

# STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

9 March 2021

## Local Plan Review Reg. 18 Preferred Approaches Consultation

<b>Final Decision-Maker</b>	Strategic Planning and Infrastructure Committee
<b>Lead Head of Service</b>	Phil Coyne, Interim Local Plan Review Director, and Rob Jarman, Head of Planning and Development
<b>Lead Officer and Report Author</b>	Mark Egerton, Strategic Planning Manager Tom Gilbert, Principal Planning Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All wards

### Executive Summary

As part of Maidstone's Local Plan Review, a Regulation 18 Preferred Approaches Consultation document was produced and published for a 6-week consultation period between December 2020 and January 2021. This was the second consultation on the Local Plan Review following the Regulation 18 Scoping Themes & Issues Consultation in 2019.

A particular purpose of the consultation was to set out a proposed spatial strategy to meet the level of growth identified by National Government guidance and review the existing development management policies. 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 Noting.

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

1. That the content of this report is to be noted

### Timetable

Meeting	Date
Strategic Planning & Infrastructure Committee	9 <sup>th</sup> March 2021

# Local Plan Review Reg. 18 Preferred Approaches Consultation

## 1. 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>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.</p>	Rob Jarman (Head of Planning and 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>The report recommendation supports the achievement of the four cross cutting objectives.</p>	Rob Jarman (Head of Planning and Development)
<b>Risk Management</b>	Already covered in the risk section of the report	Rob Jarman (Head of Planning and Development)
<b>Financial</b>	There has been a high volume of responses to the Reg. 18 consultation. If this is greater than anticipated when setting budgets for work on the Local Plan, and is likely to give rise to additional expenditure, then additional budget provision will need to be requested.	Section 151 Officer & Finance Team

<b>Staffing</b>	The inputting of representations has incorporated the use of Museum staff, members of the Mayoral Team in addition to the Strategic Planning Team.	Rob Jarman (Head of Planning and Development)
<b>Legal</b>	There are no legal implications. The report is simply for noting and reports back on a consultation process pursuant to the Town and Country Planning (Local Planning) (England) Regulations 2012.	Russell Fitzpatrick (Mid Kent Legal Services (Planning))
<b>Privacy and Data Protection</b>	No privacy or data issues identified	Policy and Information Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Policy & Information Manager
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	The recommendation will not have a negative impact on Crime and Disorder.	Rob Jarman (Head of Planning and Development)
<b>Procurement</b>	N/A	Rob Jarman (Head of Planning and Development)

## **INTRODUCTION AND BACKGROUND**

- 2.1 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. The National Planning Policy Framework has subsequently been revised (2018 and 2019) and introduced 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.
- 2.2 The first Regulation 18 consultation on the Local Plan Review took place on the 'Scoping, Themes and Issues' in 2019. The second Regulation 18 consultation was on the Local Plan Review Preferred Approaches. A key purpose of the document was to invite feedback on the proposed spatial strategy for growth and updates to the development management policies. The draft document was considered by this Committee at its meeting on 9 November 2020 and was agreed, with amendments, for public consultation. This public consultation took place between 1<sup>st</sup> December 2020 and 8<sup>th</sup>

January 2021. This was extended from the agreed 3 weeks because of issues experienced by some stakeholders, including because of increasing rates of Covid-19 infections at that time.

- 2.3 This report provides the Committee with a summary of the main responses to the consultation. The representations to the consultation are published on the Council's website. This information will inform future stages of the Local Plan Review as outlined in the report. Members should also be aware that detailed analysis is ongoing and will be reported as part of the evidence base and Regulation 19 proposals.
- 2.4 The report is structured to highlight the following elements:
- The number of responses
  - A summary of responses relating to the Garden Community proposals at Heathlands and Lidsing
  - A summary of responses from statutory consultees and infrastructure providers; and
  - A summary of responses from neighbouring Local Planning Authorities.
- 2.5 It should be noted that the information provided below is a summary only and should not be taken as a definitive breakdown of all matters raised.

### **The Number of Responses**

- 2.6 In total the Council received approximately 3,281 responses to the consultation. These were divided into the following groups:
- 3,001 Residents
  - 22 Cllrs (Borough & County) and MPs
  - 183 Developers/land promoters
  - 3 Local businesses
  - 30 Parish Councils
  - 19 Pressure groups
  - 23 Statutory consultees and infrastructure providers

### **Garden Communities**

- 2.7 The consultation document identifies two garden community proposals: Heathlands (Policy SP4(a)) and Lidsing (Policy SP4(b)). Cumulatively these could potentially deliver approximately 7,000 new homes, of which it is proposed that 2,700 homes will be delivered in the plan period to 2037.

## **Lidsing**

2.8 There were approximately 1,700 responses to the Lidsing proposal. The majority of those representations were from adjacent residents within Medway. Other parties such as infrastructure providers, Parish Councils, Councillors, MPs and statutory consultees also commented on the proposal.

2.9 The main issues raised by those representations comprise:

- A lack of capacity and impact on social infrastructure (healthcare facilities and education)
- Increased congestion
- Increased air pollution
- Loss of green space
- Impact on the Kent North Downs AONB
- Negative impact on wildlife
- Negative impacts on surrounding ancient woodland.
- Coalescence of Lordswood and Hempstead
- Negative landscape impact
- Impact on protected environment habitats (e.g Medway estuary SPA & Ramsar and Purple Hill SSSI)
- Negative impact on surrounding heritage
- Availability of the site due to landownership issues; and;
- Potential flood risk issues

## **Heathlands**

2.10 There were approximately 500 responses to the Heathlands proposal. The majority of those representations were from adjacent residents within Maidstone, but with comments from those within Ashford Borough. Other parties such as infrastructure providers, Parish Councils, Councillors, and statutory consultees also commented on the proposal.

2.11 The main issues raised by those representations comprise:

- Other better alternative sites and that this site is not deliverable
- There is a lack of local employment to support the site
- Impact on the mineral safeguarding areas
- Housing density inappropriate

- A lack of capacity and impact on social infrastructure (healthcare facilities and education)
- Impact on the Kent North Downs AONB
- Negative landscape impact
- Impact on archaeological significance of the site
- Negative impact on heritage assets
- Availability of the site
- Contrary to evidence in the Strategic Housing Market Assessment and Employment Development Needs Assessment
- The site has marginal viability
- Increased congestion
- Negative impact on biodiversity
- Loss of agricultural land
- Capacity issues in utilities infrastructure

### **Statutory Consultees and Infrastructure providers**

2.12 Prior to and during the consultation the Council endeavoured to engage with statutory consultees and infrastructure providers through stakeholder briefings to explain and clarify the proposals contained within the Preferred Approaches consultation document.

2.13 In response to the consultation the Council received representations from key infrastructure providers, including:

- Kent County Council
- Highways England
- South East Water
- Southern Water
- Southern Gas Networks (SGN)
- National Grid
- Network Rail
- South Eastern Railways
- Kent & Medway Clinical Commissioning Group

- Environment Agency
- Openreach
- Nu-venture

2.14 Engagement with statutory consultees and infrastructure providers is ongoing. Below is summary of the responses from each provider listed above, plus statutory consultees Natural England and Historic England.

### **Kent County Council**

2.15 Kent County Council (KCC) are the infrastructure provider for a range of services in the Borough, including highways, education, and waste disposal etc. It is also the minerals and waste planning authority.

2.16 KCC have raised highways concerns as regards highways impact. These are focused on the lack of capacity on the road network in the south east of Maidstone along the A274 where they have severe concerns on delivery of sites. However, KCC are supportive of the use of Garden Communities and town centre.

2.17 In the Garden Communities sites, it is felt of the impact on the road network can be minimised due to the proposed level of jobs and facilities within them leading to a good level of self-containment of journeys.

2.18 The impact on education provision it is felt can be mitigated by the expansion of existing schools mostly. However, new provision of primary schools will be needed in both Garden Communities. Heathlands will also, in time, require a new secondary school. Further secondary provision will also be needed in the Maidstone urban area.

2.19 As the waste authority, KCC has also proposed the need for new projects to meet the growth proposed. In the short-term the Household Waste Recycling Centre at Tovil needs to be expanded and in the longer-term relocated.

2.20 Some concerns are raised with regards to minerals safeguarding and the proposed spatial strategy and the council has been pointed towards relevant planning policies produced by KCC. Of particular concern was the sterilisation of mineral reserves caused by Heathlands (SP4(a)).

### **Highways England**

2.21 Highways England ("HE") are the statutory body for maintaining the strategic road network ("SRN"). In Maidstone Borough this relates to impacts to the M20, M2 and A21.

2.22 HE generally welcomed a strategy that places growth within the existing urban area as this will more easily enable sustainable travel options. They have concerns with regards to the impacts on the M20 at junctions 5, 6, 7 & 8. The proposed growth to the south and east of Maidstone would have an impact on M20 junction 7 & 8 and HE suggest that a Leeds Langley Relief Road is advisable.

2.23 Regarding the Garden Settlements, HE is concerned that Heathlands is not of a suitable size to be able to support a new junction on the M20. Further work is still required to assess the impact of the Lidsing proposal on the M2 at junctions 3 and 4.

### **South East Water**

2.24 South East Water ("SEW") are the statutory water supply provider for Maidstone Borough.

2.25 No specific concerns were raised by SEW in relation to the proposals in the consultation document. However, SEW would like to see water efficiency standards included within the proposed development management policies of 110 litres/person/day.

### **Southern Water**

2.26 Southern Water ("SW") are the drainage and wastewater sewage operator within the Borough.

2.27 The response provided by SW included detailed comments on specific proposed sites of concern within the consultation document. Upgrades to their network would be required if the following allocations are progressed:

- LPRSA362 (Police HQ, Sutton Rd),
- LPRSA196 (Land at Willow Farm),
- LPRSA216 (Rochester Meadow),
- LPRSA172 (land at Sutton Road, South East of Maidstone),
- LPRSA310 (land at Mote Rd),
- LPRSA260 (Ashford Rd),
- LPRSA295 (land at Copper Ln),
- LPRSA314 (Land east of Albion Rd),
- LPRSA066 (land east of Lodge Rd),
- LPRSA248 (North of Kenward),
- LPRSA273 (Land between Maidstone Rd and Whetsted Rd),
- LPRSA303 (IS Oxford Rd),
- SP4(b) (Lidsing), and
- SP4(a) (Heathlands).



### **Southern Gas Networks (SGN)**

- 2.28 SGN is a utility company maintaining the gas distribution network to properties in the Borough.
- 2.29 The spatial distribution of growth was generally supported. However, depending on the timing of development, additional infrastructure improvements may be needed around Marden and Lidsing to support the level of growth planned for in the timescales proposed.

### **National Grid**

- 2.30 National Grid maintain the strategic electricity and gas transmission network from the points of generation or import to local distribution networks.
- 2.31 National Grid do not object to the consultation but highlighted that there were overhead powerlines in the proximity of the proposed development at Lidsing (SP4(b)).

### **Network Rail**

- 2.32 Network Rail are the owner and maintenance body for rail infrastructure.
- 2.33 They have raised concerns on the impact of growth at various level crossing points across the Borough associated with areas of proposed growth.
- 2.34 In regard to Heathlands (SP4(a)) Network Rail supported the development of a masterplan that considered a station but did not support the development on a station in this location until further work had been completed.

### **South Eastern Railway**

- 2.35 South Eastern Railway is the current rail operator for Maidstone Borough.
- 2.36 The comments provided were for various station access improvements across the district and to maximise opportunities for integrated travel with other alternative travel options (i.e. bus and bicycle).

### **Kent & Medway Clinical Commissioning Group**

- 2.37 The Clinical Commissioning Group ("CCG") focuses on the delivery of healthcare through GPs practices.
- 2.38 Based on the proposed growth identified in the consultation, the CCG has the following infrastructure requests:
- New healthcare provision in Maidstone town centre.
  - New healthcare provision in south/south east Maidstone with the potential to expand.
  - A new healthcare practice within the Heathlands development.

- Expanded healthcare provision in the surrounding facilities adjacent to Lidsing (SP4(b)) to accommodate growth.

### **Environment Agency**

2.39 The Environment Agency made the following representations:

- Object to site allocation LPRSA273 (Land between Maidstone Road and Whetsted Road) due to flood risk concerns.
- All new homes should meet higher water efficiency standards.
- Wastewater infrastructure must be fit for purpose to deal with issues, such as nitrate neutrality rather than just providing capacity.
- The Water Cycle study for Maidstone is dated and they questioned if there was to be an update.
- In the Stour catchment Environment Agency regulations need to be complied with as well as those of Natural England (who have as yet to respond).
- Updates to the Environment Topic paper are needed to better reference policy and legislation.

### **Openreach**

2.40 Openreach is an internet connection provider maintaining the physical infrastructure that connects homes to the internet rather than a provider of services.

2.41 They are happy to provide services to the meet the need identified.

### **Nu-Venture**

2.42 Nu-Venture is one of the bus operators working within the borough, mainly within the rural parts.

2.43 The main issue raised is width of roads and therefore the accessibility for buses to use them. Town Bridge in Yalding was of particular concern.

### **Natural England**

2.44 Natural England raised concerns on the following issues: impact on the Kent Downs AONB, River Beult SSSI and Turtle Dove Friendly Zone Marden.

2.45 Natural England had concerns that the following areas of development may have an impact on the AONB; including Heathlands Garden Community (SP4(a)), Lidsing Garden Community (SP4 (b)), development at Harrietsham (SP6(a)), Lenham (SP6(c)), Sutton Valence (SP7(d)) and Woodcut Farm (EMP1(4)).

2.46 There was concern that development proposed in Headcorn (SP6(b)), Staplehurst (SP6(e)) & Yalding (SP7(e)) may have an impact on the River Beult SSSI.

2.47 Concerns were raised as to the impact of development in Marden (SP6(d)) on the Turtle Dove Friendly Zone and that this will need to be considered.

### **Historic England**

2.48 Historic England has provided a range of comments with regards to the spatial strategy and the development management policies proposed in the consultation document.

2.49 Regarding the spatial strategy Historic England have commented on range of sites and broad growth locations proposed highlighting the potential impacts on heritage assets and the need in certain locations for a heritage assessment (Heathlands (SP4(a)), Lidsing SP4(b) and Leeds-Langley Corridor (SP5(a))).

2.50 Historic England would like to see changes to the development management policies proposed. Specifically, they would like more detail as to how the impacts of development on the following heritage would be managed: scheduled monuments, registered parks and gardens and locally significant heritage.

### **Neighbouring Local Planning Authorities**

2.51 In addition to Kent County Council (noted above), the Council has engaged with, up to and following the consultation, its neighbouring planning authorities under its duty to cooperate. It will also continue to do so between now and Regulation 19 stage of consultation.

2.52 The following neighbouring Local Planning Authorities responded to the consultation:

- Medway Council
- Tonbridge and Malling Borough Council
- Tunbridge Wells Borough Council; and;
- Ashford Borough Council

2.53 No response was returned from Swale Borough Council. This has been explored and it is confirmed that no response is to be provided.

2.54 Below is a summary of responses received from each of the LPAs listed.

#### **Medway Council**

2.55 Medway Council's response focused on the proposed Garden Community at Lidsing (Policy SP4(b)) adjacent to its boundary. It has objected to that proposal on transport, environmental and social infrastructure grounds.

2.56 In relation to transport it was felt that the site is unsustainable for the following reasons:

- The scheme has not yet been fully tested to conclude that it is appropriate.

- It would create transport issues in Medway.
- It would not promote sustainable travel due to its proximity to the motorway.

2.57 In relation to the environmental impact of the proposal they have concerns about:

- The impact on protected sites near the Lidsing (SP4(b)) proposal, particularly the Kent Downs AONB, Purple Hills SSSI, and Medway Estuary SPA & Ramsar.
- infilling of the strategic gap between Lordswood and Hempstead.

2.58 In relation to the impact on social infrastructure, the main concern relates to education and lack of secondary school provision to support the proposal at Lidsing (SP4(b)).

### **Tonbridge and Malling Borough Council**

2.59 Tonbridge and Malling Borough Council are generally supportive but have raised the following concerns:

- Impact on landscapes of local value.
- The lack of a contingency within the housing supply.
- The failure to identify Gypsy and Traveller need.
- The impact on both the local and strategic highway network.

### **Tunbridge Wells Borough Council**

2.60 Tunbridge Wells Borough Council's (TWBC) is generally supportive save that they have the following specific concerns:

- the proposed allocation LPRSA273 (Land between Maidstone Road and Whetsted Road) needs to consider masterplanning work being undertaken for the growth around Paddock Wood.
- That growth in the south of the district around Marden, Headcorn and Staplehurst needs to be considered in the light of growth proposed to the north of its own district, especially as regards their impact on infrastructure.

### **Ashford Borough Council**

2.61 Ashford Borough Council (ABC) raised concerns regarding the garden community proposal at Heathlands (policy SP4(a)). Their concerns relate to:

- the impact of the proposals on the local road and rail network, particularly the impact of the proposed new station on increased usage of the Ashford Station for access to HS1 services. the physical location of the development and its impact on local services in Charing.

- the infrastructure requirements of the proposal at Heathlands need to be fully assessed to mitigate any impacts in Ashford Borough. Concern is raised in relation to flood risk, wastewater drainage and water supply. the added pressure to educational facilities with its own district.
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### **3. AVAILABLE OPTIONS**

- 3.1 At this stage, the Committee is being asked to note the content of the report.
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### **4. RISK**

- 4.1 This report is presented for information only and has no risk management implications.
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### **5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 5.1 A full report of the analysis from the Reg 18b Preferred Approaches Consultation will be reported as part of the evidence base and Regulation 19 proposals.
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### **6. REPORT APPENDICES**

- N/A
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### **7. BACKGROUND PAPERS**

Background paper 1. – Local Plan Review: Regulation 18 Preferred Approaches Consultation (Dec. 2020) -

<https://localplan.maidstone.gov.uk/home/documents/local-plan-review-documents/regulation-18b/Local-Plan-Review-2020.pdf>