

MAIDSTONE BOROUGH COUNCIL

CABINET

MONDAY 27 JANUARY 2014

REPORT OF HEAD OF PLANNING AND DEVELOPMENT

Report prepared by Michael Murphy

1. MAIDSTONE BOROUGH LOCAL PLAN PUBLIC CONSULTATION DRAFT – GROUP 3 POLICIES

1.1 Issue for Decision

- 1.1.1 To approve the third group of draft local plan policies for Maidstone Borough (attached at Appendix A). The policies will be incorporated in a full draft of the local plan to be published for Regulation 18 (Preparation) public consultation. This group of policies comprises two spatial policies which were withdrawn from the agenda at Cabinet in December 2013, a number of transport based development management policies, two park and ride site allocation policies and new policies addressing air quality and development on previously developed land.
- 1.1.2 The spatial policies SP3 (Rural Service Centres) and SP4 (Larger Villages – now called Larger Settlements) were considered by Scrutiny Committee in December 2013 where the Committee recommended that the policies should be withdrawn from the Cabinet agenda pending discussions with the parish councils on the methodology used in determining the designations.
- 1.1.3 Development management Policy DM12 (Sustainable Transport) was approved by Cabinet in March 2013 as an interim local plan policy but has been amended to ensure consistency with changes to the Integrated Transport Strategy. Development management policies DM14 (Public Transport) and DM15 (Park and Ride) were considered at Scrutiny Committee in August 2013. The park and ride allocations and development management policies addressing air quality and brownfield development have not been seen by Members previously.
- ##### **1.2 Recommendation of Head of Planning and Development**

1.2.1 That Cabinet approves the proposed policies and associated plans of the Maidstone Borough Local Plan (attached at Appendix A), and for public consultation purposes.

1.3 Reasons for Recommendation

1.3.1 The Cabinet report of 4 December 2013 explains that development management and spatial policies are being taken to Scrutiny Committee and Cabinet in three groups because of the number of policies that comprise the new local plan. The first and second groups of policies were approved by Cabinet on 22 October and 4 December 2013 respectively.

1.3.2 This report focuses on a third and final group of local plan policies before the local plan as a whole is brought to Scrutiny Committee and Cabinet in February 2014. The list of Group 3 policies is included in the table below.

Group 3 Policies	
Spatial Policies	
SP3	Rural Service Centres (<i>previously CS4</i>)
SP4	Larger Settlements
Development Management Policies (borough wide)	
DM1	Development on Brownfield Land
DM13	Sustainable Transport (<i>previously CS7</i>)
DM14	Public Transport
DM15	Park and Ride
DM16	Air Quality
Park and Ride Land Allocations	
PKR1(1)	Linton Crossroads
PKR1(2)	Old Sittingbourne Road

1.3.3 The group of policies above includes a mixture of Core Strategy policies which have been seen by Members before, some of which have since been amended for inclusion in the local plan, and a number of new local plan policies. The following paragraphs add some detail on the amendments made to existing policies, where relevant, and the content of the new policies.

1.3.4 SP3 & SP4 Rural Service Centre and Larger Settlements
 The Cabinet decision to withdraw spatial policies SP3 and SP4 from the draft plan followed a recommendation from Scrutiny Committee (2 December 2013) that officers meet with the parish councils and Ward Members for the settlements not previously designated in the settlement hierarchy for the borough, namely; Coxheath, Yalding, Boughton Monchelsea, Eyhorne Street (Hollingbourne) and Sutton

Valence. The purpose of the meetings was to discuss the methodology used in making the designations and to hear any concerns that the parish councils may have with the policies going forward.

- 1.3.5 The settlement hierarchy for Maidstone establishes the most sustainable locations in the borough. The town centre and urban area sit at the top of the hierarchy because this is where the infrastructure is best and where the majority of the borough's population is situated in closest proximity to a wide range of services and facilities. The edge of the urban area is considered the next most sustainable location because any additional population in these areas can easily access services and facilities in the urban area and can make best use of existing infrastructure, e.g. public transport.
- 1.3.6 Outside of the urban and edge of urban areas, the rural service centres (RSC) are considered the next most sustainable locations in the borough. The RSCs have more services and facilities, larger populations and better infrastructure than any other settlements in the borough. They serve their local communities and surrounding hinterland and are therefore considered more sustainable than the larger settlements, which are smaller in population and range of services, and tend to provide for the day-to-day needs of their local populations, therefore sitting below the RSCs in the settlement hierarchy.
- 1.3.7 Meetings have now taken place with the parish councils (and Ward Members) with respect to the Cabinet decision to withdraw policies SP3 and SP4, where officers have had the opportunity to better explain the need for a settlement hierarchy and the reasons why certain settlements are included in the hierarchy. Concerns were expressed by a number of the parish councils, which mainly focused on slight inaccuracies in the audit of services and facilities supporting the policies, and the perceived role the respective settlements play in the hierarchy.
- 1.3.8 Officers have given further consideration to the policies following the recent meetings and have decided to retain the designations as set out in the Scrutiny report of 2 December 2013. The settlements of Coxheath and Yalding are still considered suitable as rural service centres based on population, range of services and facilities, role of the settlement in serving a wider hinterland and potential to improve the range of services, facilities and infrastructure with respect to any future new development. However, Policy SP3 has been amended with respect to both settlements based on information received at the meetings. The amendments to the supporting text have focused on improving the accuracy of reporting on healthcare provision in Coxheath and highlighting the importance of flood mitigation in Yalding, particularly for the Syngenta site. The policy itself has been

strengthened to provide more clarity on the fact that new development will only be approved within the settlement boundaries once they are redrawn in the new local plan. This will ensure that coalescence of settlements cannot occur.

- 1.3.9 Policy SP4 remains unchanged. Boughton Monchelsea, Eyhorne Street (Hollingbourne) and Sutton Valence are considered suitable to include in the settlement hierarchy for the borough because each settlement has enough key services and facilities to support the day-to-day needs of its local population, and the population of these settlements is greater than a number of others with a similar level of services.
- 1.3.10 DM13 – Sustainable Transport (previously CS7 (2013))
Policy DM13 was approved as an interim local plan development management policy by Cabinet in March 2013. The policy is linked to the Integrated Transport Strategy (ITS), which supports the local plan with the aim of improving accessibility across the borough and to the town centre, in order to promote Maidstone as a regionally important transport hub. The supporting text and the policy have been further improved since Cabinet in March to add greater detail on air quality mitigation measures and adding a commitment to an enhanced public transport system which focuses on linkages to and from the town centre and to the rural service centres.
- 1.3.11 DM15 – Park and Ride Sites
Policy DM15 was approved by Cabinet for public consultation in August 2013 and sets the range of criteria that must be met if a new or replacement park and ride site is proposed. The only amendment to this policy is the inclusion of Linton Crossroads (to serve the A229 corridor) as a designated bus park and ride site along with the existing sites at Old Sittingbourne Road, Willington Street and London Road.
- 1.3.12 Linton Crossroads has been included in this policy based on transport modelling undertaken in 2011 and 2012, which has been used to support the ITS, part of the local plan evidence base. The evidence base shows that a site near Linton Crossroads is the most suitable location for park and ride to the south of the borough because it is at an appropriate distance from the town centre to intercept traffic movements early enough along the A229 corridor, and because the site would provide easy access to the identified catchment area, and particularly long stay commuters travelling to the town centre from the south of the borough. The ITS is the subject of a separate report on this Committee agenda.
- 1.3.13 The park and ride sites policy DM15 is supported by two park and ride site allocation policies, namely; the new site allocation at Linton Crossroads and an improved policy for the existing park and ride site at Old Sittingbourne Road (Eclipse Business Park) near the M20

junction 7. The "Eclipse" site is still considered the most appropriate site for park and ride to the north of the town based on the transport modelling and the fact that the site is already established and well integrated into the landscape in this location near the North Downs Area of Outstanding Natural Beauty. The policies include detailed criteria to mitigate for any adverse impacts the sites may have on the landscape or the surrounding highways network and to ensure that any proposals for these sites are designed to a high standard to make them as attractive as possible for commuters. Both park and ride site allocation policies are included as in Appendix A to this report.

1.3.14 Policy DM16 - Air Quality

This is a new policy that has been developed to address growing air quality issues in the borough and to complement the National Planning Policy Framework requirement for councils to sustain compliance with EU limit values and national objectives for pollutants. The council has a responsibility to work towards achieving these targets and does this through the Local Air Quality Management regime. Through this function the council has identified 6 areas currently exceeding EU guideline values and has an Air Quality Action Plan (AQAP) in place in order to identify measures aimed at reducing air pollution at these locations.

- 1.3.15 The supporting text to the Air Quality policy gives examples of appropriate mitigation measures for proposals that will affect air quality, and links the evaluation of air quality impacts to the principles set out in the AQAP. This is taken forward into the policy where mitigation measures are required which are locationally specific and proportionate to the likely impacts of any new development proposals.

1.3.16 Policy DM1 – Development on Brownfield Land

The council has been very successful in recent years in delivering development on brownfield land. A large proportion of brownfield sites in the urban area have been developed at high densities for housing, particularly in and adjacent to the town centre along the River Medway. This new policy sets to build on this success and responds to one of the core principles of the National Planning Policy Framework, which encourages the effective use of land by re-using land that has been previously developed, provided it is not of high environmental value.

- 1.3.17 Policies in the new Maidstone Borough Local Plan have been designed to avoid repetition, so the local plan should be read as a whole when determining planning applications. A table of all local plan policies is included at Appendix B. The draft local plan (including site allocations) will be presented to Cabinet, via Scrutiny Committee, in February 2014. This will give Members the opportunity to see the draft local plan as a single document and to see how a number of the policies are

interconnected. It is hoped that the document will be approved by Cabinet to go forward for Regulation 18 public consultation, which is currently scheduled to commence in March 2014.

1.4 Alternative Action and why not Recommended

1.4.1 The policies (attached at Appendix A as Group 3) could have been presented to Cabinet for approval as part of the new Maidstone Borough Local Plan as a whole. However, deliberation of these policies, some of which have not been seen by Members since October 2011, at this point offers the opportunity for early debate, and the chance to identify new local issues that have not been addressed through these and/or other policies that will be carried forward to the local plan. This is the final batch of policies that will be brought to Cabinet in advance of the whole local plan being brought for consideration and approval in February 2014.

1.5 Impact on Corporate Objectives

1.5.1 The new Maidstone Borough Local Plan covers the period 2011-2031 and will assist in delivering the spatial objectives of the Community Strategy and the Strategic Plan over the plan period. The local plan is linked to objectives set out in other Council documents, such as the Economic Development Strategy and the Housing Strategy. The local plan will support the council's priorities for Maidstone to have a growing economy and to be a decent place to live, and the consultation processes will strive to meet corporate and customer excellence.

1.6 Risk Management

1.6.1 The council still has a local planning policy framework that comprises adopted development plan documents and supplementary planning documents, endorsed guidance, and saved policies from the Maidstone Borough Wide Local Plan 2000. These policies are still relevant and carry weight in the decision making processes provided there is no conflict with the National Planning Policy Framework (NPPF).

1.6.2 However, the council has a duty to maintain an up-to-date policy framework, and current policies are increasingly becoming outdated or are in conflict with the NPPF. The policies that are the subject of this report, together with other policies of the Maidstone Borough Local Plan, will provide a robust framework for the development management process and will reduce the risk of inappropriate development.

1.7 Other Implications

1.7.1

1. Financial	
2. Staffing	
3. Legal	X
4. Equality Impact Needs Assessment	
5. Environmental/Sustainable Development	X
6. Community Safety	
7. Human Rights Act	
8. Procurement	
9. Asset Management	

1.7.2 Legal: Legal services offer advice on document content and processes to ensure the Maidstone Borough Local Plan is found sound at examination. A number of meetings have been held with Counsel and the Head of Legal Services. These services can be managed within the existing budget for local plan production.

1.7.3 Environmental/Sustainable Development: A sustainability appraisal, incorporating a strategic environmental assessment is required for all local plan policies¹, including site allocations. Consultants have been appointed to undertake this technical exercise, and costs can be managed within the existing budget for local plan production. The sustainability appraisal is an iterative process, and the policies that are the subject of this report have undergone initial appraisal and have been amendment as a result.

1.8 Relevant Documents

None.

1.8.1 Appendices

Appendix A: Draft Maidstone Borough Local Plan Policies 2013 – Group 3.

Appendix B: List of All Local Plan Policies

¹ **SEA Directive:** European Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'. Transposed into UK law via The Environmental Assessment of Plans and Programmes Regulations 2004.

1.8.2 Background Documents

None.

<u>IS THIS A KEY DECISION REPORT?</u>		<u>THIS BOX MUST BE COMPLETED</u>	
Yes	<input checked="checked" type="checkbox"/>	No	<input type="checkbox"/>
This is a Key Decision because it affects all wards and parishes.			
Wards/Parishes affected: All.			