

Policy SP1 - Maidstone town centre

6.1 Maidstone has a successful town centre. It has been, and continues to be, a centre for public administration, reflecting Maidstone's County town role. Both the County and Borough councils are located with the town centre along with other public sector employers such as the Passport Office and the HM Prison Service. Coupled with public administration, business, financial and professional services are particularly important economic sectors and between them they account for a third of employment in the local economy with the town centre acting as a particular hub for these activities. This is reflected in the volume of office floorspace in the town centre which is estimated to be some 192,000 sqm.

6.2 Maidstone town centre is also a significant shopping destination, offering a predominately outdoor, street-based shopping environment. There is some 141,000sqm of retail floorspace within the town centre boundary.

6.3 The town centre has a good balance of major, national retailers alongside a strong, independent offer. The former are particularly concentrated in Fremlin Walk, the southern end of Week Street and The Mall, the town's main indoor shopping centre. The town centre benefits from a high representation of major retailers and has a particular strength in clothing and footwear shops. The presence of a critical mass of national chain stores is an important factor in attracting shoppers into the town which in turn helps to attract and retain the major retailers themselves.

6.4 The local independent shops are principally found within the Royal Star Arcade and along Gabriel's Hill, Pudding Lane and Union Street. These shops add to the town centre's distinctiveness and complement and support the mainstream shopping offer. The larger retail units on the west side of the river also have a predominantly complementary role to the main shopping area. Whilst these units are close to the core of the town centre 'as the crow flies', the routes across the river for walkers and cyclists are indirect and, to a degree, unattractive to use which limits the potential for sustainable linked trips.

6.5 The town centre like others across the country faces challenges from the economic downturn as shoppers spend more cautiously and prioritise value for money. Retailing patterns are also changing as more people turn to the internet for their purchases. Many national retailers are responding to the changing environment by consolidating their national store networks into a portfolio of fewer, larger stores. For Maidstone there is the challenge of competition from other Kent town centres such as Ashford, Tunbridge Wells and Chatham. Planning permission has recently been granted for an extension to Bluewater (30,000sqm) which will further enhance its attractiveness as a major shopping destination and result in further competition for the town centre.

6.6 Maidstone town centre also supports a wide range of leisure, cultural and tourist attractions and enjoys an active night time economy. The majority of cultural and tourist facilities are based around the historic core of the town and including the Hazlitt Theatre on Earl Street, the recently extended museum on St Faiths Street and the Archbishops Palace and All Saints Church to the south. Lockmeadow is the town's major leisure and entertainment complex whilst Earl Street has become a particular focus for restaurants and cafes.

6.7 The combination of the centre's historic fabric, riverside environment and accessible green spaces helps give the town its distinct and attractive character. The town centre benefits from the select number of green spaces interspersed through it, such as Brenchley Gardens and Trinity Gardens, whilst further afield the substantial facilities of both Whatman Park and Mote Park are within an extended walking distance of the town centre.

6.8 The quality and attractiveness of the High Street Conservation Area has been substantially upgraded by the recent High Street Improvement works. As well as expanding pedestrian-friendly areas and reducing the dominance of vehicles, the scheme has created a new public space in Jubilee Square which is used for community and promotional events.

6.9 The River Medway is the key natural landscape feature within the town centre. The river corridor acts as a contrast with the urban townscape, provides pedestrian and cycleway routes and serves as a wildlife corridor by linking urban habitats with the countryside beyond. The River Len, a tributary of the Medway, also runs through the town centre.

6.10 The town centre is also the focus of wider initiatives which will add to the vitality of the town centre and increase its draw. Town Centre Management is a long standing initiative which acts to maximise the appeal of the town centre including through the organisation of promotional events and crime reduction initiatives. The recently established Maidstone Town Team will be delivering projects associated with marketing, events, regeneration and culture.

The future role of Maidstone Town Centre

6.11 The future role of Maidstone as one of the principal town centres in Kent in continuing to act as the County Town will be guided by a vision of what the centre will be like by the end of the plan period.

Town Centre Vision

By 2031 a regenerated and sustainable Maidstone town centre will be a first class traditional town centre at the heart of the 21st Century County Town that has maintained its place as one of the premier town centres in Kent by creating a distinctive, safe and high quality place that has:

- Retained its best environmental features, including the riverside and the enhanced public realm;
- Provided a variety of well-integrated attractions for all ages including new shopping, service sector based businesses, leisure, tourism, and cultural facilities; and
- Improved access for all.

Key Components in Realising this Vision are:

- Enhancing the diversity of the retail offer, supporting a continued balance between independent and multiple retailers;
- Creating a highly sustainable location resilient to future climate change;
- Establishing the town centre as an attractive hub for business building on the town centre's assets and environment; and
- Creating a stronger mix and balance of uses within the centre to support long term viability including where appropriate residential development.

Shopping

6.12 The Town Centre Assessment (2013) reveals that the centre is performing well in retail terms, signified by stabilising vacancy rates and the presence of major retailers, especially in the Primary Shopping Area. Vacancy rates are higher, however, in the more secondary shopping areas which detracts from the overall vitality and viability of the town centre. A flexible approach to allowing service and leisure uses in these locations will help to improve unit occupation and diversify the mix of uses in the town centre. The town centre assessment has identified the importance of restaurants, cafes and coffee shops as well as personal retail (hairdressers etc) and leisure uses in encouraging people to extend the length of their visit to the town centre.

6.13 The Retail Capacity Study (2013) forecasts the need for new shopping floorspace in the town for both comparison and convenience shopping over the timeframe of the local plan. The study takes account of predicted changes in shopping patterns such as the increasing role of the internet, population growth and expenditure growth. There are limits to predicting retail trends over such an extended period and the study advises that the findings for the latter part of the plan period (2026 and 2031) in particular must be regarded as broad indications of retail capacity rather than absolute quantum. A further review of the capacity forecasts will be needed in the middle of the plan period, in or around 2020.

	2016	2021	2026	2031
Comparison (sqm)	5,500	12,400	18,800	23,700
Convenience (sqm)	3,700	4,400	5,250	6,100

Table 6.1 Retail Capacity (cumulative)

6.14 To accommodate needs in the early part of the plan period, the key opportunity and top priority for new retail development will be the Maidstone East/Royal Mail Sorting Office site. The site has capacity to accommodate 10,000sqm of convenience and comparison retailing. This is sequentially the first choice site with close, direct walking connections to the heart of the town centre and further scope to enhance the quality and attractiveness of this route through a scheme of enhanced public realm, as well as improved public transport connections in association with the site's development. This site can help to deliver a new modern shopping destination, creating a further 'anchor' shopping location in the town centre alongside Fremlins Walk and The Mall. The site is considered a suitable location for both convenience and comparison type shopping and could help to address the identified lack of larger, more modern units available in the town centre which are important in attracting new operators into the town.

6.15 The Mall is the town centre's main indoor shopping centre and is currently well occupied as one of the key anchor locations in the town centre. The building is, however, becoming dated with its layout and internal environment is less suited to modern retailers' requirements compared with both Fremlin Walk and competing centres further afield such as Tunbridge Wells, Canterbury and Ashford. Without positive and significant intervention there is a considerable risk that the commercial attractiveness of the centre will decline over the plan period to the detriment of the town centre as a whole.

6.16 In response, the Plan identifies this part of the town centre, centred on The Mall, as a broad location for a retail led redevelopment for the longer term. The location encompasses The Mall, the multi storey car park fronting Romney Place and Sainsburys as well as the now demolished King Street car park site and the former Bowlplex building, both on the north side of King Street. As well as reproviding the existing quantum of floorspace, a comprehensive scheme could deliver net additional shopping floorspace and help meet the retail growth predicted for later in the plan period. Development here will help to sustain and enhance the commercial health of the town centre.

6.17 A scheme in this location is unlikely to come forward until the latter end of the plan period (post 2021) and the Borough Council will work actively to help bring the site forward. Site assembly and the physical constraints of the site will be amongst the issues to be addressed. The identification of the location in this Local Plan brings clarity about where longer term growth in the town centre will occur. An allocation for the site will be forthcoming in a future review of the Local Plan.

Offices

6.18 Offices based businesses are an important component in the commercial success of the town centre. The town centre is a sustainable location for offices and it offers the dual benefits of having good transport connections and a full range of services and facilities close at hand.

6.19 The town centre office market has been challenged for a number of years. The last significant new office building completed in the town centre was the Countygate development early in the last decade. There is a significant supply of poorer quality office stock which is less suited to modern occupier requirements because this stock is generally older, is not suited to flexible sub-division, is less energy efficient and has limited or no dedicated car parking. This over supply has had the effect of suppressing values. Coupled with a confirmed supply of business park office development at locations such as Kings Hill and Eclipse Park, the net effect is that new 100% office development is unlikely to be viable in the current market and would not proceed without a substantial pre-let. This position is not unique to Maidstone; the market in many regional office locations is reported to be constrained at present.⁽¹⁾

6.20 A route to tackle this issue is to address the oversupply of poorer quality stock. Recent changes to the General Permitted Development Order enable the conversion of office space to residential use with the need for planning permission for a limited 3 year period (until 30 May 2016) and this could start to secure a step change. A number of factors are likely to need to be in place for the office to residential conversions and redevelopment schemes in the town centre to come forward;

- The value of office stock, in terms of rents, to fall further so that redevelopment for alternative uses becomes viable
- Existing tenant leases to come to an end
- An uplift in the market for town centre apartments

6.21 There are locations within the town centre, however, where it is considered important that higher quality office floorspace is retained for the longer term, recognising that in the short term its conversion to residential use could happen without consent. These are the locations with more modern office buildings with car parking. These sites are designated in the plan for office (B1) use.

6.22 In addition the site at Mote Road is an opportunity to redevelop an existing office area to provide better quality stock, recognising that viability is likely to be challenging in the short to medium term.

Housing

6.23 Whilst commercial uses are the priority for the town centre, residential development can have a supporting role, in particular as part of mixed use schemes. Additional residential development in the town centre will help to promote town centre vitality, especially during the evening. The principal

1 Town Centre Assessment (2013)

opportunity will be Maidstone East/Sorting Office site where an element of housing will be delivered alongside significant new retail with other select opportunities for town centre housing also allocated in the plan.

6.24 The Springfield/Whatmans sites off Royal Engineers Road and the Haynes site on Ashford Road are gateway locations just beyond the town centre boundary where significant new residential development is planned.

Accessibility

6.25 The town centre has a function as a transport hub. Improving accessibility into and around the town centre is also important for sustaining and improving the commercial health of the town centre. Key measures are identified in the draft Integrated Transport Strategy and include increasing the frequency of bus services serving the town centre, enhancing the Park & Ride service, a revised approach to car parking management and improvements to the bridge gyratory. The strategy also highlights the value of public realm improvements, including to the River Medway towpath, to improve both the pedestrian and cyclist experience.

Quality in the town centre environment

6.26 Capitalising on the centre's existing environmental assets is a further way to support sustainable growth in the town centre and to further enhance its commercial appeal.

6.27 The town centre has an interesting historic core but, in the past, it has not consistently benefited from high quality design or exceptional public realm. Much of the core of the town centre is prioritised for pedestrians but in places the quality of the surfaces and street furniture have begun to deteriorate and the connections between different locations within the centre are not always clear and legible.

6.28 The High Street enhancement scheme represents a recent positive step change in this respect and the town centre will benefit from further such schemes being brought forward as highlighted in the draft Integrated Transport Strategy and the Infrastructure Delivery Plan.

6.29 Also better linkages to and enhancement of the existing green spaces and riverside environment within the town centre would help to 'green' the town centre and help to adapt to, and mitigate against, climate change. The Green and Blue Infrastructure Strategy will help to identify the principles that should be followed and the subsequent action plan will include specific initiatives for implementation.

Town centre boundary

6.30 The town centre boundary identifies the area covered by the Policy SP1 and has resulted from a combined assessment of:

- the extent of the area which contains, and is suitable for, the main focus of town centre uses;
- the existing character and form of development;

- the visual, physical and functional relationship between areas; and
- the potential for appropriate development opportunities

6.31 The boundary has been refined since previous version of the Core Strategy (2011) to exclude the areas of Springfield and Haynes to reflect their more distant location from the core of the town centre uses and the potential that these locations have in providing for new housing over the plan period.

Policy SP 1

Maidstone town centre

1. The regeneration of Maidstone town centre, as defined on the policies map, is a priority. This will be achieved by:
 - i. Retaining and enhancing a variety of well integrated attractions for all ages including shopping, service sector-based businesses, leisure and cultural facilities;
 - ii. The retail-led redevelopment of Maidstone East/Royal Mail Sorting Office site;
 - iii. For the medium to longer term, promoting a comprehensive retail redevelopment centred on The Mall;
 - iv. The retention of the best quality office stock whilst allowing for the redevelopment of lower quality offices;
 - v. The protection and consolidation of retail uses in the primary shopping frontages;
 - vi. Outside the primary shopping frontages, allowing for wider range of supporting uses including those that contribute to the night time economy;
 - vii. Select opportunities for residential redevelopment;
 - viii. The retention of the best environmental features, including the riverside, and delivery of the public realm improvements as identified in the Infrastructure Delivery Plan; and
 - ix. Achieving improved accessibility to the town centre through the measures in the draft Integrated Transport Strategy.
2. Development in the town centre should:
 - i. Demonstrate a quality of design that responds positively to the townscape, including ensuring the conservation and enhancement of the town centre's historic fabric. Additionally for sites adjacent to the River Medway, development should:
 - a. Respond positively to the river's setting as seen in both short range views and in longer range views from the river valley sides; and
 - b. Ensure public access to the riverside is secured and maintained either through on-site measures or off-site contributions.
 - ii. Contribute to the priority public realm and accessibility improvement schemes for the town centre identified in the Infrastructure Delivery Plan and the draft Integrated Transport Strategy.

Policy SP2 - Maidstone urban area

6.32 Policy SP 2 is specifically concerned with the built up area of Maidstone that is outside the identified town centre boundary but within the urban boundary shown on the policies map. This area has a varied mix of housing, shopping and community facilities, a range of business locations, a number of attractive green spaces and good transport links that all act in combination to make Maidstone an attractive place to live and work.

6.33 As the town has grown over the centuries areas of distinct architectural character have emerged. Adopted Character Area Assessment SPDs detail the locally distinctive character of an area, and offer guidance on improving the quality of an area. During the local plan period, change within the urban area will tend to be incremental in nature due to in-filling and select redevelopment of appropriate urban sites.

6.34 Land allocations within the urban area specifically at locations close to the town centre will comprise a mix of uses, which will include retail and community facilities, where possible. Major planned development at the edge of the urban area to meet housing and employment needs is to be supported by necessary infrastructure. Development proposals at all locations within the urban area should look to include links to open spaces.

Regeneration

6.35 There are four neighbourhoods within the urban area that have been identified as being in need of regeneration: Park Wood, High Street, Shepway North and Shepway South. These areas currently fall within the 20% most deprived in the country and a cross-cutting theme of the Sustainable Community Strategy is to tackle health, education and employment inequalities in these areas of relative disadvantage. Development within or adjoining these locations will look to close the gap between these areas and other parts of Maidstone by focusing on improving accessibility to health services, equal access to education and training opportunities, and job creation.

Policy SP 2

Maidstone urban area

As the largest and most sustainable location, Maidstone town will be the focus for new development. Outside of the town centre boundary identified in Policy SP 1, Maidstone will continue to be a good place to live and work. This will be achieved by:

1. The development and redevelopment or infilling of appropriate urban sites in a way that contributes positively to the locality's distinctive character;
2. Retaining well located business areas;
3. Maintaining the network of district and local centres, supporting enhancements to these centres in accordance with the overall hierarchy of centres;
4. Ensuring that development positively contributes to the setting, accessibility, biodiversity and amenity value of the town's green spaces and the River Medway and the River Len;
5. Supporting development that improves the social, environmental and employment well-being of those living in identified named areas of deprivation; and
6. Allocating sites at the edge of the town for housing and business development.

The boundary of the urban area is defined on the policies map.

Policy SP3 - Rural service centres

Rural service centres (RSC)

6.36 The planned development and maintenance of sustainable communities underpins the council's approach to rural areas where the primary aim is to direct development towards rural settlements that can best act as service centres for their local population and surrounding rural communities. Rural Service Centres play a key part in the economic and social fabric of the borough and contribute towards its character and built form. They act as a focal point for trade and services by providing a concentration of public transport networks, employment opportunities and community facilities that minimise car journeys.

6.37 An assessment of services and facilities available in each settlement in the borough forms part of the basis for determining the villages that can be designated as RSC. Other factors like the accessibility of the villages, their potential to accommodate additional growth, and the role each village plays as a service centre for its surrounding hinterland are also important. The following villages have been designated as rural service centres based on the above:

- Coxheath
- Harrietsham

- Headcorn
- Lenham
- Marden
- Staplehurst
- Yalding

6.38 The RSCs are difficult to compare because they do not all share the same level of key services and facilities. However, all of the RSCs have a good range of services and facilities and serve a wider community. The vision for the service centres is that they will continue to be focal points where improved infrastructure and the strategic location of new development will reduce the need to travel and will help to maintain and improve on the range of essential local services and facilities. It is important that the RSCs remain sustainable settlements with the services and facilities necessary to support a growing population. The following text provides a summary of the distinctive character of each RSC.

Coxheath

6.39 Coxheath has the advantage of a compact urban form and a good offering of key services and facilities to support a growing population. Healthcare services in the village are particularly strong and include two GP surgeries, a dentist, a NHS hospital, community trust clinic and chiropractic clinic. The village also has a pharmacy. Unlike the other RSCs Coxheath does not have a train station but it has a regular bus service which connects the village to Maidstone town centre. Coxheath also has the advantage of being in close proximity to the town centre in comparison to other RSCs, which affords good access to a number of secondary schools.

Harrietsham

6.40 Harrietsham has the population to support key services. Provision of, and access to, schools and community facilities in the village are adequate but will require improvement with any increase in population. The village has good public transport connections to Maidstone and other retail and employment centres. There is a local aspiration for replacement almshouses to support the local elderly population and for additional play facilities, which are limited.

Headcorn

6.41 Headcorn has a diverse range of services and community facilities which are easily accessible on foot or by cycle due to the compact form of the village. There are local employment opportunities and there is a local wish to ensure that existing employment sites are kept in active employment use. A regular bus service runs between Headcorn and Maidstone and the village has good rail linkages to other retail and employment centres. Flooding is an issue in Headcorn as the village is surrounded on three sides by the functional floodplain of the River Beult and its tributaries. The Strategic Flood Risk Assessment advises strict controls on the location of development within Flood Zones 2 and 3.

Lenham

6.42 Lenham has the key services and community facilities expected of a rural service centre. The village performs the best in terms of education facilities, with a primary school and nursery school located on the same site, and as the only village to have a secondary school within the village boundary. Transport links to Maidstone and other retail and employment centres by bus and rail are adequate. There is a local aspiration for a small level of housing development in the village to sustain the thriving village centre and local businesses in general. The need for housing is centred on young people to ensure long term sustainability.

Marden

6.43 Marden is a successful RSC, particularly in terms of employment opportunities, and also has strong key community facilities such as a medical centre, library and village hall. Marden has frequent rail connections to London and other retail and employment centres, which has created a demand for new development. This has to be balanced with the desire to ensure local people have access to affordable housing. Public transport connections to Maidstone are less frequent and require improvement. Flooding is an issue in Marden and the Strategic Flood Risk Assessment advises strict controls on the location of development within Flood Zones 2 and 3.

Staplehurst

6.44 Staplehurst is the largest of the rural service centres in terms of population and size, and has a number of the key community services and facilities one would expect, including good health care services consisting of a health centre, pharmacy, optician and chiropractic clinic. The village also has more employment providers than most of the other RSCs. Current transport infrastructure in Staplehurst is good but there is room for improvement to cope with high levels of demand at peak times. Local aspirations for Staplehurst express a need for improvement to highways infrastructure in line with any new large scale housing developments.

Yalding

6.45 Yalding has a number of the key services and facilities expected of a rural service centre. Retail and healthcare opportunities in the village are not as strong as in some RSCs but the village does have a local shop, post office and GP surgery. The village is served by a nearby train station and has connections by bus to Maidstone town centre, which is essential in terms of access to secondary education. There is a potential development site to the west of Yalding which affords an opportunity to improve the range of services and facilities in the village.

6.46 The Water Cycle Study indicates that a number of the rural service centre catchment areas have at least some known problems with sewer flooding. It is therefore important that surface water run-off from new development does not make this problem worse. Future developments in the rural service centres should include the implementation of sustainable urban drainage systems (SuDS) to reduce surface water run-off. To ensure consistency across each rural service

centre with respect to the Strategic Flood Risk Assessment, a detailed flood risk assessment is recommended prior to any development with the obvious intention of ensuring new development is located outside areas liable to flooding.

6.47 Whilst Maidstone town will be the focus for most new development, development in the RSCs with associated infrastructure improvements is considered far more sustainable than the ad hoc growth of smaller settlements. New sites are allocated at the edge of all RSCs for housing development. Local needs housing will also be appropriate in accordance with Policy DM23.

Policy SP 3

Rural service centres

At the designated Rural Service Centres of Coxheath, Harrietsham, Headcorn, Lenham, Marden, Staplehurst and Yalding defined on the policies map the Council will:

1. Focus new housing and employment development within and at the edge of the settlements, where new development will be permitted when it is:
 - i. An allocated site in the local plan;
 - ii. Minor development such as infilling; or
 - iii. The redevelopment of previously developed land that is of a scale appropriate to the size of the village.
2. Retain and improve existing employment sites and encourage new employment opportunities provided the site is in an appropriate location for, and suited to, the use; and
3. Resist the loss of local shops and community facilities, whilst supporting new retail development to meet local need.

Policy SP4 - Larger villages

6.48 Maidstone Borough contains a number of settlements that have a more limited range of services than the rural service centres but still offer some services that meet the day-to-day needs of their local communities. The overall amount of development that will be acceptable in these settlements will generally be less than in the rural service centres as they are less sustainable locations for meeting the development needs of the borough as a whole.

6.49 The assessment of village services and facilities identifies three villages that can be designated as Larger villages, namely:

- Boughton Monchelsea

- Hollingbourne (Eyhorne Street)
- Sutton Valence

6.50 In similarity to the rural service centres, all three villages have different characteristics and there is variation in the limited range of services and facilities they provide. The following text provides a summary of the distinctive character of each larger village.

Boughton Monchelsea

6.51 Boughton Monchelsea performs well in the audit in terms of education and childcare, with a primary school, playgroup, nursery and nearby secondary school. It performs poorly in terms of healthcare, with no GP surgery or other health care service. The village has a local shop, post office, village hall and recreation areas. Although the village is close to the urban area, public transport connections to Maidstone town centre are infrequent, and this is not helped by the fact that residential areas within the village are quite dispersed. Local employment opportunities in the village are also limited.

Hollingbourne (Eyhorne Street)

6.52 Hollingbourne (Eyhorne Street) is a linear settlement with two pockets of residential areas approximately 0.5km apart. The larger residential area (Eyhorne Street) is removed from the primary school and pre-school, and one of the local playing fields. The village has no GP surgery or healthcare facilities apart from an osteopath clinic, but does have some good key facilities, including a village hall, local shop, post office, pubs and a restaurant. Rail connections to Maidstone town centre and other retail and employment destinations are good, and the village also has a regular bus service to the town centre.

Sutton Valence

6.53 Sutton Valence performs well in the audit in terms of education facilities. There is a pre-school, primary school and the Sutton Valence boarding school, which caters for children from the age of 3 to 18. In terms of services and community facilities there are pubs, a church, a village hall, mobile library service and good playing pitches. The village has a medical practice but no dentist or pharmacy. Public transport connections to Maidstone town centre and Headcorn are good due to a regular bus service. The village does not have a train station.

6.54 Based on the analysis of village services and facilities, all three villages are considered sustainable locations for limited new housing development provided that it is of a scale in keeping with their role, character and scale. Local need housing will also be appropriate in accordance with Policy DM23. An appropriate increase in population would help to support village services and facilities. The continued sustainability of these villages as places to live and work is dependent on the retention of local services that meet community needs coupled with the retention of adequate transport services to enable access to larger centres for those services that are not available locally.

Policy SP 4

Larger villages

At the designated larger villages of Boughton Monchelsea, Hollingbourne (Eyhorne Street) and Sutton Valence defined on the policies map the council will:

1. Focus new development within the settlement boundaries, when it is:
 - i. An allocated site in the local plan;
 - ii. Minor development such as infilling; or
 - iii. The redevelopment of previously developed land that is of a size appropriate to the role, character and scale of the village; and
2. Resist the loss of local shops and community facilities, whilst supporting new retail and community services to meet local need.

Policy SP5 - Countryside

The countryside

6.55 Maidstone borough is predominantly rural with a large proportion of the population living in villages as well as on the fringes of the urban area. The rural landscapes are of high quality as are the agricultural resources within the borough. The countryside areas are highly accessible to those living and working in the urban areas, complemented by a wide and well-used public rights of way network. They also act as a major asset to attract new investment into the borough. However this proximity to the urban area brings with it pressures arising from an increased level of demand for houses, recreation and jobs in the countryside.

6.56 The countryside is defined as all those parts of the plan area outside the settlement boundaries of the Maidstone urban area, rural service centres and larger villages with defined settlement boundaries and is depicted on the policies map. The countryside has an intrinsic value that should be conserved and protected for its own sake. However there is also a need to ensure a level of flexibility for certain forms of development in the countryside in order to support farming and other aspects of the countryside economy and to maintain mixed communities. This needs to be done in a way that maintains and enhances the distinctive character of the more rural part of the borough.

Rural economy

6.57 Maidstone's rural economic character is diverse and complex in nature. The number of rural and agricultural businesses found within villages and rural service centres and the wider countryside account for a significant proportion of all firms in the borough. Small businesses are a particular feature of rural areas, as is homeworking, home-based businesses and live-work units.

6.58 Agriculture remains an important influence, fulfilling a number of important and varied roles in the countryside, contributing to the local economy, and managing and maintaining much of the valued landscapes. It benefits from the fact that much of the soil within the borough comprises the most high grade and versatile agricultural land. However, in line with other businesses agriculture needs to be able to react to new and changing markets and developments in technology. A more recent trend in agriculture is the response to demand for produce to be available on a year round basis. This leads to land being put under intense pressure for almost industrial scale development that can have an adverse impact on assets that require protection within the landscape. Another trend is the increasing interest in smaller-scale renewable energy installations. Further advice and guidance on the landscape implications of these activities will be given in the Landscape Character Guidelines supplementary planning document.

6.59 Many rural businesses have begun to diversify away from traditional rural activities primarily through the re-use of farm and other buildings for commercial non-agricultural purposes. This has not only helped to retain economic activity within rural areas but has enabled a number of farms to remain operational. Tourism is of great importance to the local rural economy with the countryside providing ample leisure and open-air recreational opportunities. As well as sustaining many rural businesses these industries can be significant sources of employment and can help support the prosperity of rural settlements and sustain historic country houses, local heritage and culture. To a lesser degree, the winning of minerals such as sand and chalk has also taken place as a diversification activity, but these activities are largely confined to relatively small-scale sites on the North Downs and Greensand Ridge.

6.60 The Local Plan will continue to recognise the importance of supporting small-scale rural business development. Its priority is to locate these businesses within the defined rural service centres. However, there are employment sites already located outside of these settlements and it is important to offer these businesses a degree of flexibility.

Small villages

6.61 The attractiveness of the countryside is partly due to its scattered settlement pattern and buildings. The overall settlement pattern across the borough is characterised by a large number of small villages scattered across the countryside surrounding a handful of larger, more substantial settlements. It is important these settlements retain their individual identities as there can be a delicate balance between settlement proximity and separation.

6.62 A small area to the west of the borough lies within the Metropolitan Green Belt (MGB), incorporating the villages of Nettlestead and Nettlestead Green. The fundamental aims of the MGB are to prevent urban sprawl and to assist in safeguarding the countryside from encroachment. The Local Plan will support sustainable development within the MGB provided it is not harmful to the open character of the designation in accordance with the National Planning Policy Framework

6.63 The rural settlements rely heavily on community-focused services. Community facilities such as clinics, health centres, day centres, playgrounds, playing fields and sports facilities, children’s nurseries and schools, village halls and places of worship, together with local village services, particularly with respect to village shops, post offices, healthcare facilities and public houses are essential if small rural settlements are to remain vital and viable.

6.64 For sustainability reasons, the Local Plan priority is to locate new or improved community facilities in defined rural service centres and large villages. However, in small villages new facilities may be permitted to serve the local community provided a clear need is demonstrated. The Local Plan will resist the loss of any community facility that meets an essential community need and which is not available or reasonably accessible elsewhere. In all cases, another beneficial community use should be sought before permission is granted for the removal of these facilities.

6.65 There has been a continued decline in local village services and the Local Plan will continue to resist any further losses. Any proposal for the re-use or re-development of an existing local village service will be required to be supported by clear evidence of non-viability, such as marketing the building or facility for a period of time to test whether another community interest, operator or owner could be found.

Design

6.66 The countryside is a sensitive location within which to integrate new development and the borough council will expect high quality designs to respect the high quality and distinctive landscapes of the borough in accordance with policy DM28.

Kent Downs Area of Outstanding Natural Beauty

6.67 A large part of the northern part of the borough lies within the Kent Downs Area of Outstanding Natural Beauty (AONB). This is a visually prominent landscape that contributes significantly to the borough’s high quality of life. It is an important amenity and recreation resource for both Maidstone residents and visitors and forms an attractive backdrop to settlements along the base of the Kent Downs scarp. It also contains a wide range of natural habitats and biodiversity. Designation as an AONB confers the highest level of landscape protection and one which the council has a statutory duty to conserve and enhance. Within the AONB the Management Plan provides a framework for objectives to conserve and enhance the natural beauty of the area. The council has adopted the updated reviewed Management Plan and will support its implementation. Open countryside to the immediate south of the AONB forms the setting for this designation. In Maidstone this is a sensitive landscape that is coming under threat from inappropriate development and is viewed as a resource that requires conservation and enhancement where this supports the purposes of the AONB.

6.68 The council will ensure proposals conserve and enhance the natural beauty and distinctive character of the AONB, taking into account the economic and social well-being of the area. Rural diversification and land-based businesses in the Kent Downs AONB will only be acceptable where they help improve the special

character of the AONB and are in accordance with the Kent Downs AONB Management Plan, supporting guidance and position statements. Economic development within the AONB should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, farmsteads or within in groups of buildings in sustainable locations.

6.69 New development in the AONB needs to respect the vernacular architecture, settlement character and the natural beauty of the local landscape. This will require high quality designs as set out in Policy DM28. To help developers produce designs of a suitably high quality, the council will continue to encourage the use of the Kent Downs AONB Unit's design guidance and publications.

Quality Landscapes

6.70 In addition to the Kent Downs AONB and sites of European and national importance, the borough includes vast tracts of quality landscape, including parts of the Greensand Ridge together with the Medway, Loose and Len river valleys. The council will protect its most versatile and sensitive landscapes.

Policy SP 5

Countryside

The countryside is defined as all those parts of the plan area outside the settlement boundaries of the Maidstone urban area, rural service centres and larger villages with defined settlement boundaries. This is depicted on the policies map.

1. The following types of development will be permitted in the countryside:
 - i. Small-scale economic development, including development related to tourism and open-air recreation, through:
 - a. The re-use or extension of existing buildings except in isolated locations;
 - b. The expansion of existing businesses; or
 - c. Farm diversification schemes;
 - ii. Small-scale residential development necessary to:
 - a. Meet a proven essential need for a rural worker to live permanently at or near their place of work;
 - b. Meet a proven need for Gypsy and Traveller accommodation; or
 - c. Meet local housing needs;
 - iii. The winning of minerals; and
 - iv. Development demonstrated to be necessary for agriculture or forestry.
2. Development in the countryside will only be permitted where:
 - i. The type, design and scale of development and the level of activity maintains, or where possible, enhances local distinctiveness; and
 - ii. Impacts on the appearance and character of the landscape can be appropriately mitigated;
 - iii. It meets such other exceptions as indicated by policies elsewhere in this plan.
3. The loss of local shops and community facilities which serve small villages will be resisted. In all cases, another beneficial community use should be sought before permission is granted for the removal of these facilities;
4. Proposals will be supported which facilitate the efficient use of the borough's significant agricultural land and soil resource provided any adverse impacts on the appearance and character of the landscape can be appropriately mitigated;

5. The distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting, and the extent and openness of the Metropolitan Green Belt will be rigorously protected and maintained. Landscapes of good condition and high sensitivity will be conserved; and
6. Development in the countryside will retain the setting of and separation of individual settlements

Account should be taken of the Kent Downs AONB Management Plan and the Maidstone Borough Landscape Character Guidelines supplementary planning document.

Policy DM9 - Historic and natural environment

12.28 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

12.29 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.

12.30 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.

12.31 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

12.32 A green and blue infrastructure (GBI) 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.

12.33 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; and
- Creating healthier communities.

12.34 The green and blue infrastructure is considered to be of such 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.

12.35 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 publicly accessible 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.

12.36 Publicly accessible 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 publicly accessible open spaces and facilities, and the open space standards, are identified in the Green and Blue Infrastructure Strategy.

Climate change

12.37 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

12.38 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).

12.39 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

12.40 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.

12.41 The broad range of habitats forms an extensive network across rural and urban areas, including previously developed land. Many 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.

12.42 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 the 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.

12.43 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 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.

12.44 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 the 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

12.45 The Local Plan will adopt a character approach to landscape. The borough can be broadly divided into 7 distinct landscape types, namely the Dry Valleys and Downs, Chalk Scarp Landscapes, Gault Clay Vale, Greensand Orchards and

Mixed Farmlands, Greensand Ridge, Low Weald and Valleys, 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, set out in Policy SP5. 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.

12.46 The National Planning Policy Framework encourages the protection of valued landscapes. Whilst the Maidstone Landscape Character Assessment 2012 identifies the various landscape types and characters. The proposed Landscape Character Guidelines supplementary planning document will provide further detail on how these landscapes are to be protected.

12.47 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.

12.48 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 DM9 sets out the broad policy framework for the local landscape approach being taken by the council.

Policy DM 9

Historic and natural environment

1. To enable Maidstone borough 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:
 - a. 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;
 - b. Internationally, nationally and locally designated sites of importance for biodiversity; and
 - c. Local Biodiversity Action Plan priority habitats.
 - iii. Control pollution to protect ground and surface waters where necessary and 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;
 - iv. 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 Borough, where opportunities arise;
 - v. Provide for the long term maintenance and management of all heritage and natural assets, including landscape character, associated with the development;
 - vi. Mitigate for and adapt to the effects of climate change; and

vii. 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 sites 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. Publicly accessible 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.

Account should be taken of the Landscape Character Guidelines supplementary planning document and the Green and Blue Infrastructure SPD.

Policy DM10 - Open space and recreation

12.49 High quality, publicly accessible open space can bring about opportunities for promoting social interaction and inclusion in communities. Sports and recreation areas and facilities can contribute positively to the well being and quality of those communities. Open space can also have a positive impact upon the quality of the built environment and can be of ecological value. The National Planning Policy Framework encourages the provision and retention of high quality open spaces, a stance that the council supports.

12.50 The council will seek to secure publicly accessible open space provision for new housing and mixed use development sites, in accordance with standards [to be defined] in the Green and blue infrastructure SPD.

12.51 It is important to ensure that any new publicly accessible open space and sports provision preserves the quality of life for existing residents, as well as the visual amenity of the locality, especially in rural areas. Intense sports uses, such as multi use games areas, can generate significant amounts of noise; while sports and other recreation uses may include lighting, such as floodlighting. This can be harmful to the living environment of nearby occupiers and to the visual amenity of the countryside where levels of artificial lighting are generally very limited. The council will seek to ensure that new publicly accessible open space and recreation areas are appropriate to their setting in these regards.

12.52 The loss of existing open space, sport and recreation facilities will be resisted, unless there is a proven overriding need for the development and there would be no resulting deficiency, or net loss, of such space/facilities in the locality. In considering the impact of the loss of open space, the council will have regard to the visual amenity and biodiversity value of the land in question.

Policy DM 10

Publicly accessible open space and recreation

1. For new housing or mixed use development sites, the council will seek to deliver the following categories of publicly accessible open space provision in accordance with the standards [to be defined] in the green and blue infrastructure SPD:
 - i. Natural and semi natural areas of open space;
 - ii. Amenity green space;
 - iii. Provision for children and young people's equipped play areas;
 - iv. Public [and private⁽³⁾] outdoor sports facilities; and
 - v. Allotments.

2. Proposals for, and including, new publicly accessible open space and recreation provision shall respect the amenities of neighbouring occupiers, by ensuring that development does not result in excessive levels of noise or light pollution. New lighting relating to such development will also preserve the character and visual amenity of the countryside.

3. Proposals for new development which would result in the net loss of open space or sport and recreation facilities will not be permitted unless there is a proven overriding need for the development. In addition, the development will only be permitted if:
 - i. There is no resulting deficiency in open space or recreation facilities in the locality; or
 - ii. An alternative provision of an equivalent community benefit can be provided to replace the loss.

4. In dealing with applications to develop existing open areas within the urban area and village settlements, the borough council will have regard to the impact of the loss of the contribution that the existing site makes to the character, amenity and biodiversity of the area.

Further details on the provision of green and blue infrastructure, including publicly accessible open space, will be provided in a Green and blue infrastructure supplementary planning document.

Policy DM11 - Community facilities

12.53 In order to build well functioning, sustainable communities, it is essential that adequate community facilities are provided. The National Planning Policy Framework emphasises the importance of creating healthy, inclusive communities, with appropriate facilities, to create attractive residential environments. The Infrastructure Delivery Plan lists the key social infrastructure needed to support

3 definition required

the level of development planned for the borough. Community facilities encompass educational, cultural and recreational facilities, including schools, libraries, places of worship, meeting places, cultural buildings (such as museums and theatres) and sports venues.

12.54 The council seeks to resist the net loss of viable community facilities, as this runs contrary to the aim of achieving sustainable, inclusive communities.

12.55 School premises are generally only in operation during particular hours. These sites offer opportunities to provide additional community uses outside of school hours. Such dual uses can increase the range of community facilities and can help to maximise land usage in a suitable manner. The council will therefore encourage dual usage of educational premises in appropriate circumstances.

Policy DM 11

Community facilities

The adequate provision of community facilities, including social, education and other facilities, is an essential component of new residential development.

1. Residential development which would generate a need for new community facilities or for which spare capacity in such facilities does not exist, will not be permitted unless the provision of new, extended or improved facilities (or a contribution towards such provision) is secured by planning conditions or through legal agreements unless the specific facilities are identified for delivery through the Community Infrastructure Levy
2. Proposals which would lead to a loss of community facilities will not be permitted unless demand within the locality no longer exists or a replacement facility acceptable to the council is provided.
3. The council will seek to ensure, where appropriate, that providers of education facilities make provision for dual use of facilities in the design of new schools, and will encourage the dual use of education facilities (new and existing) for recreation and other purposes.

Policy DM15 - Economic development

12.85 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, in particular the Malling area, Medway and Sittingbourne. 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 ⁽⁴⁾ In general unemployment in the borough is low when compared with the Kent and national picture ⁽⁵⁾.

12.86 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 xxxx~~

4 Annual Monitoring Report 2011/12.

5 'Unemployment in Kent' Research & Evaluation Bulletin, Kent County Council (September 2013)

people between 2011 and 2031 based on a housing target of xxxx dwellings over the same period⁽⁶⁾. 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
- Public and social uses such as health and education
- Town centre uses such as retail, leisure, entertainment, arts, cultural and tourism development.

12.87 The net additional land requirements for B class uses 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.

12.88 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 is 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 at present⁽⁷⁾.

12.89 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.

12.90 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. This site will also deliver additional general office space in a high quality environment. Outline consent has recently been granted for the medical hub (subject to the completion of a section 106 agreement). 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 a low unemployment rate going forward.

6 add reference document
 7 Revised Employment Land Forecast (2013)

12.91 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 DM16 directs the retention, intensification and regeneration of the identified Economic Development Areas. In addition, there is a significant stock of commercial premises outside these designated areas which also provide for local employment. Within Maidstone urban area and the Rural Services Centres the first preference will be for such existing sites to remain in employment generating uses.

12.92 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 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.

12.93 Within the countryside the priority 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. Policy DM35 sets out the considerations which will apply when established rural businesses want to expand their existing premises. There is also a trend towards to greater homeworking which allows for a reduced impact on transport infrastructure.

12.94 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 DM 15

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 of the existing industrial and business estates identified as Economic Development Areas 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;
 - vi. Supporting improvements in information and communications technology to facilitate more flexible working practices;
 - vii. Prioritising the commercial re-use of existing rural buildings in the countryside over conversion to residential use; and
 - viii. 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 appropriate for its countryside location.

Policy DM16 - Retention of employment sites

12.95 In addition to new allocations of employment land, it is important that a stock of existing employment sites is maintained. A range of well located commercial premises and sites need to be secured so that they can continue to be available to meet the needs of existing and modernising businesses. Policy DM16 identifies Economic Development Areas across the borough designated specifically for B class uses, which include sites with planning permission as well as established, existing employment locations.

12.96 The demand for office, manufacturing and warehouse premises can be expected to fluctuate over the plan period in line with changes in the economic cycle. It is important that these designated, good quality and productive sites are not permanently lost to alternative uses as a result of only short term changes in demand, whilst recognising that the permanent protection of a site that has no prospect of coming forward for its designated use is counter-productive for the local economy. Recent changes to the General Permitted Development Order

enable the conversion of office space to residential use without the need for planning permission for a limited 3 year period (until 30 May 2016). Policy DM16 identifies locations with higher quality office floorspace for retention in the longer term, recognising that in the short term conversion to residential use could happen without consent. The recent General Permitted Development Order changes also allow up to 500m² of B1 floorspace to be used for B8 uses without the need for planning permission.

12.97 Planning applications which seek alternative non B class uses in identified Economic Development Areas will be supported only where there is clear evidence that substantiates why the site should not be retained for its designated use. This must include evidence of, and the outcomes from, the concerted marketing of the site for its designated uses for a continuous period of at least 12 months prior to the applicant's submission via relevant commercial property publications and websites. In addition, applications should include an analysis of the on-going suitability of the site for its designated uses and its commercial viability for those uses. Both the suitability and viability assessments should evidence current market conditions and also the future prospects for the sectors for which the site is designated. The analysis of future prospects should look ahead at least 5 years to ensure a medium term view of market trends and employment land requirements is taken.

12.98 Exceptionally, a mixed use scheme which incorporates an element of non B class uses may be a means to achieve an overall upgrade in the quality of B class business floorspace on a designated site or bring underused premises into more productive use. The overall employment capacity of the site should be maintained or increased by such a scheme as measured by either the employment-generating floorspace provided or the number, permanence and quality of the jobs created. Any proposals for retail or leisure would also need to comply with policy DM17.

12.99 There is also a significant stock of B class employment premises and sites outside the designated Economic Development Areas. In the Maidstone urban area and the rural service centres, the redevelopment or expansion of existing sites for employment-generating uses will be supported. Redevelopment of such sites for non-employment generating uses will be permitted where the existing use has an adverse impact on residential amenity, highway safety or causes over-riding visual harm or where it is proven through the submission of a viability report that there is no realistic prospect of its commercial reuse.

Policy DM 16

Retention of employment sites

1. The following locations, as defined on the policies map, are designated Economic Development Areas for use classes B1, B2 and B8:
 - i. Lordswood Industrial Estate;
 - ii. Forstal Road, Aylesford;
 - iii. 20/20 Allington;
 - iv. Parkwood Industrial Estate, Maidstone;
 - v. Tovil Green/Burial Ground Lane, Tovil;
 - vi. Station Road/Lodge Road, Staplehurst;
 - vii. Pattenden Lane, Marden;
 - viii. Detling Airfield;
 - ix. Lenham Storage, Lenham;
 - x. Marley Works, near Lenham;
 - xi. Barradale Farm, near Headcorn;
 - xii. Station Road, Harrietsham;
 - xiii. Dove Hill Works, Boxley;
 - xiv. Lenham Triangle, Lenham;
 - xv. Tenacre Park, Harrietsham; and
 - xvi. Hart Street Commercial Centre, Hart Street, Maidstone.

2. The following locations, as defined on the policies map, are designated Economic Development Areas for use class B1:
 - i. South Park Business Village, Maidstone;
 - ii. Turkey Mill Court, Maidstone;
 - iii. Eclipse Park, Maidstone;
 - iv. Albion Place and Sittingbourne Road, Maidstone;
 - v. East and West of Lower Stone Street, Maidstone;
 - vi. Fairmeadow and Bishops Way, Maidstone; and
 - vii. County Gate, Staceys Street and Invicta House, Sandling Road, Maidstone.

3. Within designated Economic Development Areas, change of use or redevelopment of a site or premises to non B class uses will not be permitted unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for the designated uses in the medium term.

4. Within designated Economic Development Areas, mixed use proposals incorporating an element of non B class uses may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business and where the overall employment capacity of the site is maintained.

5. Outside the designated Economic Development Areas, the redevelopment and expansion of existing B class employment premises in Maidstone urban area and the rural service centres for employment-generating uses will be supported. Redevelopment of existing or vacant employment premises in Maidstone urban area and the rural service centres for non-employment uses will be permitted provided it can be demonstrated that the existing use has an adverse impact on residential amenity, highway safety or causes over-riding visual harm and/or there is no reasonable prospect of continuing or re-establishing an employment use.

Policy DM20 - Mooring facilities and boat yards

12.111 Mooring facilities and boatyards can provide tourism and recreation facilities which can contribute positively towards the economy. The National Planning Policy Framework lends strong support to the building of a robust economy, including within rural areas. The River Medway, which runs through both the urban and rural parts of Maidstone Borough, is an important asset, which provides opportunities to enhance tourism and recreation facilities through additional and enhanced mooring facilities. The council wishes to safeguard existing boat yards, in order to protect water-based recreation facilities. The River Medway contributes positively towards a varied range of recreational facilities and this enhances the attractiveness and diversification of the borough for local communities and visitors.

12.112 However, in order to safeguard the rural character of the countryside and the quality of the built environment, it is important that such proposals are limited in scale and that their cumulative impact is not harmful to amenity. Much of the River Medway is seen in the context of highly sensitive townscape and landscapes, such as the Maidstone All Saints' Church Conservation Area, the valley formation of high landscape quality through Teston, East and West Farleigh and the Green Belt at Nettlestead.

12.113 The council will also have regard to the advice of the Environment Agency in assessing flooding issues.

Policy DM 20

Mooring facilities and boat yards

1. Further small scale and short term mooring facilities will be permitted at the following locations subject to the views of the Environment Agency:

- i. Allington
- ii. Maidstone town centre - subject to an increase in the width of the navigable channel without loss of ecological value
- iii. Wateringbury
- iv. East Farleigh
- v. Yalding
- vi. Stoneham

And provided that all of the following criteria are met:

- vii. There is no loss of flood plain or land raising;
- viii. The impact, including cumulative impact, shall preserve landscape quality, ecology and uses of the river and valley in the locality;
- ix. Proposals create no operational problems for other river users, including fishermen;
- x. Facilities are provided for disposal of boat toilet contents;
- xi. The site is capable of being adequately screened and it being possible to provide appropriate landscaping with indigenous species; and
- xii. The presence of any similar uses in the locality and the combined effect of any such concentration would be acceptable in terms of environmental impact and highway safety.

2. The council will not permit the redevelopment to other uses of boat yards that are in use, or have the potential to be used, in connection with water-based recreation.

Policy DM21 - Housing mix

12.114 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.

12.115 Evidence detailed in the Maidstone Strategic Housing Market Assessment (SHMA) 2013 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.

12.116 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 DM 21

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 mix of house sizes, types and tenures will be sought that reflects the needs of those living in Maidstone Borough now and in years to come.
2. Accommodation profiles detailed in the Strategic Housing Market Assessment 2013 will be used to help inform developers to determine which house sizes should be delivered in urban and rural areas to meet the objectively assessed needs of the area. In relation to affordable housing, the council will expect the submission of details of how this information has been used to justify the proposed mix.
3. Gypsy, Traveller and Travelling Showpeople 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.

Policy DM22 - Affordable housing

12.117 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.

12.118 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

12.119 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 because of existing use values, meaning that it costs more 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.

Previously developed land

12.120 In the urban area and on the urban periphery the definition of previously developed land that the council uses when applying this policy will determine which affordable housing target is applied to a given development. The resulting difference in requirement will be between 15% and 30% as per the proposed policy.

12.121 The NPPF definition clarifies what is considered previously developed land and [in most cases] what is commonly referred to as greenfield land. However, there are circumstances where land that demonstrably exhibits greenfield characteristics can technically be argued to be previously developed land.

12.122 The key consideration that the council will take into account in these circumstances is how the viability of the proposed development is likely to be affected. On sites where there is inherent viability, developers should make commensurate contributions. On sites where there is a question relating to how much of the site actually is previously developed land (likely attracting higher

costs to redevelop) and how much is more reflective of greenfield land (likely attracting lower costs to develop), at least half of the land area should have been developed i.e. buildings and ancillary features, if the 15% target rate is to apply.

Policy DM 22

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%; and
 - iii. Countryside, rural service centres and larger villages - 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.

Policy DM23 - Local needs housing

12.123 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.

12.124 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.

12.125 Outside of Maidstone, the seven rural service centres and selected rural settlements, 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 policy DM22.

12.126 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.

12.127 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.

12.128 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 DM 23

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 community facilities and services including shops, health and education are present. Settlements must be effectively served by public transport.
4. The scale of development must be sympathetic within the context of the settlement where it is located.
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 is 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.

Policy DM28 - Design principles in the countryside

14.1 Policy SP5 sets out the types of development which would be acceptably located within the borough's countryside. The Local Plan seeks high quality designs in all types of development but Policy DM28 sets out additional principles to ensure high quality designs are realised in the borough's countryside.

Policy DM 28

Design principles in the countryside

Outside of the settlement boundaries as defined on the policies map, proposals which would create high quality design and meet the following criteria will be permitted:

1. Conserve and enhance the landscape and scenic beauty of the Kent Downs AONB and its setting;
2. Outside the Kent Downs AONB, cause no significant harm to landscape of highest value and respect the landscape character of the locality;
3. Not result in unacceptable traffic levels on nearby roads; unsympathetic change to the character of a rural lane which is of landscape, amenity, nature conservation, or historic or archaeological importance or the erosion of roadside verges;
4. Where built development is proposed, there would be no existing building or structure suitable for conversion or re-use to provide the required facilities. Any new buildings should, where practicable, be located adjacent to existing buildings or be unobtrusively located and well screened by existing or proposed vegetation which reflect the landscape character of the area; and
5. Where an extension or alteration to an existing building is proposed, it would be of a scale which relates sympathetically to the existing building and the rural area; respect local building styles and materials; have no significant adverse impact on the form, appearance or setting of the building, and would respect the architectural and historic integrity of any adjoining building or group of buildings of which it forms part.

Account should be taken of the Kent Downs AONB Management Plan and the Maidstone Borough Landscape Character Guidelines SPD.

Policy DM29 - New agricultural buildings and structures

14.2 Certain agricultural and forestry developments do not require planning permission provided that the development falls within one of the categories set out in the Town and Country Planning (General Permitted Development) Order 1995 (as amended). However, most of these permitted developments need to

be submitted to the council for their prior approval of siting, design and external appearance. Developments that are not covered by this Order require planning permission in the usual way. The National Planning Policy Framework lends strong support to the rural economy and seeks to promote agricultural and land based rural businesses. The maintenance of land in agricultural use generally aids the preservation of the rural character of the countryside and the rural economy.

14.3 Whilst the council generally seeks a positive approach towards agricultural development, it is important to ensure that new development is justified and appropriately sited, in order to minimise the impact upon the openness, character and appearance of the countryside.

14.4 In recent years, changing consumer demands and production techniques have seen an increase in the use of polytunnels or other similar semi-permanent structures for cultivation purposes in the countryside. Such structures can have a significant visual impact on the landscape and due to their impermeable nature can result in increased surface water run-off. There is also a concern that such development has an impact on biodiversity. These potential negative impacts should however, be seen against the benefit that an increased growing season can have for the rural economy and the increased period where locally grown produce is available thus reducing reliance on imported produce.

Policy DM 29

New agricultural buildings and structures

Proposals for new agricultural buildings or structures on land in use for agricultural trade or business which meet the following criteria will be permitted:

1. The proposal is necessary for the purposes of agriculture;
2. The proposal would not have an adverse impact on the amenity of existing residents;
3. The building or structure would be located within or adjacent to an existing group of buildings, in order to mitigate against the visual impact of development, unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding. Where an isolated location is essential the site should be chosen to minimise the impact of the building or structure on the character and appearance of the countryside; and
4. In the case of polytunnel development in addition to the above, the council will expect proposals to address the following issues:
 - i. How surface water run-off will be dealt with and controlled;
 - ii. The inclusion of a rotation programme for the covering/uncovering of the structures/frames; and
 - iii. The inclusion of a programme for the maintenance and enhancement of existing field margins in the interests of encouraging biodiversity.

Policy DM30 - Conversion of rural buildings

14.5 Kent has a long agricultural history, with many buildings and structures having been constructed over the centuries to support the agricultural industry. However, changes in agricultural practises have rendered many of these buildings redundant, leaving them vacant and prone to dereliction. Government advice in the National Planning Policy Framework supports the re-use of redundant buildings where an enhancement to their setting would result. It also places emphasis upon the building of a strong, rural economy, which the conversion of redundant rural buildings can support.

14.6 However, the quantity and quality of buildings in the countryside in Maidstone borough brings increasing pressure for their re-use. In line with the objective to protect the quality of rural landscapes for their intrinsic value and openness, it is necessary that buildings considered for re-use are of permanent and substantial construction, not requiring major or complete reconstruction and that their resulting form and appearance is in keeping with the simple, functional character inherent in rural areas.

14.7 The quality and condition of rural buildings in the borough varies considerably. This wide range of buildings also includes buildings such as oasthouses, which are indigenous only to the hop growing areas of the country and exemplify the historical development of agriculture in Kent. Many of these vernacular buildings have a degree of significance which merits consideration as a heritage asset. These functional buildings are often of simple form and character, so external alterations require careful consideration.

14.8 In order to support the objective of promoting a strong, rural economy, the council will seek to secure business or recreation uses for redundant rural buildings, unless it can be demonstrated that such a use is not suitable or viable. Such uses are of a more functional nature than residential uses, and typically require less physical changes, having a lesser impact upon the countryside and rural character. Residential conversions can be detrimental to the fabric and simple form and character of the building. They therefore require particular attention, in order to prevent a loss of rural character and local identity.

Policy DM 30

Conversion of rural buildings

Outside of the settlement boundaries as defined on the policies map, proposals for the re-use and adaptation of existing rural buildings which meet the following criteria will be permitted:

1. The building is of a form, bulk and general design which is in keeping with its rural surroundings;
2. The building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction;
3. Any alterations proposed as part of the conversion are in keeping with the rural character of the building in terms of detailed design, form and materials;
4. There is sufficient room in the curtilage of the building to park the vehicles of those who will live there without detriment to the visual amenity of the countryside; and
5. No fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it are erected which would harm the visual amenity of the countryside.

In addition to the criteria above, proposals for the re-use and adaptation of existing rural buildings for commercial, industrial, sport, recreation or tourism uses which meet the following criteria will be permitted:

6. The traffic generated by the new use would not result in the erosion of roadside verges, and is not detrimental to the character of the countryside;
7. In the case of a tourist use, the amenity of future users would not be harmed by the proximity of farm uses or buildings; and
8. In the case of self-catering accommodation a holiday occupancy condition will be attached, preventing their use as a sole or main residence.

Proposals for the re-use and adaptation of existing rural buildings for residential purposes will not be permitted unless the following additional criteria to the above are met:

9. Every reasonable attempt has been made to secure a suitable business re-use for the building;
10. Residential conversion is the only means of providing a suitable re-use for a listed building, an unlisted building of quality and traditional construction which is grouped with one or more listed buildings in such a way as to contribute towards the setting of the listed building(s), or other buildings which contribute towards the character of the countryside or which exemplify the historical development of the Kentish countryside; and
11. There is sufficient land around the building to provide a reasonable level of outdoor space for the occupants, and the outdoor space provided is in harmony with the character of its setting.

Policy DM31 - Rebuilding and extending dwellings in the countryside

14.9 The intrinsic character and beauty of the countryside is an important asset of the borough, which is recognised by the National Planning Policy Framework and which is highly sensitive to development. However, in order to support rural communities, a level of flexibility for certain forms of development in rural areas is required.

14.10 In appropriate circumstances, the council will support the rebuilding of a lawful residential dwelling or an extension to an existing dwelling. In considering such proposals, the council will have particular regard to the mass and visual prominence of the resulting building, including the cumulative impact of such changes. The volume of new development will be more critical than its footprint.

14.11 The term 'original dwelling' refers to the dwelling as it was on 1st July 1948 or, if built later, as it was when first erected and granted planning permission.

Policy DM 31

Rebuilding and extending dwellings in the countryside

Outside of the settlement boundaries as defined on the policies map, proposals for the replacement of a dwelling in the countryside which meet the following criteria will be permitted:

1. The present dwelling has a lawful residential use;
2. The present dwelling is not the result of a temporary planning permission;
3. The building is not listed;
4. The mass and volume of the replacement dwelling is no more visually harmful than the original dwelling;
5. The replacement dwelling would result in a development which individually or cumulatively is visually acceptable in the countryside; and
6. The replacement dwelling is sited to preclude retention of the dwelling it is intended to replace, or there is a condition or a planning obligation to ensure the demolition of the latter on completion of the new dwelling.

Proposals to extend dwellings in the countryside which meet the following criteria will be permitted:

7. The proposal is well designed and is sympathetically related to the existing dwelling without overwhelming or destroying the original form of the existing dwelling;
8. The proposal would result in a development which individually or cumulatively is visually acceptable in the countryside;
9. The proposal would not create a separate dwelling or one of a scale or type of accommodation that is capable of being used as a separate dwelling; and
10. Proposals for the construction of new or replacement outbuildings (e.g. garages) should be subservient in scale, location and design to the host dwelling and cumulatively with the existing dwelling remain visually acceptable in the countryside.

Policy DM32 - Change of use of agricultural land to domestic garden land

14.12 Changes in the agricultural industry sometimes result in vacant agricultural land being sold off as individual plots. In some cases this land is simply retained as open pasture land. However, planning permission is required where agricultural land is used to form an enlarged domestic garden, for example, where land is regularly mown and laid to lawn or used as an outdoor seating and play area.

14.13 Significant swathes of the borough, particularly in the Medway valley and Greensand fruit belt, are graded as high quality agricultural land under the DEFRA classification. The National Planning Policy Framework recognises the benefits of best and most versatile agricultural land. Where agricultural land is

highly graded (grade 1 or grade 2) and is functionally well located for agricultural purposes, such that future agricultural use is feasible, the council will seek to resist its irreversible loss to domestic use.

14.14 The change of use of agricultural land to domestic garden land is also, in principle, contrary to the objective of safeguarding the open, rural character of the countryside, which is advocated by the National Planning Policy Framework. The domestication of the countryside, through the replacement of open pasture with lawns, domestic plants and garden furniture is generally harmful to the integrity and character of rural landscapes. This policy of restraint will safeguard against inappropriate and excessive extensions to domestic gardens.

14.15 In some cases, applicants may seek development that results in the infill of an area between existing clear boundaries to existing built development. Where development constitutes such infilling and is in keeping with the layout of the existing built environment, the impact upon the countryside is likely to be minimised.

Policy DM 32

Change of use of agricultural land to domestic garden land

Planning permission will be granted for the change of use of agricultural land to domestic garden if there would be no harm to the character and appearance of the countryside and/or the loss of the best and most versatile agricultural land.

Policy DM33 - Accommodation for agricultural and forestry workers

14.16 The maintenance of land in agricultural use generally aids the preservation of the rural character of the countryside and the rural economy. The National Planning Policy Framework lends strong support to the rural economy and seeks to promote agricultural and land based rural businesses. It also recognises that residential development in the countryside may be justified when there is an essential need for a rural worker to live permanently at, or in the immediate vicinity of, their place of work.

14.17 In considering whether a dwelling is essential, the council will apply functional and, if appropriate, financial tests. It is the needs of the holding, not the preferences of the individuals concerned, which will determine whether a dwelling is essential or not. The council will condition any planning permission to ensure that proposed dwellings and, where appropriate, existing dwellings remain in agricultural occupancy.

14.18 If a new dwelling is essential to support a new farming activity, whether on a newly created agricultural unit or an established one, it should normally be provided by a caravan or other temporary accommodation for the first three years. This is to ensure that the enterprise is viable and to prevent the retention of unnecessary built development within the countryside.

Policy DM 33

Accommodation for agricultural and forestry workers

Proposals to site a caravan or other form of temporary housing accommodation for an agricultural or forestry worker outside of the settlement boundaries as defined on the policies map which meet the following criteria will be permitted:

1. The dwelling and its siting on an agricultural or forestry holding are essential for the efficient development and running of the enterprise there;
2. The need is for accommodation for a full time worker;
3. There is clear evidence that the enterprise has been planned on a sound financial basis and that there is a firm intention and ability to develop it;
4. No other housing accommodation is already available locally to meet the need;
5. The necessary accommodation cannot be provided by the conversion of a building on the holding; and
6. The necessary accommodation would be sited with any farmstead or other group of rural buildings on the holding.

Where a temporary planning permission is granted for a dwelling, the council will:

7. Limit the permission to a term of no more than 3 years;
8. Limit the occupation of the accommodation to a person solely or mainly working, or last working in the locality in agriculture or forestry, or a widow or widower of such a person and to any resident dependants;
9. Require the removal of the temporary accommodation within 3 months after the expiry of the permission; and
10. Require the restoration of the site within 12 months after the expiry of the permission in accordance with a scheme agreed with the local planning authority unless a permission is granted for a permanent dwelling there.

Proposals for a new permanent agricultural or forestry dwelling in the countryside outside defined settlement boundaries in support of existing agricultural or forestry activities on well-established units which meet the following criteria will be permitted:

11. There is a clearly established existing functional need for the dwelling;
12. The need relates to a full time worker or one who is primarily employed in agriculture and does not relate to a part time requirement;
13. The unit and the agricultural or forestry activity have been established for at least 3 years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;

14. The functional need could not be fulfilled by another dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the worker(s) concerned; and
15. The new dwelling is no larger in size than is justified by the needs of the enterprise or more expensive to construct than the income of the enterprise can sustain.

The council will limit the occupation of any dwelling to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow of such a person, and to any resident dependents.

Policy DM34 - Live-work units

14.19 A live-work unit is defined as “the genuine and permanent integration of living and working accommodation within a single self-contained unit, where the principal occupier both lives at and works from the property.”

14.20 In terms of the Use Classes Order live-work is “sui generis”, in other words unique or “of its own kind”. Live-work does not therefore fall neatly into any specific class within the Use Classes Order. In practical terms it is a composite use that brings together, within a single unit, residential (use class C3) and workspace. The workspace element would generally be expected to fall within the B1 use class, as, by definition being integral to a living space, the work use undertaken would have to be capable of being carried out in a residential area without detriment to residential amenity.

14.21 In practical terms this usually means use class B1(a) offices, but the work element of live/work could conceivably include small scale B1(c) light industrial use. In some instances it might include uses which do not fall strictly within the B use class such as a treatment room for an alternative health practitioner, or an artists’ studio.

14.22 The construction of new live/work buildings will be restricted to the defined urban area and the defined boundaries of the rural service centres and larger villages. New-build live/work units in the countryside will not be permitted. In the countryside permission will be restricted to appropriate proposals for the conversion and re-use of existing buildings.

14.23 If a large extension to the building would be necessary to provide appropriate workspace and living accommodation planning permission will not be granted. The council’s policy on rural building conversions to create live-work units relates to the re-use of existing buildings, not to the extension and re-use of rural buildings.

14.24 It is also important that a conversion creates a workspace which can accommodate a genuine business use. The workspace element of a conversion should be at least 30% of the total floorspace. While the policy refers to an ancillary residential use it is not considered that this means that the employment premises must be larger than the residential accommodation and a 30% designation will normally be acceptable provided that the resulting employment premises are sufficient to accommodate a genuine business use.

14.25 Nevertheless, the employment premises are of primary importance in terms of a live-work conversion; it is on this basis that permission would be granted for a conversion scheme and occupation of the ancillary residential accommodation is always tied to the use of these employment premises. The calculation of floorspace in the rural building will include ground and first floor accommodation.

14.26 For conversion and re-use applications, the council will require a full application, with detailed drawings of elevations showing the impact of the conversion on the building and its setting. Permitted development rights for subsequent alterations will normally be withdrawn.

14.27 The occupancy of the living space on new-build or conversion schemes will be restricted to a person directly involved with the business being operated. The council will impose a condition prohibiting occupation of the living accommodation until after the works necessary for the establishment of an employment generating use have been completed. The council will also impose a condition which retains the workspace.

Policy DM 34

Live-work units

1. The construction of new-build live-work units will be restricted to the defined urban area and settlement boundaries of the rural service centres and larger villages. New-build live-work units outside of the settlement boundaries as defined on the policies map will not be permitted.
2. Proposals for the conversion of rural buildings to employment generating uses with ancillary living accommodation which meet the following criteria will be permitted:
 - i. The building is of a form, bulk and general design which is in keeping with its rural surroundings;
 - ii. The building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction;
 - iii. Any alterations proposed as part of the conversion are in keeping with the rural character of the building in terms of detailed design, form and materials;
 - iv. There is sufficient room in the curtilage of the building to park the vehicles of those who will live there without detriment to the visual amenity of the countryside;
 - v. No fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it are erected which would harm the visual amenity of the countryside;
 - vi. The proposals are well related to the existing road network with direct access off a public road, and will not require construction of a new long track to serve the building;
 - vii. The proposals will not create conditions prejudicial to highway safety;
 - viii. The building is not situated in an isolated location, relative to local services such as shops, schools and public transport;
 - ix. The domestic curtilage is minimal, unobtrusive and capable of being screened;
 - x. The building is of sufficient size to accommodate a genuine business use and that any residential accommodation will be ancillary to that use; The workspace element of the conversion should comprise at least 30% of the total floorspace; and
 - xi. The development is not situated in the farmyard of a working farm where conversion would prejudice the future operation of a farming business.
3. The council will impose a condition prohibiting occupation of the living accommodation until after the works necessary for the establishment of an employment generating use have been completed. The council will also impose a condition which retains the workspace.

Policy DM35 - Expansion of existing businesses in rural areas

14.28 There are already many industrial and business enterprises located in rural areas. Some are long established, others normally small-scale, have been granted planning permission to operate in disused rural buildings. Many of these enterprises will over time need to expand and/or diversify. While such expansion is desirable for job creation, it can radically change the nature of the enterprise and its impact on the local environment. It is therefore important to weigh carefully the advantages to the rural economy of job creation or an improved industrial/business facility against the potential for an adverse impact on the rural environment.

14.29 In all cases where permission for expansion is granted, the council will require reasonable measures to be taken to ameliorate the impact, not only of the extension but also of the existing enterprise, on the local environment. Such measures, where required, will normally be considered essential for the grant of permission. Where necessary, planning agreements may be used to secure environmental improvements. Conditions will also be imposed to ensure there is adequate landscaping, parking and servicing provision.

Policy DM 35

Expansion of existing businesses in rural areas

The expansion of existing industrial or business enterprises which are currently located outside of the settlement boundaries as defined on the policies map will be permitted where;

1. There is no significant increase in the site area of the enterprise. Minor increases and rounding off the existing site will be acceptable;
2. There is no significant addition of new buildings. New buildings may be permitted, provided they are small in scale and provided the resultant development as a whole is appropriate in scale for the location and can be satisfactorily integrated into the local landscape;
3. The increase in floorspace would not result in unacceptable traffic levels on nearby roads or a significant increase in use of an existing substandard access;
4. The new development, together with the existing facilities, will not result in an unacceptable loss in the amenity of the area. In particular the impact on nearby properties and the appearance of the development from public roads will be of importance;
5. The open storage of materials can be adequately screened from public view throughout the year.

Policy DM36 - Holiday caravan and camp sites

14.30 Holiday caravan and camp sites provide alternative forms of accommodation which can add to the tourist attraction of the borough. The National Planning Policy Framework recognises the importance of sustainable

tourism for a prosperous rural economy. However, the provision of tourist facilities must be balanced against the need to protect the quality of the countryside for the sake of its intrinsic character and beauty. Holiday caravan and camp sites should be located outside the borough's most sensitive landscape areas, in particular outside the Kent Downs AONB, and should not be prominent in the landscape and should be well screened.

14.31 In order to prevent the creation of isolated residential uses in rural areas, which would conflict with the aims of sustainable development, a holiday occupancy condition will be attached to any planning permissions.

Policy DM 36

Holiday caravan and camp sites

1. Proposals for sites for the stationing of holiday caravans and/or holiday tents outside of the settlement boundaries as defined on the policies map will be permitted where;
 - i. The proposal would not result in an unacceptable loss in the amenity of the area. In particular the impact on nearby properties and the appearance of the development from public roads will be of importance;
 - ii. The site would be unobtrusively located and well screened by existing or proposed vegetation and would be landscaped with indigenous species.
2. A holiday occupancy condition will be attached to any permission, preventing use of any unit as a permanent encampment.

Policy DM37 - Caravan storage in the countryside

14.32 In many cases, it is impractical to store private caravans within the curtilage of dwellings. However, open storage of caravans can be an intrusive feature of rural landscapes. Within Maidstone Borough, the Kent Downs Area of Outstanding Natural Beauty is a highly sensitive and open landscape of national importance. In this area, the council will resist proposals for open storage of caravans, in order to preserve the quality of this valued landscape. In other locations, such development should be appropriately screened and sited, where it would not be isolated or prominent in the landscape.

Policy DM 37

Caravan storage in the countryside

Proposals for the open storage of private caravans outside of the settlement boundaries as defined on the policies map which meet the following criteria will be permitted where:

1. The site lies outside the Kent Downs Area of Outstanding Natural Beauty and its setting;
2. The site would provide comprehensive all year screening before the use commences, which may including bunding, tree and shrub planting, and fencing in appropriate locations, and there is no unacceptable impact on the landscape or environment;
3. Security arrangements (including lighting) would not be intrusive;
4. The proposal would not result in a concentration of sites; and
5. The proposal is situated close to existing built development, including residential accommodation.

Policy DM38 - Retail units in the countryside

14.33 The creation and expansion of rural businesses can contribute towards a prosperous rural economy. However, whilst promoting a strong rural economy, the National Planning Policy Framework also recognises the intrinsic character and beauty of the countryside, which is a valuable asset. Retail development in the countryside, if not strictly controlled, can also run counter to the objectives of sustainable development, by creating additional journeys to rural locations. It is therefore necessary to restrict development to that which primarily actively supports the maintenance of land in agricultural and other appropriate land based uses, such as farm shops primarily retailing produce at, and produced upon, their holding.

14.34 In considering such development, the council will view positively proposals where a significant proportion of produce, in terms of turnover, would originate upon the farm holding where it would be sold and, in granting planning permission, will consider the imposition of conditions to restrict the type of goods and extent of produce which does not originate upon the holding, for sustainability reasons. The council will seek to resist retail proposals in rural locations where the business case is not considered to justify such a location.

Policy DM 38

Retail units in the countryside

1. Proposals involving retail sales outside defined settlement boundaries as defined on the policies map will only be allowed in the case of shops selling fresh produce at the point of production (or originating from the farm holding) provided that:
 - i. A significant proportion, based on annual turnover, of the range of goods offered for sale continues to be fresh produce grown and sold on the farm holding in question;
 - ii. The range of any additional sale goods would be restricted to agricultural produce and the offer for sale of other goods, including packaged or preserved food products, would not exceed a minimal level; and
 - iii. The proposal is not demonstrably damaging to the viability of rural local centres and village shops.
2. In granting planning permission for farm shops, the council may impose conditions to restrict the amount of produce which originates outside the farm holding in which the proposed development is located and also to restrict the proportion of non food and other items to be sold, unless the proposal provides for a more sustainable alternative for the local community.

Policy DM39 - Equestrian development

14.35 Horse riding remains a popular leisure activity in the borough. The National Planning Policy Framework advises that recreational facilities can make an important contribution to health and wellbeing of communities. Whether planning permission is needed for the use of land and buildings for horses and equestrian activities depends on whether the horses are used for agricultural, recreational or commercial purposes. The use of land for grazing (which is part of the definition of agriculture in Section 336 of the Town and Country Planning Act 1990) is widely taken to include the grazing of horses and so does not require planning permission. The need for planning permission arises when horses are kept on the land. Horses are considered to be 'kept' when their food is supplemented over and above any grazing that takes place or shelter is provided for them. This can be in the form of stables or field shelters. If these circumstances exist the land is no longer used for agricultural purposes but is used for the keeping of horses. Planning permission is necessary for this change of use.

14.36 In order to protect the openness of the countryside, the use of existing buildings is preferred to the erection of new structures for equestrian purposes. Where this is not possible, the scale, siting and finish should be chosen to minimise visual impact and avoid prominent and isolated development. The

proposed development should not be of a degree of permanence that could be adapted for other use in the future. Consideration must also be given to the security and safety of the animals being kept upon the land. For commercial proposals (10 stables or more), the council will only grant consent where the manager or owner of the animals makes adequate provision for the security of the site.

Policy DM 39

Equestrian development

Proposals for domestic or commercial stables or associated equestrian development which meet the following criteria will be permitted:

1. The conversion of existing buildings would be used in preference to new built development
2. New stables and associated buildings would be grouped with existing buildings on the site wherever possible, and are not of a degree of permanence that could be adapted for other use in the future;
3. All new development is of a design which is sympathetic to its surroundings in terms of scale, materials, colour and details;
4. The proposal is accompanied by an integral landscaping scheme including boundary treatments which reflect the landscape character of the area;
5. The proposal contains an appropriately sited and designed area for the reception of soiled bedding materials and provision for foul and surface water drainage;
6. Adequate provision is made for the safety and comfort of horses in terms of size of accommodation and land for grazing and exercising;
7. The site would have easy access to bridleways and/or the countryside; and
8. For proposals of 10 stables or more, adequate provision is made for the security of the site in terms of the location of the proposed development in relation to the manager or owner of the animals.

Policy ID1 - Infrastructure delivery

Providing the infrastructure needed to support growth

15.1 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).

15.2 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.

15.3 The council has actively engaged with the main providers of infrastructure including parish councils at the Rural Service Centres and Larger Villages 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.

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

- d. Necessary to make the proposed development acceptable in planning terms;
- e. Directly related to the development; and
- f. Fairly and reasonably related in scale and kind to the proposed development.

15.5 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.

15.6 In Maidstone Borough, 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 ensure that essential infrastructure accompanies new development at all times.

15.7 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

15.8 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.

15.9 There is a trend towards greater home working which allows for a reduced impact on transport infrastructure. In order to facilitate this option, developers of new sites will be encouraged to install optic cables (or the latest technology infrastructure) to serve new occupants.

Community Infrastructure Levy (CIL)

15.10 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
-

15.11 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.

15.12 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
- Strategic open space requirements

15.13 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.

15.14 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.

15.15 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.

15.16 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.

15.17 Exceptionally, where developers face genuinely abnormal costs or for any other reason consider that paying the normal contribution towards infrastructure costs would seriously threaten the viability of a development, the council will be prepared to consider requests for a reduction subject to an "open book" approach being adopted.

15.18 Provision of affordable and local needs housing is dealt with in detail in policies DM22 and DM23 respectively.

Policy ID 1

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 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 developers consider that providing or contributing towards the infrastructure requirement would have serious implications for the viability of a development, the council will encourage an "open book" approach and, where necessary, will operate the policy flexibly.
4. 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

5. 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 Borough set out in the Infrastructure Delivery Plan. 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.

Policy ID2 - Electronic communications

15.19 Advanced, high quality communications infrastructure plays a key role in sustainable economic growth, and high speed communication networks, including broadband, are also an important element in the provision of local community facilities and services. The National Planning Policy Framework lends strong support to the expansion of electronic communication networks, including telecommunications and high speed broadband.

15.20 The council recognises the importance of such development and similarly adopts a positive approach to such development. New development (residential, employment and commercial) should provide ducting that is available for strategic fibre deployment. Other forms of infrastructure, such as facilities supporting mobile broadband and Wi-Fi, should be included where practicable.

15.21 Certain telecommunications developments do not require planning permission by virtue of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). However, local authorities are able to exercise some control over the siting and appearance of these developments. In these cases, and in the case of telecommunication developments subject to full planning control, the council will apply policy ID2.

15.22 In considering electronic communications development, the council will expect the operator to have regard to the Code of Best Practice on Mobile Network Development in England (published July 2013) or any subsequent best practice guide. Development should be sited, where possible, to minimise visual impact.

Policy ID 2**Electronic communications**

The council supports the expansion of electronic communications networks, including the provision of high speed broadband. Proposals for new masts and antennae by telecommunications and code systems operators will be permitted provided:

1. It has been demonstrated that mast or site sharing is not feasible and that the apparatus cannot be sited on an existing building or other appropriate structure that would provide a preferable environmental solution;
2. It has been demonstrated that an alternative, less environmentally harmful means of providing the same service is not feasible;
3. Every effort has been made to minimise the visual impact of the proposal;
4. Proposals adhere to current Government advice on the health effects of exposure to radio waves; and
5. Consideration has been given to the future demands of network development, including that of other operators.