

**18<sup>th</sup> August 2015**

## **Strategic Planning, Sustainability & Transport Committee**

Is the final decision on the recommendations in this report to be made at this meeting?	<b>Yes</b>
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## **Maidstone Borough Local Plan – employment land allocations**

<b>Final Decision-Maker</b>	Strategic Planning, Sustainability & Transport Committee
<b>Lead Director or Head of Service</b>	Rob Jarman, Head of Planning & Development
<b>Lead Officer and Report Author</b>	Sarah Anderton, Principal Planning Officer (Spatial Policy)
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All wards

### **This report makes the following recommendations to the final decision-maker:**

1. That the officer responses to the representations submitted during public consultation on the draft Maidstone Borough Local Plan 2014 for Policy EMP1, set out in Appendix A be approved.
2. That the amendments to Policy EMP1 set out in Appendix D, for incorporation into the Regulation 19 version of the Maidstone Borough Local Plan be approved
3. That the site allocation policy and plan for Land at Woodcut Farm set out Appendices B and C be approved for Regulation 18 consultation

### **This report relates to the following corporate priorities:**

- Keeping Maidstone Borough an attractive place for all
- Securing a successful economy for Maidstone Borough

### **Timetable**

<b>Meeting</b>	<b>Date</b>
Strategic Planning, Sustainability & Transport Committee	18th August 2015

# Maidstone Borough Local Plan – employment land allocations

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The draft Maidstone Borough Local Plan was approved by Cabinet for its first full stage of public consultation (Regulation 18) in February 2014. The public consultation took place between 21 March and 7 May 2014.
- 1.2 This report considers the representations made to the sites allocated under Policy EMP1 for B class development (offices (B1), industrial (B2) and warehousing (B8)). The mixed use allocations (Policy RMX1) are the subject of a separate report on this agenda having been deferred from consideration at both the 14th July and 23rd July meetings of this Committee.

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Policy EMP1 of the draft Local Plan identifies four sites in the borough for office, industrial and/or warehousing development. The draft Local Plan (Regulation 18) sets out the specific development criteria and includes a site plan for each of the allocated sites.
- 2.2 The amount of B class employment land which is needed in the borough for the plan period is evidenced in the Economic Sensitivity Testing and Employment Land Forecast, 2014 (GVA). The draft Local Plan (Regulation 18) allocates 6 sites which will provide B class employment land; the 4 sites allocated in Policy EMP1 and 2 sites in the mixed use Policy RMX1. Omitting the Clockhouse Farm site (Policy RMX1(4)) where planning permission was recently granted for housing and a care home but no B class floorspace, the table below sets out how the allocated sites would contribute towards the evidenced quantitative need.

### 2.3

	Office	Industrial	Warehousing
<b>Land/Floorspace Requirement 2014-31 (ha)</b>	1.6	-3.9	1.3
<i>Equivalent Floorspace shown in italics (sqm)</i>	<i>24,000</i>	<i>-15,600</i>	<i>6,500</i>
Mote Road, Maidstone	8,000		
Land south of Claygate, Marden			6,800
Land at Wheelbarrow Estate, Marden			14,500
Barradale Farm, Headcorn			5,500

Syngenta		[8,640] <sup>1</sup>	
<b>Total (sqm) in the draft Local Plan</b>	<b>8,000</b>	<b>0</b>	<b>26,800</b>

- 2.4 The selection of sites in the draft Local Plan (Regulation 18) does not provide enough office development to meet the quantitative need but could meet the quantitative need for new warehousing space.
- 2.5 The issues raised in the representations to Policy EMP1 and responses to them are summarised in Appendix A. Recommended changes to the policy are set out in Appendices B and C.
- 2.6 The body of this report turns first to the representations and issues associated with allocation land for B class uses at Junction 8 of the M20

### **Site allocations at Junction 8**

- 2.7 Representations from the business and development community question the Local Plan's approach to employment land; it is stated that the Local Plan does not allocate sufficient new employment land and also that the sites included in Policy EMP1 are not of the right type to meet future business needs. These respondents argue that an allocation should be made at Junction 8. In contrast, representations from residents and the local MP support the draft Local Plan for not allocating land at Junction 8.
- 2.8 Since the draft Local Plan (Regulation 18) was prepared and consulted upon, a Qualitative Employment Site Assessment, GVA (2014) ('the Assessment') has been undertaken to complete the employment evidence base for the Local Plan. This Assessment reviewed the borough's existing stock of employment floorspace and assessed the characteristics of current and future demand with the purpose of identifying any gaps in the borough's employment land portfolio to be addressed through the Local Plan.
- 2.9 The findings of the Assessment were reported to meetings of the Planning, Transport & Development Overview & Scrutiny Committee and the Economic and Commercial Development Overview & Scrutiny Committee held on 21<sup>st</sup> October 2014. The committee report stated:

*"Overall, and significantly, there is also an identified lack of employment land supply in the locations most likely to be attractive to the type of occupiers economic growth will attract i.e. along the motorway corridor. Excluding the site at Brooklyn Yard at M20 J6, the existing capacity for industrial and warehousing use is all in the south of the borough where the road links are the weakest. The Assessment states "whilst this does not make these sites redundant, it does potentially limit their future attractiveness to businesses and*

<sup>1</sup> Already counted in the GVA study as an existing vacant site so excluded from table to avoid double counting

*could restrict the role they play in accommodating employment growth.”<sup>2</sup>*

*The Assessment finds that there is both quantitative and qualitative need for additional employment land. New site/s should focus on a 'new', diversified offer in preference to replicating the characteristics of the existing portfolio. This points towards:*

- a. Range of flexible, small scale, good quality office space*
- b. Capacity for 'design and build' bespoke industrial space*
- c. Small-medium warehouse/distribution units*
- d. Location/s with good strategic road access to markets*
- e. Location/s with minimal development constraints*
- f. Location/s with ICT connectivity*
- g. Creation of a distinct new employment location*

*The Assessment concludes that "there is likely to be demand for a new high quality, well serviced mixed use employment development area that accommodates small business orientated space, standalone industrial and manufacturing provision (albeit likely to be a design and build demand) and smaller scale distribution and ancillary workspace and office space”<sup>3</sup>.*

*Additionally the Assessment recommends that plan policies are sufficiently flexible to enable a mix of office, industrial and warehousing uses on sites.”*

## **2.10 The committee report went on to consider the implications of the latest evidence for the selection of sites in the Local Plan;**

*"Through the latest NPPG-compliant Assessment, the qualitative gaps have now been evidenced more comprehensively and clearly than [through] the information that was available at the time of the February decision<sup>4</sup>. The NPPF requires that Local Plans should "set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period"<sup>5</sup> (emphasis added).*

*It is considered that the selection of sites in the Regulation 18 version of the Local Plan would not meet the identified qualitative needs in a location well connected to the strategic road network.*

*Based on the outcomes of the Strategic Economic Development Land Availability Assessment (SEDLAA)<sup>6</sup> the only available, additional land at a motorway junction is at J8 of M20. Development in this location would better meet the gap identified through the evidential analysis in the Qualitative Employment Sites Assessment. It could also enable the quantative demand for offices to be met*

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<sup>2</sup> Paragraph 6.10 of the Qualitative Employment Site Assessment (2014), GVA

<sup>3</sup> Paragraph 8.12 of the Qualitative Employment Site Assessment (2014), GVA

<sup>4</sup> This refers to the approval of the draft Local Plan for Regulation 18 consultation at Cabinet on 24th February 2014

<sup>5</sup> NPPF paragraph 21

<sup>6</sup> Cabinet 24<sup>th</sup> February 2014

*which is not the case for the current selection of Regulation 18 sites."*

2.11 Further, the report goes on to state;

*"It is considered that the combined findings of the two evidential documents on employment needs<sup>7</sup> point towards identifying land in the location of J8 in the Local Plan for a mix of offices, industrial and warehousing uses. Balanced against this economic case is the acknowledged sensitivity of the landscape in the J8 location. In the February Cabinet<sup>8</sup> report it was recognised that development of either of the candidate sites at J8 would cause substantial landscape harm. The limitations of the location in terms of public transport connections and relative separation from the centres of population were also acknowledged.*

*With the NPPF direction to meet the needs of the economy in full it is officers' view that, with the completion of this qualitative assessment, the balance of planning and economic development considerations now weigh in favour of identifying land in the location of J8 in the emerging Local Plan."*

2.12 The Planning, Transport and Development Overview & Scrutiny Committee<sup>9</sup> resolved that it wished to consider a planning policy for an employment allocation at Junction 8 incorporating appropriate constraints and mitigation. If sufficient safeguards could be incorporated into the policy to the Committee's satisfaction, the Committee would in principle support the development for employment land at Junction 8.<sup>10</sup>

2.13 In response, the Cabinet Member for Planning, Transport and Development requested<sup>11</sup> outline work to explore options and mitigation strategies for junction 8 including:

- 1) Do nothing
- 2) An area of land north of the A20
- 3) An area of land south of the A20
- 4) An area of land both north and south of the A20
- 5) Further consideration of options eastward of junction 8 (A20 corridor)

2.14 The recent Inspector's decision dismissing the appeals at Waterside Park (south of the A20), which is discussed later in this report, affects the delivery of options 2 to 4. All the requested options have been explored below for completeness.

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<sup>7</sup> Economic Sensitivity Testing and Employment Land Forecast, 2014 (GVA) and Qualitative Employment Sites Assessment, 2014 (GVA)

<sup>8</sup> Cabinet 24<sup>th</sup> February 2014

<sup>9</sup> 21<sup>st</sup> October 2014

<sup>10</sup> [http://services.maidstone.gov.uk/meetings/documents/g2187/Printed%20minutes%2021st-Oct-2014%2018.30%20Planning%20Transport%20and%20Development%20Overview%20Scrutiny%20Committee.pdf?T=1](http://services.maidstone.gov.uk/meetings/documents/g2187/Printed%20minutes%2021st-Oct-2014%2018.30%20Planning%20Transport%20and%20Development%20Overview%20Scrutiny%20Committee%2018.30%20Planning%20Transport%20and%20Development%20Overview%20Scrutiny%20Committee.pdf?T=1)

<sup>11</sup> 16<sup>th</sup> December 2014 Planning Transport & Development Overview & Scrutiny Committee  
<http://services.maidstone.gov.uk/meetings/documents/s39663/141216%20-%20SCRAIP%20report.pdf>

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### 3. AVAILABLE OPTIONS

#### 3.1

##### 1. Do nothing (at Junction 8)

There would be no specific land allocation at J8 in the Local Plan.

The Local Plan approach to B class employment land would be:

- Allocation of land at J7 for a medical hub (primarily medical uses with some associated B class office space)
- Allocate land for the expansion of established rural industrial estates plus Syngenta
- Mote Road for new town centre offices
- Implementation of extant consents (such as Eclipse Park, Brooklyn Yard, Travis Perkins on Forstal Road)

Implications of this approach:

- Portfolio of sites does not meet the qualitative need for new industrial/ warehousing floorspace
- Portfolio of sites does not meet the quantitative need for additional office floorspace. Occupier choice will be lessened as an opportunity to broaden the range and type of Grade A office stock available will be lost. Office-based employment is forecast to generate more than 3,000 jobs over the timescale of the Plan<sup>12</sup>. Without sufficient, suitable sites, this jobs growth will be compromised.
- In both cases this is contrary to the NPPF (paragraph 21) which states that anticipated needs should be met.
- The growth potential of the local economy for the period to 2031 is unlikely to be met.
- There would be a mismatch with the Council's approved EDS which has the aim of facilitating 14,400 new jobs by 2031.
- In the absence of the Council being able to demonstrate alternative means to address the identified economic needs, risk of a site at J8 being imposed by the Local Plan Inspector without the mitigation measures the Council would otherwise seek through an allocation policy. The Council would lose the opportunity to fully direct and control the development.

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<sup>12</sup> Table 24 Economic Sensitivity Testing & Employment Land Forecast, GVA (2014)

Mitigation:

- Duty to co-operate discussions

### 3.2

#### **2. Allocate land north of A20** (Land at Woodcut Farm)

Land at Woodcut Farm (25.8ha) would be allocated in the Local Plan. The site is available; it was submitted in the 2013 Call for Sites and is also the subject of a current outline planning application (15/503288OUT).

The Local Plan approach to B class employment land would be:

- Allocation of land at J7 for a medical hub(primarily medical uses with some associated B class office space)
- Allocation of Woodcut Farm at J8 for a mixed use business park (offices, warehousing, industrial)
- Planned expansion of established rural industrial estates plus Syngenta
- Mote Road for new town centre offices
- Implementation of extant consents (such as Eclipse Park/ Travis Perkins on Forstal Rd/ Brooklyn Yard)

Implications of this approach:

- Quantitative and qualitative employment land needs are addressed
- Flexibility and choice provided by other allocated sites and extant consents
- Development will have significant landscape impacts, in particular on the setting of the AONB
- Development will impact on the setting of the listed Woodcut Farmhouse
- Site is somewhat removed from the built up area of Maidstone and not well served by public transport currently. Prospect of employees relying on cars to get to work.

Mitigation:

- Allocation policy to specify mitigation measures namely extent and location of structural landscaping, extent of developable area, mitigation of heritage impacts and maximum heights and sqm of buildings. Also an undeveloped 7ha area of land to the north/northwest to be secured via s106 agreement to prevent further encroachment west. Include the requirement for a Travel Plan to include improved public transport measures to be prepared in connection with a planning application.

### 3.3

#### **3. Allocate land south of A20** (Waterside Park)

Land at Waterside Park (17ha) would be allocated in the Local Plan. The site is available; it was submitted in the 2013 Call for Sites and has been the subject of two recent planning applications (14/501895 and 13/1549), both refused. The subsequent appeals were dismissed in July.

The Local Plan approach to B class employment land would be:

- Allocation of land at J7 for a medical hub (primarily medical uses with some associated B class office space)
- Allocation of Waterside Park at J8 for a mixed use business park (offices, warehousing, industrial)
- Planned expansion of established rural industrial estates plus Syngenta
- Mote Road for new town centre offices
- Implementation of extant consents (such as Eclipse Park/ Travis Perkins on Forstal Rd/ Brooklyn Yard)

Implications of this approach:

- Quantitative and qualitative employment land needs are addressed
- Flexibility and choice provided by other allocated sites and extant consents
- The very recent appeal Inspector's analysis of the environmental sensitivities of this site weigh very strongly against allocating this site for B class uses in the draft Local Plan.

Mitigation:

- Allocation policy to specify mitigation measures namely the extent and location of structural landscaping, use of terracing, ecological mitigation and sustainable drainage requirements. Requirement for a Travel Plan to include improved public transport measures to be prepared in connection with a planning application.

### 3.4

#### **4. Allocate land north and south of A20 (Land at Woodcut Farm & Waterside Park)**

Allocate Waterside Park and Woodcut Farm in the Local Plan.

The Local Plan approach to B class employment land would be:

- Allocation of land at J7 for a medical hub(primarily medical uses with some associated B class office space)
- Allocation of Waterside Park at J8 for a mixed use business park (offices, warehousing , industrial)
- Allocation of Woodcut Farm at J8 for a mixed use business park (offices, warehousing , industrial)
- Planned expansion of established rural industrial estates plus Syngenta



- Mote Road for new town centre offices
- Implementation of extant consents (such as Eclipse Park/Travis Perkins on Forstal Rd/ Brooklyn Yard)

Implications of this approach:

- Quantitative and qualitative employment land needs are addressed
- Maximise the opportunities for growing the borough's economy through attracting businesses requiring good strategic road access
- Significant landscape impacts, in particular on the setting of the AONB, arising from the development of both sites in a sensitive landscape location
- The very recent appeal Inspector's analysis of the environmental sensitivities of this site weigh very strongly against allocating land south of A20 for B class uses in the draft Local Plan.

Mitigation:

- Site specific allocation policies as above

### 3.5

#### **5. Options east of J8**

Existing developed sites along M20 corridor are:

- Great Danes hotel: site is approximately 8ha and less than 900m from Junction8. Site quite well screened from A20 but land falls away to the south and existing hotel can be seen in views from the footpaths to the south which run to the west of Leeds village and from the public rights of way along the North Downs. Site is in current use and has an existing use value as a consequence which will impact on the viability of a comprehensive redevelopment for employment use. Existing development is a mix of 2/3/4 storeys
- Marley Works: site is approximately 25ha in area and is immediately adjacent to the AONB. It is an existing developed business site in active use with no apparent vacancy. Expansion to the west would result in the loss of significant belts of woodland and would encroach towards the scattered residential properties fronting Dickley Lane and Marley Road. Expansion to the east would be immediately adjacent to the AONB boundary. Approx. 4.5 miles to J8 along A20.
- Lenham Storage: site is approximately 9.5ha in area and is owned and operated by Lenham Storage. Lenham Storage are understood to be content to operate from the site for the short-medium term (5+ years) and have no current plans to relocate. Approx 4.8 miles to J8 along A20.
- Major new employment site in association with the Lenham broad location: Any such proposal would need to be planned as part of the comprehensive planning of the Lenham broad location (eg siting of development, location of access onto A20, highway impact assessment, landscape mitigation) and thereby would not be delivered until the latter end of the plan period (2026+). Depending on the

exact location of the site, the distance to J8 would be in the order of 5 miles.
<p>Implications of this approach:</p> <ul style="list-style-type: none"> <li>• The 2013 Call for Sites exercise identified which sites were available as potential new employment sites. None of these site options were put forward in this exercise for employment re/development and are not therefore demonstrably available for the nature of development for which land is needed.</li> <li>• Locations in and around Lenham do not have immediate access onto the motorway network. The lack of available land with such strategic road access has been identified as a shortcoming in the borough's existing commercial property portfolio.</li> <li>• Delay to the Local Plan process (and associated expense) while site availability and assessment work, including viability testing, is undertaken. Resulting additional uncertainty for developers, landowners, businesses and local residents.</li> <li>• Potentially abortive and unnecessary work in the face of there being identified available land which is more immediately adjacent to J8.</li> </ul>
<p>Mitigation:</p> <ul style="list-style-type: none"> <li>• Would be dependent on site selection</li> </ul>

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

- 4.1 If the borough's employment land needs are to be addressed in a timely manner, and properly planned for through the Local Plan, it is considered that the findings of the outline options assessment above do not alter the conclusion of the 21st October Overview & Scrutiny report which favours the allocation of land in the immediate vicinity of Junction 8. The potential sites further to the east are not demonstrably available for employment use and do not have the benefit of immediate access to the M20.

##### **Waterside Park Appeals Decision**

- 4.2 The Waterside Park appeals decision letter received on 23rd July provides relevant and up to date analysis of key issues pertaining to this Committee's decision about allocating land at Junction 8. The appeal Inspector weighed the economic benefits of the specific proposals for Waterside Park against the adverse environmental impacts and concluded that the adverse impacts would significantly and demonstrably outweigh the benefits. The appeals were dismissed.
- 4.3 Whilst the Inspector's decision is specific to the Waterside Park site and the proposals put forward for it, her analysis is a relevant factor in the Committee's decision to include, or otherwise, an allocation at Junction 8 in the Local Plan and, subject to that, the selection of the site.

- 4.4 The Inspector raises specific concerns about the proposals for the Waterside Park site, principal amongst them being visual and landscape impact, including on the setting of the AONB, and impact on heritage assets. The Inspector was not persuaded that adverse impacts of the development proposed could be sufficiently mitigated
- 4.5 As part of her consideration of the stage that the emerging Local Plan has reached, the Inspector notes that the Waterside Park site may eventually be included as an allocation through the Local Plan process. Indeed Waterside Park's planning agent has chosen to confirm that the site is still available for employment development, potentially of a reduced scale and on a smaller site footprint. Development of any significant scale on the site would, however, still require significant alteration to the landform through excavation and bunding to create a development platform. The Inspector regarded these as alien, engineered features which would permanently alter the natural landform. Further, in a previous comparative assessment of the Waterside Park and Woodcut Farm sites undertaken by officers and presented to Cabinet in July 2012 it was identified that the scope for mitigation on the Waterside Park site was limited. The analysis concluded that the Woodcut Farm site was the more suitable of the two sites to allocate.
- 4.6 The Woodcut Farm site also falls within the setting of the Kent Downs AONB. This is a nationally important landscape. Councils have a duty, when exercising any functions in relation to, or affecting land in, an AONB to have regard to the purpose of conserving or enhancing the natural beauty of the AONB.
- 4.7 Also relevant to the Woodcut Farm site is that the Inspector highlighted the high sensitivity of walkers using the public rights of way in the AONB. From these routes there are largely uninterrupted views south towards the J8 and its surrounds. The Inspector was concerned about the impact of development reducing gaps between the existing scattered developments to give the appearance of a mass of development which would be detrimental to the wider landscape and rural character. She notes that from this direction, the M20/HS1/A20 infrastructure is much less discernable than from views looking towards the AONB.
- 4.8 The Council's own Landscape Character Assessment (2013) includes the Woodcut Farm site as within the White Heath Farmlands detailed character area within the Leeds Castle Parklands borough-wide landscape character area. The detailed area is assessed as having moderate sensitivity to change and poor condition with its key characteristics identified as major infrastructure, vegetation belts along the head of the Len Valley, urban influences including car dealership and modern development.
- 4.9 The Maidstone Landscape Capacity Study Site Assessments (January 2015) includes a specific assessment of the capacity of the Woodcut Farm site to accommodate economic-related development. It identifies that the site is a very large scale landscape with extensive arable fields and the nearby detracting features of the M20/HS1/A20. The site's location at the foot of the Downs, its landform which is a continuation of the downland topography and the large

scale field pattern is distinctive and characteristic of the area. It identifies that the site has a low capacity to accommodate economic development.

- 4.10 The analysis goes on to identify mitigation points which development proposals on this site should take into account namely to retain and reinforce streamside vegetation, other tree belts and significant vegetation; to retain the rural landscape character and the distinctive landform which forms an integral part of a wider pattern of undulations along the scarp foot of the Kent Downs; to respect the setting of surrounding heritage assets; and to respect views from, and the setting of, Kent Downs AONB.
- 4.11 The Inspector also finds that the Waterside Park proposal would harm the setting of heritage assets, in particular Leeds Castle (Grade I) and its parkland (Grade II\*). In the case of the Woodcut Farm site, Woodcut Farmhouse (Grade II) lies immediately to the west of the site and, without mitigation, development could have an adverse impact on the setting of this heritage asset.
- 4.12 Turning to economic matters, the Inspector accepted that there is need for additional B class floorspace and considered (but did not conclude) that the quantum of floorspace required could be greater than the Council's Local Plan evidence indicates. She stated that there does appear to be a need for more employment allocations. She also did not dissent from the evidence that there is a qualitative need for a site well located to the strategic road network.
- 4.13 The Inspector considered that it had not yet been demonstrated, however, that the need would have to be met through a greenfield countryside site allocation. She specifically mentions the Detling Aerodrome as a site put forward by 3rd parties at the Inquiry as a competing site.
- 4.14 In response, the requirement for B class employment land set out in the table at paragraph 2.3 above is in addition to the supply which will come forward on brownfield sites through re-occupation of vacant sites and premises, and redevelopment within existing industrial estates as well as the implementation of extant planning permissions. The evidence identifies that there is a demonstrable need to make additional greenfield site allocations, above that which can be delivered on existing sites, if the borough's employment needs are to be met. There has been specific testing of the suitability of the alternative available sites submitted through the Call for Sites in the Strategic Economic Development Land Availability Assessment (2013).
- 4.15 The Detling Aerodrome is an existing employment site (13.4 ha) which is actually within the AONB unlike both the Woodcut Farm and Waterside Park sites. Substantial redevelopment of the existing site and expansion onto the greenfield land to the north and south as has been proposed by Kent County Council, in combination with the associated highway improvements to the A249 would result in direct and serious visual and landscape harm to the AONB itself. It is not therefore a realistic alternative to making an allocation at Junction 8.
- 4.16 The Inspector highlights the potential to use vacant industrial floorspace in adjoining boroughs under 'duty to co-operate' arrangements. In response, it is important to recognise that the first option should be for the Council to meet its

own needs within its own boundaries. Only if there is clear, defensible reasons why this cannot be achieved should provision be sought in adjoining boroughs through duty to co-operate discussions. Importantly, nearby authorities are under no obligation to accommodate Maidstone's needs. Employment land within their boundaries may already be accounted for as part of their own functional supply, contributing to the growth needs of their own population and economy. Further, these councils may also elect to use vacant or underused employment land for alternative uses, including for housing as a way of contributing to their own 'objectively assessed need'.

- 4.17 The Inspector also raised concerns that workers would predominantly access Waterside Park site by private car/motorcycle. She draws this conclusion in part based on the number of car parking spaces proposed in the specific schemes but the overall accessibility to the Woodcut Farm site by existing public transport would be, in broad terms, similar and would raise a similar concern.
- 4.18 On a final point, the Inspector finds it unsatisfactory that there is a vacuum of allocated land for employment uses when there is evidence of local firms wishing to expand. Whilst the saved policies of the adopted Local Plan are clearly in place, and indeed the Inspector gives significant weight to Policy ENV28, there is now the opportunity for this Committee to come to a confirmed decision on the Council's future approach to land at Junction 8 through the Local Plan.

### **Economic Development Strategy**

- 4.19 The Council's Economic Development Strategy (EDS) was recently adopted by Full Council<sup>13</sup>. The EDS sets out the Council's ambitions to achieve economic growth up to 2031.
- 4.20 There is an inter-relationship between the Local Plan's approach to employment land and the Council's EDS. The Local Plan can take the role of delivering the spatial aspects of that strategy. Importantly the EDS draws on the same employment land evidence as that which supports the Local Plan.
- 4.21 The EDS states that, by 2031, we aim to:
- enable the creation of 14,400 jobs in a range of sectors and occupations
  - raise economic output (GVA) per head to the level of the South East
  - raise the skills profile of Maidstone to the South East average<sup>14</sup>
- 4.22 The EDS goes onto identify 5 priority actions. In addition to stimulating entrepreneurship, enhancing the town centre, and improving skills and infrastructure, the EDS prioritises retaining and attracting inward investment. To do this;

“we will support existing businesses to grow and also work to attract new employers to the borough, creating job opportunities for all residents across a range of sectors.”<sup>15</sup>

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<sup>13</sup> 15<sup>th</sup> July 2015

<sup>14</sup> Para 1.1.2 EDS

- 4.23 To achieve the stated ambition of enabling 14,400 new jobs, depends on four named factors, one of which is ‘filling the gap in our portfolio of employment sites to meet modern business needs.’ The EDs explicitly links its ambitions for job creation with developing a site at Junction 8 as follows;

“The strategic case for a new employment site at Junction 8 has been established and its development is critical to ensuring that the principal aim of the Strategy is achieved i.e. the creation of 14,400 jobs by 2031 in a range of sectors and occupations” <sup>16</sup> (emphasis added)

### **Sustainability Appraisal**

- 4.24 A Sustainability Appraisal (SA) of the 2 site options (Woodcut Farm and Waterside Park) has been undertaken by expert consultants URS and is appended in Appendix E. The SA reveals that both sites generally score poorly for their accessibility to existing centres and community facilities and that their overall accessibility by sustainable transport modes is constrained, although the Woodcut Farm site is closer to a bus stop. The SA identifies that both sites have a low landscape capacity for change.
- 4.25 Additionally, the SA prepared in association of the Regulation 18 Local Plan examined two employment distribution options: one of concentration whereby employment development would be focused in the town centre, at Junction 7 and at junction 8 (option A) and one of dispersal which would see development at the town centre, Junction 7 and dispersed at existing employment locations in the rural area (option B).
- 4.26 This previous SA found both alternatives to have a significant positive impact by increasing the quantity and quality of employment opportunities. There would also be benefits in terms of increased opportunities to develop skills in the health sector in particular. Both options would help to tackle deprivation by providing jobs in close proximity to areas of need. This is particularly the case for alternative A. However, there is a danger that increased movements into the Maidstone urban area could exacerbate existing congestion and air quality issues, having an effect on the wider local economy and health. These effects would be less pronounced for alternative B, which would disperse an element of employment to a number of settlements to the south of the urban area. This dispersal strategy would also support the local economies in a number of service centres, but might not attract high-profile development. Alternative A could have a significant negative impact on landscape character due to the location of the Junction 8 site in relation to the Kent Downs AONB. Although alternative B could still lead to localised impacts on character around a number of settlements, the impacts are considered less significant.
- 4.27 Both alternatives make little use of previously developed land and would lead to the loss of grade 2 and 3 agricultural land. The SA concluded that, on balance, alternative B has fewer impacts on congestion, countryside and heritage.

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<sup>15</sup> Para 5.9 EDS

<sup>16</sup> Para 6.22 EDS

## **Landscapes of Local Value**

- 4.28 Elsewhere on this agenda, it is proposed that the Local Plan designates Landscapes of Local Value (LLVs). The designation of the LLVs draws on the evidence provided by the Council's own landscape character and sensitivity assessments to protect valued landscapes which are sensitive to significant change. One of the proposed LLVs would cover the setting of the AONB and would include Woodcut Farm, and a second LLV would cover the Len Valley incorporating Waterside Park.
- 4.29 The proposed LLV designation does not preclude development. Proposed changes to draft Local Plan Policy SP5 - Countryside would clarify that "Development proposals within landscapes of local value should, through their siting, scale, mass, materials and design, seek to contribute positively to the conservation and enhancement of the protected landscape."

## **Conclusion on the allocation of land at Junction 8**

- 4.30 Junction 8 is a highly sensitive location. It is an area of countryside removed from the built up area which forms part of the setting of the AONB. Development of the scale being proposed would have significant adverse landscape impacts and cause harm to the wider rural character of the area. The limitations of the location in terms of public transport connections and relative separation from the centres of population are also important factors, as is the potential for development adversely to impact on heritage assets.
- 4.31
- 4.32 The Council's own landscape analysis of the Woodcut Farm and the Waterside Park sites shows both sites to have low development capacity for economic related development.
- 4.33 Weighing in favour of making a local plan allocation is the identified qualitative gap in the future supply of employment land and quantitative shortfall in office floorspace. The Council's employment land evidence supports the need to make an allocation at Junction 8 to accommodate employment land needs.
- 4.34 Also highly relevant to the consideration is the Council's very recently adopted Economic Development Strategy which is ambitious in its plans for economic growth and explicit that the Council is seeking to maximise jobs growth in the borough. The strategy directly links the achievement of the Council's economic goals with the delivery of a site at Junction 8.
- 4.35 With respect to duty to co-operate, there is no requirement for neighbouring authorities to meet Maidstone's employment land needs. Implicit in the EDS is that the jobs growth should be created in Maidstone borough rather than in adjoining authority areas.

- 4.36 An allocation at Junction 8, for a mixed B class development could also enable the quantitative shortfall in new office floorspace identified over the plan period to be addressed.
- 4.37 Faced with this economic case, including a specific site allocation in the Local Plan enables the Council to set out the requirements for development, including clear and substantive mitigation measures, to help ameliorate the impacts of development in this highly sensitive location.
- 4.38 It is considered that the size and topography of the Woodcut Farm site would enable the provision of extensive structural and internal landscaping which, in conjunction with the site's capability to accommodate development within a parkland setting, would better mitigate the landscape impacts of development.
- 4.39 A proposed site allocation policy for the Woodcut Farm site is set out in Appendix B. This policy is recommended for inclusion in the forthcoming Local Plan Regulation 18 consultation. The policy has been reviewed and refined in the light of the Waterside Park decision.
- 4.40 Key mitigation measures in the policy are
- Limit on the developed area of the site
  - Provision of substantial internal and structural landscaping to help diffuse the visual impact of development
  - Control over building heights, size and siting to help mitigate the visual impact of development and to control the extent of alterations to the site's topography to create level development platforms
  - Retain through a legal agreement the highest part of the site as an undeveloped landscape area to secure against further encroachment of development westwards.
  - Requirement to have regard to the setting of the listed Woodcut Farmhouse
- 4.41 The officer assessment of the representations made to the draft Local Plan in connection with Junction 8 are set out in Appendix A. This consideration of the content of the representations has not resulted in an alteration to the recommendation that an allocation at Woodcut Farm is merited.

### **Other Policy EMP1 matters**

- 4.42 The proposed employment sites have been assessed in the emerging Landscape Capacity Study (2015). The site at Barradale Farm Headcorn, proposed for employment development in Policy EMP1(4) in the draft Local Plan, has been identified as having a low landscape capacity for development. The concerns centre on the importance of the field boundary trees and vegetation for ecology and for filtering views of the existing development, the contribution of the prevailing pattern of small enclosed field pattern to the local landscape character, the relative remoteness of the site and local prevailing character of scattered farmsteads.
- 4.43 Reviewing the draft allocation policy, and the mitigation measures within it, the policy specifically requires the substantial enhanced landscape buffers along



the site boundaries to strengthen the existing boundaries. These landscape belts are required to link to one another and to water bodies to provide habitat connectivity. In terms of field pattern, the allocation extends to one field (1.9ha) so development can be achieved within the existing field pattern without significantly re-aligning or extinguishing the existing field boundaries.

- 4.44 Development would enable the planned expansion of an existing well used industrial estate. The existing site has very good quality industrial units with good access which, according to the analysis in the Qualitative Employment Sites Assessment (2014), should be retained and potentially expanded. Allocation of this site would help ensure range of new sites to cater for a diversity of business needs including in the more rural parts of the borough. With the mitigation measures set out in the policy, it is considered that the site continues to be appropriate for allocation in the Local Plan.

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## 5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The draft Local Plan (Regulation 18) was subject to public consultation and the issues raised in the representations which were received are discussed in this report and its appendices..

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

- 6.1 As part of the Local Plan process further iterations of Policy EMP1 will be subject to public consultation.

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## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	Having an adopted Local Plan in place will assist in the delivery of the Council's priorities.	Rob Jarman, Head of Planning & Development
<b>Risk Management</b>	A sound evidence base and further public consultation on policy amendments reduces the risk of Policy EMP1 being found unsound at the Local Plan Examination	Rob Jarman, Head of Planning & Development
<b>Financial</b>	There are no direct financial implications arising from this report. Failure to produce a robust Local Plan would have significant financial implications for the Council.	Head of Finance & Resources
<b>Staffing</b>	The proposed Regulation 18 consultation can be managed within the existing staff	Rob Jarman, Head of

	establishment.	Planning & Development
<b>Legal</b>	The report has been reviewed in the light of the appeal decision at Waterside Park. Mid Kent Legal Services continue to provide advice on local plan matters and to review any legal implications of reports.	[Legal Team]
<b>Equality Impact Needs Assessment</b>	n/a	[Policy & Information Manager]
<b>Environmental/Sustainable Development</b>	The Local Plan is fundamentally concerned with achieving sustainable development. The Waterside Park Inspector specifically considered that proposal did not constitute sustainable development.	Rob Jarman, Head of Planning & Development
<b>Community Safety</b>	n/a	[Head of Service or Manager]
<b>Human Rights Act</b>	n/a	[Head of Service or Manager]
<b>Procurement</b>	n/a	[Head of Service & Section 151 Officer]
<b>Asset Management</b>	n/a	[Head of Service & Manager]

## 8. REPORT APPENDICES

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

- Appendix A: schedule of issues and responses for Policy EMP1
- Appendix B: proposed site allocation policy for Land at Woodcut Farm
- Appendix C: site plan for Land at Woodcut Farm
- Appendix D: schedule of detailed changes to Policies EMP1 (in addition to the proposed allocation of Land at Woodcut Farm)
- Appendix E: outline Sustainability Appraisal of site options at Junction 8

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## 9. BACKGROUND PAPERS

nil