easy access to Maidstone town centre and rural service centres Residents (5) Expert agency (1) Parish Council (6)

There should be higher density housing in the town centre to promote sustainable growth Residents (4) Developers (14) Expert agency (1) County Council (1)

**Issue/Question TQ8 – have we identified all the possible types of employment site?**

Mixed use sites should only be allowed if the jobs are given to those in that new community Residents (247) Parish Council (1) ; 1 Residents Assoc [Marden]

## Appendix 1

Many employment sites provide low or unskilled work which will not be attractive to new communities Resident (163)

Recognition of the borough's location, close to London, it is likely that new residential communities will commute out of the borough Residents (220) expert agencies (1) parish councils (3) ; 1 Residents Assoc

### **Issue/Question TQ9 – What approaches could we use to identify sites in and at the edge of the town centre for future shopping and leisure needs?**

There should be changes to the settlement hierarchy to take into account the number and change in services in the area Residents (274) Developers (5) Expert agency (1) Parish Council (4) Petition (1) [primarily Marden residents]

The settlement hierarchy outlined within the draft Local Plan is the most sustainable for growth and shouldn't change Resident (6) Developers (14) Expert agency (3) Parish Council (3) Councillor (1)

Development opportunities still exist in Rural Service Centres and larger villages Resident (10) Developers (2) Expert agency (1) County Council (1)

The current settlement hierarchy should change Resident (16) Developers (14) Expert agency (1) Councillor (1) Parish Council (8)

### **Issue/Question TQ10 – Do you think there should be changes to the current settlement hierarchy? If yes what evidence do you have for your answer?**

There should be changes to the settlement hierarchy to take into account the number and change in services in the area Residents (274) Developers (5) Expert agency (1) Parish Council (4) Petition (1) ; 1 Residents Assoc

The current settlement hierarchy should change Resident (16) Developers (14) Expert agency (1) MBC Councillor (1) Parish Council (8)

The settlement hierarchy outlined with the draft Local Plan is the most sustainable for growth and shouldn't change Residents (6); developers (14) expert agency (3) parish council (3) MBC councillor (1) ; 1 Residents Assoc

### **Issue/Question TQ11 – What is your preferred option for future patterns of growth (A, B, Bi or C) and why?**

A – Maidstone focus

B – dispersal

Bi – dispersal plus more villages

C – focus on garden communities

**(A) Maidstone Focus** Residents (30) Developers (6) Expert agency (4) Councillor ( ) Parish Council (8) ; 1 Residents Assoc

- Better public transport in urban area (15)
- Use brownfield sites (8)
- People can live near to where they work (4)

## Appendix 1

- The town centre needs to be regenerated to reduce the number of empty shops (8)

**(B) Dispersal and Bi** Residents (19) Developers (22) Expert agency (3) Councillor (1) Parish Council (1)

- There has been too much of a focus on Maidstone Town Centre (10)
- Settlements provide the foundation through their infrastructure that can be developed (5)
- Growth should be spread evenly across a range of villages and towns (5)
- Further development opportunities still exist in Rural Service Centres and larger Villages (11)

**(C) Focus on Planned new settlements and major extensions to existing settlements (garden suburbs)** Residents (6) Developers (1) Expert agency (2) Councillor (2) Parish Council (3) County Council (1)

- Develop new villages instead of ruining current villages (2)
- This guarantees the necessary infrastructure is provided (4)
- Right location with existing access to roads, rail links and broadband (2)

**A combination of A and B** Residents (265) Developers (1) Expert agency (1) Parish Council (2) ; 1 Residents Assoc

**A combination of A and C** Residents (2) Parish Council (1)

**A combination of B and C** Residents (1) Councillor (1)

**A combination of A, B & C** Residents (1) Developers (6) Expert agency (3) Councillor (2) Parish Council (0)

**Issue/Question TQ12 – For your preferred option, what infrastructure would you want to see brought forward as a priority?**

Across the board – open space, expansion of facilities (GP, schools etc), renewable/climate change

A/B – particular focus on transport, highways, and parking (in Maidstone town), s106 monies which have ben secured need to be spent on infrastructure ([primarily Marden residents])

B – all infrastructure services should be provided before new developments are built;

**Issue/Question TQ13 – If your favoured option won't achieve the number of new homes needed, at the rate they are needed, what combination of options do you think would be best?**

A. and B - Residents (110) Developers (1) Expert agency (1)

A and C - Residents (3) Parish Council (1)

A, B and C - Residents (6) Developers (12) Expert agency (4) County Council (1) Councillor (2) Parish Council (2)

No other option would be best - Residents (144); developers (1); parish councils (3)

**Issue/Question TQ14 – Have we identified the correct areas of focus for future master planning? What are the reasons for your answer?**

Sustainability should be a priority e.g renewable energy, open spaces etc. Residents (8) Expert agency (3) Parish Council (5) County Council (1) Councillor (2)

New housing needs to fit into the local design and need Residents (265) Developers (1) County Council (1) ; 1 Residents Assoc

All areas of focus for future masterplanning have been identified Residents (3) Developers (7) Expert agency (1) County Council (1) Parish Council (2)

Public consultations are a vital source of information from the public, organisations etc Residents (31) Parish Council (4) ; 1 Residents Assoc

**Issue/Question TQ15 - Should the national space standards be incorporated into the Local Plan Review? What are the reasons for your answer?**

National space standards should be incorporated to ensure effective designs of new homes and improve housing standards in new developments Residents (17) Developers (10) Expert agency (5) Councillor (4) County Council (1) Parish Council (10) ; 1 Residents Assoc

National Space standards should not be incorporated in the Local Plan Review Residents (3) Developers (7) Parish Council (4)

**Issue/Question TQ16 - How can the Local Plan Review best plan for different types of housing which will be needed?**

Need to assess and respond to the needs of local people and understand the mix of housing require Residents (292) Developers (7) Expert Agency (2) County Council (1) Councillor (2) Parish Council (10) ; 2 Residents Assoc

The current affordable housing % do not provide people with flexibility Residents (13) Developers (8) Parish Council (2) Expert Agency (2) Councillor (1)

A dispersed growth strategy - able to allocate sites across the borough to meet evidenced local needs Developers (15) Expert Agency (4) County Council (1) Parish Council (1)

**Issue/Question TQ17 – How can the Local Plan Review best plan for the accommodation needs of Gypsy & Travellers and Travelling Show people?**

There should be permanent sites for Gypsy and Traveller communities designated in the Local Plan Residents (17) Developers (1) County Council (1) Expert Agency (1) Councillor (3) Parish Council (6)

Liaise with gypsy and traveller communities and local residents to understand their needs Residents (13) Parish Councils (1)

**Issue/Question TQ18 – How can the Local Plan Review help ensure that local economic growth benefits everyone?**

By accepting that its job is first to protect and enhance Maidstone town Centre (options A) which should be the focus for new development Residents (266) Parish Council (2)

**Issue/Question TQ19 - How can the Local Plan Review help sustain our town and local centres?**

## Appendix 1

Development needs to occur across a wide range of sustainable locations and become more resilient to climate change impacts/The Local plan should not focus on large developments in one location/ Development directed to areas which opportunities for villages to grow and thrive can be achieved Residents (74) Developers (4) Expert agency (1) MBC Councillor (2) County Council (1) Parish Council (1)

Protect and enhance Maidstone Town Centre which should be focus for new development Residents (225) Developers (2) Expert agency (2) Councillor (2) County Council (1) Parish Council (7) ; 1 Residents Assoc

### **Issue/Question TQ20 How can the Local Plan Review best plan for the new infrastructure that will be needed to support growth?**

Ensure that infrastructure is sustainable (solar farms etc) and adaptable to new and current developments Residents (54), Developers (5), Expert agency (6), Councillor (3), Parish Council (7) ; 2 Residents Assoc

Improvements to rural transport infrastructure (bus service, train stations, cycle routes) before/alongside new developments Residents (15) Developers (2) Parish Council (3) ; 1 Residents Assoc

Ensure road networks are built prior to new developments Residents (38) Developers (1) Expert agency (1) Councillor (2) Parish Council (1) Petition (1)

Liaise with residents, service providers, organisation and councils to understand their viewpoints Residents (246) Developers (4) Expert agency (2) County Council (1) Parish Council (7) ; 1 Residents Assoc

The ability to best plan can only genuinely be determined once the spatial direction of travel has been determined Residents (173) ; 1 Residents Assoc

### **Issue/Question TQ21 - Have we identified all the types of transport measures? Which measures do you think we should priorities?**

Public transport needs to be more environmentally sustainable, cheaper and have a more frequent service Residents (29) Developers (6) Expert agency (1) Councillor (2) Parish Council (5)

The boroughs roads should be a top priority for improvement (pot holes, congestion, noise, pinch points, links to the countryside) Residents (23) Developers (2) Expert agency (4) Councillor (1) Parish Council (9)

Prioritise those appropriate to the chosen spatial option or options. Residents (252) Developers Parish Council (1)

### **Issue/Question TQ22 – How can the Local Plan Review best integrate health and wellbeing into the planning of new development?**

Ensure new developments have access to green, open and natural spaces Residents (25) Developers (2) Expert agency (3) Councillor (2) Parish Council (8) ; 1 Residents Assoc

Developments need to be located in sustainable locations near footpaths/cyclepaths Residents (269) Developers (2) Expert agency (1) ; 1 Residents Assoc

Ensure local infrastructure and community facilities provision matches the needs of the community  
Residents (30) Developers (4) Expert agency (3) Parish Council (9)

**Issue/Question TQ23 – How can the Local Plan Review best manage flood risk whilst still achieving the growth that is needed?**

Ensure that new developments are not built on areas susceptible to flooding (e.g. flood plains  
Residents (44) Developers (8) Expert agency (1) Parish Council (6) Councillor (1)

MBC should work with experts to manage flood risks and mapping those risks Residents (18)  
Developers (4) Expert agency (3) County Council (1) Parish Council (9); 1 Residents Assoc

Sustainable design of new developments Residents (16) Developers (2) Councillor (2) County  
Council (1) Parish Council (2)

**Issue/Question TQ24 – How can the Local Plan Review best plan for the protection and enhancement of the borough’s environmental assets whilst still achieving the growth that is needed?**

Environmentally sensitive areas should be protected and taken into consideration when choosing  
the location of new developments (e.g. nature reserves, AONB, SSIs, LLVs) Residents (121)  
Developers (5) Expert agency (1) Parish Council (7) ; 1 Residents Assoc

Developments need to be located in sustainable areas (good public transport , footpaths/cycle  
paths) Residents (185) Developers (1) Expert agency (1)

The Maidstone Air Quality Management Area needs to be considered to ensure development is  
sustainable Residents (245) Parish Council (1) [primarily Marden residents]

All environmentally sensitive receptors should be mapped and a central record held (SSSI, protected  
species etc) Residents (225) Parish Council (1) [primarily Marden residents]

Ecological reports should be assessed by internal environmental scientists/ecologists Residents  
(195); 1 Residents Assoc

**Issue/Question TQ25 – How can the Local Plan Review best plan for the conservation and enhancement of the borough’s heritage assets whilst still achieving the growth that is needed?**

Developments should be limited around heritage assets and AONB Residents (82) Developers  
(1) County Council (1) Councillor (1) Parish Council (5) ; 1 Residents Assoc

All heritage assets should be assessed to see any potential damage that development may have  
Residents (12) Parish Council (6)

All heritage assets and their condition should be listed and mapped Residents (260) Councillor  
(1) Parish Council (1) ; 1 Residents Assoc

**Issue/Question TQ26 – How can the Local Plan Review best plan for the protection and enhancement of the boroughs biodiversity whilst still achieving the growth that is needed?**

Broaden to not only statutory protected species but those recognised by RSPB as endangered  
species Residents (159) Parish Council (1) ; 1 Residents Assoc

Discussions between MBC, developers, local communities and key stakeholders are important  
Residents (265) Developers (1) County Council (1) Parish Council (2)

**Issue/Question TQ27 – How can the Local Plan Review best plan for an overall improvement in air quality in the Maidstone Air Quality Management Area, and manage air quality elsewhere, whilst still achieving the growth that is needed?**

Minimise vehicular transport requirements and maximise access to public transport in both urban and rural areas Residents (131) Developers (1) Expert agency (5) Councillor (1) Parish Council (2)

Investment in public transport to provide cheap and regular services and improve traffic flow and air quality Residents (133) Developers (4) Expert agency (3) County Council (1) Parish Council (4)

Improve sustainable transport across the borough Resident (180) Developers (7) Expert agency (2) Parish Council (1) ; 1 Residents Assoc

Sustainable development (location and density of new development) Resident (208) Expert agency (2) Maidstone BC Councillor (1) Parish Council (1)

MBC needs to take account the climate change emergency and Maidstone AQMA in the approval of any new development which may increase the volume of traffic Residents (236) Parish Council (4) ; 1 Residents Assoc

**Issue/Question TQ28 – How can the Local Plan Review best reduce the generation of carbon emissions and mitigate for the effects of climate change whilst still achieve the growth that is needed?**

Brownfield sites should be built on first Residents (233) Developers (1) Expert agency (1) Councillor

Encourage the use of electric vehicles in both public transport and private car use (green transport) Residents (14) Developers (3) Parish Council (6)

Promote sustainable modes of transport (walking/cycling/public transport) Residents (15) Developers (3) Expert agency (2) Parish Council (9) County Council (1) ; 1 Residents Assoc

Address housing targets I.e. improving air quality and housing growth are incompatible objectives Residents (197) Parish Council (1)

**Issue/Question TQ29 – How can the Local Plan Review best provide for open space in new development?**

Ensure that current/new open spaces are sustainable and protected. These should all be incorporated into new developments Residents (28) Developers (3) Expert agency (1) County Council (1) Councillor (4) Resident Association (1) Parish Council (9)

**Issue/Question TQ30 – What community facilities do you consider are the most important to a successful new development?**

To make sure new developments have resilient infrastructure to deal with population growth, climate change (Parking spaces, connectivity etc) Residents (12) Developers (1) Expert agency (2) Councillor (2) Parish Council (10)

Facilities such as GP, local shops, post office, bank and village halls should be present for any new developments (or a community building) Residents (46) Developers (4) Expert agency (6) County Council (1) Councillor (2) Parish Council (6)

## Appendix 1

Ensure community facilities match the demographics for the area (youth clubs etc) Residents  
(15) Developers (1) Expert agency (1) Petition (1) Parish Council (4)

Engagement with, and adoption by the existing community Residents (16) Developers (2) Expert  
agency (1) Parish Council (4)

**Issue/Question TQ31 – have we identified the extent of potential changes to the adopted Local  
Plan correctly? What alternative or additional ones do you suggest and why?**

A single pattern of growth will not be a sustainable approach to development. A combination needs  
to be used to ensure growth is spread across communities Residents (25)

# Agenda Item 17

## STRATEGIC PLANNING & INFRASTRUCTURE COMMITTEE

10<sup>th</sup> March 2020

### Maidstone Local Plan Review – Progress Update & Next Steps

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

#### Executive Summary

This report provides the Committee with an update on the key workstreams which are in train for the Local Plan Review, including the Call for Sites. It also considers how the next stage for the LPR could be progressed. Finally, Appendix 1 is a letter and attachment from KALC providing propositions for how the council could approach the Local Housing Need figure and overall housing land supply. The Committee Chairman gave a public commitment that KALC would receive a formal response to its letter and this is contained in Appendix 2.

The report is for the Committee's information however it does additionally provide useful background for the Local Development Scheme report which is reported elsewhere on this agenda. It helps to explain and justify the forthcoming milestones in the Local Development Scheme (the Local Plan Review timetable) and in particular explains why a staged approach to the next round of consultation would be beneficial.

#### Purpose of Report

*For information.*

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

1. That the content of this report be noted.

#### Timetable

<b>Meeting</b>	<b>Date</b>
Strategic Planning & Infrastructure Committee	10 <sup>th</sup> March 2020

# Maidstone Local Plan Review – Progress Update & Next Steps

## CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Whilst this report is for information at this stage, the Local Plan Review (LPR), can contribute to all four objectives. The Scoping Themes and Issues consultation document previously agreed by this Committee explains this inter-relationship between the Strategic Plan objectives and the LPR.</p>	Rob Jarman, Head of Planning & Development
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>Similarly, the relationship between these objectives and the LPR is explained in the Scoping, Themes and Issues consultation document.</p>	Rob Jarman, Head of Planning & Development
<b>Risk Management</b>	Covered in the risk section (section 5)	Rob Jarman, Head of Planning & Development
<b>Financial</b>	In addition to core funding for the Strategic Planning team, additional funding has been set aside for the Local Plan Review in the Medium Term Financial Strategy. This includes funding for the specific workstreams described in this report.	Paul Holland, Senior Finance Manager
<b>Staffing</b>	There is a recruitment process underway to recruit to vacant posts in the Strategic Planning team. If these posts cannot be filled, alternative routes will be explored	Rob Jarman, Head of Planning & Development

	to resource the team such as by the use of agency staff and/or deployment of officers from other sections /departments.	
<b>Legal</b>	This report is 'for information' so it does not raise any specific legal implications in itself. More widely, the preparation of the LPR is governed by specific legislation and regulations and informed by national planning policy and guidance. Legal advice on specific matters is obtained from MKLS and/or counsel as the LPR is progressed and this is incorporated.	Cheryl Parks, Mid Kent Legal Services (Planning)
<b>Privacy and Data Protection</b>	This report is 'for information' so it does not raise any specific privacy/data protection issues at this stage.	Policy and Information Team
<b>Equalities</b>	Equalities is a key consideration of the Local Plan review process and will form part of appropriate evidence bases and policies. A separate equalities impact assessment is being undertaken. This is a live document that will be revisited as the review progresses.	Equalities and Corporate Policy Officer
<b>Public Health</b>	The LPR as a whole will have, or has the potential to have, a positive impact on population health and that of individuals.	[Public Health Officer]
<b>Crime and Disorder</b>	The LPR as a whole can potentially have a positive impact on crime and disorder.	Rob Jarman, Head of Planning & Development
<b>Procurement</b>	This report is for information only and does not raise any specific procurement issues at this stage.	[Head of Service & Section 151 Officer]

## 1. INTRODUCTION AND BACKGROUND

1.1 This report is one of three reports on the agenda concerning the Local Plan Review;

1. This report provides information on the wider Local Plan Review process including the work undertaken so far and forthcoming work. This report provides important background for the third report on the Local Development Scheme.
2. An earlier report provides the headline findings from the Scoping Themes & Issues public consultation held last year.
3. The next report is the Local Development Scheme report which provides an updated timetable for the Local Plan Review. Subject to

the Committee's decision, the timetable will be reported on to Full Council for a final decision.

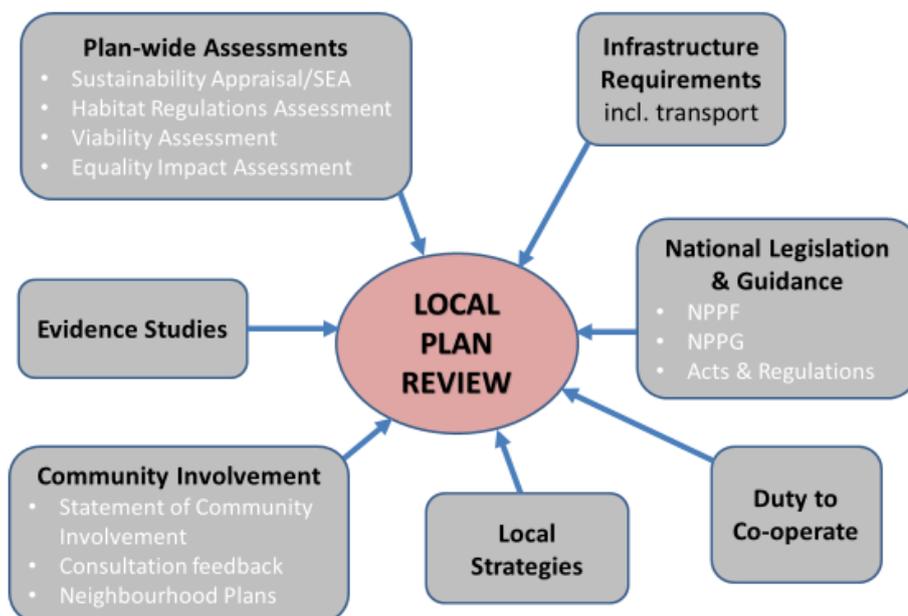
1.2 This report provides a progress report on the Local Plan Review (LPR) covering the following matters;

- An overview of current and future workstreams, including the Call for Sites
- LPR next steps, including the timing of key stages
- Response to the proposals in KALC's letter of 6<sup>th</sup> October 2019

### Current and future workstreams

1.3 There are a variety of inputs which feed into the preparation of the LPR. The adopted Local Plan is the starting point, recognising that we are undertaking a review and update of that plan rather than 'starting from scratch'. Policy LPR1 of the adopted Local Plan provides the initial framework for the review by setting out the range of matters which the Local Plan Inspector considered may need to be addressed. Since the Local Plan was adopted, the Government has revised the National Planning Policy Framework and the associated planning guidance which further affect the approach and content of the LPR. Notable amongst these changes is the introduction of the standard methodology for calculating the local housing need figure which sees a 40% uplift in the annual number of new homes we need to plan for. The report to the July 2018 meeting of the Strategic Planning Sustainability and Transportation Committee signalled the start of the Local Plan Review and the influences on it including the need for 5 yearly reviews as set out in the NPPF. The report also dealt with the merger of the Air Quality DPD into the Local Plan Review.

1.4 The diagram illustrates the range of component inputs to the LPR.



- 1.5 Officers are undertaking work across all these areas and it is worthwhile to highlight some selected workstreams in particular;
- 1.6 **Infrastructure.** Officers have had early discussions with the key infrastructure providers (education, health, transport, open space, utilities, emergency services) to explain the LPR process, our timetable and the information and insight we need from them as the LPR progresses. We are working with them to get a fuller understanding of existing infrastructure capacity, whether and how additional capacity can be created and how this varies when different patterns of development ('spatial options') are considered. This work will feed into the preparation of the updated Infrastructure Delivery Plan which will support the Local Plan Review.
- 1.7 In respect of transport specifically, joint working with KCC is progressing well, supported in particular by an officer seconded from KCC to work on LPR transport matters. There have been positive and pragmatic discussions between MBC, KCC and their consultants to commission transport modelling in a timely way so that first stage results can input into the assessment of different spatial options prior to the next public consultation stage of the LPR.
- 1.8 **Sustainability Appraisal (Strategic Environmental Assessment).** This is an important component used to evaluate the sustainability implications of the emerging plan in a structured and objective way, including of the reasonable alternative approaches which could be followed. The SA Scoping Report has been published which describes the baseline sustainability position of the borough and includes an initial sustainability framework to be used in the future assessment of the plan's proposals. Going forward, the potential approaches will be tested and compared through the Sustainability Appraisal. This assessment will be an important factor when determining which approaches are 'preferred' at the next stage. An interim SA report will be published with the next stage of the LPR (Regulation 18b stage).
- 1.9 **Call for Sites.** There was a good level of response to the Call for Sites which closed in May 2019; some 334 submissions were received.
- Most were for residential; there were also 9 employment sites, 15 mixed use, 9 Gypsy & Traveller sites
  - 9 Garden Settlement-scale proposals in 7 locations (3 are along the Leeds-Langley axis) were also received.
- 1.10 The Call for Sites is a necessary and early step for the LPR. It provides the council with a long list of potential sites in which there is market interest. This knowledge confirms which sites are 'available' for development; without it the council could risk producing a LPR which is ineffective. National planning guidance confirms that undertaking the Call for Sites helps ensure that the identification of development land is done in a transparent manner.
- 1.11 A map of the sites and the submissions were published on the council's website in early November 2019. Details of sites were circulated to parish

councils<sup>1</sup> and ward members beforehand. Officers have invited feedback from parish council and ward members on the sites in their areas.

- 1.12 Sites are being assessed for their suitability, availability and achievability in planning terms. The criteria for assessing the individual sites was agreed by Strategic Planning, Sustainability & Transportation Committee in February 2019. The Garden Community proposals are following an equivalent process although this will be more extended and involved in view of the scale and potential complexity of these large-scale proposals.
- 1.13 It is not sufficient to assess the sites on an individual basis. We need to generate reasonable alternative spatial options involving different patterns of sites and to then compare these to one another objectively. This is the case for non-residential uses such as employment and retail as well as for housing. The starting point for the alternative spatial options is that they should each contain sufficient sites to meet needs.
- 1.14 **Evidence studies – spatial and non-spatial.** There is widespread and understandable interest in the parts of the LPR which deal with the amount and locations of new development. These are the 'spatial' aspects of the plan and include the overall spatial strategy and the individual sites (and broad locations potentially) which will achieve that strategy. The workstreams described above are all ones which feed into these spatial aspects.
- 1.15 There are also highly important matters which are 'non-spatial' in nature such as types of housing needs (e.g. affordable housing, housing for the elderly, Gypsy & Traveller accommodation), employment types (e.g. town centre mix of uses, B class mixes) and some key objectives in which the LPR has a fundamental role (e.g. transport modal shift, protection of the historic environment, climate change). The Development Management policies in the adopted Local Plan are crucial to the day to day decision-making of Planning Committee, officers and appeal Inspectors and these are largely non-spatial. These non-spatial aspects of the LPR require an evidential base and potential approaches must be tested in the same way as for the spatial aspects of the plan. Workstreams which are underway which will contribute to the non-spatial aspects of the LPR include the Strategic Housing Market Assessment, the Economic Development Needs Assessment, the Gypsy & Traveller Accommodation Assessment and topic papers being prepared on such matters as climate change and housing need.

### **LPR next steps and timetable**

- 1.16 The Local Planning Regulations<sup>2</sup> require us to consult on the matters that the plan should have regard to and through the Scoping, Themes & Issues consultation document (Reg 18a) people gave us feedback on the matters the Local Plan Review could or should address. The regulations do not prescribe how many Regulation 18 stage consultations there should be, or their level of detail, before the council publishes its 'pre-submission' plan.

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<sup>1</sup> Marden Parish Council opted out of this stage

<sup>2</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended)

This is the final consultation stage on a full, draft plan which the council considers is sound and ready to be submitted for examination.

1.17 There is value in producing a consultation document between scoping and pre-submission stages. It helps to set out the choices that the council is making, and the reasons for them, as the LPR is evolving. A 'preferred approaches' style document is a highly useful staging point to show what work has been done, what approaches the council is minded to support based on the current available information and what work is yet to be completed. Consulting the public, development industry, parish councils, expert agencies and others at this stage will give the council more feedback before critical decisions are taken on the final content of the plan. It would also help to chart the evolution of the Plan for the Inspector's benefit. A preferred approaches stage would;

- Cover spatial and non-spatial aspects of the LPR
- Set out the council's preferred approaches for the range of emerging policy matters but it would not contain detailed policy wording at this stage.
- Explain the reasons the preferred approaches have been chosen and why other reasonable alternatives have been rejected
- Be supported by a first stage Sustainability Appraisal

1.18 When the Local Development Scheme (the LPR timetable) was agreed in July 2018, it was anticipated that the next stage of public consultation would be in February 2020. Since that decision was taken, a number of factors have changed, namely;

- Substantial response to the Call for Sites requiring more technical work to appraise the submissions fully
- Substantial response to the Scoping, Themes & Issues consultation requiring time to catalogue and analyse the feedback received

Revisions to the NPPF

1.19 Further, some additional time at this juncture will enable the evidence base work to be more advanced to give Members a better foundation for the choices they will be making at the next stage. This will be particularly important if Members want to be more definitive about their preferred ways forward. This could also help to minimise the necessity for a third Regulation 18 consultation ('Regulation 18c'), caused by Regulation 18b being undertaken too early in the evidence-gathering process.

1.20 As explained earlier in the report, the LPR is broad ranging with many workstreams feeding into its evolving content. The time needed to produce a fully worked up 'preferred approaches' document for both spatial and non-spatial aspects would push the publication of the next stage consultation document into 2021. There is a risk that this will be seen as too long a gap from the Scoping, Themes & Issues consultation which closed in September 2019.

1.21 A way to address this concern, and the recommended way forward, is to stagger the Reg18b consultation. We would produce a Part I consultation

document in October 2020 which would have emphasis on future strategies for growth to be followed by Part II in Spring 2021 with emphasis on more detailed topic areas. This approach would enable resources in the Strategic Planning team (and wider Planning service) to prioritise key the key strategies for growth initially. Consulting on these first could help ease some of the public uncertainty associated with the Call for Sites. It may also achieve even better levels of engagement by a) splitting the consultation across two more manageable sized documents in terms of both length and breadth of content and b) providing two consultation opportunities rather than one. We can still have regard to the growth components during the detailed topic areas consultation.

1.22 The prospective timetable is provided in the table below. This is replicated in the Local Development Scheme report elsewhere on this agenda.

<b>Reg18b (part I)</b>	<b>Reg18b (part II)</b>	<b>Reg 19</b>	<b>Examination</b>	<b>Adoption</b>
Oct 20 (growth strategy)	Feb 21 (detailed topic areas)	Dec 21	June/July 22	Oct 22

1.23 In addition, an indicative work programme is provided below in order that Members are aware of the work areas required between now and commencement of the public consultation in October 2020. There are also over arching work streams with sustainability appraisals and the strategic environmental assessment together with transport modelling being of particular note. These will be ongoing at various points throughout this period.

<b>Headline Work Area</b>	<b>Time Period</b>
Complete key elements of evidence base in preparation for creating initial approaches for the distribution of housing, employment, retail and leisure, and potentially Gypsy and Traveller growth	January-March 2020
Create and undertake comparative assessments of 3-5 approaches for distribution of housing, employment, retail and leisure, and potentially Gypsy and Traveller growth including through the production of topic papers and assessment matrices, transport assessment and sustainability appraisals	March-June 2020
Create preferred spatial approaches and Preferred Approaches documents (with supporting documents) using above evidence and involving completion of topic papers and assessment matrices	July-September 2020
Present Preferred Approaches documents (with a focus on approaches for distribution of housing, employment, retail and leisure, and potentially Gypsy and Traveller growth) to Strategic Planning and Infrastructure Committee	October 2020

Prepare and commence a six-week Public Consultation on Preferred Approaches documents (with a focus on approaches for distribution of housing, employment, retail and leisure, and potentially Gypsy and Traveller growth)	October 2020
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**Response to the proposals in KALC’s letter of 6<sup>th</sup> October 2019**

1.24 The Maidstone Area Committee of the Kent Association of Local Councils wrote to the Director of Regeneration & Place on 6<sup>th</sup> October and attached to that letter 12 propositions for the Local Housing Need figure and the housing trajectory. The letter and attachment are included in Appendix 1. The Committee Chair made a public commitment that officers should consider KALC’s propositions and Appendix 2 includes this technical response. Subject to the Committee’s input, the response will be sent to KALC after the committee meeting.

**3. AVAILABLE OPTIONS**

3.1 The Local Development Scheme report considers potential options for the timetable and recommends a 2-stage Regulation 18b consultation.

3.2 Available options for the timetable are as follows;

Option A – approve the LDS with two stage Reg18b.,

Option B – do not undertake a Reg18b and move straight to Reg19 pre-submission plan.

Option C – prepare a comprehensive Reg18b.

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

***Option A***

4.1 The advantages of a two-stage Regulation 18b are;

- Enables earlier consultation on the potential future strategies for growth which are matters which residents etc. are currently most concerned about (compared with Options B or C)
- Enables the focussing of resources on these aspects in the short term, to be followed by more detailed topic areas
- Reduces the time gap since the Scoping, Themes and Issues consultation (compared with Options B or C)
- Potentially beneficial for engagement levels (compared with Options B or C)

4.2 A potential disadvantage is;

- The additional consultation stage resulting from the split approach requires additional resources to plan and manage the consultation itself and the responses generated.

### **Option B**

4.3 A benefit of moving straight to a Regulation 19 pre-submission consultation document is;

- It streamlines the plan-preparation process by reducing the number of public consultation stages (compared with Options A or C)

4.4 Disadvantages are;

- There will be an extended period since the Scoping Themes & Issues consultation which may not be publicly acceptable
- This approach removes the opportunity for the council to set out, justify and publicly test its preferred ways forward before final key decisions on the content of the plan are made. The LPR Inspector will require the council to be able to explain and justify the plan's content and demonstrate how decisions have been made in a transparent way and completing a Regulation 18b consultation has a valuable role in this respect.

4.5 The latter point is considered to be an over-riding reason not to recommend this approach.

### **Option C**

4.6 Advantages of a comprehensive Regulation 18b consultation are;

- Removes the necessity to plan and manage an additional consultation stage (compared with Option A)
- Some topics have cut across both strategy and detailed matters (e.g. supporting economic growth; supporting transport choice) and key linkages will be much easier to convey (compared with Option A).

4.7 Conversely, weighing against this option is the time and resources needed to produce a comprehensive Regulation 18b consultation which will delay consultation into 2021. This being the case, **Option A is recommended** as the best way to resolve the competing demands on the LPR process.

## **5. RISK**

5.1 This report is presented for information only and, of itself, has no risk management implications. It does however provide important background to the Local Development Scheme report elsewhere on this agenda which sets out the timetable for the Local Plan Review.

5.2 In overview, a risk register has been prepared for the Local Plan Review which identifies the key risks to the progression of the LPR, the implications

and severity of the risks and the measures in place to reduce the likelihood of the risk. This register is kept updated.

- 5.3 Important to the achievement of the timetable - and a key risk - will be having sufficient staff with the right skills to complete the outstanding LPR tasks. There is a recruitment process underway to recruit to vacant posts in the Strategic Planning team. If these posts cannot be filled, alternative routes will be explored to resource the team such as by the use of agency staff and/or deployment of officers from other sections /departments.
- 5.4 Funding is another potential risk. Funding has been set aside for the Local Plan Review in the Medium Term Financial Strategy. The MTFFS itself is subject to annual review whilst the expenditure from the Local Plan Review budget is actively monitored by the Strategic Planning manager in collaboration with the Finance team.
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## **6. REPORT APPENDICES**

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

- Appendix 1: KALC letter dated 6<sup>th</sup> October 2019
  - Appendix 2: Technical response
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## **7. BACKGROUND PAPERS**

Maidstone Borough Local Plan (2017)  
Maidstone Local Plan Review - Scoping, Themes & Issues (Regulation 18a)

# KENT ASSOCIATION OF LOCAL COUNCILS

Maidstone Area Committee - Chairman Geraldine Brown  
 Lees Cottage, Lees Road, Yalding, Maidstone, Kent ME18 6HB  
 Telephone: 01622 814222 email: chairman@yaldingparishcouncil.gov.uk

To: Mr William Cornall  
 Director of Regeneration and Place  
 Maidstone Borough Council

6 October 2019

Dear William

## RE: REVIEW OF LOCAL PLAN

Representatives of the Coordinating Team are looking forward to our meeting at 10.00am on Wednesday 9 October meeting at your offices.

1. MBC's stated vision is to provide "a vibrant, prosperous, urban and rural community at the heart of Kent where everyone can realise their potential". That is a worthwhile vision, which is challenged by the stressed infrastructure inherited from previous aggressive development.
2. The thrust of the Local Plan Review in the Regulation 18 consultation is all about facilitating growth. It needs to give equal priority to critical strategic problems experienced by Maidstone's residents, particularly those of inadequate transport infrastructure, congestion and serious air pollution. These exceptional issue should be used to manage the scale and trajectory of growth, if MBC is not seriously to damage the sustainability, environment and economic attraction of our Borough. To stress: the Scoping Themes & Issues document is all about facilitating "growth" and, in essence, is silent about facilitating infrastructure catch-up with what has gone before; sustainability is being challenged.
3. "Housing numbers" is the foundation stone of this Review; a bigger number generates bigger employment needs, places greater pressure on infrastructure, further challenges air quality and complicates our contribution to addressing climate change by having to absorb greater population.
4. We have previously assured you that, for housing numbers, we do respect the fact that MBC has to adhere to the Government's mandated methodology for calculating "need". However, we are convinced there is a way to "manage" the situation.
5. The need for such management is illustrated by the fact that our current Local Plan Trajectory (Attachment 2), if adhered to, would fairly soon move into a period of failure to maintain a Five Years' Housing Supply and would also fail the relatively new Housing Delivery Test.
6. The current Local Plan Review process must be more agile and innovative in terms of assessing need, deriving a (lower) target and then profiling a trajectory so that the above potential failures are overcome and not repeated.
7. Key considerations for this review are therefore to:
  - a. collaborate with other South Eastern Authorities to challenge the Government's housing need assessment methodology, with its inherent bias towards generating even further development in already-stressed areas; its inaccuracies through ignoring commuting workers' wages when assessing affordability; and its failure to acknowledge lower population projections emanating from ONS;
  - b. challenge assessed need, employing all legitimate mechanisms and arguments;
  - c. assess all feasible constraints with a view to deriving a much lower, more-digestible housing target, with traffic congestion and air quality being key considerations;
  - d. rather than constant per annum target, profile that target over future years to:
    - i. reflect the lead-time and ramp-up period of any major site initiatives, without giving in to the temptation to compensate by introducing further, smaller sites during that period;
    - ii. avoid the above potential trajectory failures;
    - iii. generate "breathing space" to allow infrastructure, particularly roads, to catch-up with past aggressive housebuilding; and
    - iv. create future flexibility to adjust to any reduction in ONS projected population growth and/or Government reconsideration of the 300,000 p.a. political target for new homes or its rebalancing across the regions as the Review is developed; and
  - e. somehow, derive a planning approvals structure that:

- i. facilitates management of build-trajectory, rather than allowing another front-loaded, spike trajectory to inflate population growth that would then provide a launching-point for even higher ONS population projections for our Borough when it comes to the next review;
  - ii. allows approval of planning applications to require a phased approach to build-out, with subsequent phases being conditional on meeting performance objectives set for the prior phase; that might recover from developers some of the power over whether our Borough meets Five Years' Housing Supply requirements and the Housing Delivery Test.
8. It is in the interests of our Borough's current residents to have that in-built future flexibility, as:
  - a. if ONS projections and / or the Government's political target increase, the second review of our current Local Plan (perhaps commencing in 2024) would have to respond to the presumed increase in assessed housing need; whereas,
  - b. without such flexibility, scope may be limited to follow downwards any decreased ONS projections or Government target (if only for the South East).
9. The answer is to argue "exceptional circumstances" and to produce a stepped, rather than flat, "development trajectory" that would afford time and opportunity to adjust downwards, if future ONS statistics and Government revised target support such adjustment. We should note that 2018, 2020 and perhaps 2022 ONS updates will become available during the preparation and examination process for this Review. (An illustrative stepped trajectory is given in Attachment 3 – note the gap opened up to allow the situation to evolve, and be adjusted to, before committing some development).
10. At our meeting we would therefore welcome a discussion on:
  - a. while recognising confidentiality after they are made available to Parish Councils on October 4<sup>th</sup>, the outline results of the Call For Sites and their implications;
  - b. the Brownfield Register and what contribution those sites have made to the Call for Sites;
  - c. housing windfall contributions over the last five years and proposed forward projections towards the adopted target;
  - d. feedback on the twelve proposals (see Attachment 1) that we put forward to be applied to managing perceived housing need and shaping the development trajectory, with a view to facilitating infrastructure catch-up and improvements in air quality;
  - e. the exceptional circumstances presented by the current deficit on transport infrastructure and impact on air quality and how MBC will collaborate with other Authorities and KCC to arrive at a cohesive transport infrastructure plan to overcome that deficit for the benefit of residents - and before further major developments;
  - f. other perceived constraints that may be applied to our Borough's assessed need;
  - g. implications for MBC's thinking should the Inspector's examination of the Sevenoaks Local Plan support their stance that circumstances dictate they cannot meet their assessed need – and by some margin – and without assuming that, via Duty to Cooperate, it would merely be bad news for MBC; and
  - h. any evidence of, and participation in, push-back against Government methodology.
11. Should there be time, we would then welcome hearing more about:
  - a. progress with Duty to Cooperate, including proposals for public access to relevant records;
  - b. the methodology for assessing employment needs and, in particular, analysis of the wider economic area and commuting flows, including to London; and
  - c. progress with the assessment of Gypsy & Traveller needs.

We look forward to our meeting.

Yours sincerely

Geraldine Brown

Copy: MBC / Mark Egerton, Strategic Planning Manager  
Coordinating Team:

Kent Association of Local Councils Maidstone Area Members  
Maidstone Joint Parishes Group, John Horne, Chairman  
Campaign to Protect Rural England Maidstone Branch, Gareth Thomas, Chairman  
Bearsted & Thurnham Society, Secretary, Mary Richards

## Review of Local Plan – Housing Numbers & Trajectory

1. Current Government requirements are that a Local Plan must be reviewed at least every five years. That implies that, as successive ONS population statistics are issued, subsequent plan reviews must adjust to the revised trend. (That does assume that the Government's current 300,000 p.a. edict will in due course cease to be a political football, with housing need being adjusted, either way, as population trends evolve).
2. The current Local Plan includes 17,660 new dwellings over the period 2011-2031, at a constant annual requirement of 880 (the green horizontal line in the attached graph).
3. The Government's current drive for 300,000 homes p.a. is accompanied by the definition of an Adjustment Factor (based on house prices and local earnings) to be applied to the per annum average of household growth over a 10 years forward period. Revised statistics are issued each year.
  - a. That Adjustment Factor is volatile, as evidenced by the increase from 1.384 to 1.450 between the 2017 statistics and the 2018. Ignoring the cap (as below), that equates to a requirement for an extra 58 dwellings p.a., which over, say, 15 years is an extra 870 dwellings!
  - b. Government caps the Adjustment Factor at 1.4 at, say, 1236 homes/year for our Borough and that capped figure would operate from five years after the currently adopted Local Plan, arguably from 2023-24.
  - c. Household growth statistics are revised every second year, although the Government has stated that the 2014 statistics should continue to be used to calculate need, with 2016 statistics set aside as they do not give the 300,000 answer that it wants!
  - d. This indicates every reason to be judicious with the timing of the decision on which statistical set to use as a base for the calculation of need and, further, argues for flexibility during the review process, and, indeed, within the final document, to take advantage of any favourable movements in statistics.

**Proposal 1:** statistical base for the Review should be carefully chosen, building in flexibility to amend the statistical set as the Review proceeds and, ideally, to adjust the defined housing need and trajectory as the Review then rolls out over subsequent years.

4. The housing needs figure for the plan period was interpreted as an identical per annum figure throughout the plan period, even back to 2011-12, which clearly put us in breach of historic required delivery even before we knew what the required delivery was!
5. That challenges common sense and has been recognised in mandated Government methodology to the extent that an updated needs-figure does not apply until 5 years after adoption of the Local Plan.
6. That is, Government recognises the relevance of "steps" within a trajectory for house-building.

**Proposal 2:** recognise that the needs-figure within the Review will be a step-function from the initial years of the Local Plan, with a step (in the appropriate direction) five years after adoption of the Local Plan.
7. The attached graph depicts an aggressive, front-loaded build trajectory in the Local Plan.
8. As can be seen, that trajectory has the unfortunate result that, while we currently have a Five Years' Housing Supply, we cease having such in 2023.
9. That trajectory will have since been updated and, with the intention to adopt the Review in 2022, this threat *should* be removed; however, the source of this risk should be understood and addressed.
10. That implies that we need to use all available powers and tactics to manage permissions granted to planning applications. Can we not define a legal mechanism to manage the timetable for granting permissions, with planning conditions on build-rate and penalties for over- or under-building?
11. Are we truly helpless and totally in the hands of developers in terms of when to build and rate of build?

12. Are we factoring in probable windfalls, rather than granting “known sites” fully to fill-out a trajectory?
13. Are we really being creative in our thinking?

**Proposal 3:** aim for a flat trajectory and a combination of planning mechanism and planning conditions to provide flexibility to slow or accelerate build and assure Five Years’ Housing Supply throughout the Review period (or at least until a further Review will inevitably take effect).

14. A front-loaded trajectory has the unfortunate effect that population growth is unnecessarily accelerated, which means that the next ONS population statistics will give rise to an even higher assessed future need; that is, generate a “spike” similar to that experienced in our Borough towards the start of the current Local Plan period and which gave rise to a higher assessed need on which it was then based.

**Proposal 4:** take on board the fact that a front-loaded trajectory will also give rise to an accelerated population growth, when compared with a flat trajectory, and that, in turn, will give rise to a higher assessment of needs.

15. When the needs-figure has been assessed, a target figure requires to be distilled by consideration and application of any constraints.
16. We understand that twenty one potential constraints were apparently assessed during preparation of the Local Plan, but none was found to “bite”.
17. That challenges credibility ..... if there was the wish to make some of them bite.
18. Should expansion of the AONB to the east of Maidstone be sought, southwards to the Greensand Ridge?
19. Should the possibility of establishing (far) more Green Belt in our Borough be examined, particularly around any new elements of relief road contemplated for our Borough? That would demonstrate determination to protect the countryside with as much vigour as enabling development and would be particularly effective in the event of housing growth being concentrated in a new community, where one initiative could be seen as a direct counterbalance to the other. (We note that Tonbridge & Malling have included an additional area of Green Belt in its recently submitted Local Plan).

**Proposal 5:** adopt a can-do attitude towards examining all potential constraints, including AONB and Green Belt expansion, with a view to identification of those for which there is reasonable evidence that they have, or could have, effect.

20. In the early phases of developing the Local Plan there was a refusal to countenance windfalls.
21. After pressure, windfalls were included, even if only at a conservative 1650 over the plan period (or just over 9% of the target).

**Proposal 6:** ensure that windfalls are given their full weight within the Review and for the maximum period of years permitted by PPG.

22. Planning Practice Guidance Paragraph 003, Reference ID: 2a-003-20190220 states:

*Is the use of the standard method for strategic policy making purposes mandatory?*

*No, if it is felt that circumstances warrant an alternative approach but authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances.*

23. While there is risk in going off-piste, has our Borough not got exceptional circumstances derived from the historic and current spikes brought about by un-managed trajectories?
24. Surely at least the current spike, through front-loaded Local Plan trajectory, could be used as an argument to make an adjustment below the needs figure generated by the Government’s standard methodology.

**Proposal 7:** consider taking a degree of risk by adopting a non-standard method for assessing needs that smooths-out the trajectory errors in the Local Plan.

25. Planning Practice Guidance Paragraph 004, Reference ID: 2a-004-20190220 states, at Step 1 (our highlighting):

*Step 1 - Setting the baseline*

*Set the baseline using national household growth projections (2014-based household projections in England, table 406 unitary authorities and districts in England) for the area of the local authority. Using these projections, calculate the projected average annual household growth over a 10 year period (this should be 10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period).*

26. The 2018 projections will be issued towards the end of 2020, in time for this Review.
27. While Government currently mandates that 2014 projections remain the base for applying their standard methodology, that may or may not remain the case throughout the period of Review preparation.

**Proposal 8:** remain agile to the possibility of basing needs on a lower set of ONS household growth projections.

28. Planning Practice Guidance Paragraph 004, Reference ID: 2a-004-20190220 states, at Step 2:

*Step 2 - An adjustment to take account of affordability*

*Then adjust the average annual projected household growth figure (as calculated in step 1) based on the affordability of the area.*

*The most recent median workplace-based affordability ratios, published by the Office for National Statistics at a local authority level, should be used.*

29. The metadata for those ONS statistics state (our highlighting):

*The earnings data are from the Annual Survey of Hours and Earnings which provides a snapshot of earnings at April in each year. Earnings relate to gross full-time individual earnings on a place of work basis.*

30. That means that the assessment of relative affordability across the country uses our local house prices (which are pushed upwards by those commuting-out to work), but the earnings derived from local work i.e. excludes the presumably higher wages received by those commuters.
31. That then feeds into the Government's Adjustment Factor as a higher adjustment for our Borough when compared with what the situation would be if a like-for-like comparison were made i.e. house prices and the wages of those actually living in them, wherever they work.
32. It is estimated that at least 5% of the Borough's workers commute-out to work in London and, as their season tickets must cost circa £5K of after-tax income, say, £7.5K before tax, and, to justify that expense and commuting time, their average wages must be circa £50K p..a., there would be an adjustment of 3% or more to the Affordability Ratio, which would give rise to at least 5% reduction in the Adjustment Factor.
33. For this review, that could amount to circa 400 reduction in the assessed need – not an insignificant reduction.

**Proposal 9:** develop an argument that there should be an adjustment for commuters, particularly those commuting to London.

34. In their recent Local Plan, Guildford successfully argued that their population statistical trend should be adjusted downwards because of their student population.
35. If the Review contemplates the army garrison and / or prison population being migrated away to free-up those sites for development, it would appear reasonable to make such an adjustment for the migration-away of 1,000 – 1,500 persons.

**Proposal 10:** find and utilise any other possible adjustments to the baseline population figures that are projected forward by ONS.

36. Planning Practice Guidance Paragraph 034 Reference ID 3-034-20180913 states (our highlighting):

*When is a stepped trajectory appropriate?*

*A stepped requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and/or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to set out evidence to support using stepped requirement figures, and not seek to unnecessarily delay meeting identified development needs. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.*

37. Our Borough would appear to have every reason to plan for a stepped trajectory, given that Invicta Barracks (at 1,300 dwellings) is already in the Local Plan and that this Review is seeking one or more New Garden Communities (defined by the Government as between 1,500 and 10,000 homes!).
38. Given their scoping and planning lead-times, there should be little argument against assuming they each give rise to separate trajectory steps.
39. However, the issue of ongoing maintenance of Five Years' Housing Supply cannot be ignored, while recognising that this Review will be overtaken by its successor in circa five years.

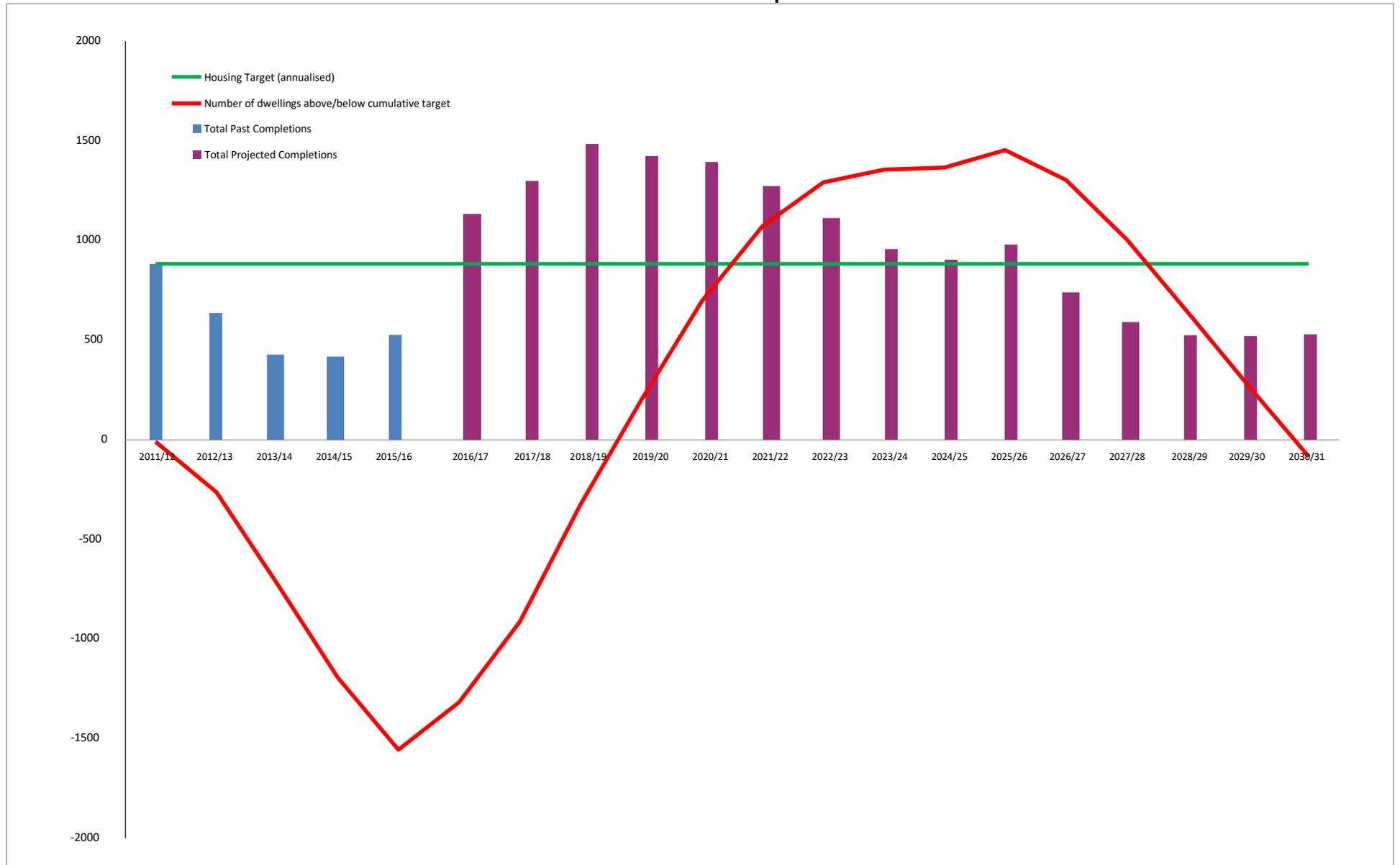
**Proposal 11:** explore all major sites for the possibility of defining a step in the trajectory.

40. ONS population forecasts are re-visited every two years and have proven to be very fluid.
41. If at all possible, it would be prudent to build check-points into the Review that would permit adjustment more frequently than every five years, on the expectation that population trends will flatten further than the reduction shown between 2014 and 2016 statistics.
42. Such flexibility would be enabled by adopting multiple steps within the trajectory, rather than a flat-line, to indicate the life-cycle of major developments.
43. That would enable downward adjustment, should ONS statistical forecasts show reducing population trends and hence housing needs.
44. Any factoring upwards would be caught by current methodology, with housing need adjusted upwards in subsequent years and further sites required to be incorporated over-and-above those in the then-current edition of the Local Plan.
45. Our Borough should explore all legitimate mechanisms to control actual development so that we do not end up with a front-loaded trajectory, which would, again, create a spike and accelerated, projected population growth, as well as threatening Five Years' Housing Supply early in the Review period.
46. Our Borough may come under pressure from other Authorities to accept some of their unmet housing needs.
47. MBC has already strongly re-buffed an initial "hint" from Sevenoaks, but, under Duty to Cooperate, that is unlikely to be the end of the matter, with other Authorities following suit.
48. To the extent that any of those approaches from other Authorities are not successfully resisted, the Proposals would become even more relevant to avoid yet further housing numbers in our already rapidly expanding Borough, with further adverse impact on other aspects of the Review, primarily Infrastructure and Employment.

**Proposal 12:** recognise that flexibility is key within the structure of the Review document, particularly so that we are not locked into an excessive assessment of needs, should reality deliver lower ONS projections.

Source: MBC Local Plan – adopted October 2017

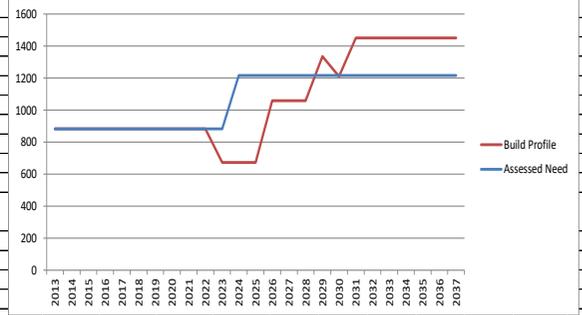
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Stepped Trajectory		Input data																		TOTAL	Error								
April to March	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	TOTAL	Error						
2017 Local Plan: Target	883	p.a.																											
Housing Delivery Test Calculation - Local Plan		equals total net homes delivered over 3 years period divided by total number of homes																											
Local Plan Trajectory (approx) (red are actual numbers from MBC Housing Land Supply Update 1 April 2019, page6)	810	585	400	390	521	1145	1286	1137	1475	1465	1310	850	1050	890	700	725	740	685	550	575	17289	371	2.15%						
Scale to adjust for error - Assumed Trajectory	827	598	409	398	532	1170	1314	1161	1507	1496	1338	868	1073	909	715	741	756	700	562	587	17660								
Required homes, Local Plan		883	883	883	883	883	883	883	883	883	883	883	883	883	883	883	883	883	883	883	883								
Housing Delivery Test					53.0%	50.6%	79.3%	113.8%	137.6%	150.3%	157.2%	163.9%	139.8%	123.8%	107.6%	101.8%	89.3%	83.5%	82.9%	76.2%	69.8%								
					Problem	Problem	Problem										Problem	Problem	Problem	Problem	Problem								
Contributing to a spike in homes / population									Spike	Spike	Spike	Spike																	
Five Years' Housing Supply - Local Plan																													
Delivery Target for period to-date									7064	7947	8830	9713	10596	11479	12362	13245	14128	15011	15894	16777	17660								
Completed dwellings - Assumed Trajectory									6409	7915	9412	10750	11618	12691	13600	14315	15055	15811	16511	17073	17660								
Shortfall									655	32	-582	-1037	-1022	-1212	-1238	-1070													
Annual delivery of shortfall (Maidstone Hybrid)									94	5	-83	-148	-146	-173	-177	-153													
Five Year delivery target									4415	4415	4415	4415	4415	4415	4415	4415													
Plus shortfall over 5 years									468	23	-416	-741	-730	-865	-884	-764													
5% buffer									244	222	200	184	184	177	177	183													
Five-year housing land target									5127	4660	4199	3858	3869	3727	3707	3833													
Five-year land supply - Assumed Trajectory									6282	5684	4903	4305	4193	3820	3473	3345													
Surplus									1155	1025	704	447	324	93	-235	-488													
No.of years worth of housing land									6.1	6.1	5.8	5.6	5.4	5.1	4.7	4.4													
																	Problem	Problem											
First Review of Local Plan																													
Projected average annual household growth, 2019-2028	868	p.a. - see ONS Stats 2014																											
Adjustment Factor - uncapped	1.45	see ONS Stats 2014																											
Adjustment Factor - capped	1.40	Government limit																											
Therefore Adjustment Factor to apply	1.40																												
Therefore adjusted annual "need"	1215	p.a.																											
End of original Local Plan	March	2031																											
Start of revised period	April	2023																											
End of revised period	March	2037																											
		that is, current build-out continues until Revised Local Plan adopted																											
Example Major Sites		Garden Village	Garden Village	Invicta Barracks	Prison																								
		Site 1	Site 2	Site 3	Site 4																								
Total site capacity (homes)		5000	2500	1300	500																								
Roll-out period (years)		10	9	5	4																								
Start year (April onwards)		2030	2028	2025	2025																								
	April to March	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	TOTALS
Site 1			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	500	500	500	500	500	500	500	3500	OK
Site 2			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	278	278	278	278	278	278	278	278	2500	OK
Site 3			0	0	0	0	0	0	0	0	0	0	0	0	0	260	260	260	260	260	0	0	0	0	0	0	0	1300	OK
Site 4			0	0	0	0	0	0	0	0	0	0	0	0	0	125	125	125	125	125	0	0	0	0	0	0	0	500	OK
TOTAL from these sites			0	0	0	0	0	0	0	0	0	0	0	0	0	385	385	385	385	385	663	538	778	778	778	778	778	7800	
Housing Need - revised			883	883	883	883	883	883	883	883	883	883	883	1215	1215	1215	1215	1215	1215	1215	1215	1215	1215	1215	1215	1215	1215	26726	
Annual Residual Requirement after excluding Major Sites			883	883	883	883	883	883	883	883	883	883	883	1215	1215	830	830	830	552	677	437	437	437	437	437	437	437	18926	
Annual Residual Requirement after start of revised period			0	0	0	0	0	0	0	0	0	0	883	1215	1215	830	830	830	552	677	437	437	437	437	437	437	10096		
Average residual requirement p.a. after start of revised period		673																											
Revised build-out including Major Sites			883	883	883	883	883	883	883	883	883	883	673	673	673	1058	1058	1058	1336	1211	1451	1451	1451	1451	1451	1451	1451	26726	

NPPG (Paragraph: 003 Reference ID: 2a-003-20190220) states that "(an alternative to the standard methodology can be used) if it is felt that circumstances warrant an alternative approach but authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances".

Major sites distort build-out, therefore propose a stepped-profile.



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## KALC Response

**Proposal 1:** statistical base for the Review should be carefully chosen, building in flexibility to amend the statistical set as the Review proceeds and, ideally, to adjust the defined housing need and trajectory as the Review then rolls out over subsequent years.

*Response: As KALC identify, the statistical inputs to the Government's standard methodology will be updated; new household projections are generally issued every two years and the affordability ratio is updated annually. The 'local housing need' figure for the borough may change before the LPR is submitted which may affect the amount of housing land needed and the LPR's approach may need to be adjusted accordingly. If the Government retains its 40% cap, the working figure of 1,236 dwellings/year should be at the upper end of what may be required.*

**Proposal 2:** recognise that the needs-figure within the Review will be a step-function from the initial years of the Local Plan, with a step (in the appropriate direction) five years after adoption of the Local Plan.

*Response: Agreed. MBC is able to anticipate and plan for the forthcoming uplift in the annual housing requirement through the LPR. This is a much better position than for the MBLP when the council had to respond to a retrospectively-applied higher housing target.*

**Proposal 3:** aim for a flat trajectory and a combination of planning mechanism and planning conditions to provide flexibility to slow or accelerate build and assure Five Years' Housing Supply throughout the Review period (or at least until a further Review will inevitably take effect).

*Response: KALC would like MBC to be able to manage planning permissions through conditions or other measures by specifying, for example, build rates or the timing of commencement. In fact this is not a power that the Government has awarded to local planning authorities such as MBC. Indeed the Government's philosophy, which it has expressed through the NPPF since 2012, is that the market is best placed to manage supply in response to demand.*

**Proposal 4:** take on board the fact that a front-loaded trajectory will also give rise to an accelerated population growth, when compared with a flat trajectory, and that, in turn, will give rise to a higher assessment of needs.

*Response: The year on year variances in the Local Plan housing trajectory reflect 2 main facts; a) that there is a development cycle and rates of housebuilding are affected by a range of external factors of which the planning system is only one; and b) the under-delivery of housing in the early years of the plan period (2012/13 – 2015/16) has only been over-come by above-target housing completions in years 2016/17 -2019/20. The rate of housebuilding will not be consistent year on year and indeed cannot be managed (by the planning system) to be so. Arguments about a 'spike' in housebuilding were explored at the last Local Plan Examination but were not supported by the Inspector.*

**Proposal 5:** adopt a can-do attitude towards examining all potential constraints, including AONB and Green Belt expansion, with a view to identification of those for which there is reasonable evidence that they have, or could have, effect.

*Response: The NPPF is clear that the starting point is that 'plans should positively seek opportunities to meet the development needs of their area'. A local planning authority which approaches its plan-making with the intention of finding ways not to meet its needs would fall foul of the 'positively prepared' test of soundness.*

**Proposal 6:** ensure that windfalls are given their full weight within the Review and for the maximum period of years permitted by PPG.

*Response: A windfall allowance is included in the housing land supply. The level of that allowance will follow the guidance in the NPPG.*

**Proposal 7:** consider taking a degree of risk by adopting a non-standard method for assessing needs that smooths-out the trajectory errors in the Local Plan.

*Response: The Government's clear expectation is that the standard methodology will be used. Seeking out an alternative approach when there is no prima facie evidence that local circumstances are exceptional would be an unwarranted risk to the plan.*

**Proposal 8:** remain agile to the possibility of basing needs on a lower set of ONS household growth projections.

*Response: as for Proposal 1*

**Proposal 9:** develop an argument that there should be an adjustment for commuters, particularly those commuting to London.

*Response: It is implicit in the Government's approach that it wants the supply of housing to increase so that prices will fall (or at least stabilise) and so, in turn, housing becomes more affordable for local people. The standard methodology's use of local incomes exactly reflects this philosophy. Maidstone's commuting pattern is shared with all the authorities which surround London and indeed with those which surround other major cities. In these circumstances, a Maidstone-specific commuting adjustment would bring unjustified risk to the LPR's soundness.*

**Proposal 10:** find and utilise any other possible adjustments to the baseline population figures that are projected forward by ONS.

*Response: changes to the base population will be reflected in future issues of the population and household projections.*

**Proposal 11:** explore all major sites for the possibility of defining a step in the trajectory.

*Response: Agree that the NPPG allows for a stepped trajectory provided there is evidence to justify it and it does not defer needs being met. The trajectory should flow from the identification and testing of different spatial options ('the reasonable alternatives'). Only this way can the approach be fully justified. KALC's proposal infers the alternative i.e. that a decision to have a stepped trajectory drives the selection of sites.*

**Proposal 12:** recognise that flexibility is key within the structure of the Review document, particularly so that we are not locked into an excessive assessment of needs, should reality deliver lower ONS projections.

*Response: The Government has now introduced 5 yearly reviews of Local Plans. In effect this means that most Local Plans will be at some point in the review cycle. At each review, additional years are added to the plan period meaning that there will additional homes to plan for, albeit that the rate of growth may reduce.*

## Strategic Planning and Infrastructure Committee

**10<sup>th</sup> March 2020**

### Local Development Scheme

<b>Final Decision-Maker</b>	Strategic Planning and Infrastructure Committee
<b>Lead Head of Service</b>	Rob Jarman, Head of Planning and Development
<b>Lead Officer and Report Author</b>	Anna Ironmonger, Planning Officer – Strategic Planning
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### **Executive Summary**

The Local Development Scheme 2018-2022 was approved in July 2018 and outlined the delivery timetable for the Local Plan Review. Since this previous iteration was approved there have been changes to the delivery timetable. Hence, the Local Development Scheme has been updated and a new Local Development Scheme 2020 – 2022 (Appendix 1) has been produced. This report sets out the key milestones leading to adoption of the Local Plan Review.

#### **Purpose of Report**

Decision

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

1. That this committee resolve to recommend to Council that the Local Development Scheme 2020 – 2022 be approved to come into effect on the 8<sup>th</sup> April 2020.

#### **Timetable**

<b>Meeting</b>	<b>Date</b>
Strategic Planning and Infrastructure	10 <sup>th</sup> March 2020
Council	8 <sup>th</sup> April 2020

# Local Development Scheme

## CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims as set out in section 3.	[Head of Service or Manager]
<b>Cross Cutting Objectives</b>	The report recommendation(s) supports the achievement(s) of all four cross cutting objectives as the Local Plan Review has consideration for the cross-cutting objectives.	[Head of Service or Manager]
<b>Risk Management</b>	Already covered in the risk section	[Head of Service or Manager]
<b>Financial</b>	In addition to core funding for the Strategic Planning team, additional funding has been set aside for the Local Plan Review in the Medium Term Financial Strategy.	Paul Holland, Senior Finance Manager
<b>Staffing</b>	The Council is currently engaged in a recruitment process for key posts relating to the Local Plan Review. Should this prove unsuccessful, it may be necessary to seek secondments from within the Council or to recruit temporary support pending a further recruitment process.	[Head of Service]
<b>Legal</b>	Accepting the recommendations will fulfil the Council's duties under the Planning and Compulsory Purchase Act 2004 (as amended).	Cheryl Parks, Mid Kent Legal Services (Planning)
<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 our retention schedules.	Policy and Information Team
<b>Equalities</b>	Equalities is a key consideration of the Local Plan review process and will form part of appropriate evidence bases and policies.	Equalities and Corporate Policy Officer
<b>Public Health</b>	We recognise that the recommendations will have a positive impact on population health or that of individuals.	[Public Health Officer]

<b>Crime and Disorder</b>	There are no implications for Crime and Disorder.	[Head of Service or Manager]
<b>Procurement</b>	There are no procurement requirements	[Head of Service & Section 151 Officer]

## 1. INTRODUCTION AND BACKGROUND

- 1.1 The Maidstone Borough Local Plan includes a commitment to review the plan by April 2021 (Policy LPR1). Under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) the Council must prepare and maintain a Local Development Scheme (LDS). The LDS must outline what development plan documents the Council will produce, which will then form part of the development plan. A LDS must also provide a timetable for when those development plan documents (local plans) will be produced.
- 1.2 The Local Development Scheme 2018-2022 was approved in July 2018 and outlined the delivery timetable for the Local Plan Review up to adoption. Since the Local Development Scheme 2018-2022 came into effect in 2018, the Council has undertaken a Call for Sites between March and May 2019, in which over 300 submissions were received. The Local Plan Review Scoping, Themes and Issues document was subject to consultation (Regulation 18a) between July and September 2019 and this is reported elsewhere on this agenda.
- 1.3 The number of Call for Sites submissions, and the significance of the matters raised during the Regulation 18a consultation, combined with changes in National Guidance and the need for a robust preferred approach at Regulation 18b stage (preferred approaches) which will be based on as much evidence as possible at the time, mean it is now necessary to seek approval to a revised timetable for the LPR. The LDS (Appendix 1) outlines the updated delivery programme. Key stages are outlined in the table below. The preferred approach stage will be split into two, the first focussing on future strategies for growth and the second on detailed topic areas.

<b>Preferred approaches consultation (Regulation 18b) (with emphasis on future strategies for growth)</b>	<b>Preferred approaches consultation (Regulation 18b) with emphasis on detailed topic areas</b>	<b>Draft DPD Consultation (Regulation 19)</b>	<b>Examination</b>	<b>Adoption</b>
October 2020	February 2021	December 2021	June/July 2022	October 2022

- 1.4 An indicative work programme is provided below in order that Members are aware of the work areas required between now and commencement of the first preferred approaches public consultation in October 2020.

Headline Work Area	Time Period
Complete key elements of evidence base in preparation for creating initial approaches for the distribution of housing, employment, retail and leisure, and potentially Gypsy and Traveller growth	January-March 2020
Create and undertake comparative assessments of 3-5 approaches for distribution of housing, employment, retail and leisure, and potentially Gypsy and Traveller growth	March-June 2020
Create preferred spatial approaches and Preferred Approaches documents (with supporting documents)	July-September 2020
Present Preferred Approaches documents (with a focus on approaches for distribution of housing, employment, retail and leisure, and potentially Gypsy and Traveller growth) to Strategic Planning and Infrastructure Committee	October 2020
Prepare and commence a six-week Public Consultation on the above Preferred Approaches documents	October 2020

- 1.5 The LDS is part of the 'Local Development Framework'. As outlined in the constitution, amendments to the component parts of the local development framework is a matter for Council. Therefore, the report recommends that this Committee recommends that Council adopt the LDS 2020 to 2022.

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## 2. AVAILABLE OPTIONS

- 2.1 Option A: The Local Development Scheme is recommended to be adopted. The LDS outlines the timetable for delivering the Local Plan Review (LPR). The LPR has consideration for the Strategic Plan priorities and cross-cutting objectives. To not adopt the LDS will be contrary to the Planning and Compulsory Purchase Act 2004 (as amended) which requires the Council to prepare and maintain the LDS. When the Local Plan Review is examined in due course it must be in accordance with an up to date LDS.
- 2.2 Option B: The Local Development Scheme is not recommended to be adopted. This will be contrary to the Planning and Compulsory Purchase Act 2004 (as amended) and will not be up to date for the purposes of the examination of the Local Plan Review.
- 2.3 Option C: To require revisions to the Local Development Scheme prior to proceeding to Full Council. This option allows the Committee to make amendments

to the timetable for the Local Plan Review where necessary.

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

3.1 The preferred option is Option A for the reasons outlined in 3.1

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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 (paragraph 3.1). 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 N/A

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

6.1 Following a Council decision to adopt the Local Development Scheme 2020 – 2022 it will be available to view on the website.

6.2 LDS key milestones will be reviewed as part of the Authority Monitoring Report which is published every year.

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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: Local Development Scheme 2020 - 2022
-

**LOCAL DEVELOPMENT SCHEME 2020-2022**

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

**This Local Development Scheme came into effect on 8<sup>th</sup> April 2020 and replaces all previous  
versions of the Scheme**

**All enquiries should be addressed to:**

**Strategic Planning**

**Maidstone Borough Council**

**Maidstone House**

**King Street**

**Maidstone**

**Kent**

**ME15 6JQ**

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Local Development Scheme 2020-2022

Monitoring and Review

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Maidstone Borough Local Plan Review

4. Glossary of Terms

## **1. Introduction to the Local Development Scheme**

### **What is the Local Development Scheme?**

1.1 The government requires local planning authorities to prepare a **Local Development Scheme** (LDS). The LDS is a project plan and this version covers the period 2020-2022. The purpose of a LDS includes setting out the timetable for the delivery of Council produced planning policy documents. These are often referred to as Development Plan Documents or Local Plans. The Council intends to produce a review of the Maidstone Borough Local Plan (October 2017). 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.

1.2 The previous iteration of the LDS was approved by Full Council in July 2018 and contained a timetable for the delivery of the LPR for the period 2018-2022. There have been changes to the LPR timetable and this LDS covers the period 2020-2022 and supersedes the LDS 2018-2022. This LDS contains a timetable for the delivery of the LPR to inform local people and stakeholders of the key milestones in its production.

1.3 This LDS was approved by Full Council on 8<sup>th</sup> April 2020 and came into effect on the same day.

### **The Development Plan**

1.4 **Development Plans** are an important part of the English planning system and are needed to guide the local decision making process for land uses and development proposals. At 8<sup>th</sup> April 2020, the Development Plan for Maidstone borough comprises:

- Maidstone Borough Local Plan 2011-2031 and associated Proposals Map (October 2017)
- North Loose Neighbourhood Development Plan 2015-2031 (April 2016)
- Staplehurst Neighbourhood Development Plan 2016-2031 (December 2016)
- Loose Neighbourhood Development Plan 2018-2031 (September 2019)
- Kent Minerals and Waste Local Plan 2013-2030 (July 2016)

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

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

1.7 **Neighbourhood Development Plans** are prepared by Parish Councils or Neighbourhood Forums, and the plans are subject to consultation, independent examination and referendum. The plans

must be in general conformity with the strategic policies of the adopted local plan, and should have regard to any emerging Local Plan. A neighbourhood area has to be designated for a Neighbourhood Development Plan to be produced. In total, 15 Parish Councils and 1 Neighbourhood Forum have designated Neighbourhood Areas. To date, three Neighbourhood Development Plans have been made and a number of Neighbourhood Development Plans are at various stages of preparation.

1.8 **The Kent Minerals and Waste Local Plan** was produced by Kent County Council and covers the whole county. The Plan was adopted in July 2016 and describes:

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

### **Planning Documents**

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

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

### **Maidstone Community Infrastructure Levy**

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

1.11 The Charging Schedule sets out the charging rates for development in Maidstone Borough, including the types of development that are required to pay the Levy and where the proposed rates will apply. The CIL Charging Schedule was developed alongside the Maidstone Borough Local Plan, and the evidence base for infrastructure, planning, affordable housing requirements and development viability supported both the Maidstone CIL and Maidstone Borough Local Plan.

1.12 The infrastructure schemes and/or types of infrastructure to be funded by Maidstone CIL are set out in a Regulation 123 List. By 31 December 2020, the Council will publish an Infrastructure

Funding Statement on the website which will replace the current Regulation 123 List. In addition, Section 106 planning agreements, which are negotiated with developers to secure infrastructure funding, will continue to play a significant role in securing site related infrastructure.

**2. The Local Development Scheme**

**Review of the Local Development Scheme 2018-2022**

2.1 Since the Local Development Scheme 2018-2022 came into effect in 2018, the Council has reviewed the timetable for the Local Plan Review, having regard to work to date, as well as submissions to the call for sites exercise and representations to the Regulation 18a (Scoping, Themes and Issues) consultation.

2.2 A revised timetable for the implementation of the Maidstone Borough Local Plan review follows.

**Local Development Scheme 2020-2022**

	2020												2021												2022											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Maidstone Borough Local Plan Review																																				

Key		Evidence gathering and stakeholder engagement
		Regulation 18 - Preferred Approaches consultation (with emphasis on future growth strategies)
		Regulation 18 - Preferred Approaches consultation (with emphasis on detailed topic areas)
		Regulation 19 Consultation
		Hearing sessions Regulation 24
		Plan and associated documents to Full Council

**Monitoring and Review**

2.3 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. The adopted local plan explains how its policies will be delivered and implemented, and identifies performance indicators against which the success of policies is monitored. The performance indicators will be monitored through annual Authority Monitoring Reports, and the Council will monitor and review progress against the LDS programme in this document.

**3. Document Project Plan****Maidstone Borough Local Plan Review**

<b>Maidstone Borough Local Plan Review</b>	
<b>Subject/content</b>	<p>Matters to be reviewed include:</p> <ul style="list-style-type: none"> <li>• A review of housing of needs</li> <li>• The allocation of land at the Invicta Park Barracks broad location and at the Lenham broad location if the latter has not been achieved through a Lenham Neighbourhood Plan in the interim</li> <li>• Identification of additional housing land to maintain supply towards the end of the plan period and, if required as a result, consideration of whether the spatial strategy needs to be amended to accommodate such development</li> <li>• A review of employment land provision and how to accommodate any additional employment land needed as a result</li> <li>• Whether the case for a Leeds-Langley Relief Road is made, how it could be funded and whether additional development would be associated with the road</li> <li>• Alternatives to such a relief road</li> <li>• The need for further sustainable transport measures aimed at encouraging modal shift to reduce congestion and air pollution</li> <li>• Reconsideration of the approach to the Syngenta and Baltic Wharf sites if these have not been resolved in the interim</li> <li>• Extension of the local plan period</li> </ul>
<b>Status</b>	Local Plan
<b>Coverage</b>	Maidstone Borough
<b>Chain of Conformity – national</b>	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance and the Town and Country Planning (Local Planning) (England) Regulations 2012.
<b>Chain of Conformity – local</b>	Regard to the Council's Plans and Strategies, including the Strategic Plan, Economic Development Strategy and Housing Strategy.
<b>Policies Map</b>	To be amended to reflect the policy content of the Local Plan Review
<b>Timetable</b>	
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the review of the Maidstone Borough Local Plan
Evidence gathering	June 2018 to June 2019
Scoping/options consultation (Regulation 18)	July to September 2019
Preferred approaches consultation (Regulation 18) (with emphasis on future strategies for growth)	October 2020
Preferred approaches consultation (Regulation 18) (with emphasis on detailed topic areas)	February 2020

Draft DPD consultation (Regulation 19)	December 2021
Examination hearing sessions (Regulation 24)	June/July 2022
Adoption – Full Council (Regulation 26)	October 2022
<b>Arrangements for Production</b>	
Internal Partners	Key internal partners include relevant service areas within the Council, Chief Executive; Corporate Leadership Team; and Strategic Planning and Infrastructure Committee.
External Partners	Key external partners include specific and general consultation bodies (including parish councils and neighbourhood forums), local stakeholder groups, hard to reach groups and the local community.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes England, and use of external consultants to provide evidence (as required).

Table 3.1 Project Plan for the Maidstone Borough Local Plan Review

#### **4. Glossary of Terms**

##### **Glossary of terms**

Acronym	Term	Description
AMR	Authority Monitoring Report	A report which is produced annually and monitors the performance against monitoring indicators in the Maidstone Borough Local Plan.
	Development Plan	The Development Plan includes adopted local plans/Development Plan Documents and made Neighbourhood Development Plans, and sets a framework for the local decision making process.
DPD	Development Plan Documents/Local Plans	A DPD/Local Plan is a spatial planning document which sets out the plan for the future development of the local area, drawn up by a local authority in consultation with the community. Once adopted, the local plan becomes part of the Development Plan. The Local Plan does not include SPDs or local Planning Guidance, although these documents are material considerations in the decision making process.
KCC	Kent County Council	The county planning authority, responsible for producing the Kent Minerals and Waste Local Plans, and are the highways authority.
LDS	Local Development Scheme	The LDS is a summary business programme and timetable for the production of the local plan.
MBC	Maidstone Borough Council	The local planning authority responsible for producing the Borough Local Plan.

NDP	Neighbourhood Development Plan	Neighbourhood Development Plans (also known as neighbourhood plans) are prepared by a parish council or neighbourhood forum for a particular neighbourhood area. Neighbourhood plans must be in conformity with the strategic policies of the Local Plan and, once made, form part of the Council's Development Plan.
	Planning Policy Guidance	Additional guidance which provides further detail to policies set out in local plans and is a material consideration in planning decisions but is not part of the local plan or the development plan. If subject to adequate stakeholder and public consultation, guidance can carry commensurate weight with SPDs in the decision making process.
	Policies Map	The Policies Map uses an on-line ordnance survey map base to show the spatial extent of all land use policies and proposals, and is updated with each new Local Plan so that it reflects the up-to-date planning strategy for the borough.
SA	Sustainability Appraisal	The SA is a tool for appraising policies and proposals to ensure they reflect sustainable development objectives, including social, economic and environmental objectives. An SA must be undertaken for all local plans and incorporates a Strategic Environmental Assessment.
SCI	Statement of Community Involvement	The SCI specifies how the community and stakeholders will be involved in the process of preparing local planning documents, Neighbourhood Development Plans and the Development Management process.
SEA	Strategic Environmental Assessment	SEA is a generic term used to describe the environmental assessment of policies, plans and programmes. The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.
SoS	Secretary of State	Secretary of State for Housing, Communities and Local Government.
SPD	Supplementary Planning Document	An SPD provides further detail to policies set out in local plans. SPDs are a material consideration in the decision making process but are not part of the Development Plan or the Local Plan. They follow a statutory production and consultation process.