

**Maidstone Local Plan Review – Regulation 19 Consultation,
Evidence Documents and Sustainability Appraisal
Consultation**

Final Decision-Maker	Council
Lead Head of Service	Phil Coyne (Interim Director Local Plan Review), Rob Jarman (Head of Planning and Development)
Lead Officer and Report Author	Mark Egerton (Strategic Planning Manager)
Classification	<p>Public Report with Exempt Appendix.</p> <p>Exempt Appendix:</p> <p>Appendix 4: Working Draft Statements of Common Ground with adjacent authorities and other key bodies.</p> <p>This appendix contains exempt information as classified in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).</p> <p>The public interest in maintaining this exemption outweighs the public interest in its disclosure. The Statements of Common Ground are working draft documents and contain sensitive cross boundary matters. The working draft documents contain information affecting the business affairs of other authorities and key bodies.</p> <p>It is intended to publish the Statements of Common Ground for the Regulation 19 public consultation once agreement has been received from neighbouring authorities and relevant prescribed bodies.</p>
Wards affected	All

Executive Summary

This report introduces the third stage of public consultation for the Local Plan Review. The Local Plan Review Regulation 19 'Draft for Submission' document at Appendix 1 sets out the proposals associated with the review of the October 2017 Local Plan. Appendix 2 sets out the associated Policies Map, while Appendix 3 sets out the associated Sustainability Appraisal.

Exempt Appendix 4 contains working draft Statements of Common Ground with neighbouring authorities and other relevant prescribed bodies. The remaining documents that add to the evidence base for the Local Plan Review are provided as background documents to this report.

This report seeks to undertake a minimum 6-week public consultation under Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012 (as amended) as well as a concurrent public consultation on the associated Sustainability Appraisal. The consultation is proposed to take place between 29th October 2021 and 12th December 2021.

Purpose of Report

The matters covered in this report are for decision.

This report makes the following recommendations to this Committee:

That the Strategic Planning and Infrastructure Committee recommends that Full Council:

1. Approves the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1) and associated Policies Map (Appendix 2) for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended) between the 29th October 2021 and 12th December 2021
2. Approves the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1) and associated Policies Map (Appendix 2) for Submission under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling up, Housing and Communities for examination under Section 20 of the Planning and Compulsory Purchase Act 2004
3. Grants delegated powers to the Strategic Planning and Infrastructure Committee to submit a schedule of Main Modifications in respect of the Local Plan Review Draft for Submission document and associated Policies Map, arising from representations made under Regulation 20 of the Town and Country (Local Planning) (England) Regulations 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling up, Housing and Communities
4. Provides delegated authority to the Head of Planning and Development to make factual alterations and minor amendments such as graphics, layout, spelling and grammatical changes to the Local Plan Review Draft for Submission Document and associated Policies Map

5. Approves the 'Sustainability Appraisal of the Maidstone Local Plan Review: Regulation 19 Pre-Submission' document (Appendix 3) for public consultation between the 29th October 2021 and 12th December 2021
6. Notes the list of documents within the evidence base provided as background documents to this report and the working draft Statements of Common Ground (Exempt Appendix 4) that will support the Local Plan Review

Timetable	
<i>Meeting</i>	<i>Date</i>
Strategic Planning and Infrastructure Committee	4 October 2021
Council	6 October 2021

Maidstone Local Plan Review – Regulation 19 Consultation, Evidence Documents and Sustainability Appraisal Consultation

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations will materially improve the Council's ability to achieve each of the corporate priorities and this is set out within the consultation document in Appendix 1.</p>	Rob Jarman (Head of Planning & Development)
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>Accepting the recommendations will materially improve the Council's ability to achieve each of the cross-cutting objectives and this is set out within the consultation document in Appendix 1.</p>	Rob Jarman (Head of Planning & Development)
Risk Management	<p>This is the third iteration of the Local Plan Review. There are legal compliance requirements, notably the Local Development Scheme, on-going Duty to Co-operate and Statement of Community Involvement. A Sustainability Appraisal Process (including Strategic Environmental Assessment) and Habitat Regulations Assessment process is</p>	Rob Jarman (Head of Planning & Development)

	<p>ongoing during the Local Plan Review. There are 4 tests of 'soundness': -</p> <ol style="list-style-type: none"> 1. Positively prepared 2. Justified 3. Effective 4. Consistent with national policy <p>The Regulation 19 'Draft for Submission' document has taken account of all of these matters.</p>	
Financial	Funding has been set aside for the Local Plan Review in the Medium-Term Financial Strategy. This includes funding for the specific consultation work described in this report.	[Section 151 Officer & Finance Team]
Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman (Head of Planning & Development)
Legal	Acting on the recommendations is within the Council's powers as set out in the Planning and Compulsory Purchase Act 2004 and The Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Environmental Assessment of Plans and Programmes Regulations 2004. The consultation document has had legal input during its preparation.	Russell Fitzpatrick (MKLS (Planning)) (Team Leader)
Privacy and Data Protection	Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules. All responses will be anonymised before publication.	Policy and Information Team
Equalities	Accepting the recommendations will ensure that an inclusive approach is taken to consultation on the Local Plan Review in line with the Statement of Community Involvement. It is important that the consultation process is accessible to all communities including seldom heard groups. A separate, equalities impact assessment has been undertaken for the Local Plan Review. This is a live document that will be revisited at various stages of the review and a further iteration will occur in response to the	Equalities and Communities Officer

	consultation proposed in this report.	
Public Health	We recognise that the recommendations will have, or have the potential to have, a positive impact on population health or that of individuals. Particular links signposted in the main consultation document (Appendix 1).	[Public Health Officer]
Crime and Disorder	The recommendations will have a potentially positive impact on Crime and Disorder, as demonstrated by the main consultation document (Appendix 1).	Rob Jarman (Head of Planning & Development)
Procurement	On accepting the recommendations, the Council will then follow procurement exercises for document printing. We will complete those exercises in line with financial procedure rules.	Rob Jarman (Head of Planning & Development) & Section 151 Officer]
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and accepting the recommendations aligns with associated actions of the Biodiversity and Climate Change Action Plan	[Biodiversity and Climate Change Officer]

2. INTRODUCTION AND BACKGROUND

- 2.1 Maidstone Borough Council's Local Plan was adopted in October 2017. It planned for the period 2011-2031. It contained a policy (LPR1) setting out which matters may need to be addressed in the first review, with a target date of April 2021. Since this time, the government has published updates to its National Planning Policy Framework. One of the updates contains new requirements, including a new standard methodology for calculating housing need and a requirement for undertaking Local Plan reviews every 5 years. The Council has also subsequently produced a Strategic Plan 2019-2045.
- 2.2 In July 2018, the Council agreed that it would prepare a Local Plan Review. The Local Plan Review has a 15-year time period – 2022 to 2037. The first milestone in the timetable was an initial stage of public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The consultation document considered and sought responses on the 'Scoping, Themes and Issues' for the Local Plan Review and took place between 19th July 2019 and 30th September 2019. Over 550 responses were received, and the analysis was fed back to this Committee on 10th March 2020.
- 2.3 The next stage of public consultation also took place under Regulation 18. This document set out the Council's 'Preferred Approaches' to the matters to be considered within the Local Plan Review. A significant amount of evidence and analysis was developed to inform this stage of the Local Plan Review,

which was presented to this Committee in September 2020 and has been published and is available on the Council's website.

- 2.4 The consultation on the Regulation 18 Preferred Approaches document took place from 1st December 2020 and was extended to 8th January 2021. Approximately 3,100 responses were received and a report setting out the feedback from the consultation was presented to this committee on 9th March 2021. A separate consultation on the Sustainability Appraisal of the spatial approaches and sites ran concurrently with the Preferred Approaches consultation, with feedback being provided to the Council's consultants for their consideration.
- 2.5 As noted in various Local Plan Review update reports to this committee, work has continued apace on the Local Plan Review. This has included updates to the evidence base and production of the Regulation 19 version of the Local Plan Review document and associated Policies Map. This 'Draft for Submission' version of the Local Plan Review contains the policies and proposals that the Local Planning Authority intend to submit to the Secretary of State, accompanied by any Main Modifications. This version of the plan will be examined by an Inspector appointed by the Secretary of State. The associated minimum 6-week public consultation is intended to focus on the soundness and legal compliance of the plan. The Regulation 19 document is attached to this report as Appendix 1 while the associated Policies Map is attached to this report as Appendix 2 (High resolution copies of the policy maps are available through the link at the bottom of this report).
- 2.6 In a similar manner to the Regulation 18 Preferred Approaches stage, there is a Sustainability Appraisal consultation that is intended to run concurrently with the Regulation 19 documents consultation. The purpose of this consultation will be to seek views on the 'Sustainability Appraisal of the Maidstone Local Plan Review: Regulation 19 Pre-Submission' document. This is attached to this report as Appendix 3. The consultation will seek representations from consultation bodies and other parties who, in its opinion, are affected or likely to be affected by, or have an interest in, the decisions involved in the assessment and adoption of the plan. It is dealt with under separate legislative processes to the Local Plan Review but will make use of existing notification processes that will be used for the Regulation 19 consultation e.g., public notices, notification letters and other methods of notification, with the information being available on the Council's website. The consultation would run for the same period of time as the Regulation 19 consultation.
- 2.7 An updated evidence base will also be published with the Regulation 19 documents. This will be used in conjunction with the already published evidence documents to support the Regulation 19 documents. The additional evidence base documents are provided as background documents to this report and as Exempt Appendix 4 – Statements of Common Ground (see below).

Statements of Common Ground

- 2.8 Maidstone Borough Council, as Local Planning Authority, has been engaged in ongoing, active and effective duty to cooperate with neighbouring

authorities and other relevant prescribed bodies. This is summarised in a Duty to Cooperate Statement (see background document below).

- 2.9 A Statement of Common Ground (SoCG) for each neighbouring authority and relevant prescribed body will be provided in the appendix to the Duty to Cooperate Statement.
- 2.10 A SoCG details key, strategic issues and where there are matters of agreement and disagreement, if any have arisen during the duty to cooperate process.
- 2.11 They are draft working documents only and have not been signed off by all parties. However, in most cases the drafts are at a relatively advanced stage, having undergone negotiation and discussion over a number of months. These are provided as Exempt Appendix 4 for noting and are intended to be published as working drafts once agreement has been received from the other parties. Further amendments are anticipated to the SoCG prior to submission of the Local Plan Review documents.
- 2.12 The SoCG are summarised below. It should be noted that the Tunbridge Wells SoCG has not changed from the version previously considered and agreed by Members and is therefore not provided in this list. It will, however, be published with the other Statements of Common Ground.
- 2.13 Kent County Council (KCC) – the draft SoCG was shared with KCC in August 2021. At the time of writing this report, KCC has undertaken a review of the document. The main issues raised in the SoCG relate to: Maidstone Borough Council's approach to minerals safeguarding; waste infrastructure provision; education provision; social infrastructure; and environment, including public rights of way.
- 2.14 Medway Council - The draft SoCG with Medway Council is at a fairly advanced stage, having been reviewed by both parties as discussions have progressed. Medway Council has objected to the Lidsing Garden Settlement, but has provided details of infrastructure contributions that they consider will be required should the Garden Settlement go ahead. This will be subject to further details and discussion and are included within the IDP. The SoCG notes Medway's objection to the Lidsing Garden Community but reaffirms Medway Council and Maidstone Borough Council's commitment to work together to address matters arising from the garden settlement. Particular matters raised by Medway include: transport impacts; infrastructure impacts and contributions; retail provision and its impact on shopping centres in Medway; landscape impact; environment, including biodiversity impact; and flood risk. The SoCG sets out the steps identified thus far that Maidstone Borough Council is taking to address these concerns
- 2.15 Swale Borough Council - the SoCG between Swale and Maidstone Borough Council is at an advanced stage. No major concerns have been raised by either authority. Maidstone Borough Council has agreed to keep SBC updated on the Lidsing development which lies close to the boundary with Swale, and has the potential to impact on highways and environmental assets.

- 2.16 Ashford Borough Council (ABC) – The contents of the SoCG have been agreed by ABC and MBC officers. The main cross boundary issues with Ashford relate to nutrient neutrality in respect of the River Stour, and the development of the Heathlands Garden settlement adjacent to the boundary with Ashford.
- 2.17 Tonbridge and Malling Borough Council (TMBC) – Officers at Tonbridge and Malling have worked closely with MBC in developing the SoCG. Main strategic matters relate to the proximity of urban areas within both boroughs, with highways matters being of particular cross boundary interest. The Statement of Common Ground is well developed and at an advanced stage.
- 2.18 Highways England/National Highways (HE) – A draft SoCG was shared with HE in September 2021 and comments have been received and included. We are awaiting further updates on the transport modelling and assessment before updating and circulating the SoCG again. The strategic matters discussed are transport infrastructure, transport modelling and the garden communities. Provisional agreement has been reached subject to further discussions.
- 2.19 Network Rail (NR) – The draft SoCG shared with NR in September 2021. It confirmed that NR and Maidstone Borough Council have worked together on the development of an updated IDP and NR is content with the infrastructure interventions outlined.
- 2.20 Natural England – A draft SoCG was shared with Natural England in August 2021. The SoCG primarily addresses future collaboration between Natural England and Maidstone Borough Council in response to recommendations in the Habitat Regulations Assessment. At the time of writing this report, feedback has yet to be received from NE on the draft SoCG.
- 2.21 Southern Water (SW) – A draft SoCG was shared with SW in September 2021 and it was agreed that SW and Maidstone Borough Council have engaged through the LPR process not only through the formal consultations but also the development of the associated evidence base, especially the Infrastructure Delivery Plan. The strategic matters discussed are the general provision of infrastructure across the district, the impact of the garden community developments and nutrient neutrality. SW is content with the infrastructure interventions outlined and discussions will continue.
- 2.22 Environment Agency – A draft SoCG shared with the Environment Agency in September 2021 on matters raised in its response to the Regulation 18b preferred Approaches consultation. The SoCG sets out the steps Maidstone Borough Council has taken to address matters relating to the Water Cycle Study, climate change and nutrient neutrality. The Environment Agency has indicated its broad agreement with the contents of the SoCG.

Content of the Regulation 19 Documents

Local Plan Review Regulation 19 Version

- 2.23 Following a foreword, a brief contextual introduction is provided, which includes an explanation of the consultation document and its purpose.

- 2.24 The remainder of this document's content is intended to be submitted for Independent Examination by an Inspector appointed by the Secretary of State. The main introduction to the plan (Chapter 2) sets out the existing local planning framework and the role of the Local Plan Review. It sets out influencing factors, such as the adopted Maidstone Local Plan 2017 which it is updating and Maidstone's Strategic Plan. It also outlines the purpose of the Local Plan Review in the context of other Development Plan Documents and Supplementary Planning Documents.
- 2.25 A spatial portrait is provided in Chapter 3, which includes key facts and figures and narrative around the nature of the borough. Linkages between government policy guidance, the Council's Strategic Plan and the main issues tackled in the Local Plan Review are also set out.
- 2.26 Chapter 4 sets out the spatial vision and objectives, which have regard to the Borough's Strategic Plan, as well as the other matters and strategic issues that the Local Plan Review will need to address. A change of particular note from the Regulation 18 Preferred Approaches consultation document has been the greater emphasis on climate change and biodiversity, reflecting the importance the council places on tackling these issues.
- 2.27 Chapter 5 provides the spatial strategy for growth that is to be accommodated in the Local Plan Review until 2037 and includes a Key Diagram to illustrate the primary characteristics of the Borough. The strategy meets the objectively assessed need for housing, based on the government's standard methodology, which is currently 17,355 residential units per annum between 2022 and 2037. It also meets objectively assessed need for employment and retail matters based on specialist studies in this regard. These studies have been updated to reflect the latest information post-Covid and Brexit.
- 2.28 The spatial strategy illustrates the key roles of Maidstone Town Centre, Maidstone urban area, garden communities, Rural Service Centres and Larger Villages, and Smaller Settlements. Of particular note is the role of proposed garden communities at Lidsing and Lenham Heathlands as components of the spatial strategy. Invicta Barracks is also noted as a Strategic Development Location.
- 2.29 The spatial strategy also sets out the key role Maidstone Town Centre will play in the future and references a separate town centre strategy to deal with this. The Leeds Langley corridor is also retained from the Regulation 18 Preferred Approaches document as a Strategic Development Location. The area does not contribute to meeting need as part of this plan period, but a defined area is safeguarded for future use, associated with new development post this plan period which will need to accommodate its own new highway infrastructure.
- 2.30 The spatial strategy has not fundamentally changed from that consulted on in the Regulation 18 Preferred Approaches document. However, an update to the settlement hierarchy has occurred in accordance with new, objective information by way of a settlement hierarchy study. Among other changes, Coxheath is now a Rural Service Centre, while Boughton Monchelsea is now

located within the Smaller villages & hamlets category. The spatial strategy is brought together within policy LPRSS1.

- 2.31 A comparison between the levels of growth sought from the adopted Local Plan and the Local Plan Review is also provided. Taking into account existing development set out in the Adopted Local Plan 2017, extant planning permissions and the town centre opportunity sites 2019, the Local Plan Review seeks to allocate an additional 5,455 dwellings for the borough between 2022-2037. This reflects a significant uplift in housing need, based on the government's standard methodology.
- 2.32 There is a requirement to bring forward 5% of the capacity of the plan from the back end of the plan period to the first five years of supply. This does not affect the overall quantum included in the plan. However, based on advice from the Planning Inspectorate, there is also a need to provide a contingency that would allow the plan to remain deliverable even if specific sites were removed during the Examination in Public process. The current draft of the plan contains a contingency of 391 units, which represents 2.3% of the overall Local Plan Review need. This amount varies over the course of the plan, being generally higher around years 5-7 which are generally of significant focus to the Independent Inspector, then falling back to the 2.3% by 2037. It is considered that this is a minimum acceptable amount of contingency for the Local Plan Review.
- 2.33 Similarly, growth is still required in employment and retail sectors. However, the latest information shows that need has reduced in most cases from the requirements contained in the adopted Local Plan 2017 and this will need to be kept under review as the economy responds to Brexit and the recovery from the Covid19 pandemic.
- 2.34 Chapter 6 contains spatial strategic policies and sets out the roles that will be played by localities within Maidstone Borough in respect of the spatial strategy. This is divided into Maidstone Town Centre, Maidstone Urban area, Development at the edge of Maidstone and then Garden Settlements at Heathlands and Lidsing, Strategic Development Locations at Invicta Barracks and Lenham Broad Location and a safeguarded area for development outside of this plan period along the Leeds Langley Corridor. This is followed by the Rural Service Centres, Larger Villages, and finally Smaller Settlements. The table below summarises the contributions by area.

Area	Reg19
Maidstone TC	700
Maidstone Urban	178
SW Maidstone	250
NE Maidstone	67

“SE Maidstone” – Boughton Mon, Sutton Valence, Sutton Rd	536
Marden	113
Harrietsham	100
Staplehurst	127
Headcorn	110
Yalding	100
Hollingbourne	9
Coxheath	100
Garden Settlements	2,700
Smaller Settlements	365
Total	5,455

- 2.35 The Smaller Settlements differ from the other areas as they do not provide specific allocations. Instead, they are allocated a nominal number of houses over the plan period, which would contribute to the continued sustainability of the settlements. The policy requires, among other matters, that the scale of development is proportionate to the size of the settlement and type and level of local services available. The development should also have community support, either through a Neighbourhood Plan or other Parish endorsement, for example as a Rural Exception Site. The final policy in the chapter sets out requirements for development within the countryside.
- 2.36 Chapter 7 provides a series of thematic, strategic policies. These set out overall requirements for future development proposals, such as residential development, employment, transport, infrastructure, the environment and design.
- 2.37 Of particular note in the residential development policies is the zoning of the borough into zones of higher, mid and lower viability, with affordable housing not being required from private schemes within the low value zone. The zones follow the recommendations from the Plan Viability Assessment, which are described elsewhere in this report. This policy also reflects recent changes to requirements such as provision of First Homes, which carries forward the national requirements in this regard. The chapter also carries forward the Local Plan 2017 site allocations for Gypsies and Travellers and re-affirms the position with regard to the need for a Gypsy and Traveller Development Plan Document.
- 2.38 The chapter allocates sites for employment use, in addition to including existing allocations that are carried forward from the Local Plan 2017. The policy also includes the provision that is expected within the Garden Communities. The chapter reaffirms the Council’s commitment to the Community Infrastructure Levy as a means of securing infrastructure improvements in the borough. It also commits to a review of the levy in light

of updated viability evidence and proposals contained with the Local Plan Review.

2.39 There have also been changes to strategic environmental policies. The chapter includes a requirement for 20% biodiversity net gain on new residential development, for example, while a specific policy on climate change sets out requirements regarding matters such as Sustainable urban Drainage Systems, water efficiency and renewable energy.

2.40 Chapter 8 sets out the sites that will contribute to the spatial strategy. This includes site allocations carried forward from the adopted Local Plan 2017 as well as the new allocations for the Local Plan Review. The sites remain largely unchanged from those contained in the Regulation 18 Preferred Approaches document. However, some modifications have been necessary. The new sites are contained in the below table, including:

Site Ref	Site Name	Growth Location	Identified Capacity		
			Emp use m ²	Town centre use m ²	Resi units
LPRSA145	Len House	Maidstone Town Centre		3,600	159
LPRSA147	Gala Bingo & Granada House	Maidstone Town Centre		500	40
LPRSA148	Maidstone Riverside	Maidstone Town Centre	5,148	2,574	650
LPRSA149	Maidstone West	Maidstone Town Centre	1,034	517	130
LPRSA151	Mote Road	Maidstone Town Centre	1,250	0	172
LPRSA144	High St/ Medway St	Maidstone Town Centre		150	50
LPRSA146	Maidstone East	Maidstone Town Centre	5,000	2,000	500
LPRSA366	Springfield Tower	Maidstone Urban Area	-	-	150
LPRSA152	Former Royal British Legion Site	Maidstone Urban Area	-	-	8
LPRSA265	Land at Abbey Gate Farm	SW of Maidstone	-	-	250
LPRSA270	Land south of Police HQ	S of Maidstone	-	-	196
LPRSA172	Land at Sutton Road	SE of Maidstone	-	-	75
LPRSA362	Police HQ, Sutton Rd	SE of Maidstone	-	-	135
LPRSA266	North of Ware St	NE of Maidstone	-	-	67
LPRSA303	EIS Oxford Rd	E of Maidstone	-	-	20
LPRSA101	Land south of A20	Harrietsham	-	-	53
LPRSA 136	Land at Keilen Manor	Harrietsham			47
LPRSA310	Land at Moat Rd	Headcorn	-	-	110
LPRSA260	Ashford Road	Lenham	2,500	-	-

LPRSA295	Land north of Copper Ln & Albion Rd	Marden	-	-	113
LPRSA066	Land east of Lodge Rd	Staplehurst	-	-	78
LPRSA114	Land at Home Farm	Staplehurst	-	-	49
LPRSA360	Campfield Farm	Boughton Monchelsea	-	-	30
LPRSA312	Land north of Heath Rd	Coxheath			85
LPRSA364	Kent Ambulance HQ	Coxheath			10
LPRSA251	Land at Former Orchard Centre Heath Rd	Coxheath			5
LPRSA204	Land south east of Eyhorne Street	Eyhorne St (H'bourne)	-	-	9
LPRSA078	Haven Farm & L/a 4 Southways	Sutton Valence	400	1,500	100
LPRSA248	North of Kenward Rd	Yalding	-	-	100

2.41 The below table shows which sites in the 2017 Plan are retained, removed (completed) or superseded by those in the Local Plan Review.

Allocations complete	Allocations expected to complete 2020-22	Allocations not complete					Allocations Superseded	
							Superseded Policy	Superseded By
H1 (1)	H1 (5)	H1 (2)	H1 (22)	H1 (54)	H1 (13)	LPRSA 144		
H1 (6)	H1 (16)	H1 (3)	H1 (24)	H1 (59)	RMX1 (2)	LPRSA 146		
H1 (20)	H1 (23)	H1 (4)	H1 (25)	H1 (65)	RMX1 (4)	LPRSAEmp1		
H1 (32)	H1 (29)	H1 (7)	H1 (26)	EMP1 (1)	RMX1 (5)	LPRSA 148		
H1 (34)	H1 (31)	H1 (8)	H1 (27)	EMP1 (2)	RMX1 (6)	LPRSA 151		
H1 (35)	H1 (33)	H1 (9)	H1 (28)	EMP1 (4)				
H1 (37)	H1 (39)	H1 (10)	H1 (30)	RMX1 (1)				
H1 (40)	H1 (43)	H1 (11)	H1 (36)	RMX1 (3)				
H1 (42)	H1 (45)	H1 (12)	H1 (38)					
H1 (44)	H1 (47)	H1 (14)	H1 (41)					
H1 (51)	H1 (53)	H1 (15)	H1 (46)					
H1 (55)	H1 (56)	H1 (17)	H1 (48)					
H1 (57)	H1 (58)	H1 (18)	H1 (49)					
H1 (61)	H1 (60)	H1 (19)	H1 (50)					
H1 (62)	H1 (63)	H1 (21)	H1 (52)					
H1 (64)	H1 (66)	These policies are not complete and are not			These policies are proposed to be superseded by new			
EMP1(3)								

These policies are complete and will not be retained when the Local Plan Review is Adopted.	These allocations are not complete but are anticipated to be completed before October 2022. They are not expected to be retained when the Local Plan Review is Adopted.	anticipated to be completed before October 2022. They are expected to be retained in the Local Plan Review.	allocations. As such they are not expected to be retained in the Local Plan Review.
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- 2.42 Relating to the strategic, thematic policies contained in Chapter 7, Chapter 9 contains Development Management Policies. Such policies are often required to assess specific planning applications.
- 2.43 Many of these policies have not changed significantly since the Regulation 18 Preferred Approaches consultation. However, of particular note in the residential policies is an amendment to include First Homes. The chapter also seeks to meet a significant need for retirement living, sheltered housing, enhanced sheltered housing and extra care facilities on the edge of the boundaries of Maidstone urban area, Rural Service Centres and Larger Villages, subject to specific criteria being met. This will help the Local Plan Review meet need in this regard.
- 2.44 For employment, the chapter reflects the significant changes made to use classes by setting out requirements within the Primary Shopping Area in Maidstone Town Centre for changes of use from Use Class E. For transport, the chapter contains requirements for electric vehicle parking provision in new residential dwellings and from a design perspective the chapter provides internal space standards for new residential development.
- 2.45 Chapter 10 set out the proposals for monitoring and review of the Local Plan Review. This comprises indicators, updated from the adopted Local Plan 2017 that will be used to assess progress in delivery of the Local Plan Review.
- 2.46 Reference is made within the Regulation 19 document to the production of additional Development Plan Documents and Supplementary Planning Documents. This includes the production of Supplementary Planning documents to take forward the Garden Communities and Invicta Barracks. Focussed approaches are proposed to address the future role and vitality of Maidstone Town Centre, accommodation needs of Gypsy and Travellers, and detailed requirements associated with sustainability and design, given the importance of these related areas.
- 2.47 Reference is also made to updating the charging schedule for Maidstone Community Infrastructure Levy. The current charging schedule reflects proposals and viability evidence associated with the adopted Local Plan 2017. The Local Plan Review contains updated proposals and is supported by

updated viability evidence. This will form a starting point for the work on a revised Community Infrastructure Levy charging schedule.

Local Plan Review Policies Map

2.48 A Policies Map accompanies the Local Plan Review Regulation 19 document. The Policies Map is an Ordnance Survey-based map showing the detailed boundaries of where policies and designations apply and illustrates the spatial strategy for the borough. All policies within the Adopted Local Plan 2017 have been reviewed with some policies being retained such as economic development areas. Other policies have been modified including new housing and employment allocations and changes to settlement boundaries for the urban area, rural service centres and larger villages.

Evidence Base Documents

2.49 The National Planning Policy Framework requires that plans and policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.

2.50 A number of evidence documents have already been published. These vary from documents published by other bodies to documents published by Maidstone Borough Council e.g. The Strategic Plan. In addition, a number of Local Plan Review evidence base components have already been published at earlier plan stages. This includes call for sites submissions and specialist studies and topic papers. Where required, these have been updated for the purposes of this plan stage.

2.51 A number of additional studies and evidence papers have been produced, which will also support the Local Plan Review, and these are provided as background documents to this report and are summarised below.

Background Document 1: Strategic Housing Market Assessment (SHMA) Update

2.52 The Strategic Housing Market Assessment (SHMA) establishes the levels of need for different types of housing across the borough. In March 2021 the SHMA was updated to reflect the most recent base data. It recommends that the local housing target for the period should be set at 1,157 net additional units per annum which reflects the Government's Standard Methodology. The annual affordable housing need is 557 dwellings. The need for Housing with Support and Housing with Care is 2,142 over the plan period and 1,228 use class C2 care home bedspaces are required over the plan period.

Background Document 2: Economic Development Needs Study (EDNS) Addendum 2021

2.53 The EDNS Addendum updates the total workforce jobs growth projections and associated floorspace requirements to reflect the latest Experian forecasts (for employment and retail/main town centre uses), taking into account the economic impact of Covid-19 on the economy and the likely pattern of recovery

- 2.54 The addendum reports a 'delayed V-shape' recovery scenario, whereby total jobs are expected to decline by 3.1% during 2021, reflecting the effects of Covid-19 on the labour market and the withdrawing of the Coronavirus Job Retention Scheme. This workforce base is then expected to recover to pre-pandemic levels by 2022, with steady growth predicted for the remaining plan period.
- 2.55 This pattern of job growth equates to 140,110m² of employment floorspace (E(g), B2 or B8 uses) over the plan period 2022-2037. This is an increase of 38,555 m² (or approximately 40%) from the 2019/20 projections; predominantly because of the increase in industrial and warehouse jobs where floorspace is typically more 'land hungry' than office use.
- 2.56 However, the growth in workforce jobs shown in the early part of the plan period represent a Covid-19 catch up effect, whereby the decline in jobs as a result of the pandemic gradually recover to pre-pandemic levels of economic activity. Whilst job losses occur over the short term, it is unlikely that workspace associated with these jobs will be 'lost' at the same pace. Therefore, some of the predicted job growth within the E(g), B2 or B8 uses over the first few years of the Local Plan Review period is unlikely to require additional floorspace capacity.
- 2.57 It is therefore recommended to continue to use the 2020 projections and associated floorspace requirements of 101,555m² as a minimum, and to keep this under regular review as per national guidance.
- 2.58 In respect of retail, using the latest Experian projections, the Addendum identifies a need for 13,769sqm (gross) A-use floorspace over the period 2022-2037. This is a decrease of 2,377sqm from the 2019/20 projections, as a result of lower comparison retail and food/beverage floorspace due to the direct impact of Covid-19 on expenditure growth and online shopping.
- 2.59 The addendum also highlights the significant changes to the national Use Class Order and Permitted Development Rights, which allow a much greater flexibility for premises to change uses in the town centre (E Use Class) without the need for planning consent. Consequently, LPR Regulation 19 proposes deletion of policies relating to primary and secondary frontages and the restrictions of uses therein, as it would be almost impossible to control. However, the Town Centre boundary and Primary Shopping Area remain in place, with policies to encourage main town centre uses within these areas, in line with the NPPF 'town centre first' approach.

Background Document 3: Garden Settlements Economic Report

- 2.60 The purpose of the report is to consider the future employment, retail and leisure contribution that two proposed garden settlements within Maidstone Borough could be expected to make over the new Local Plan period and beyond.
- 2.61 In terms of employment, the report establishes, among other things, that if phasing of employment development were to broadly match currently assumed phasing of residential development, we could expect around 65%

of the jobs and associated floorspace to come forward at Lidsing by the end of the new Local Plan period (2037), and 32% at Heathlands. The scale of job growth implied by the analysis would also not be inconsistent with patterns of recent employment growth recorded at a Borough-wide level and could therefore be considered achievable subject to the required supporting infrastructure being in place. Further, the two garden settlements at Heathlands and Lidsing could deliver around a quarter of projected Borough-wide job growth, employment floorspace and land requirement over the period to 2037.

- 2.62 In terms of retail, centres at Lidsing and Heathlands should primarily serve new residential areas within the developments and should become assimilated into the current network of shopping centres. Residents within the new garden settlements should have access to day-to-day shops and services within easy walking distance, about 500 metres. Within large developments a series of local centres/parades would be required to serve residents. Floorspace capacity projections for Lidsing suggest one medium size or two smaller local centres could be provided. Heathlands is expected to contain one district centre (up to about 5,000sqm) and two local centres (up to 600sqm each).

Background Document 4 (a and b) - Settlement Hierarchy Study

- 2.63 The Settlement Hierarchy Study seeks to identify the hierarchy of towns and villages within Maidstone Borough, based on a series of indicators that measure the performance of each settlement. The study proposes a new the settlement hierarchy structure. The new structure included new categories of 'other villages' and 'garden settlements'. It also changed larger villages to main villages. Therefore, the new structure proposed in the report is – Urban Areas, Rural Service Centres, Main Villages, Other Villages, Countryside and Undefined Settlements, Garden Settlements.

- 2.64 Changes to the settlement hierarchy resulting from the independent study include – Coxheath was promoted to Rural Service Centre, Boughton Monchelsea drops down the hierarchy to Other Villages', East Farleigh and Loose become Main Villages, Medway urban area (where that falls within Maidstone Borough) is also considered, and Chart Sutton, Kingswood, Laddingford, Langley Heath, Teston and Leeds are added to the new category of Other Village.

- 2.65 The Council proposes to take forward the recommendations of the changes to various settlements places in the hierarchy, but use the following titles: County Town, Garden Settlements, Strategic Development Location ,Rural Service Centres, Larger Villages, Smaller Villages & Hamlets, The Countryside.

Background Document 5: Infrastructure Delivery Plan

- 2.66 The Infrastructure Delivery Plan (IDP) supports the Maidstone Borough Local Plan Review (2022-2037) and provides detail on infrastructure needs within the borough. The IDP sets out the necessary social, physical, and green infrastructure which will be required to ensure that the development proposed can be delivered. To help achieve this, the IDP sets out which organisations

will provide it, when it is expected to be delivered and the cost of the proposals.

2.67 This version of the IDP includes remaining projects from previous iterations of the IDP produced under the adopted Maidstone Borough Local Plan (2017), plus new projects identified to support the additional development set out in the submission Local Plan Review.

2.68 There are several changes to the IDP, with key additions set out below, while further information is provided in the IDP itself. However, it should be noted that the IDP is an iterative document and is subject to ongoing review.

Infrastructure type	Scheme summary
Transport	<ul style="list-style-type: none"> • East Farleigh MCB Level Crossing – fit red light safety equipment (cameras) • Safety improvements to level crossing at New Bridge Lane FPS • Safety improvements to level crossing at Benches Lane FPS • Safety improvements to level crossing at New Town FPW and Fishers FPS • Safety improvements to level crossing at Lenham FPS & Acton FPS • New railway station at Heathlands Garden Community • Provision of a continuous shared use footway & cycleway along the A20 between Charing and Lenham. (Heathlands Garden Community). • Provision of improvement of offsite Public Rights of Way. (Heathlands Garden Community). • Provision of regular shuttle bus services running through the site to Lenham centre, Lenham Rail Station and Charing Rail Station (Heathlands Garden Community). • Provision of dedicated school buses to / from The Lenham School (Heathlands Garden Community). • Extension of existing 10X service (Ashford – Maidstone) through the site and increase in frequency to every 20 minutes during the peak hours and every 30-60 minutes during off-peak times (Heathlands Garden Community). • Formation of a Transport Review Group (TRG) who will be responsible for monitoring the suitability of the public transport service provision for the site. (Heathlands Garden Community). • Provision of a primary mobility hub in the district centre of the site. To include access to a range of sustainable travel modes, including the shuttle buses, 10X bus service, electric bikes, standard bikes, car club vehicles etc. Facilities such as a bicycle repair shop, café, co-working space, food retail etc. will also be provided in order to maximise activity (Heathlands Garden Community). • Provision of secondary mobility hubs throughout the site, enabling interchange between shuttle bus/

Infrastructure type	Scheme summary
	<p>regular bus services, car club vehicles and bikes (Heathlands Garden Community).</p> <ul style="list-style-type: none"> • Provision of two new roundabout junctions on the A20 to provide access to the site (Heathlands Garden Community). • Provision of off-site highway capacity improvements as demonstrated necessary through capacity assessments along A20 corridor (Heathlands Garden Community). • Public realm, accessibility, and connectivity improvements between Lockmeadow and the town centre • Creation of a fourth arm on the M2 junction 4 and access roundabout, linking to Maidstone Road, and a new bridge over the M2 with connections to the primary site access (Lidsing Garden Community). • Extension and enhancement of existing Arriva Route 132, to provide access to regular orbital bus services through the site and connecting to both Lordswood & Hempstead (Lidsing Garden Community). • Provision of new, half-hourly bus services between the site and Chatham via North Dane Way (Lidsing Garden Community). • Provision of cycling & walking links throughout the site, and strategically north-south along the Capstone Valley and into the wider Medway area (Lidsing Garden Community). • Provision of off-site highway capacity improvements as demonstrated necessary through capacity assessments surrounding (Lidsing Garden Community).
<p style="text-align: center;">Education</p>	<ul style="list-style-type: none"> • Two 2FE & one 3FE primary schools, Heathlands • One 7FE secondary school, Heathlands • Additional primary school capacity, Larger Villages • Additional primary school capacity, Rural Service Centres • One new 3FE Primary school, Lidsing • 1FE primary expansion in Maidstone town centre • 1.5FE primary expansion on edge of Maidstone urban area • One new 6FE secondary school, Maidstone urban area at Invicta Barracks • 2 FE expansion of Lenham Secondary School
<p style="text-align: center;">Health</p>	<ul style="list-style-type: none"> • New GP Surgery, Heathlands • New GP surgery, Lidsing • Medway Maritime Hospital - New hospital ward capacity and diagnostic services • Medway Council Public Health contribution
<p style="text-align: center;">Social and Community</p>	<ul style="list-style-type: none"> • New leisure centre at the site of existing Maidstone Leisure Centre • Brand new leisure centre elsewhere in the borough • Medway Council Youth Services contribution • Medway Council Library Services contribution • New community space (Heathlands Garden Community)

Infrastructure type	Scheme summary
	<ul style="list-style-type: none"> • New community facilities to be proportionate with the development (Lidsing Garden Community)
<p style="text-align: center;">Public Services</p>	<ul style="list-style-type: none"> • Expansion of Tovil Household Waste & Recycling Centre site • New Household Waste & Recycling Centre provision in east of the borough. • Provision of additional waste transfer station capacity • Relocation and expansion of ambulance Make Ready Centre (MRC) for Maidstone Borough • Creation of ambulance community response posts (ACRPs) – Heathlands and Lidsing
<p style="text-align: center;">Utilities</p>	<ul style="list-style-type: none"> • New gas main 1-2km in length on the periphery of Marden village • Sewage reinforcement works for the following sites: LPRSA362, LPRSA196, LPRSA216, LPRSA172, LPRSA310, LPRSA260, LPRSA295, LPRSA314, LPRSA066, LPRSA248, LPRSA273, LPRSA303 • Reinforcement of sewage network surrounding Lidsing Garden Community • Reinforcement of sewage network surrounding Heathlands Garden Community
<p style="text-align: center;">Green & Blue</p>	<ul style="list-style-type: none"> • Medway Council Open Spaces contribution • Recreational impact on the North Downs Woodland SAC

Background Document 6: Strategic Land Availability Assessment (SLAA) Update

2.69 The SLAA update brings together the development need evidence included in the Strategic Housing Market Assessment and Employment Land Need Assessment and offers a comparison of the available land to meet need in the local area. The document contains assessments of all the sites submitted through the Council's Call for Sites processes, and assesses each site for suitability, availability, and achievability. If a site was judged to be successful against all three criteria, then it was considered for inclusion in the Plan. Conversely, if a site did not meet these objectives, it was considered to not be deliverable, and was not included for consideration in the Plan. This may be due to one or more critical issues such as high flood risk, landscape or heritage impact, or due to the cumulative burden of many constraints on the site.

2.70 The SLAA has been updated, including to reflect sites that were submitted to the Council following the original Call for Sites exercise and resulting from the Regulation 18 Preferred Approaches consultation.

Background Document 7: Sustainability Appraisal Updated Work

2.71 Local plans should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts

should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

- 2.72 The Sustainability Appraisal (which incorporates a Strategic Environmental Assessment) of the Local Plan Review seeks to inform and support the conclusions in the Local Plan Review at each main stage for the duration of the Local Plan Review process.
- 2.73 The Regulation 19 Pre-submission Consultation Sustainability Appraisal assesses this stage of the draft plan against the Sustainability Appraisal objectives, and further refines the appraisals that were undertaken at earlier stages of production of the Local Plan Review.
- 2.74 Where the sustainability of the strategy, individual policies or site allocations could be improved then the Sustainability Appraisal makes recommendations to achieve this. As noted elsewhere in this report, there is a Sustainability Appraisal consultation that is intended to run concurrently with the Regulation 19 documents consultation. The purpose of this consultation will be to seek views on the 'Sustainability Appraisal of the Maidstone Local Plan Review: Regulation 19 Pre-Submission' document. This is attached to this report as Appendix 3.

Background Document 8: Habitat Regulations Assessment with Appropriate Assessment

- 2.75 Where a Local Plan may impact on a Special Areas of Conservation (SAC), Special Protection Area (SPA) and/or Ramsar site, the competent authority, in this case Maidstone Borough Council, is required to undertake an Appropriate Assessment in the form of a Habitats Regulations Assessment. This assessment will determine whether the Plan may affect the protected features of such habitats.
- 2.76 The HRA produced on behalf of Maidstone Borough Council has been a three-stage document: Scoping, Screening, and the final HRA including Appropriate Assessment. The HRA Screening report identified a number of sites that had the potential to be affected by the Local Plan Review and this most recent stage incorporates an Appropriate Assessment of those sites and makes mitigation recommendations.

Background Document 9: Topic Papers

2.77 Seven strategic topic papers have been produced on the following matters:

- Background Document 9a: Economic Development
- Background Document 9b: Environment
- Background Document 9c: Housing
- Background Document 9d: Infrastructure
- Background Document 9e: Retail and Leisure
- Background Document 9f: Transport and Air Quality
- Background Document 9g: Spatial Strategy

2.78 The purpose of these papers is to inform the decision-making process by summarising key influencing factors, such as legislation, guidance, primary evidence and studies, and consultation responses. Topic papers were originally published as part of the evidence base for the Regulation 18 Preferred Approaches consultation and have been updated to account for new information.

2.79 A further topic paper on the spatial strategy has been added. This paper briefly sets out the justification for the spatial strategy put forward in the Local Plan. It sets out the choices that were available to the Council, and the reasons for why the Council has selected the approach it has, having regard to technical matters and community aspirations for what development should deliver in Maidstone.

Background Document 10: Sports Facilities Strategy (SFS) Update

2.80 The primary purpose of the SFS is to provide a strategic framework which ensures that the provision of indoor and outdoor sports facilities meets the local needs of existing and future residents within Maidstone Borough.

2.81 This is part of a wider assessment of sport and leisure provision in the borough which also includes a playing pitch assessment. The original SFS was finalised in January 2019 and adopted by Maidstone Borough Council in February 2019. This document is the first review of that document. The review included:

- Identifying any recent changes to the strategic context.
- Identifying any recent changes to the local context, in particular any revised housing/ population targets.
- Consulting with the relevant governing bodies of sport to obtain updated demand data.
- Checking any changes to facilities supply.
- Consulting all parish councils and elected members of Maidstone Borough Council to establish any localised developments.
- Reworking the supply-demand assessment based on the above.
- Adding a new section on gymnastics facilities.
- Adding a new section on archery facilities.
- Revising the action plan to take account of any completed actions, any changes in priority and any new needs that have emerged

Background Document 11: Playing Pitch Strategy (PPS) Update

2.82 The original PPS was finalised in January 2019 and adopted by Maidstone Borough Council in February 2019. This document is the first review of that document.

2.83 The primary purpose of the PPS is to provide a strategic framework which ensures that the provision of outdoor playing pitches meets the local needs of existing and future residents within Maidstone Borough. Development in the Borough has brought an increase in sports provision which is able to meet some of the needs of the area. However future development is likely to put a strain on the sporting infrastructure of Maidstone. The PPS update will help to secure and safeguard sport in Maidstone now and in the future.

2.84 The strategy looked at 7 sports that use playing pitches (football, cricket, rugby union, rugby league, hockey, American football and lacrosse) and made recommendations. As part of this work, the facilities were categorised into 'protect', 'enhance' and 'provide' in respect of their future status.

Background Document 12: Agricultural Land Assessment Paper

2.85 Agricultural land is graded 1, 2, 3a, 3b and 5, with grades 1 through 3a being classed as best and most versatile agricultural land. The assessment of sites put forward for consideration in the plan is twofold; first, the Strategic Land Availability Assessment considered the value of agricultural land amongst a suite of considerations in selecting the most suitable sites, with the best and most versatile land avoided where possible. In some instances, other factors determined that a site may offer significant benefits that outweighed the loss of grade 1-3a land. Following on from this, the agricultural land grade of sites selected for allocation in the plan were considered within the wider context of best and most versatile land availability in the borough. This assessment concluded that whilst some of this land would be sterilised by development, the overall impact on the borough's supply of the best and most versatile agricultural land would not be significantly impacted by the Plan.

Background Document 13: Heritage Asset Assessment

2.86 The Heritage Asset Assessment summarises the heritage assets within the Borough. It also considers a range of issues affecting Maidstone's heritage in accordance with Historic England requirements. The assessment includes recommendations around:

- Recognising the importance of heritage to Maidstone Town Centre
- Making the most of heritage assets and settings in garden community proposals
- Promoting Maidstone as an historic town and a place of arts and culture
- Understanding the economic potential of heritage
- The role heritage plays in sustainable live-work patterns, environmental aims, and health

Background Document 14: Minerals and Waste Infrastructure Paper

2.87 The Kent Minerals and Waste Plan (as amended by the Early Partial Review) (2020) (KMWP) requires that mineral and waste infrastructure safeguarding is taken into consideration in determining planning applications and plans. Because the plan identifies site allocations, it is necessary to consider whether these are in compliance with the KMWP.

2.88 Mineral safeguarding areas affect significant parts of the borough and minerals screening was initially undertaken through the Strategic Land Availability Assessment in order to avoid allocating land which would sterilise those minerals. For some sites, other factors outweighed the need to avoid minerals safeguarded areas, and for those sites a minerals assessment is required. These minerals assessments consider the practicality and viability of prior extraction.

2.89 Four Local Plan review draft allocations lie within the 250m buffer surrounding waste infrastructure sites. In this report, these four sites have been assessed for their potential to impact on the functioning of waste infrastructure.

2.90 The minerals and waste infrastructure paper provides the full minerals assessments for allocated sites that lie within safeguarded areas.

Background Document 15: Climate Change, Biodiversity and Standards Paper

2.91 Climate change, biodiversity and standards are central to the Local Plan Review and the Council's ambitions to deliver its strategic priorities. The Climate Change, Biodiversity and Standards Paper builds on the Environment Topic paper and brings together a range of available evidence to support the Council's approach to climate change, biodiversity and housing standards.

2.92 It sets out the key evidence base documents and supporting information, including relevant actions in the Biodiversity and Climate Change Action Plan, and explains how the Council has sought to incorporate these actions into the Local Plan Review.

Background Document 16: Water Environment Paper

2.93 This document sets out the key considerations in relation to the water environment. It encompasses flood risk, water quality (including pollution and wastewater infrastructure), water scarcity and climate change.

2.94 Building on the 2010 Water Cycle Study and the 2017 Kent Water for Sustainable Growth study, it draws together evidence from a range of sources to identify ways in which the plan should seek to mitigate against impacts on the water environment and explains the way that the Council has sought to address these through Local Plan Review policies.

Background Document 17: Duty to Cooperate Statement

2.95 Paragraphs 22 to 27 of the National Planning Policy Framework (NPPF) require that in formulating plans, Local Planning Authorities co-operate with each other and other prescribed bodies on strategic and cross-boundary matters. Section 33a of the Planning and Compulsory Purchase Act 2004 requires that local planning authorities must co-operate with various prescribed bodies as set out in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations (2012).

2.96 The Duty to Cooperate Statement sets out how the Council has met its duty to cooperate with neighbouring authorities and relevant prescribed bodies. It sets out the strategic context and key strategic issues for the council, the cross-boundary linkages with neighbouring authorities and relationships to the activities of relevant bodies.

2.97 The statement includes the protocol agreed by the SPI committee in March 2021. It also provides a summary of the cooperation that has been undertaken with neighbouring authorities and relevant prescribed bodies in

relation to the Local Plan Review and provides a more contextual narrative to accompany the Statements of Common Ground.

Background Document 18: Consultation Statement

2.98 This statement sets out how Maidstone Borough Council has involved the community and stakeholders in preparing the Maidstone Local Plan Review and how this meets the requirements set out in the Council's Statement of Community Involvement (SCI) and national Regulations.

2.99 The report provides information on the following:

- An overview of the engagement undertaken during the Regulation 18 stage of the plan making process;
- Which engagement activities were used during the Regulation 18 stage;
- How individuals, groups and stakeholders were invited to make representations to inform the Local Plan review process;
- A summary of the main issues raised in the representations received; and
- How the main issues have been addressed in the preparing the Local Plan Review

Background Document 19: Equalities Impact Assessment

2.100 The Council is no longer required to undertake Equality Impact Assessments (EqIAs). However, we do assess and analyse the effect of our policies and practices in this regard, as well as how we further the equality aims - EqIAs still provide a useful method to do this.

2.101 The EqIA has been undertaken throughout the Local Plan Review process, having particular regard to the main consultation milestones. The Local Plan Review proposals were assessed at each consultation stage, prior to and following public consultations to take into consideration those with protected characteristics.

Background Document 20: Viability Assessment

2.102 Development Plan Documents such as Local Plans need to be deliverable in order to meet the test of soundness outlined in paragraph 35(c) of the NPPF. One of the ways that deliverability is tested is through the viability of a Local Plan. A viability assessment needs to test development that is proposed against the contributions needed to make a scheme sustainable, as well as other infrastructure costs.

2.103 The Maidstone Local Plan Review Viability Assessment tests the viability of the plan via three stages. Firstly, establishing a market baseline for development costs in the Borough. Secondly, testing indicative typologies of development that may come forward. Thirdly, any strategic sites are tested fully as they are likely to make up the bulk of the development in the Borough.

2.104 The assessment found Maidstone Borough to have three distinct value zones. A lower value zone incorporating the town centre and the following

wards Heath; Fant (partial); High Street; East; North (partial); Bridge (partial). The mid-value zone is the remainder of urban Maidstone. The high value zone comprises the remaining areas i.e. the countryside and villages.

2.105 Initial conclusions from testing found greenfield sites in the higher and mid value zones were viable and capable of accommodating 40% affordable housing. Although brownfield sites in these zones are less viable, we are not allocating any in the Local Plan Review. Meanwhile in the low value zones, there are no greenfield allocated sites and brownfield site viability is more compromised, with a 0% affordable housing recommendation.

2.106 In terms of other uses, convenience retail is seen as viable, with comparison retail as unviable. Employment uses are also challenging, depending on the nature of the employment use and the location on greenfield or brownfield land.

Background Document 21: Integrated Transport Strategy (ITS) Update

2.107 An addendum to the existing ITS has been produced with the purpose of ensuring that transport development is integral to the development growth contained the Local Plan Review.

2.108 The addendum contains new measures, which have been identified where necessary to mitigate transport impacts of the new allocations included in the Local Plan Review.

2.109 For the most part, the necessity for and suitability of any new mitigation measures is evidenced through the Transport Modelling projects and Infrastructure Delivery Plan.

Background Document 22: Transport and Air Quality Modelling Stages 1 and 2

2.110 In association with Kent County Council, Jacobs have been commissioned to provide transport and Air Quality modelling and consultancy support towards the development of an evidence base to support the Local Plan Review. This is a 2-stage process, with separate but linked assessments being undertaken for both traffic capacity impact and Air Quality impacts.

2.111 Stage 1 of the Modelling Project involved developing the evidence base to support Regulation 18b proposals. These proposals set out a number of options for different quantities of development allocation in different sections or "corridors" of the borough and what degree of traffic mitigation may be required to enable them. In other words, Stage 1 provides evidence which can be used to compare the impacts of different patterns of growth.

2.112 This initial piece of work forms Stage 1 of a two-stage modelling process that is being progressed in advance of the County Model, to establish a baseline and identify the high-level impacts and opportunities of potential development sites to refine the process prior to full testing. This has combined a bespoke spreadsheet modelling application with existing transport modelling tools, available data, review of key reports, and stakeholder engagement to undertake initial "soft-testing" and explore potential transport challenges and issues.

2.113 The spreadsheet modelling initially focuses on testing three main spatial options or 'Reasonable Alternatives' (RAs):

- RA1 – transport modelling based on the 2017 Local Plan allocation pattern continued (Garden Settlement sites are not included in this RA);
- RA1a – transport modelling based on a scenario where all of the Maidstone urban area is excluded. Garden Settlement sites and Rural Service Centres, and Larger villages and rural sites are integral to this RA); and
- RA2a – transport modelling focuses on the Maidstone urban area and Garden Settlement sites (with a lower proportion of Rural Service Centres, Larger Village and rural sites being considered).

2.114 Scenario variant runs have also been tested, including impacts with baseline mitigation for Garden Settlements & large sites and future year (beyond the Local Plan Review period – full Garden Settlement buildout scenario).

2.115 Outputs of these assessments illustrated that all feasible scenarios involve impacts on the network which would require mitigation, though the specific areas effected most, the degree of impact and the viability of mitigation vary between different approaches. The Stage 1 Transport and Air Quality reports each provide the evidence required to support Regulation 18 stage proposals.

2.116 The Stage 2 transport modelling project involves detailed highway capacity and air quality impact assessments using the newly developed County Traffic Model.

2.117 The tests included in the Stage 2 modelling include:

1. Option 1 – The specific sites proposed to be allocated, tested without any assumptions made as to mitigations.
 - 1a) Option 1 plus A26 / Fountain Lane junction improvement scheme.
 - 1b) Option 1 plus Linton Crossroads junction improvement scheme.
 - 1c) Option 1 plus a representation of an A274 / Willington Street junction improvement scheme
 - 1d) Option 1 plus Leeds & Langley Relief Road (road connection only)
 - 1e) Option 1 plus sustainable transport mitigations on A247.
 - 1f) Option 1 Covid-19 sensitivity test (long term travel changes).
2. Option 2 – The same as Option 1 but factoring in mitigations and sustainable transport measures at Garden Settlement sites plus a revision of site list to include any late or amended sites.

2.118 The outputs from Option 1 shows no severe impacts in terms of transport or Air Quality outside of those impacts produced by the Garden Settlement sites.

2.119 The further assessments (1a-f, 2) have also been undertaken.

2.120 The report is a requirement of the Local Plan 2017 Policy LPR1 to investigate if there is a case for the Leeds Langley Relief Road. The report explores testing a route which would generate funding through the release of development land at some point in the future.

Background Document 24: Heathlands Garden Community Stage 3 Submissions

2.121 The Council (as Local Planning Authority) has been working with the promoters of Heathlands Garden Community to establish a credible and proportionate evidence base for its allocation in the Local Plan Review. The conclusion of this work is the Vision Document Masterplan Framework which set out how a garden community at Heathlands could be achieved having regard to the constraints, issues, and opportunities facing the site. Several technical reports have also been received which inform and support the Framework Masterplan. These are:

- 24a – Heathlands Framework Masterplan
- 24b – Heathlands ADBA
- 24c – Heathlands Air Quality & Odour
- 24d – Heathlands Arboriculture Technical Note
- 24e – Heathlands Built Heritage Appraisal
- 24f – Heathlands Drainage and Flood Risk
- 24g – Heathlands Ecology
- 24h – Heathlands Ground Conditions
- 24i – Heathlands LVA
- 24j – Heathlands Noise and Vibration
- 24k – Heathlands Services & Utilities
- 24l – Heathlands Agricultural Technical Note
- 24m – Heathlands Employment Analysis
- 24n – Heathlands Transport Vision
- 24o – Heathlands Development Project Delivery Plan
- 24p – Heathlands Nutrients Report
- 24q – Heathlands Community Facilities
- 24r – Heathlands Network Rail Letter June 2021
- 24s – Heathlands Minerals Statement

2.122 In addition to the evidence that will be shared, the Local Planning Authority has had sight of financial appraisals which confirm that the scheme is viable, including the ability to fund its infrastructure costs and this has been confirmed as part of the all-Plan viability Assessment.

Background Document 25: Lidsing Garden Communities Stage 3 Submissions

2.123 The Council (as Local Planning Authority) has been working with the promoter of Lidsing Garden Community to establish a credible and proportionate evidence base for its allocation in the Local Plan Review. The conclusion of this work is the Vision Document Masterplan Framework which set out how a garden community at Lidsing could be achieved having regard to the constraints, issues, and opportunities facing the site. Several technical reports have also been received which inform and support the Framework Masterplan. These are:

- 25a – Vision Document Masterplan Framework
- 25b – Agricultural Land Classification Note
- 25c – Air Quality Technical Note
- 25d – ALC Map
- 25e – Ecology Overview Report
- 25f – Landscape Impact Assessment
- 25g – Lidsing Drainage Report
- 25h – Potential M2J4 Connection
- 25i – Technical Note of Noise Constraints
- 25j – Transport non-technical summary
- 25k – Governance framework
- 25l – Archaeology & Cultural Heritage Scoping Report

2.124 In addition to the evidence that will be shared, the Local Planning Authority has had sight of financial appraisals which confirm that the scheme is viable, including the ability to fund its infrastructure costs and this has been confirmed as part of the all-Plan viability Assessment.

Consultation and Subsequent Arrangements

2.125 Public consultation is programmed to commence on Monday 29th October 2021 and finish on Sunday 12th December 2021, therefore running slightly beyond the minimum six-week period, and in accordance with Regulatory requirements and the adopted Local Development Scheme.

2.126 The consultation is purely on the soundness and legal compliance of the Regulation 19 document proposals. A response form will be produced and published to enable those making representations to respond in the correct manner.

2.127 We are working closely with the Council's Communications Team to prepare for the consultation and associated publicity. The consultation arrangements will comply with the Council's adopted Statement of Community Involvement and legal requirements and will include:

- publication of Regulation 19 Local Plan Review and Policies Map documents on Maidstone Borough Council's website, along with the evidence base documents
- consultation portal for the submission of on-line comments
- notifying statutory bodies, stakeholders and everyone on our consultation database
- public notice in the local newspaper
- press release/s
- use of social media to publicise the consultation.

2.128 The Covid 19 Addendum to the Statement of Community Involvement will apply but only in respect of The Link, which remains closed. As all public libraries have now re-opened, the Regulation 19 Local Plan Review and Policies Map documents will be available at these locations.

2.129 Following consultation and associated analysis, the Council will consider whether to proceed to submission of the Local Plan Review and associated

documents to Independent Examination by an Inspector appointed by the Secretary of State.

- 2.130 Consideration will be given to the responses received to the Regulation 19 consultation. Material changes proposed by the Council as Local Planning Authority to the Regulation 19 documents following consultation would be forwarded to the Inspector as Main Modifications for consideration alongside the other submission documents.
- 2.131 The decision to proceed with submission of the documents is a matter for Full Council. This report recommends that this decision-making process is delegated to the Strategic Planning and Infrastructure Committee by Full Council in an effort to expedite the submission process.
- 2.132 It will be an expectation of the Inspector that work will continue on the Plan throughout the period leading to submission. This includes on development sites such as Garden Communities and Strategic Development Locations. There will also be a progression of work associated with the Duty to Cooperate, including relevant Statements of Common Ground.

3. AVAILABLE OPTIONS

- 3.1 Option 1a: To prepare and undertaken consultation on the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1) and associated Policies Map (Appendix 2) for Publication under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended) between the 29th October 2021 and 12th December 2021. This would ensure the consultation took place in accordance with the agreed timetable set out in the Local Development Scheme.
- 3.2 Option 1b: Not to undertake the Regulation 19 consultation at this time and to delay this consultation to a later date. This would mean that a new Local Development Scheme would need to be approved by Full Council prior to the consultation commencing and would have a resultant delay on the subsequent milestones for the Local Plan Review.
- 3.3 Option 2a: To approve the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1) and associated Policies Map (Appendix 2) for Submission under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended)) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling up, Housing and Communities for examination under Section 20 of the Planning and Compulsory Purchase Act 2004. This would allow, subject to the checks and balances provided by Strategic Planning and Infrastructure Committee associated with Option 3a below, Officers to expedite submission of the Local Plan Review documents and supporting information and evidence. The approved Local Development Scheme seeks to undertake submission in March 2022, which provides a tight turn-around of several work areas, following completion of consultation in December 2021.

- 3.4 Option 2b: Not to approve the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1) and associated Policies Map (Appendix 2) for Submission under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended)) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling up, Housing and Communities for examination under Section 20 of the Planning and Compulsory Purchase Act 2004. This would mean that a further approval would be required from Full Council, via Strategic Planning and Infrastructure Committee, prior to submission taking place. The approved Local Development Scheme seeks to undertake submission in March 2022, which provides a tight turn-around of several work areas, following completion of consultation in December 2021. This option would therefore increase the likelihood of a delay to submission and require a new Local Development Scheme to also be prepared before this can take place. It would also have a resultant delay on the subsequent milestones for the Local Plan Review.
- 3.5 Option 3a: To grant delegated powers to the Strategic Planning and Infrastructure Committee to submit a schedule of Main Modifications in respect of the Local Plan Review Draft for Submission document and associated Policies Map, arising from representations made under Regulation 20 of the Town and Country (Local Planning) (England) Regulations 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling up, Housing and Communities. This would ensure that appropriate scrutiny is provided on proposed key changes to the Local Plan Review arising from the Regulation 19 consultation, prior to any submission taking place.
- 3.6 Option 3b: To grant delegated powers to the Head of Planning and Development to submit a schedule of Main Modifications in respect of the Local Plan Review Draft for Submission document and associated Policies Map, arising from representations made under Regulation 20 of the Town and Country (Local Planning) (England) Regulations 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling up, Housing and Communities. This would be the quickest route to submission of the Local Plan Review, in conjunction with recommendation 2a above. However, it would mean that there would be no scrutiny from Members on proposed key changes to the Local Plan Review arising from the Regulation 19 consultation, prior to any submission taking place.
- 3.7 Option 3c: Not grant delegated powers to either the Strategic Planning and Infrastructure Committee or the Head of Planning and Development to submit a schedule of Main Modifications in respect of the Local Plan Review Draft for Submission document and associated Policies Map, arising from representations made under Regulation 20 of the Town and Country (Local Planning) (England) Regulations 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling up, Housing and Communities. This would mean that Full Council would likely need to convene urgently to consider the schedule of Main Modifications, once these had been considered by Strategic Planning and Infrastructure Committee. This would be necessary in order to keep to the stated timescales contained within the approved Local Development Scheme.

- 3.8 Option 4a: To allow the Head of Planning and Development to make factual alterations and minor amendments such as graphics, layout, spelling and grammatical changes to the Local Plan Review Draft for Submission Document and associated Policies Map. This would help ensure that the consultation commences in October 2021, in accordance with the milestone set out in the approved Local Development Scheme.
- 3.9 Option 4b: To require factual alterations and minor amendments such as graphics, layout, spelling and grammatical changes to the Local Plan Review Draft for Submission Document and associated Policies Map to be brought back to this Committee for further consideration. There would be a significant likelihood that the October 2021 milestone for Regulation 19 consultation would be missed and a new Local Development Scheme would need to be approved by Full Council prior to the consultation commencing. It would also have a resultant delay on the subsequent milestones for the Local Plan Review.
- 3.10 Option 5a: The 'Sustainability Appraisal of the Maidstone Local Plan Review: Regulation 19 Pre-Submission' document (Appendix 3) would be approved for public consultation between the 29th October 2021 and 12th December 2021. This would mean that the legal requirement to consult on this document would be undertaken and would also mean that the consultation corresponded with the Local Plan Review Regulation 19 consultation. It would therefore maximise the chances of meeting subsequent milestones set out in the approved Local Plan Review whilst meeting statutory requirements.
- 3.11 Option 5b: Not to approve the 'Sustainability Appraisal of the Maidstone Local Plan Review: Regulation 19 Pre-Submission' document (Appendix 3) for public consultation between the 29th October 2021 and 12th December 2021. This would mean that the statutory requirement to consult on this document would not be met or would be delayed, resulting in failure of or delays to the Local Plan Review. Where a delay occurred, a new Local Development Scheme would need to be approved by Full Council and would have a resultant delay on the subsequent milestones for the Local Plan Review.
- 3.12 Option 6 – The list of documents within the evidence base (Background Documents), as well as the working draft Statements of Common Ground (Exempt Appendix 4) are for noting and no decision is required by this Committee.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 1a is recommended. This will ensure that the Maidstone Borough Local Plan Review proceeds in accordance with the timetable set out in the approved Local Development Scheme and would avoid delays to subsequent milestones in the Local Plan Review production process.
- 4.2 Option 2a is recommended. The approved Local Development Scheme seeks to undertake submission in March 2022, which provides a tight turn-around of several work areas, following completion of consultation in December

2021. This option would maximise the chances of keeping to the March milestone, whilst still allowing checks and balances to be provided by Strategic Planning and Infrastructure Committee associated with Option 3a below. This option would therefore decrease the likelihood of a delay to submission, as well as the need for a new Local Development Scheme before submission could take place. It would also minimise the potential for a resultant delay on the subsequent milestones for the Local Plan Review.

- 4.3 Option 3a is recommended. This would ensure that appropriate scrutiny is provided on proposed key changes to the Local Plan Review arising from the Regulation 19 consultation, prior to any submission taking place, without Full Council needing to consider the detail of the proposed Main Modifications to the Local Plan Review documents.
- 4.4 Option 4a is recommended. This would help ensure that the consultation commences in October 2021, in accordance with the milestones set out in the approved Local Development Scheme and avoid delays associated with new Local Development Scheme that would be required if these milestones were missed.
- 4.5 Option 5a is recommended. This would mean that the legal requirement to consult on this document would be undertaken and would also mean that the consultation corresponded with the Local Plan Review Regulation 19 consultation. It would therefore maximise the chances of meeting subsequent milestones set out in the approved Local Development Scheme whilst meeting statutory requirements.
- 4.6 Option 6 - The list of documents within the evidence base (Background Documents), as well as the working draft Statements of Common Ground (Exempt Appendix 4) are for noting and no decision is required by this Committee.

5. RISK

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

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 As noted earlier in this report, two previous stages of public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended) have been undertaken and reported to this Committee.

- 6.2 The first consultation considered and sought responses on the 'Scoping, Themes and Issues' for the Local Plan Review and took place between 19th July 2018 and 30th September 2019. Over 550 responses were received, and the analysis was fed back to this Committee in March 2020
- 6.3 The second consultation considered and sought responses on the 'Preferred Approaches' for the Local Plan Review and took place from 1st December 2020 and was extended to 8th January 2021. Approximately 3,100 responses were received and a report setting out the feedback from the consultation was presented to this committee in March 2021.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Following consideration by Strategic Planning and Infrastructure Committee, this report, along with any changes required for Full Council, will be taken to Full Council for final decision on the recommendations.
- 7.2 There is minor work, such as graphics, layout, spelling and grammatical changes required to the consultation documents, and these will be undertaken prior to commencement of the consultation.
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8. REPORT APPENDICES

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

- Appendix 1: Local Plan Review Regulation 19 'Draft for Submission' document
 - Appendix 2: Local Plan Review Regulation 19 Policies Map
 - Appendix 3: 'Sustainability Appraisal of the Maidstone Local Plan Review: Regulation 19 Pre-Submission' document.
 - Exempt Appendix 4: Working Draft Statements of Common Ground with neighbouring authorities and other prescribed bodies
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9. BACKGROUND PAPERS

Each of the evidence documents noted above in this report are available by following this link

<https://drive.google.com/drive/folders/19ACdzxrDLNcEKza0R8LFFQoX6Az1IsK5?usp=sharing>