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Policy CS6 - Sustainable construction standards

1.1 Recognition of climate change and its contributing factors will be central to the future of development across the borough. New developments will need to incorporate mitigating, climate based measures, while still achieving the high quality designs that make the borough a desirable place to live and work. Of particular concern in Maidstone is the stress placed on water resources.

1.2 The Climate Change Act 2008 sets two legally binding targets, a 34% reduction in greenhouse gas emissions by 2020, leading to an 80% emissions cut by 2050, both of which are set against a 1990 baseline. Maidstone Borough Council adopted the Kent Environment Strategy in 2011, which itself seeks a 60% cut in greenhouse gas emissions (measured as CO₂ equivalent) against 1990 levels by 2030.

1.3 It is more energy and cost efficient to design and develop buildings to an appropriate standard, than it is to develop them at a lower standard and retrofit them later in their life. The Code for Sustainable Homes (residential) and the Building Research Establishment Environmental Assessment Method (BREEAM) (non-residential) are the most appropriate/recognisable assessment methods by which to judge and require increased sustainability standards in new developments.

Policy CS 6

Sustainable design and development

Development proposals in the borough will:

1. If residential; be expected to achieve a minimum of Code for Sustainable Homes (or any future national equivalent) level 4. The council will encourage the achievement of higher Code for Sustainable Homes levels where it is a feasible element of the proposal;
2. If non-residential of 1000m² (gross) and above; be expected to achieve BREEAM (or any future national equivalent) very good. The council will encourage the achievement of higher BREEAM levels where it is a feasible element of the proposal;
3. If residential of 10 units and above, or non-residential of 1000m² (gross) and above; provide 10% of their energy from decentralised, energy from waste, renewable and/or low-carbon energy sources. Where applicable this requirement will count towards (1) and (2) above; and
4. [Relating to 1, 2, and 3] be permitted to achieve a reduced standard, to be negotiated with the council, only if it can be demonstrated on the grounds of viability or feasibility that the above standards are unattainable.

Delivery and monitoring

Delivery

Assessment against the Code for Sustainable Homes and BREEAM, which are independent design standards.

Monitoring

- % of development constructed to meet Code for Sustainable Homes requirements
- % of development constructed to meet BREEAM requirements
- % of development that makes provision for 10% of energy needs to come from decentralised, renewable and/or low carbon energy sources

Policy CS7 - Sustainable transport

Transport

1.4 Working in partnership with Kent County Council (the local transport authority), the Highways Agency, infrastructure providers and public transport operators, the Borough Council will facilitate the delivery of transport improvements to support the growth proposed by the local plan. An Integrated Transport Strategy (ITS), prepared by the council and its partners, will have the aim of facilitating economic prosperity and improving accessibility across the borough and to the town centre, in order to promote Maidstone as a regionally important transport hub.

Traffic Congestion

1.5 Traffic congestion is now one of the greatest single challenges facing Maidstone. It has a significant impact on the borough's economy, its air quality and the general health and well being of its population. These impacts are particularly felt on the main radial approaches to the town centre and at Junctions 5, 6 and 7 of the M20 at peak times.

1.6 A related issue is the impact of Heavy Goods Vehicle (HGV) traffic on the routes to and from the Rural Service Centres in the south of the borough and on the main radial routes to the town centre. Of particular note is the disproportionate impact that HGVs have on air quality in the town centre.

1.7 The local plan aims to focus development at Maidstone urban area and the Rural Service Centres. This will have the effect of minimising journey times and distances and will also improve the viability of public transport routes and associated infrastructure.

1.8 Traffic modelling results have demonstrated that the limited capacity of the existing road network to accommodate future growth means that both the existing and new highway infrastructure must be used more efficiently. This means increasing the capacity of the borough's roads to move more people and goods and not simply increasing its capacity to move more vehicles.

1.9 In order to achieve this, a significant increase in the uptake of sustainable transport modes will be required if traffic congestion and local air quality are to be effectively managed.

Integrated Transport Strategy (ITS)

1.10 The Local Transport Plan for Kent 2011 – 2016 has now been adopted by the local transport authority, Kent County Council (KCC), and is clear that the early provision of new and enhanced transport infrastructure is a prerequisite for local economic and housing growth. Maidstone's Economic Development Strategy identifies investment in transport as a priority action to strengthen the competitiveness of the borough's economy. Improved access into, out of, and around the town centre is seen as critical to strengthening the town centre's position as a retail and leisure destination and to revitalising the office property market. In addition, access to the Rural Service Centres needs to be improved to provide for the growth proposed at these centres. The ITS will play a central role in delivering these objectives and therefore has the aim of providing the framework for the delivery of transport infrastructure necessary to support the sustainable growth proposed by the local plan. Policy CS14 identifies investment in transport infrastructure as a priority for the Infrastructure Delivery Plan (IDP).

1.11 The ITS, developed in partnership with KCC, will consider the issues of managing the increase in traffic congestion; promoting a shift to more sustainable modes of travel; improving air quality; creating more bus priority measures; implementing more efficient parking management initiatives; developing low carbon transport infrastructure; and better managing and enhancing the council's park and ride service, with particular emphasis on the site at Eclipse Business Park where modelling has shown the demand for these facilities to be greatest. These will be combined with a range of sustainable transport measures to promote sustainable modes of travel.

1.12 Several measures to be implemented through the ITS have been identified in the IDP. The council will ensure it carefully targets limited available resources where they are needed most to ensure the borough receives the greatest transport benefits and to ensure the greatest value for money.

Air Quality

1.13 Vehicle emissions are a major contributor to poor air quality at both the local level and on a wider global scale. Indeed the entire Maidstone Urban Area has been declared an Air Quality Management Area, primarily due to the level of traffic congestion at peak times. The ITS will therefore support the delivery of many of the measures identified in the Maidstone Town Air Quality Action Plan (MAQAP) to deliver an improvement in the air quality of the urban area and to reduce pollutant levels below the Air Quality Objective Levels set out by European legislation.

Parking

1.14 The provision of an adequate supply of well located and reasonably priced car parking is essential to support the borough's retail economy; to provide a means of access to areas of the borough where access by other travel modes is unavailable; and to provide an improved accessibility for mobility impaired persons. However, parking provision also drives demand for limited road space and so has a direct link to traffic congestion. Further, parking provision can undermine the development of more sustainable modes of travel such as public transport, walking and cycling. Therefore it is crucial that the council ensures an appropriate level of parking provision is provided and that an over provision of parking is avoided to ultimately help support the economy, protect air quality through reduced congestion and to promote the development of more sustainable modes of transport.

1.15 Overall there are a number of strands that need to be drawn together in an integrated strategy for maximising the benefits and minimising the impacts of parking provision. To achieve this, the ITS aims to:

- Support economic growth through an appropriate level of parking provision
- Improve access to the town centre by better managing the council's park and ride service
- Protect on-street parking provision for the needs of residents and businesses
- Develop a parking standards supplementary planning document to direct parking provision for new development
- Ensure an over provision of parking is avoided so as not to undermine the development of sustainable modes of transport
- Better manage and consolidate Maidstone Borough Council owned parking assets
- Where necessary, use parking tariffs as a measure to manage travel demand
- Support advances in sustainable technologies through facilitating the creation of Plug-In vehicle parking infrastructure.

Rail Services

1.16 There are three rail routes serving the borough including the Medway Valley Line, the Ashford International to London Victoria Line (via Maidstone East) and the Kent Coast to London Charing Cross Line (via Headcorn, Staplehurst and Marden), serving a total of 14 stations. The average journey time from Maidstone East to London is approximately one hour. The Medway Valley line links Strood to Paddock Wood via Maidstone West connecting East Farleigh, Watlingbury and Yalding to the town.

1.17 Although three rail lines serve the borough, improvements are still needed to increase the frequency and improve journey times to London and other strategic locations. The council welcomes the planned introduction of Thameslink services between Maidstone East and City of London destinations from 2018. The council also supports the use of rail freight to transport goods and reduce the number of HGV movements on the borough's roads.

Bus Services

1.18 Across much of the borough, the main alternative to use of the private car is the bus. Although the area has a well established bus network, there has been a decline in service to the south of the borough due to cuts in central government subsidy. Buses offer a vital service to the public, providing an alternative to the car, but also ensure that those without access to a car, or those unable to use a car, can still travel within the borough. Commercial services are complemented by the Borough Council's park and ride services (providing some 1,500 spaces over three sites), and by County Council subsidies for some socially necessary services, mainly evening and Sunday services, and services to rural areas.

1.19 A voluntary Quality Bus Partnership between KCC, Maidstone Borough Council and Arriva has been in existence since 1999 and has helped to co-ordinate investment, particularly on the key corridors (Parkwood, Senacre, Shepway, Maidstone Hospital, London Road and Chatham Road), resulting in service improvements and increased usage. Thousands of people use bus transport every day, including students, workers and concessionary ticket holders. These movements support the prosperity of the town and rural areas of the borough. There are approximately 100 services that run within the borough boundaries, and at peak hours there are some 40 buses using the stops in each direction on Maidstone High Street.

1.20 Bus priority at traffic signal junctions in the town is controlled by the County Council's Urban Traffic Management and Control system that manages the road network as efficiently as possible. It also provides bus service information via real time passenger information signs at bus stops and information to all drivers via variable message signs.

1.21 In order to promote the improvement of the local bus services, the council, together with KCC, will continue to identify opportunities to develop new and existing routes through the development management process and Quality Bus Partnership. Several bus priority schemes will be implemented through the ITS to improve bus journey times and to enhance the economic viability of several bus routes.

Influencing Travel Behaviour

1.22 Through the ITS the council, together with KCC, will seek to promote and support a range of initiatives to influence travel behaviour in the borough. This can be achieved through the use of Travel Plans, behaviour change programmes and introducing improvements to encourage greater levels of walking and cycling and the use of transport, car sharing and car clubs.

1.23 The council, together with KCC, will continue to promote and support the use of Travel Plans as a way of influencing travel behaviour away from journeys by private car to more sustainable modes. Maidstone Borough Council and Kent County Council will continue to implement and monitor their own corporate Travel Plans as well as securing Travel Plans for new development as part of the planning process. Workplace and School Travel Plans will also continue to be developed, implemented and monitored through partnership working across the borough where appropriate.

Cycling and Walking

1.24 The urban area's cycle network connects some residential areas within the town centre but connections across the urban area are limited. The provision of attractive and safe walking and cycling routes with adequate cycle parking will be incorporated within the ITS.

1.25 The borough's walking environment, its walking routes and its public realm will be developed and improved through local plan policies, the ITS, the IDP, and through the Green and Blue Infrastructure Strategy. The Maidstone Cycling Strategy will be developed through the ITS. These strategies and documents will have the aim of increasing the proportion of trips made by walking and cycling in the borough by 2031.

Safe and Inclusive Public Environments

1.26 In order to protect the health and well being of the borough's population and those who pass through the borough, the safety of the public environment is paramount. The council and its partners will promote road user safety (including the safety of all pedestrians, cyclists, passengers and drivers) and ensure it is given the highest priority. In terms of access, priority will be given to people with disabilities, pedestrians, cyclists, and other road users. The council will also ensure new development schemes coming forward are accessible to these user groups.

Assessing the Transport Needs of Development

1.27 New developments have the potential to generate a considerable number of vehicular and pedestrian trips which in turn has both a direct and cumulative impact on the transport network. Improvements to public transport, walking, cycling and highway infrastructure to mitigate these impacts need to be in place to ensure the increase in trips generated will not lead to an unacceptable level of transport impacts. To further minimise these impacts, measures and initiatives must be incorporated into the design of development to minimise vehicular trip generation. Transport Assessments developed in accordance with KCC guidance will be expected to accompany all planning applications for new developments that reach the required threshold. New development proposals will also be expected to enter into legal agreements to mitigate both their direct and cumulative impact on the transport network. Transport infrastructure initiatives that developments will be expected to financially contribute towards are included in, but not limited to, the IDP in accordance with policy CS14.

Policy CS 7

Sustainable transport

1. Working in partnership with Kent County Council (the local transport authority), the Highways Agency, infrastructure providers and public transport operators, the Borough Council will facilitate the delivery of transport improvements to support the growth proposed by the local plan. An Integrated Transport Strategy, prepared by the council and its partners, will have the aim of facilitating economic prosperity and improving accessibility across the borough and to the town centre, to promote Maidstone as a regionally important transport hub.
2. In doing so, the council and its partners will:
 - i. Effectively manage and enhance the borough's transport infrastructure, including its road network, bus routes and the Park and Ride service, to increase the existing capacity of the road network to move people and goods, manage traffic congestion, improve the reliability of transport and enhance local air quality;
 - ii. Develop the strategic transport links to and from Maidstone, and connections to the Rural Service Centres;
 - iii. Continue to improve highway safety for all road users;
 - iv. Promote sustainable travel choices by prioritising walking, cycling, public transport, car sharing and car clubs;
 - v. Develop, maintain and promote a high quality and accessible pedestrian environment;
 - vi. Carefully manage the provision of car parking so that it balances the needs of local residents, the economy and the environment; and
 - vii. Ensure that the transport network provides inclusive access for all users.
3. Development proposals must:
 - i. Demonstrate that all significant impacts of trips generated to and from the development are remedied or mitigated; and
 - ii. Provide a satisfactory Transport Assessment and a satisfactory Travel Plan in accordance with the threshold levels set by Kent County Council's Guidance on Transport Assessments and Travel Plans.

A parking standards supplementary planning document will be produced to provide greater detail in support of the policy.

Delivery and monitoring

Delivery

This policy will primarily be delivered through the actions set out in the Integrated Transport Strategy and through the allocation of land for development.

Monitoring

- The delivery of this policy will be primarily monitored through the performance monitoring plan in the Integrated Transport Strategy, which consists of key targets and dates.
- Air quality exceedences will be monitored as part of the Local Air Quality Management (LAQM) statutory duty. This seeks to reduce air pollution at identified 'hotspots' whilst reducing the public's exposure to the pollution. It is delivered with partners through the Maidstone Air Quality Action Plan.

Policy CS8 - Economic development

1.28 The local economy is characterised by its strong base in administration and professional services, as well as public services, stemming in particular from Maidstone's county town role. The town centre is an established focus for shopping and leisure activities, drawing trade from both within the town and beyond. The local workforce is generally quite highly skilled and although a proportion of residents travel outside the borough to work this is more than matched by those who commute in. Whilst the average earnings of those who commute out of the borough is higher than that of those who work in the borough, because of the prevalence of higher paid jobs in London as well as a preponderance of lower wage employment in the borough, the gap has been narrowing over recent years ⁽¹⁾. In general unemployment in the borough is low when compared with the Kent and national picture ⁽²⁾.

1.29 For Maidstone Borough to grow in a sustainable manner the increase in house building needs to be aligned with growth in local employment. It is estimated that the borough's resident labour supply will increase by some 7,600 people between 2011 and 2031 based on a housing target of 14,800 dwellings over the same period ⁽³⁾. Economic growth will be achieved through a range of provision and for the purposes of the Local Plan, and in line with the NPPF, economic development includes the following uses:

- Uses within Class B of the Use Class Order including offices, research and development, warehouses and industry

1 Annual Monitoring Report 2011/12.

2 'Unemployment in Kent' Research & Evaluation Bulletin, Kent County Council (January 2013)

3 Population Forecasts, Kent County Council (October 2012)

- Public and social uses such as health and education
- Town centre uses such as retail, leisure, entertainment, arts, cultural and tourism development.

1.30 The net additional land requirements for B class uses to 2031 and retail to 2031 are to be delivered through the allocation of sites and the granting of planning permissions. Other economic growth will be created through tourism, social infrastructure provision such as education and health care, construction and other small scale opportunities such as the conversion or extension of rural buildings that will not necessarily require the allocation of land. The council's Economic Development Strategy (2008) provides the economic vision for the borough and sets out how prosperity will be achieved across the range of business sectors. This strategy is currently being reviewed.

1.31 A significant proportion of Maidstone's growth in B class uses is expected to come from office-based employment. The first choice location for new office development will be the town centre. The council is aiming to create the right conditions for growth in the town centre through a comprehensive approach, improving accessibility, enhancing the public realm and encouraging a range of commercial uses, primarily retail, office and leisure related. This will be directed through the specific policies of the Local Plan. A particular issue is the quantity of long-term vacant office stock in the town centre and the identification of appropriate alternative uses for such stock. An initial estimate is that some 5,100sqm of currently vacant office stock in the town centre and elsewhere may no longer be fit for purpose ⁽⁴⁾.

1.32 In addition to town centre office sites, there is a complementary role for offices at beyond centre sites which are well connected to the highway network, such as Eclipse Park, in recognition of the differing market demand that such sites meet.

1.33 The proposed strategic site allocation at Junction 7 is a particular opportunity to create a hub for medical related businesses, capitalising on the development of the Kent Institute of Medicine and Surgery, to attract high value, knowledge intensive employment and businesses as a boost to the local economy. The further specific sites allocated for additional employment development, including storage, warehousing and industrial development in line with identified needs, will help provide for a range of jobs of differing skill and wage levels as a way of helping to maintain relatively low unemployment rates going forward.

1.34 With the exception of some of the secondary office stock within the town centre, existing business sites and industrial estates are an important and appropriate part of the business stock for the future which can also help to provide for the range of employment needs. Policy CS8 directs the retention, intensification and regeneration and expansion of the identified economic development areas as well as existing business premises more generally at Maidstone urban area and the RSCs.

1.35 Retail development makes a big contribution towards the economic health of the borough and reinforces Maidstone's role as County Town. Maidstone Town Centre is the primary focus for retail development within the borough with the

4 Revised Employment Land Forecast (2013)

RSCs also providing appropriate local levels of retail facilities as set out in the Centre Hierarchy. Retail provision elsewhere in the borough currently comprises district centres and a degree of out of town development. Future development will be located in accordance with the 'town centre first' sequential approach.

Centre hierarchy

Primary regional town centre – Maidstone town centre

District centres – will serve a wider catchment area than a local centre and will cater for weekly resident needs. Such a centre will comprise groups of shops often containing at least one supermarket or superstore, and a range of non-retail services such as banks, building societies and restaurants, as well as local public facilities such as a library.

Existing district centres include:

- Mid-Kent Centre, Castle Road, Allington
- Grovewood Drive, Grove Green
- Heath Road, Coxheath
- High Street, Headcorn
- The Square, Lenham
- High Street, Marden
- High Street, Staplehurst

Local centres are defined as centres that include a range of small shops of local nature, serving a small catchment. Local centres may include a small supermarket, a newsagent, a sub-post office, and a pharmacy. Other facilities could include a hot-food takeaway.

1.36 Within the countryside and away from existing settlements the emphasis for economic development will be on the conversion and extension of existing suitable buildings and established sites, farm diversification and tourism where this can be achieved in a manner consistent with local rural and landscape character in order that a balance is struck between supporting the rural economy and the protection of the countryside for its own sake. There is also a trend towards to greater homeworking which allows for a reduced impact on transport infrastructure.

1.37 Opportunities for further tourist related development will be supported in particular within the town centre as well as small scale initiatives that support the rural economy. The council will also promote education, leisure and cultural facilities, again within the town centre in particular, to retain a higher proportion of young and well educated people within the borough and in turn enhance the prospects of creating a dynamic local economy

Policy CS 8

Economic development

1. The council is committed to supporting and improving the economy of the borough and providing for the needs of businesses. This will be achieved through the allocation of specific sites and through:
 - i. The retention, intensification, regeneration and planned expansion of the existing industrial and business estates identified as Economic Development Areas at Maidstone urban area and the Rural Service Centres, as defined on the policies map;
 - ii. The retention, intensification, regeneration and expansion of the existing economic development premises in Maidstone urban area and the Rural Service Centres provided the site is in an appropriate location and suited to the economic development use in terms of scale, impacts and economic viability;
 - iii. Enhancing the vitality and viability of Maidstone town centre and maintaining the hierarchy of retail centres;
 - iv. Supporting proposals that encourage highly skilled residents to work in the borough to reduce out-commuting;
 - v. Improving skills in the workforce in particular by supporting further and higher education provision within Maidstone's urban area with a preference for a town centre location;
 - vi. Supporting improvements in information and communications technology to facilitate more flexible working practices; and
 - vii. Supporting proposals for the expansion of existing economic development premises in the countryside, including tourism related development, provided the scale and impact of the development is consistent with its countryside location and the terms of policy CS5 are met.
2. Permission will be granted for retail, office and leisure uses in well connected out of centre locations only where it is proven that the development cannot be located within an in-centre location first, followed by edge of centre locations.

Delivery and monitoring

The Local Plan will define detailed boundaries of Economic Development Areas and will allocate sites to meet the future needs of business and retail development and define the boundaries of district centres.

Monitoring

- Net increase in B1, B2 and B8 employment and retail floor space.
- Net loss of floor space within the Economic Development Areas to non-economic development uses

Policy CS9 - Housing mix

1.38 The key requirements for of a mixed community are a variety of housing, particularly in terms of tenure and price, and a mix of different households such as families with children, single person households and older people. Maidstone Borough Council recognises that to truly promote sustainable communities there must be a mix of types of housing that are provided in any given development or location. The council will actively seek to balance communities where particular house sizes or tenures have become prevalent beyond an evidenced need.

1.39 Evidence detailed in the Maidstone SHMA (2010) guides the profiles of development that are required in urban and rural locations. This evidence is valuable in determining the local housing picture and as a consequence which types and tenures of housing are required. The council will not, however, set specific targets within policy because these would result in inflexibility and a situation where imbalances could begin to occur over time.

1.40 Developers will need to access a range of sources, including the SHMA, to help shape their proposals. Local stakeholders, including parish councils, may often be able to provide targeted information that assists an applicant to submit a locally relevant scheme. Where affordable housing is proposed or required, the housing register may provide additional guidance.

Policy CS 9

Housing mix

Maidstone Borough Council will seek to ensure the delivery of sustainable mixed communities across new housing developments and within existing housing areas throughout the borough.

1. A sustainable mixture of house sizes, types and tenures will be sought that reflects the needs of those living in Maidstone now and in years to come.
2. Accommodation profiles detailed in the Strategic Housing Market Assessment will be used to help inform developers to determine which house sizes need to be delivered in urban and rural areas, across market and affordable housing sectors. The council will expect the submission of details of how this information has been used to justify the proposed mix.
3. Gypsy and Traveller accommodation requirements will form part of the borough need for housing.

An affordable and local needs housing supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Delivery and monitoring**Delivery**

Supporting statements will accompany development proposals of 10 dwellings or more that indicate how the latest household profile information has been incorporated.

Monitoring

- Annual dwelling size percentages related to the changes required in the Strategic Housing Market Assessment.

Policy CS10 - Affordable housing

1.41 Maidstone Borough has a clear affordable housing need. The Strategic Housing Market Assessment (SHMA) supports the approach of seeking a proportion of dwellings to be provided on site for affordable housing needs. The on site provision of dwellings is necessary to aide community integration.

1.42 Viability testing indicates that affordable housing is achievable with a one dwelling threshold. For practical purposes, the threshold will be set at 10 dwellings. Affordable housing will be provided on site. Alternative provision will not be accepted unless there are exceptional circumstances that justify it. Any proposals for off site or financial provision must be made at the time of the application.

Targets by area

1.43 Affordable housing targets will differentiate across the borough by geographical area and existing land use, this is due to relative issues such as land price and policy considerations. Previously developed land, within the urban area, will be required to provide the lowest level of affordable housing contribution, primarily for two different reasons – existing use value and as a fiscal incentive to regenerate sites and areas that may otherwise remain unused or under used. On greenfield and private residential garden sites in the urban area and around the urban periphery, the council recognises that land may be relatively more expensive because of the expectation of policy coming forward to develop these sites, giving a hope value. Sites at urban periphery locations can also reasonably expect to contribute to a wide range of infrastructure requirements as well as affordable housing. Evidence has indicated that in rural locations and on the edge of rural settlements, although land values are higher, so are the values of the developments. In these areas development remains viable when factoring in higher affordable housing targets, still returning acceptable profits for landowners and developers.

Policy CS 10

Affordable housing

On housing sites or mixed use development sites of 10 residential units or more, the council will seek the delivery of affordable housing.

1. The target rates for affordable housing provision are:
 - i. Previously developed land - urban - 15%
 - ii. Greenfield and private residential gardens - urban and urban periphery - 30%
 - iii. Rural and rural settlements - 40%

This provision will consist of:

2. The integrated on site provision of dwellings or, where proven necessary in exceptional circumstances, off site provision in the following order of preference:
 - i. An identified off site scheme;
 - ii. The purchase of dwellings off site; or
 - iii. A financial contribution towards off site affordable housing.
3. Of the affordable dwellings provided, not less than 50% will be affordable rented housing, social rented housing or a mixture of the two. The balance of up to 50% of the affordable dwellings provided will be a mixture of shared ownership and intermediate rented housing, with a target split of 40%/10% respectively.
4. In cases where the required provision cannot be achieved on the grounds of viability, the council will negotiate a reduced contribution. This will be subject to viability evidence.

An affordable and local needs housing supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Delivery and monitoring**Delivery**

This policy will be delivered primarily through affordable housing requirements placed on new residential developments.

Monitoring

- % of developments where full affordable housing is secured;
- % of affordable housing secured across all developments;
- Tenure composition of new affordable housing across new developments; and
- % of developments where off site provision is agreed to.

Policy CS11 - Local needs housing

1.44 Market housing in the borough's rural settlements can be both expensive and in limited supply. Affordable housing, although addressing the issue of expense, can also be in limited supply.

1.45 This means that local people can often be forced to move away from the settlement that they call home, or that they must share a dwelling beyond a point that is reasonably comfortable for them to do so.

1.46 Outside of Maidstone and the five rural service centres the amount of market housing that is planned will be more limited. This means that many rural communities may not benefit from a general supply of affordable housing as provided for in CS10.

1.47 The council must therefore work in close partnership with parish councils and local stakeholders in order to maintain and promote sustainable, mixed and inclusive communities.

1.48 Local needs housing seeks to address the lack of general supply by allowing the development of exception sites under agreed local needs, sustainability and environmental criteria. The housing must remain affordable in perpetuity and priority will be given to occupants who have a specified connection to the settlement – often being residential, employment or family.

1.49 Rural service centres will benefit from some general affordable housing as a result of planned development, but there may also be cases where local needs housing is required.

Policy CS 11

Local needs housing

The council will work with parish councils and local stakeholders to bring forward sustainably located local needs housing in its rural communities, where this has been proven necessary by a local needs housing survey undertaken by or on behalf of the parish council(s) concerned.

1. People meeting the relevant occupation criteria will be given priority to occupy local needs housing (under the council's housing allocation scheme).
2. Local needs housing will remain available in perpetuity to meet the need for which it was permitted. This will be secured by planning conditions and/or legal agreements as appropriate.
3. Sustainability of the site and its settlement will be a prime consideration in decision making. The council will give preference to settlements and communities where a range of vital and viable facilities including shops, health and education are present. Settlements must be effectively served by public transport.
4. Developments must be provided on sites that enable an appropriate scale and setting in the built context of their settlement.
5. Where national landscape, ecological and heritage designations are affected by the proposed development, the necessity for development must be proven to outweigh the purpose for which the designation was made.

An affordable and local needs housing supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Delivery and monitoring**Delivery**

This policy seeks to guide the delivery of local needs housing rather than seeking to deliver the housing itself.

Monitoring

- Delivery of local needs housing where a need is identified and acceptable sites have been put forward.
- Retention in perpetuity of local needs housing delivered under the guidance of CS11 (this may not be a constant source of information, but where any local needs housing may have been released from the perpetuity requirement this would inform the local plan).

Policy CS12 - Gypsy, Traveller and Travelling Showpeople accommodation

1.50 Accommodation for Gypsies and Travellers is a specific type of housing that councils have the duty to provide for under the Housing Act (2004). Gypsies and Travellers historically resorted to the Maidstone area because of their involvement in agriculture, particularly hop and fruit picking. These patterns have prevailed, especially in the Weald area, and the borough has a significant number of pitches mostly on small, privately owned sites. Going forward, the aim for the Local Plan is to contribute towards the creation of sustainable communities by making an appropriate scale of pitch provision which balances the reasonable need for lawful accommodation with the responsibility to protect countryside for its own sake.

1.51 National guidance in 'Planning Policy for Traveller Sites' sets out the definitions of 'Gypsies and Travellers' and 'Travelling Showpeople' to be used for planning purposes.

1.52 A new Gypsy and Traveller and Travelling Showpeople Accommodation Assessment ⁽⁵⁾ for the borough was completed in January 2012. This assessment reveals an arising need for some 157 pitches between October 2011 and March 2026 and for some 9 Travelling Showpeople plots over the same timeframe. The need figures have been rolled forward a further 5 years to take account of the extension of the plan period to 2031. These total target figures break down into 5 year periods as set out below:

5 Gypsy and Traveller and Travelling Showpeople Accommodation Assessment: Maidstone (January 2012)

	Oct 2011 – March 2016	April 2016 – March 2021	April 2021 – March 2026	April 2026-March 2031	Oct 2011 – March 2031
Gypsy and Traveller pitches	105	25	27	30	187
Travelling Showpeople plots	7	1	1	2	11

Table 1.1

1.53 These pitches and plots will be delivered through the granting of planning consents and through the allocation of sites. The provision of both privately-owned and affordable pitches on publicly owned sites will contribute towards the targets. As from March 2013, local authorities are directed to demonstrate a 5 year supply of deliverable sites and the council's 5 year supply position will be set out and updated in its Annual Monitoring Report. Allocated sites must be available for the use proposed and where this is the case, these sites should be developed in preference to granting consent on windfall sites.

1.54 The criteria in the policy below will guide the determination of planning applications and also the allocation of specific sites. It is preferable for sites to be located close to existing settlements where there are community facilities such as schools and health services. Frequently, because of land availability, more rural sites are proposed. Where such sites are proposed, the impact of development on the landscape and rural character is an important factor in respect of the wider objective of protecting the intrinsic character of the countryside.

Policy CS 12

Gypsy and Traveller accommodation

Through the granting of permanent planning permissions and the allocation of sites, 187 Gypsy and Traveller pitches and 11 Travelling Showpeople plots will be provided between October 2011 and March 2031.

Planning permission for Gypsy and Traveller and Travelling Showpeople accommodation will only be granted if the site is allocated for that use or if the following criteria are met:

1. Local services, in particular school and health facilities, are accessible from the site preferably on foot, by cycle or on public transport;
2. The development would not harm the landscape and rural character of the area, in particular the Kent Downs Area of Outstanding Natural Beauty, and the openness of the Metropolitan Green Belt. Impact on these aspects will be assessed with particular regard to:
 - i. Local landscape character;
 - ii. Cumulative effect - the landscape impact arising as a result of the development in combination with existing caravans; and
 - iii. Existing landscape features - development is well screened by existing landscape features and there is a reasonable prospect of such features' long term retention.

Additional planting should be used to supplement existing landscaping but should not be the sole means of mitigating the impact of the development.

3. The site can be safely accessed to and from the highway by all vehicles using the site on a regular basis;
4. The site is not located in an area at risk from flooding (zones 3a and 3b) based on the latest information from the Environment Agency or a specific Flood Risk Assessment which has been agreed by the Environment Agency; and
5. The ecological impact of the development has been assessed through appropriate survey and a scheme for any necessary mitigation and enhancement measures confirmed.
6. In addition to the above criteria the following applies to Travelling Showpeople accommodation only:
 - i. The site should be suitable for the storage and maintenance of show equipment and associated vehicles.

Delivery and monitoring

Delivery

Delivery of Gypsy and Traveller pitches and pitches for Travelling Showpeople will be delivered by:

- the allocation of sites
- the granting of planning permissions.

Monitoring

This policy will be monitored through the implementation of planning permissions and via the bi-annual caravan counts.

Policy CS13 - Historic and natural environment

1.55 Maidstone's historic and natural environment is a fundamental part of the borough's economic wealth and social well being, the benefits of which are far-reaching. It is essential to ensure these historic and natural asset bases remain robust and viable.

Historic Environment

1.56 Maidstone has been shaped and influenced by a long past history, the legacy of which is a strong and rich cultural heritage. The Archbishop's Palace and Leeds Castle are two high profile heritage assets but the borough also abounds with many other historical buildings. These heritage assets contribute to the strong sense of place which exists across the borough. However, this rich historical resource is very vulnerable to damage and loss. The Local Plan allows some flexibility for the re-use and conversion of historic assets but care must be taken to ensure this does not lead to unacceptable adverse impacts. Small scale changes over time, especially the standardisation of building materials and practices can erode the special character and appearance of places, and the setting of historic features such as listed buildings and scheduled monuments, which can be crucial in maintaining historic integrity.

1.57 The Local Plan will ensure the qualities and local distinctiveness of the historic environment are recognised and protected. This will be achieved in part through the protection of Scheduled Ancient Monuments, Listed Buildings and Conservation Areas from inappropriate development. The Local Plan will seek to encourage a greater understanding of designated and non-designated heritage assets and their values through partnership working with communities, developers and asset managers. The council will encourage mutually beneficial and sustainable proposals to conserve and enhance heritage assets for future generations whilst acknowledging the social and economic challenges faced by land owners and managers.

1.58 All development proposals will be expected to be accompanied by an initial survey to establish what on-site assets there are. Sufficient information to assess the direct and indirect effects of development on past or present heritage assets together with any proposed prevention, mitigation or compensation measures will also be required. Without this there will be a presumption against granting permission.

Green and blue infrastructure (GBI)

1.59 A green and blue infrastructure is a network of natural components which lie within and between the borough's towns and villages and which provide multiple social, economic and environmental benefits. Maidstone Borough contains a wide range of green open spaces together with a number of rivers and streams. Key assets include the Kent Downs AONB, the River Medway and its tributaries, Mote Park, and the distinctive green corridors which help shape Maidstone Town. Amongst other things, these green spaces and blue corridors provide reservoirs for biodiversity and quiet recreation; act as corridors for the movement of animals, plants and people; and provide opportunities for the protection and enhancement of the local landscape and historic assets; water management, green education, and the mitigation of climate change impacts.

1.60 Green and blue infrastructure has the capacity to deliver a wide range of positive outcomes in line with the objectives of the Sustainable Community Strategy including:

- Helping to attract and retain higher paying employers;
- Helping in the creation of an efficient, sustainable, integrated transport system
- Helping to tackle climate change
- Creating healthier communities.

1.61 The green and blue infrastructure is considered to be of such vital importance that a Green and Blue Infrastructure Strategy (GBIS) will be produced. The strategy will look to encourage the creation of links and stepping stones to help in the movement of people and wildlife across the built up urban area. In the rural areas the focus will be more on land management, and creating and enhancing habitat networks. The strategy will also seek to identify those areas of the borough where deficiencies exist and look to provide guidance on how these can be overcome. The council will promote a partnership approach with developers, land owners and neighbouring local authorities, including Kent County Council, to help achieve the objectives of the GBIS.

1.62 The growth proposed in the borough provides a chance to increase the value of green spaces and blue corridors. New development will be expected to contribute towards the goal of a linked network which extends across the borough and beyond. Development schemes will be expected to contribute towards improved connectivity through the provision of footpaths and cycle routes that are part of a strategic network; space for nature that contributes to the larger landscape-scale pattern of connected habitat; and the provision of imaginative recreational facilities that give educational and physical health benefits to local people. The council will liaise with neighbouring local authorities, including Kent County Council, to ensure potential linkages at all scales and across administrative

boundaries are recognised in the development of specific proposals. Developers will also be expected to provide details of how the green and blue infrastructure elements of their proposal, including public open spaces, sites managed for their biodiversity, geodiversity or heritage interest, will be managed and maintained over the long-term. The council will provide further advice on this in the Landscape Character Guidelines supplementary planning document.

1.63 Open space, recreation and tourism are essential elements of sustainable communities, contributing towards health, quality of life, sense of place and overall well-being. Spaces and facilities form a part of the overall green and blue infrastructure network and within built up areas can provide local linkage between the town centre, urban neighbourhoods and the surrounding countryside. The needs and deficiencies in open spaces and facilities have been identified in the Green Spaces Strategy 2005 and used to base the local open space set out in the Open Space Development Plan Document (DPD) 2006. The DPD will remain part of the development plan until such time as it is superseded.

Climate Change

1.64 Climate change is resulting in ever more variable weather patterns, the outcomes of which include flooding and drought. Natural systems are able to adapt to these consequences. However, adverse changes to the natural systems can result in increases in damage to property and compensation costs, and a decrease in water resource resilience. A green and blue infrastructure approach represents a means to positively tackle these issues. It can offer alternative flood mitigation strategies, such as Sustainable Urban Drainage Systems (SUDS) and the creation of water meadows. It is able to provide the means to capture and store rainwater, as well as help improve water quality. Development proposals will be expected to take full account of climate change and mitigate for any anticipated climate change impacts.

Water Framework Directive

1.65 The Water Framework Directive (WFD) looks to improve the local water environment for people and wildlife, and promote the sustainable use of water. The Directive applies to all surface water bodies, including lakes, streams and rivers as well as groundwater. The overall aim of the WFD is for all water bodies to reach good status by 2027. In Maidstone this would mean improving their physical state, preventing deterioration in water quality and ecology, and improving the ecological status of water bodies. The WFD introduced the concept of integrated river basin management and such plans should influence development plans. Maidstone lies within the Thames River Basin District and in December 2009 the Environment Agency published the Thames River Basin Management (RBMP).

1.66 The council will continue to work in partnership with the Environment Agency and other bodies to help achieve the goals of the WFD and actions of the Thames RBMP. The council will also actively encourage development proposals to include measures to mitigate against the deterioration of water bodies and adverse impacts on Groundwater Source Protection Zones, and/or incorporate measures to improve the ecological status of water bodies as appropriate.

Biodiversity

1.67 Maidstone is a biodiverse district endowed with a variety of habitats including heathlands and chalk downlands; orchards and ancient woodland, river valleys and ponds, wildflower meadows and parklands. All of these are underpinned by an equally diverse array of soils. Soils are a fundamental element of the ecosystems found within these habitats but one which is highly susceptible to damage. The council will work in partnership with land owners, land managers and developers to encourage better soil handling practices to avoid the degradation of soil and ensure soil functions are maintained as appropriate.

1.68 The broad range of habitats forms an extensive network across rural and urban areas, including previously developed land. Many of sites are important for their nature conservation and geological interest, and are designated for their protection. In Maidstone, these include a site of international importance, namely the North Downs Woodlands Special Area of Conservation (SAC), nationally important Sites of Special Scientific Interest (SSSI), locally important Local Wildlife Sites (LWS) and Local Nature Reserves (LNR). Current designated nature conservation sites will be noted on the policies map.

1.69 As a result of increasing development pressures in the past many of the borough's biodiversity assets have been lost, damaged or fragmented. In response to this decline Maidstone Borough Council has acted in partnership with other bodies to undertake surveys of the borough's habitats and ancient woodlands. It has also adopted the Maidstone Local Biodiversity Action Plan (LBAP), a key element of which is the establishment of a connecting network of sites and corridors on a landscape scale. By reconnecting fragments of habitats to form a mosaic, the natural environment is provided with the means to become self-sustaining as well as being better able to respond to and adapt to climate change.

1.70 Development proposals will be expected to be supported by an initial survey of on-site assets. Surveys must be undertaken at the appropriate time of year for the relevant habitats, species, flora and fauna. Where harm to protected species or habitats is unavoidable, developers must ensure suitable mitigation measures are implemented to enhance or recreate the features, either on on or off-site, and bring sites into positive conservation management. Sufficient information to assess the direct and indirect effects of development on protected sites, species, biodiversity or geology, and any proposed prevention, mitigation or compensation measures must be provided. There will be a presumption against granting permission without this information. Proposals should particularly seek to avoid damaging and fragmenting existing habitats. Opportunities to contribute towards the UK priority habitats and species in Maidstone and any additional Maidstone LBAP habitats and species should be maximised.

1.71 Development likely to have an adverse effect on the integrity and conservation objectives of internationally important nature conservation sites is unlikely to meet the requirements of Habitats Directive. Such development will not be considered favourably. Damage must be minimised in those exceptional cases where the strategic benefits of a development clearly outweigh the importance of a local nature conservation site, species, habitat or geological

feature. Any remaining impacts must be fully mitigated and a mitigation strategy accompany the planning application. Compensation will only be acceptable in exceptional circumstances.

Landscape

1.72 The Local Plan will adopt a character approach to landscape. The borough can be broadly divided into 4 distinct areas, namely the North Downs, the Greensand Ridge, the Low Weald and the Medway Valley, each of which has a strong visual identity and sense of place. The visual character of Maidstone's landscape is highly valued by those living, working and visiting here. A significant proportion of the borough benefits from high quality landscapes. A large area of the borough lies within the Kent Downs AONB, a nationally important landscape designation and a strong level of protection will be given to this designation and its setting (see policy CS5). However, all of the landscapes play an important role in contributing to the borough's environmental, economic and social values. Therefore all landscapes, rather than just those that are designated, will be viewed as a natural asset. This is in line with the European Landscape Convention.

1.73 The landscape character approach represents the best way to conserve and enhance valued landscape characteristics, and improve or reinstate positive features where they have been eroded. At the same time, it can also address social, cultural and economic issues. It is not always possible to retain the landscape in exactly the same form that is currently valued. Climate change for instance will lead to small but continuous changes in biodiversity. Some landscape change is inevitable and Local Plan policies for a living landscape allow for certain forms of development to take place.

1.74 Development proposals will be expected to be informed by the emerging guidance provided in the Maidstone Landscape Character Assessment 2012 and the proposed Landscape Character Guidelines Supplementary Planning Document. New development should be well designed and sympathetic to the character of the landscape types identified within the borough. Policy CS13 sets out the broad policy framework for the local landscape approach being taken by the council. This will be reinforced by detailed development plan policies in the Local Plan.

Policy CS 13**CS13 – Historic and Natural Environment**

1. To enable Maidstone to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the historic and natural environment, where appropriate, by incorporating measures to:
 - i. Protect positive historic and landscape character, heritage assets and their settings, areas of Ancient Woodland, veteran trees, trees with significant amenity value, important hedgerows, features of biological or geological interest, and the existing public rights of way network from inappropriate development and ensure that these assets do not suffer any adverse impacts as a result of development;
 - ii. Avoid damage to and inappropriate development within or adjacent to:
 - Cultural heritage assets protected by international, national or local designation and other non-designated heritage assets recognised for their archaeological, architectural or historic significance, or their settings; and
 - Internationally, nationally and locally designated sites of importance for biodiversity; and
 - Local Biodiversity Action Plan priority habitats.
 - iii. Enhance, extend and connect designated sites of importance for biodiversity, priority habitats and fragmented Ancient Woodland; support opportunities for the creation of new Biodiversity Action Plan priority habitats; create, enhance, restore and connect other habitats, including links to habitats outside Maidstone, where opportunities arise;
 - iv. Provide for the long term maintenance and management of all heritage and natural assets, including landscape character, associated with the development;
 - v. Mitigate for and adapt to the effects of climate change; and
 - vi. Positively contribute to the improvement of accessibility of natural green space within walking distance of housing, employment, health and education facilities and to the creation of a wider network of new links between green and blue spaces including links to the Public Rights of Way network.
2. The character, distinctiveness, diversity and quality of Maidstone's landscape and townscape will be protected and enhanced by the careful, sensitive management and design of development.

3. Where appropriate, development proposals will be expected to appraise the value of the borough's historic and natural environment through the provision of the following:
 - i. An ecological evaluation of development proposals and any additional land put forward for mitigation purposes to take full account of the biodiversity present; and
 - ii. Heritage and arboricultural assessments to take full account of any past or present heritage and natural assets connected with the development and associated sites.
4. Development proposals will provide new public open space in line with policy OS1 of the Open Spaces Development Planning Document until such time as it is superseded. Public open space should be designed as part of the overall green and blue infrastructure and layout of a site, taking advantage of the potential for multiple benefits including enhanced play, wildlife, sustainable urban drainage, tree planting and landscape provision. The form and function of green infrastructure will reflect a site's characteristics, nature, location and existing or future deficits.
5. Development proposals will not be permitted where they lead to adverse impacts on natural and heritage assets for which mitigation measures appropriate to the scale and nature of the impacts cannot be achieved.

A landscape character guidelines supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Delivery and monitoring

Delivery

Policy CS13 will operate alongside other policies to fulfil aims such as environment and landscape protection and enhancement and regeneration. It will also be positively delivered by the development management system via applications for development.

Monitoring

- Coverage of historic and natural assets through the Annual Monitoring Report

Policy CS14 - Infrastructure delivery

Providing the infrastructure needed to support growth

2.1 Infrastructure can be separated into three main categories; physical infrastructure (such as highways and public realm improvements), community infrastructure (such as schools, adult social services and cultural facilities) and green infrastructure (such as play spaces and parks).

2.2 The local plan shapes where new development should be located and also manages the pressure relating to speculative proposals through policy. It will provide new homes, jobs, services and thereby support social, economic and environmental objectives. The impact of development on local communities and the fabric of the existing built and natural environment is an important consideration. Managing this impact involves protecting existing infrastructure and securing the timely investment of new infrastructure.

2.3 The council has actively engaged with the main providers of infrastructure including parish councils at the Rural Service Centres and has a good understanding of existing infrastructure in the borough and its associated constraints to further development. The product of this engagement process is the Infrastructure Delivery Plan, which sets out the type, location and phasing of the infrastructure required to support the overall strategy for development in the local plan. It also details those who have responsibility for delivering the infrastructure, potential funding sources and estimated delivery timescales.

Dedicated planning agreements

2.4 Where new development creates a need for new or improved infrastructure, contributions from developers (through S.106 legal agreements) will be sought to make the development acceptable in planning terms. The key requirements of dedicated planning agreements are that they must be:

- a. Necessary to make the proposed development acceptable in planning terms;
- b. Directly related to the development; and
- c. Fairly and reasonably related in scale and kind to the proposed development.

2.5 Site specific infrastructure requirements arise when there is a direct link between development and supporting infrastructure that is required to make the development happen. It will usually be provided within the development site boundary or exceptionally may be provided in an off-site location or in the last resort by in-lieu contributions.

2.6 In Maidstone, some forms of infrastructure provision have historically not kept pace with development. This has been a contributory factor to some issues such as a congested road network, a shortage of affordable housing, deficiencies in open space provision and poor access to key community facilities in certain areas. There is concern that future growth will intensify this problem unless a co-ordinated effort is made to address identified deficiencies and that essential infrastructure accompanies new development at all times.

2.7 Where there are competing demands for developer contributions towards the delivery of infrastructure for new development proposals, the council will prioritise these demands in the manner listed below, which ranks infrastructure types in order of importance:

Infrastructure Priorities for Residential Development:

1. Affordable Housing
2. Transport
3. Open Space
4. Public realm
5. Health
6. Education
7. Social Services
8. Utilities
9. Libraries
10. Emergency Services

Infrastructure Priorities for Business and Retail Development

1. Transport
2. Public Realm
3. Open Space
4. Education
5. Utilities

2.8 The prioritisation of infrastructure provision has been designed to address essential requirements first. This should not be taken to imply that the infrastructure at the lower end of the list is of lesser importance rather than the precise timing of providing it is not critical to the phasing of development.

Community Infrastructure Levy (CIL)

2.9 It is important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. The Infrastructure Delivery Plan provides the evidence that the council has an understanding of the costs required in meeting anticipated growth set out in the local plan. Funding for the infrastructure schemes listed in the Infrastructure Delivery Plan is expected to comprise a number of components:

- Existing resources (i.e. current/outstanding Section 106 Contributions)
- New Homes Bonus
- Mainstream public funding
- Future site specific provision (Including Section 106 contributions)
- Community Infrastructure Levy

2.10 It would be extremely unlikely that the finance from the first 4 funding sources listed above would be sufficient to fund the total amount of infrastructure provision that is being sought. The Community Infrastructure Levy is intended to fill the funding gap that exists once existing resources (to the extent that they are known) have been taken into account. If a funding shortfall remains once the CIL charging levy is determined there will be a need to prioritise key

infrastructure projects to ensure that the overall strategy within the local plan can be delivered. The list of key infrastructure projects considered necessary to support the local plan (identified through consultation with infrastructure providers) is included in the Infrastructure Delivery Plan, which accompanies this document.

2.11 The local plan focuses development at the Maidstone urban area and the Rural Service Centres. Infrastructure is needed at a strategic level to support this growth. Strategic elements of the infrastructure required will be provided for by the Community Infrastructure Levy. This could include but is not limited to:

- Environmental improvements to Maidstone Town Centre
- Improvements needed to Maidstone's transport infrastructure
- Additional education and community facilities or expansion to existing facilities
- Open space requirements

2.12 New development will add incrementally to the need for strategic infrastructure. The Community Infrastructure Levy allows local authorities to raise funds from developers undertaking new development within the council's area. This is a fair, transparent and accountable levy which will be payable by the majority of new housing developments. The levy gives developers a clear understanding of what financial contribution will be expected towards the delivery of infrastructure. Some types of development are automatically exempt from the charge and the council can determine whether to charge the levy for other forms of development.

2.13 As the council moves towards developing its Community Infrastructure Levy it will need to make decisions about which types of development it wishes to place the charge on. Proceeds from the levy will be applied to identified projects within the Infrastructure Delivery Plan, with contributions being pooled and generally applied on an off-site basis.

2.14 The council will produce a Charging Schedule setting out the levy rate(s). This will comprise part of the Local Development Framework but it will not be part of the Statutory Development Plan. Viability testing will be undertaken to ensure a levy is set that strikes an appropriate balance between the desirability of funding infrastructure from the levy and the potential impacts of the levy on the viability of development across the borough. Once the levy is set, it will be applied to all development that meets the qualifying criteria.

2.15 Section 106 Agreements will continue to be used for site specific infrastructure on development sites, such as local provision of open space, connection to utility services (as required by legislation), habitat protection, flood mitigation and access roads. Provision of affordable and local needs housing is dealt with in detail in policy CS10 and policy CS11.

Policy CS 14

Infrastructure delivery

1. Where development creates a requirement for new or improved infrastructure beyond existing provision, developers will be expected to provide or contribute towards the additional requirement (as specified in the Infrastructure Delivery Plan) being provided to an agreed delivery programme.
2. Detailed specifications of the site specific contributions required will be included in the Strategic Site policies and other site allocation policies. Development proposals should make provision for all the land required to accommodate any additional infrastructure arising from that development. Dedicated Planning Agreements (S.106 of the Town and Country Planning Act,1990) will be used to provide the range of site specific facilities which will normally be provided on site but may in exceptional circumstances be provided in an off site location or as a last resort via an in-lieu financial contribution. In some cases, separate agreements with utility providers may be required.
3. Where there are competing demands for developer contributions towards the delivery of infrastructure for new development proposals, the council will prioritise these demands in the manner listed below, which ranks infrastructure types in order of importance:

Infrastructure priorities for residential development:

- i. Affordable housing
- ii. Transport
- iii. Open space
- iv. Public realm
- v. Health
- vi. Education
- vii. Social services
- viii. Utilities
- ix. Libraries
- x. Emergency Services

Infrastructure priorities for business and retail development:

- xi. Transport
- xii. Public realm
- xiii. Open space
- xiv. Education
- xv. Utilities

4. The Community Infrastructure Levy will be used to secure contributions to help fund the strategic infrastructure needed to support the sustainable growth proposed in Maidstone. Once the levy is set, it will be applied to all development that meets the qualifying criteria. Following viability testing, the Community Infrastructure Levy rate(s) will be set out in the Charging Schedule to accompany the Publication version of the local plan.

Delivery and monitoring

Delivery

The Infrastructure Delivery Plan sets out the lead agency responsible for the delivery of each project. Where each agency will be responsible for delivering the relevant projects the Borough Council will monitor the timely delivery of all projects. Partnerships such as the Local Enterprise Partnership will also be involved in effective project delivery.

Monitoring

The Borough Council will be required under the regulations regarding the Community Infrastructure Levy to publish a report each year stating how much money has been collected under the levy and where it has been spent. The council will also continue to monitor the effectiveness of Section 106 Legal Agreements to ensure that they continue to be directed to specified relevant local projects directly related to the specific development from which they arose.