

## **Preface**

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

**This Local Development Scheme comes into effect on 16  
May 2012 and replaces all previous versions of the  
Scheme**

**All enquiries should be addressed to:**

**Spatial Policy  
Maidstone Borough Council  
Maidstone House  
King Street  
Maidstone  
Kent  
ME15 6JQ**

**Telephone: 01622 602000  
Email: [LDF@maidstone.gov.uk](mailto:LDF@maidstone.gov.uk)**

## Local Development Scheme

<b>1 Introduction to the Local Development Scheme .....</b>	<b>1</b>
What is the Local Development Scheme? .....	1
The Development Plan .....	1
The Local Plan .....	2
<b>2 Challenges for Maidstone .....</b>	<b>4</b>
<b>3 The Local Development Scheme .....</b>	<b>6</b>
Review of the Local Development Scheme 2011-2015 .....	6
Local Development Scheme 2012-2015 .....	8
Monitoring and Review .....	9
<b>4 Risk Management .....</b>	<b>10</b>
<b>5 Document Project Plans .....</b>	<b>12</b>
Core Strategy .....	12
Development Delivery .....	14
<b>6 Glossary of Terms .....</b>	<b>16</b>

# 1 Introduction to the Local Development Scheme

## What is the Local Development Scheme?

**1.1** The **Local Development Scheme** (LDS) is a project plan that sets the timetable for the production of the Maidstone Borough Council Local Plan and explains how the Council will resource and manage documents. It includes a risk assessment of events that might impact on the programme, together with an explanation of how the Council will deal with those risks. The scheme needs to ensure that the Local Plan is put into place systematically, that it is kept up to date, and that the community is actively involved in the process. The LDS makes the planning authority more accountable, and it offers the wider community some certainty about when and how it can engage in the plan making process.

**1.2** The LDS includes a programme for the preparation of local plans, including the Core Strategy and other plans formerly known as development plan documents. These documents are subject to sustainability appraisal and public examination. There is no duty to include a timetable for the production of supplementary planning documents, but the Council has identified key SPDs in the LDS that are a priority to support the delivery of Core Strategy policies in order to provide clarity for the public.

**1.3** The Local Development Scheme 2012-2015:

- Contains a brief profile of Maidstone Borough
- Reviews the progress of the Local Development Scheme (2011-2015)
- Sets out the amended programme for 2012 to 2015
- Assesses the risks to the new programme and explains how the risks will be managed
- Contains individual project plans for each local plan contained in the scheme
- Includes a glossary of terms and acronyms used throughout this document

## The Development Plan

**1.4** The **Development Plan** is central to the planning system and is needed to guide the decision making process for land uses and development proposals. The development plan includes adopted local plans, neighbourhood plans and regional strategies.

**1.5** The Development Plan for Maidstone comprises a number of local and strategic documents: the South East Plan, which is the regional spatial strategy; adopted development plan documents (DPD), which are now called local plans; saved policies from the adopted Maidstone Borough-wide Local Plan; and saved policies from the Kent Minerals and Waste Local Plans that are prepared by Kent County Council.

# 1 . Introduction to the Local Development Scheme

**1.6** Maidstone's development plan currently comprises:

- South East Plan (May 2009)
- Affordable Housing DPD (December 2006)
- Open Space DPD (December 2006)
- Maidstone Borough-wide Local Plan Saved Policies (September 2007)
- Kent Minerals Local Plans Saved Policies (May 1986, December 1993 & December 1997)
- Kent Waste Local Plan Saved Policies (March 1998)

**1.7** The South East Plan remains part of the development plan until such time as regional strategies are abolished in accordance with the Localism Act. The Affordable Housing and Open Space DPDs, together with the saved policies of the Maidstone Borough-wide Local Plan, will progressively be phased out and superseded by policies contained in the Core Strategy and the Development Delivery Local Plan. The programme for the production of these documents is set out in this Local Development Scheme. The Kent Minerals and Waste Local Plans will be replaced by the emerging Kent Minerals and Waste Core Strategy.

## The Local Plan

**1.8 The Local Plan** is the plan for the future development of Maidstone and it forms part of the borough's development plan. It includes previously adopted development plan documents and saved policies from the Maidstone Borough-wide Local Plan, all of which will eventually be superseded by new local plans. Local plans outline the key development objectives of the local planning policy framework. Their production is dependent on community and stakeholder involvement, public consultation, sustainability appraisal and independent examination. The Core Strategy is the principal local plan, setting out the spatial vision, objectives and key policies for the delivery of the framework. The Core Strategy also plays a key part in delivering the spatial objectives of the Council's Sustainable Community Strategy and the Strategic Plan.

**1.9** The **Policies Map** is a map of the borough which illustrates areas of protection and site specific proposals set out in the Local Plan. Maidstone has an interactive policies map that can be accessed through its website.

**1.10 Supplementary Planning Documents (SPD)** expand or add detail to local plan policies and are prepared with stakeholder and public participation and engagement. They are not subject to sustainability appraisal or examination because the local plan policy they support will have gone through this process. SPDs are a material consideration in the determination of planning applications, but they do not form part of the development plan or the Local Plan. Adopted Supplementary Guidance that meets the disciplines of SPD production will also be a material consideration in decision making processes.

**1.11** In addition to the Local Development Scheme, the **Statement of Community Involvement (SCI)** and annual **Monitoring Reports** are a crucial part of the plan making system. The SCI explains how and when local communities and stakeholders will become involved in the preparation of documents. Annual monitoring reports measure the success of local plan objectives, targets and adopted policies.

# 1 . Introduction to the Local Development Scheme



## 1.12 Maidstone's local planning policy framework comprises:

- Local Development Scheme (2012)
- Statement of Community Involvement (2006)
- Annual Monitoring Reports (2004 to 2011)
- Affordable Housing DPD (2006)
- Open Space DPD (2006)
- Saved policies from the Maidstone Borough-wide Local Plan (2007)
- Sustainable Construction: Using Water SPD (2006)
- Loose Road Character Area Assessment SPD (2008)
- London Road, Bower Mount Road, Buckland Hill Character Area Assessment SPD (2008)
- Residential Extensions SPD (2009)
- Kent Downs Area of Outstanding Natural Beauty Management Plan 2009-2014 (endorsed March 2009)
- Kent Design Guide 2005/06 (endorsed May 2009).

## 2 . Challenges for Maidstone

4

### 2 Challenges for Maidstone

**2.1** The borough of Maidstone covers 40,000 hectares and is located in the heart of Kent. It has a large urban area to the north west of the Borough and is surrounded by a substantial rural hinterland. Maidstone is the County Town of Kent and over 70% of the borough's population of approximately 148,500 people live in the town's urban area. Maidstone is strategically located between the Channel Tunnel and London, and has direct connections to both via the M20 and M2 motorways. There are rail connections to London, the coast, and to the Medway Towns through three central railway stations in the town. These railways also serve the rural service centres of Harrietsham and Lenham. The railway line to the south of the borough provides access to London and the coast for the rural service centres of Marden, Staplehurst and Headcorn. Whilst the Channel Tunnel Rail Link runs through the Borough, there are no stations to access the Link. There are a number of main transport routes in the borough, including the A229, A249, A274, A20 and A26.

**2.2** The town centre has a strong commercial and retail centre, and Maidstone is one of the largest retail centres in the south east. Economically the borough is relatively prosperous with a considerable employment base and a lower than average unemployment rate compared to Kent and the south east. However, Maidstone also has a low wage economy, which leads to out-commuting for higher paid work. The local housing market flows across district boundaries and is influenced by London, resulting in relatively high local house prices. Some areas in central Maidstone are in need of regeneration, and there are also pockets of deprivation in the suburban areas, most notably in North, High Street, Shepway North, Shepway South and Park Wood wards.

**2.3** The rural area of the borough is characterised by a large number of villages and hamlets. The rural service centres of Harrietsham, Lenham, Marden, Headcorn and Staplehurst provide services and facilities to the rural hinterland, although smaller villages also play a vital role. There are some significant centres of economic activity in and around the larger rural settlements, and smaller commercial premises are scattered throughout the borough.

**2.4** Large tracts of Maidstone's countryside have special nature and landscape designations to protect their value. There are many places and buildings of historic value, and much of the rural area is classed as best and most versatile agricultural land. The River Medway courses through the borough and the town centre and, together with its tributaries, is one of Maidstone's prime assets.

**2.5** Consistent with Maidstone's growth role, the Council's priorities for the borough are to achieve a growing economy and to ensure Maidstone is a decent place to live<sup>(1)</sup>. Maidstone's emerging Core Strategy policies seek to provide for economic growth and prosperity and the provision of affordable housing to meet local needs. Key to delivering these aims is the provision of supporting infrastructure. The direction of Maidstone's growth is constrained by a high quality environment, the extent of its flood plain, and the limitations of its

1 Strategic Plan 2011 to 2015

## 2 . Challenges for Maidstone

transport and infrastructure system (including water supply and waste water). There are also concerns about the loss of open space and the intense scale of development in the urban area.

**2.6** The challenge for the local planning policy framework in Maidstone is how to manage the potential impacts from future growth, and allow for more employment and residential development to take place in a sustainable manner to assist the local economy whilst protecting the valued landscape, biodiversity and countryside of the borough.

## 3 . The Local Development Scheme

### 3 The Local Development Scheme

#### Review of the Local Development Scheme 2011-2015

**3.1** Maidstone's local development scheme (LDS) was first adopted in 2005 and, following reviews, was updated in 2007, 2009 and 2011. Since 2011 a number of events have resulted in delays to the programme for plan production and have also led to the need for this further review of the scheme.

**3.2** The delays to the programme predominantly relate to the publication of the National Planning Policy Framework (NPPF), the requirement to undertake more detailed transport modelling, and further work that has been commissioned in response to the representations that were received during the public participation consultation on the Core Strategy. The number of comments submitted is a reflection of the success of the consultation, but investigating a number of the more complex issues raised has been time consuming. Part of this work has included an update of the Gypsy, Traveller and Travelling Showpeople Accommodation Assessment, so that a pitch target can be set to the end of the Core Strategy plan period.

**3.3** The timing of the publication of the National Planning Policy Framework (NPPF) in March 2012 offers an opportunity for the Council to test the conformity of the Core Strategy with this document, and the current stage of Core Strategy production also enables it to proceed under new plan making regulations that came into force on 6 April 2012<sup>(2)</sup>.

**3.4** In 2011, the Council included 3 key documents in its scheme: the Core Strategy DPD, the Development Delivery DPD and the Central Maidstone AAP. The Council successfully met the key milestone for the Core Strategy Public Participation consultation in September 2011 but, due to programme delays, did not meet the milestone for Publication consultation in March 2012. The programme for the remaining two documents is not due to commence until July 2012. As with previous years, the Council met the December target for the submission of its Annual Monitoring Report (2011) to the Secretary of State.

**3.5** The **Core Strategy Local Plan**, which sets the Council's spatial vision and objectives for future development in the borough, is the lynch pin of Maidstone's local planning policy framework and its adoption is a priority for the Council. Public Participation consultation was undertaken for 6 weeks from 2 September 2011, and the Council has completed further work in the intervening period to ensure it can fully respond to all of the representations received. In order to address a number of concerns that were raised by respondents, and also to ensure the Core Strategy is in conformity with the NPPF, the Council has decided to include strategic site allocations within the strategic development areas identified on the key diagram of the public participation draft of the Core Strategy (2011). This will require the Council to undertake an additional stage of consultation for the Core Strategy, as set out in the LDS, before proceeding to "Publication" stage consultation.

2 SI 2012 No. 767 Town and Country Planning (Local Planning) (England) Regulations 2012



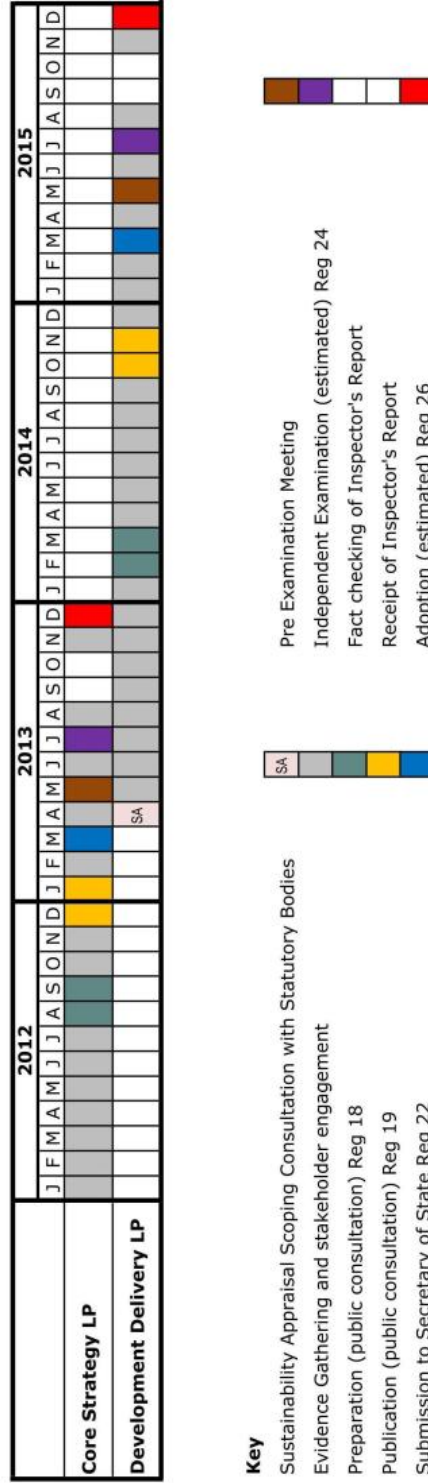
## 3 . The Local Development Scheme

**3.6** In May 2012 the Council will undertake a public "call for sites" exercise, asking landowners, developers and their agents to submit any available sites that fall within the strategic development areas identified on the key diagram. "Preparation" stage consultation (Regulation 18) on strategic site allocations will be undertaken in August/September 2012 before proceeding to "Publication" consultation (Regulation 19) on the entire Core Strategy Local Plan in December 2012.

**3.7** The NPPF gives a clear steer for local authorities to move towards a single local plan for their area. Consequently, the Council has merged the Development Delivery DPD and the Central Maidstone AAP into a single plan called the **Development Delivery Local Plan**. Regeneration of the town centre, which is a key issue for the Council, will be given prominence in this local plan. This change will have a positive impact on staff and budgetary resources.

**3.8** The LDS (2011) named a suite of Supplementary Planning Documents (SPD) that are required to add detail to policies contained in the Core Strategy and other local plans. This list remains pertinent. Whilst a parking strategy will underpin the Transport Strategy, a **Parking Standards SPD** is required to set local parking standards for new commercial and residential development. A **Landscape Character Guidelines SPD** is required to develop a "toolkit" to assist with the determination of planning applications within the landscape areas identified in the Council's Landscape Character Assessment (2012). An **Affordable Housing SPD** will deliver the detail of the Core Strategy affordable housing policy.

### Local Development Scheme 2012-2015



## 3 . The Local Development Scheme

### Monitoring and Review

**3.9** The Council will continually assess and build on its robust evidence base to ensure it has sufficient social, environmental, economic and physical information to identify the spatial characteristics and needs of the borough to inform the preparation of local plans. Each local plan will explain how its policies will be delivered and implemented, and will identify performance indicators against which the success of policies will be monitored. A number of the performance indicators will be monitored through the annual Monitoring Reports, and the Council will monitor and review the LDS timetable to ensure that the key stages for document production set out in the scheme are met.

**3.10** If a future revision of the LDS is necessary, the Council will explain the reasons for changes to the production of local plans and any amendments to the timetable for their preparation.

## 4 . Risk Management

### 4 Risk Management

**4.1** The adoption of the local plans set out in the LDS programme will reduce the risk of inappropriate development and will provide a clear policy direction to Members, landowners, developers and members of the public. The Council is continually assessing the staffing and financial resources available to produce its local planning policy framework, and progress is periodically reported to the Council's Cabinet in line with budget bids. However, there are still several problems which might be encountered in keeping the LDS programme on course, and the Council must assess how these risks might be minimised.

**4.2** New national planning legislation and advice has been published in recent months, including the Localism Act, the NPPF, Planning Policy for Traveller Sites and new plan making regulations. The Council will keep a watching brief on the introduction of further national policy or regulatory changes. Counsel has been retained to offer legal advice on document content and processes, to ensure that all risks to the preparation of plans are appropriately considered.

**4.3** The number and complexity of representations at consultation stages will remain a risk because, despite the Council's comprehensive and robust evidence base to support its local plans, objectors may raise issues that require further consideration. To mitigate against a potential delay to the programme, time has been built into the programme to consider and respond to representations, an on-line consultation system is in place to manage the volume of representations, and the Council has prioritised and resourced the production of the Core Strategy.

**4.4** Risks to the adoption of the Core Strategy and other local plans are generally associated with meeting the tests of soundness at Independent Examination. Although the government has set out its intention to abolish regional strategies in the Localism Act, the Council has obtained legal advice to ensure the Core Strategy is in general conformity with the South East Plan. Additionally, advice in respect of the supporting evidence and processes for the Core Strategy has been sought from the Planning Inspectorate and the Planning Advisory Service.

**4.5** Political and stakeholder co-operation is essential for the Council to meet key target dates. A number of plans involve partnership working with other agencies, such as the infrastructure providers (health, education, water, electric, gas, etc.), the Highways Agency, Kent County Council, the Environment Agency, and relevant landowners regarding land delivery. The Council is minimising this risk to the programme by fully engaging with stakeholders through a number of working groups, and by setting up a series of Member meetings to steer documents through the plan making process. The Council will also satisfy its duty to cooperate with its partners, including adjacent local authorities.

**4.6** The LDS takes into account current staffing levels and the Council will endeavour to recruit and retain skilled and experienced staff who are necessary to deliver the scheme. Specialist consultants and contractors will be engaged periodically, as required. The Council can take action to mitigate against shortages in an area of skills scarcity, but cannot plan for all interruptions through

vacancies, sickness and maternity leave. A recent restructure of the Planning Department offers a greater flexibility and movement of staff resources where required.

**4.7** A dedicated budget to deliver the local planning policy framework has been identified through the Council's medium term financial strategy. The Council will ensure that the budget is managed efficiently and effectively, and will identify any likely deficiencies at an early stage.

## 5 . Document Project Plans

12

### 5 Document Project Plans

#### Core Strategy

<b>CORE STRATEGY</b>	
<b>Subject</b>	Sets the spatial vision and strategy for the future development of Maidstone to 2026
<b>Status</b>	Local Plan
<b>Coverage</b>	Maidstone borough
<b>Content</b>	<ul style="list-style-type: none"> <li>• The Council's spatial vision, spatial objectives, and strategy for the distribution of development 2006 to 2026</li> <li>• The delivery of growth targets for housing provision, together with supporting infrastructure</li> <li>• Provision of sustainable employment opportunities to create 10,000 jobs</li> <li>• The identification of broad locations for development, illustrated by a key diagram</li> <li>• The allocation of strategic development sites within identified locations, defined on the policies map</li> <li>• Provision for housing needs through appropriate dwelling mix, affordable housing and local needs housing</li> <li>• A criteria based policy and pitch target for gypsy and traveller needs</li> <li>• The delivery of quality and sustainable new development</li> <li>• Town centre and suburban regeneration</li> <li>• Designation of rural service centres</li> <li>• Protection and enhancement of the environment and the borough's heritage and natural assets</li> <li>• Delivery of sustainable transportation and other infrastructure</li> </ul>
<b>Chain of Conformity</b>	RSS (the South East Plan) and central government policy and guidance. Regard to the Maidstone Sustainable Community Strategy, Strategic Plan, Economic Development Strategy, Housing Strategy and Regeneration Statement. The Core Strategy Local Plan sets the strategy with which all local plans must comply.
<b>Policies Map</b>	To be amended to reflect the adoption of the Core Strategy DPD
<b>Timetable</b>	
SA Scoping Report	August 2009

## 5 . Document Project Plans

Public Participation (former Reg 25, new Reg 18)	September/October 2011
Preparation - partial consultation for strategic sites (Reg 18)	August/September 2012
Publication (Reg 19)	December 2012/January 2013
Submission (Reg 22)	March 2013
Pre Examination Meeting	May 2013
Examination (estimate)(Reg 24)	July 2013
Fact Checking Inspector's Report	September 2013
Receipt of Inspector's Report	October 2013
Adoption (estimate)(Reg 26)	December 2013
<b>Arrangements for Production</b>	
Internal Partners	Teams within the directorates of Change, Planning & the Environment and Regeneration & Communities, Corporate Leadership Team, Member Advisory Group (Local Development Document Task & Finish Scrutiny Panel)
External Partners	Appropriate national consultees, Town Centre Management, parish councils, adjacent local authorities, and other stakeholders and community groups set out in the SCI
External Resources	KCC Highways, infrastructure providers, the HCA, and use of external consultants to provide evidence (as required)

Table 5.1

## 5 . Document Project Plans

14

### Development Delivery

<b>DEVELOPMENT DELIVERY</b>	
<b>Subject</b>	Inclusion of policies and land allocations for the regeneration of the town centre; identification of borough wide site specific land allocations for new housing, business, retail and infrastructure; designation of protection areas; and development management policies.
<b>Status</b>	Local Plan
<b>Coverage</b>	Maidstone borough
<b>Content</b>	<ul style="list-style-type: none"> <li>• Enhancement of the vitality and character of the town centre</li> <li>• The redevelopment and regeneration of defined areas in terms of land use, design, phasing and the implementation of schemes</li> <li>• Identification of sites for new land allocations to meet the housing, employment, retail, tourism, public open space, community and infrastructure needs of the borough in accordance with the development strategy defined by the Core Strategy</li> <li>• Safeguarding of identified employment areas</li> <li>• The delivery of quality and sustainable new development</li> <li>• Conservation and environmental protection</li> <li>• Safeguarding and enhancing biodiversity (including designations)</li> <li>• Appraisal of the riverside potential</li> <li>• Development management policies</li> </ul>
<b>Chain of Conformity</b>	RSS (the South East Plan) and central government policy and guidance. Regard to the Maidstone Sustainable Community Strategy, Strategic Plan, Economic Development Strategy, Housing Strategy and Regeneration Statement, and the Core Strategy Local Plan.
<b>Policies Map</b>	To be amended to reflect the adoption of the Development Delivery Local Plan
<b>Timetable</b>	
SA Scoping Report	April 2013
Preparation (Reg 18)	February/March 2014
Publication (Reg 19)	October/November 2014
Submission (Reg 22)	March 2015



## 5 . Document Project Plans

Pre Examination Meeting	May 2015
Examination (estimate)(Reg 24)	July 2015
Fact Checking Inspector's Report	September 2015
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External Partners	Appropriate national consultees, Town Centre Management, parish councils, adjacent local authorities, and other stakeholders and community groups set out in the SCI
External Resources	KCC Highways, infrastructure providers, the HCA, and use of external consultants to provide evidence (as required)

Table 5.2

## 6 . Glossary of Terms

16

### 6 Glossary of Terms

Acronym	Term	Description
	The Act	The Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008.
	Development Plan	The Development Plan includes adopted local plans, neighbourhood plans and regional plans (until such time as they are abolished).
DPD	Development Plan Document	A DPD is a spatial planning document that is subject to independent examination. Under new regulations, DPDs are now known as local plans.
HCA	Homes and Communities Agency	The national housing and regeneration agency, responsible for providing funding for affordable housing, bringing land back into productive use, and raising standards in the physical and social environment.
KCC	Kent County Council	The county planning authority, responsible for producing the Kent Minerals and Waste Local Plans and the County's local planning policy framework.
	Local Development Document Task and Finish Scrutiny Panel	Maidstone Borough Council Member committee set up to steer and advise on the production of LDF documents.
LDS	Local Development Scheme	The LDS is a business programme or timetable listing the documents the Council will produce under the local planning policy framework, and explaining how documents will be prepared and when they will be published.
LEP	Local Enterprise Partnership	LEPs are locally-owned partnerships between local authorities and businesses. LEPs play a central role in determining local economic priorities, and undertaking activities to drive economic growth and the creation of local jobs
	Localism Act	The Localism Act was published in 2011 and introduces new freedoms and flexibilities for local authorities and communities.
	Local Plan	The plan for the future development of the local area, drawn up by a local authority in consultation with the community. The Local Plan includes DPDs adopted under the Act, Core Strategies and other local plan documents, and saved policies. The Local Plan does not include SPDs or supplementary guidance, although these documents are material

## 6 . Glossary of Terms

		considerations in development management processes.
MBC	Maidstone Borough Council	The local planning authority responsible for producing the local planning policy framework.
	Monitoring Report	The Monitoring Report provides a framework with which to monitor and review the effectiveness of local plans and policies.
	Neighbourhood Plan	Neighbourhood plans were introduced by the Localism Act, and are plans prepared by a parish council or neighbourhood forum for a particular neighbourhood area.
	Policies Map	The policies map uses an ordnance survey map base to show all land use policies and proposals, and is updated as each new local plan is adopted so that it reflects the up-to-date planning strategy for the borough. Maidstone has an on-line interactive policies map.
	Saved policies	Policies from the Maidstone Borough wide Local Plan that were saved in 2007 under the Act.
RSS	Regional Spatial Strategy	The RSS sets out the region's policies for the development and use of land. The RSS currently forms part of the development plan and the South East Plan is the RSS for the region.
SA	Sustainability Appraisal	The SA is a tool for appraising policies to ensure they reflect sustainable development objectives, including social, economic and environmental objectives. An SA must be undertaken for all local plans.
SCI	Statement of Community Involvement	The SCI specifies how the community and stakeholders will be involved in the process of preparing local planning policy documents.
SCS	Sustainable Community Strategy	The SCS is produced by local authorities with the aim of improving the social, environmental and economic well being of their areas. The actions of the local public, private, voluntary and community sector are coordinated through the SCS.
SEA	Strategic Environmental Assessment	SEA is a generic term used to describe the environmental assessment of policies, plans and programmes. The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.

## 6 . Glossary of Terms

SoS	Secretary of State	Secretary of State for Communities and Local Government.
	Supplementary Guidance	Local authorities can endorse publications prepared by regional or strategic bodies as supplementary guidance. These documents are a material consideration in planning decisions but are not part of the development plan or the local plan. If subject to adequate stakeholder and public consultation, supplementary guidance can carry commensurate weight with SPDs in decision making processes.
SPD	Supplementary Planning Document	An SPD provides further detail to policies set out in local plans. SPDs are a material consideration in planning decisions but are not part of the development plan or the local plan.