

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING, TRANSPORT AND DEVELOPMENT OVERVIEW &  
SCRUTINY COMMITTEE**

**TUESDAY 19 AUGUST 2014**

**REPORT OF HEAD OF PLANNING AND DEVELOPMENT**

**Report prepared by Sue Whiteside**

**1. MAIDSTONE BOROUGH LOCAL PLAN - KEY ISSUES ARISING  
FROM PUBLIC CONSULTATION (REGULATION 18)**

1.1 Issue for Consideration

1.1.1 To note the key issues arising from representations on the draft Maidstone Borough Local Plan, submitted during public consultation (Regulation 18<sup>1</sup>) which ran from 21 March to 7 May 2014. The report focuses on comments made by the public on the overarching framework of the local plan, i.e. the spatial strategy, spatial policies, development management policies, and the delivery framework (summarised at Appendix A). Representations made in respect of land allocations will be the subject of a later report to this Committee.

1.2 Recommendation of Head of Planning and Development

1.2.1 That the Planning, Transport and Development Overview and Scrutiny Committee notes the key issues arising from representations submitted during the Maidstone Borough Local Plan Regulation 18 public consultation, attached at Appendix A to this report.

1.3 Reasons for Recommendation

1.3.1 Public consultation (Regulation 18) on the draft Maidstone Borough Local Plan ran from 21 March to 7 May 2014. The council received approximately 1,700 representations from individuals and organisations, who submitted comments across a wide range of issues. Additionally, six petitions were presented that contained a total of 10,700 signatures, bringing the total number of respondents to the local plan consultation to 12,400. All representations can be viewed in full through the council's comments handling portal at <http://maidstone-consult.limehouse.co.uk/portal>.

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<sup>1</sup> Town and Country Planning (Local Planning) (England) Regulations 2012

- 1.3.2 At the Committee's meeting on 9 June 2014, Members gave consideration to the feedback from the consultation events on the draft local plan. This report focuses on the key issues arising from the representations formally submitted during the consultation period. In particular, the report highlights comments made on the spatial strategy (SS1), spatial policies (SP1 to SP5), development management policies (DM1 to DM41) and the delivery framework (ID1 to ID2). A summary of the key issues is attached at Appendix A.
- 1.3.3 Representations on land allocations will form part of the assessment of new draft allocations and the review of existing draft allocations, and the results of this exercise will be presented to the Committee at its meeting on 20 January 2015. A report on the representations received during the consultation on the Preliminary Draft Charging Schedule for the Community Infrastructure Levy, which ran alongside the local plan consultation, will be presented to the Committee at its meeting on 16 September 2014.
- 1.3.4 **Neighbourhood Plans** - A key theme running through the representations is the need to highlight the importance of neighbourhood plans<sup>2</sup>, and how they can shape the local plan. Respondents point out that the local plan gives only brief reference to their status. Respondents are also asking that the local plan has greater regard to emerging neighbourhood plans.
- 1.3.5 **SS1 Spatial strategy** – Respondents have challenged the methodology behind the objectively assessed need of 19,600 homes for the borough set out in the Strategic Housing Market Assessment (SHMA), and objectors suggest various figures ranging from 11,000 to 15,500 homes<sup>3</sup>. Respondents are also challenging the scale of proposed housing development in the draft local plan and the spatial distribution of development. There are concerns over the provision of adequate infrastructure to support development and the impact of development on the countryside. Further questions have been raised over the balance of housing and employment and the need for more employment sites at rural service centres and motorway junctions but, conversely, there are objections to development at junction 7.
- 1.3.6 **SP3 Rural service centres** – There is a call for **Harrietsham** to be designated a larger village due to the lack of services and employment opportunities. There are concerns over the scale of proposed development, poor public transport links, a lack of infrastructure, and highway safety. At **Headcorn** some respondents feel the village should not be classified as a rural service centre, and the proposed dwelling numbers are too high. It is stated that there is a lack of

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<sup>2</sup> Once adopted, neighbourhood plans become part of the council's development plan

<sup>3</sup> Following further data releases for sub national population projections, a report on the SHMA review is attached to this agenda

infrastructure, insufficient employment to support growth, increased flood risk from development, loss of agricultural land; and an adverse impact of development on congestion, village character, the local landscape and ecology.

- 1.3.7 There is some support for **Lenham** as a rural service centre but also objections to Lenham taking additional development. Concerns include a lack of infrastructure, impact of development on highway capacity and safety, loss of open space, and impact on village character and built heritage. There are objections to **Marden** being classified a rural service centre where it is considered the dwelling numbers are too high. Respondents feel Marden has a lack of infrastructure, and that development will have an adverse impact on village character, flood risk, the countryside, traffic and pollution. Again, respondents at **Staplehurst** feel the village should not be classified a rural service centre. The dwelling numbers are considered too high, there is a lack of infrastructure, and poor public transport. Development will have an adverse impact on congestion, highway and pedestrian safety, pollution and village character. Of concern is the impact on the Low Weald landscape character area and the countryside in general.
- 1.3.8 **SP4 Larger villages** – In general, there is some support for this tier in the settlement hierarchy. Respondents call for the deletion of **Boughton Monchelsea** as a larger village or a reduction in the number of dwellings proposed, but there is some support for its status. There are concerns around the impact of development on congestion, and highway and pedestrian safety. Respondents considered that there are poor transport links to the town centre and a lack of infrastructure generally. Respondents are concerned about the loss of landscape, the impact of development on the countryside, and the coalescence of Boughton Monchelsea with surrounding villages. Some respondents call for the deletion of **Coxheath** as a larger village, whilst others believe the village should be reinstated as a rural service centre. It is contested that the amount of development proposed cannot be considered “limited” which is the criteria for a larger village. Concerns include impact on congestion, highway and pedestrian safety, and air quality. There is a view that there is a lack of infrastructure in the village, and that development will have an adverse impact on greenfield land, Grade 2 agricultural land, wildlife and habitats. Concerns additionally include the impact on quality of life, village character, and coalescence with surrounding villages.
- 1.3.9 There is support for **Eyhorne Street** as a larger village. Respondents call for the deletion of **Sutton Valence** as a larger village but there is also some support for its status. Concerns include a lack of infrastructure, highway limitations, and pedestrian safety. The village is adjacent to the Greensand Ridge where protective policies apply. Again, there is a call for the deletion of **Yalding** as a larger village, but

also some support for its status. Concerns include a lack of infrastructure, increased traffic congestion, and impact on highway safety, noise and air pollution. It is argued that rail services are remote and bridges are inadequate for growth. Other views include the need for a new cycle route that would benefit commuting to Maidstone and Tonbridge. Respondents consider that development would have an adverse impact on increased flood risk, the countryside and village character.

1.3.10 Under policy SP4, there is also a call to create a further tier of smaller villages in the settlement hierarchy, in order to address the under provision of housing land, to address rural decline, and to support local facilities. Villages named include Hunton, East Farleigh, Langley, Chart Sutton and Laddingford. There are also suggestions that more development should be redirected towards villages closer to the motorway.

1.3.11 **DM2 Sustainable design standards** – Some respondents are questioning whether this policy will continue to have any purpose in future iterations of the plan<sup>4</sup>.

1.3.12 **DM3 Renewable and low carbon energy schemes<sup>5</sup>** – Respondents object to the policy on the basis that the use of alternative land to best and most versatile agricultural land was not explored sufficiently. In essence, respondents want the policy to more closely follow government guidelines.

1.3.13 **DM13 Sustainable transport** – There was a cross section of comments submitted on the transport policy. A variety of respondents suggest alternative congestion solutions: the need for a Leeds-Langley bypass, or a monorail service, or a High Speed railway station, or the need for improved rural bus services or cycle routes. There are challenges to the evidence behind the Integrated Transport Strategy and objection to Linton Crossroads as a new park and ride site (although limited support under policy DM15). There is opposition to bus lanes and bus priority measures and a call for additional parking in the town centre. There is support for the production of a Parking Standards Supplementary Planning Document. Comments include references to the impact of HGVs, and air quality remains a concern (policy DM16).

1.3.14 **DM17 Economic development** – There is general support for the policy, but a call for the inclusion of Detling Aerodrome Industrial Estate and land at Junction 8 of the M20 motorway. Respondents feel

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<sup>4</sup> The government has indicated that standards will be incorporated into Building Regulations in due course.

<sup>5</sup> Further guidance has been issued regarding these types of schemes, and a recent refusal was upheld in Swale APP/V2255/A/14/2212592

the policy should allow for the use of sites at motorway junctions as this meets known demand and makes best use of road infrastructure.

- 1.3.15 **DM18 Retention of employment sites** – There is general support for the policy and the inclusion of Eclipse Park. Respondents would like to see a number of other sites included in the policy, namely Detling Aerodrome Industrial Estate, Bredhurst Business Park (Westfield Sole Road), Springfield Mill, the Maidstone East Station/Sorting Office, and Brooklyn Park. There is a call to retain Invicta Barracks for employment use.
- 1.3.16 **DM19 Town centre uses** – There is general support for the policy but some respondents feel there is a lack of evidence to support the assertion that the Maidstone East/Sorting office site can deliver retail development. It is stated that there is a failure to carry out an NPPF/NPPG compliant assessment of whether retail needs exceed available sites.
- 1.3.17 **DM23 Housing Mix** – The importance of older persons needs was raised, which the policy should seek to address with specific mention of the provision of bungalows. Respondents thought that the policy did not provide enough guidance for developers, and there were concerns over the housing mix becoming unbalanced.
- 1.3.18 **DM24 Affordable housing** – A number of respondents proposed amendments to the delivery of affordable housing and there were calls to assess requirements on a site specific basis. There is a feeling that the percentage figures are too complex and should be amended, and the policy should adopt a more flexible approach. Respondents suggested that the tenure breakdown should be more even in order to address local needs.
- 1.3.19 **DM25 Local needs housing** – The majority of respondents were supportive of this policy, but general comments sought an extension of the policy to encourage self-build, highlighted the need to recognise the local needs of each age group with consideration for the provision of housing for an ageing population, and sought due regard to the recommendations of the Integrated Transport Strategy. There was concern that the policy criteria are contradictory to meeting local needs. Respondents felt that it was important for housing mix and tenure to be progressed on a site specific basis, responding to local need and aspirations.
- 1.3.20 **DM26 Gypsy, Traveller and Travelling Showpeople accommodation** – Respondents feel there are enough sites to accommodate the need for pitches and plots at present, and that future proposals should consider existing residents. Concerns include the loss of greenfield sites, and the impact of development on the

countryside and the AONB. Respondents considered that the policy needs to be stronger in encouraging sites to be spread more evenly across the borough to avoid a concentration of sites. Respondents also felt the policy should ensure that wastewater infrastructure is provided in parallel with development, and that development is adequately separated from such treatment works and pumping stations. There were concerns as to whether the policy criteria, which will guide the determination of applications, would stand up to scrutiny at appeal.

**1.3.21 ID1 Infrastructure delivery** – There is disagreement that parishes have been adequately consulted on infrastructure delivery needs in their areas. Concerns include insufficient developer contributions to fund the broad range of infrastructure necessary to support development. Respondents would like to see adequate drainage for surface and foul water in place prior to development commencing. Some respondents feel the list of priorities is inappropriate as one size cannot fit all. Others consider transport or flood defences should be the first priority, above affordable housing. There is also a call to give education, libraries and social services higher priority. Others felt pump priming for new bus services to serve new development should be addressed.

**1.3.22** The Maidstone Borough Local Plan evidence base is being supplemented to respond to some of the issues raised by respondents and to ensure that it is up-to-date and robust enough to support the plan at examination. This includes work on transport modelling, the Strategic Housing Market Assessment, Employment Land Study, landscape capacity, and agricultural land classification. The Green and Blue Infrastructure Strategy is being prepared alongside the local plan, and the Infrastructure Delivery Plan will be updated as the local plan progresses.

**1.3.23** Officer responses to the representations, together with recommendations to amend policies, will be presented in a series of reports in accordance with the Committee's work programme, in advance of Cabinet approval. The first batch of responses for all of the development management policies will be presented to the Committee at its meeting on 16 December 2014.

**1.3.24** Around 100 new sites have been submitted through the second call for sites for the Strategic Housing Land Availability Assessment (SHLAA). The sites are being assessed to the same standard as current SHLAA sites, including consultation with the infrastructure providers. On 20 January 2015 the Committee will consider recommendations for new allocations, and potentially the deletion or amendment of allocations proposed in the draft local plan in the light of the consultation responses and/or updated evidence. The impact on the spatial

strategy will be considered in parallel. Amended and/or new allocations will be subject to a further focused round of consultation (Regulation 18) in February/March 2015. As a result, the next stage of public consultation on the entire local plan (Regulation 19) would likely commence in July 2015.

- 1.3.25 Following the January decision, a new Local Development Scheme will be prepared but, in the interim, the council's website will be updated to ensure that Members, parish councils, the neighbourhood forum, the public and the development industry are aware of the current position for the local plan programme. It is important that plan makers and communities understand when there will be additional consultation offering further opportunity to comment on and shape the local plan.

<b>Plan making stage</b>	<b>Interim draft dates</b>
Focused public consultation (Regulation 18) for new and amended site allocations	February/March 2015
Maidstone Borough Local Plan - Publication consultation (Regulation 19)	July/August 2015
Submission of the Maidstone Borough Local Plan to the Secretary of State for Communities and Local Government	November 2015
Examination into the Maidstone Borough Local Plan	February 2016
Adoption of the Maidstone Borough local Plan	July 2016

#### 1.4 Alternative Action and why not Recommended

- 1.4.1 This is an information report for the Committee so there is no alternative action.

#### 1.5 Impact on Corporate Objectives

- 1.5.1 The Maidstone Borough Local Plan consultation impacted on all three corporate objectives as set out in the Strategic Plan 2011-15.
- 1.5.2 **For Maidstone to have a growing economy** – residents, businesses and stakeholders have had an opportunity to comment on how best to achieve a growing economy in the borough.
- 1.5.3 **For Maidstone to be a decent place to live** – residents, businesses and stakeholders have had an opportunity to comment on the policies that will shape how the borough will grow between now and 2031.
- 1.5.4 **Corporate and customer excellence** – The Maidstone Borough Local Plan consultation focused on reaching residents, businesses and stakeholders in a cost effective manner, and consultation was

undertaken in accordance with the adopted Statement of Community Involvement.

## 1.6 Risk Management

1.6.1 There are no specific risks arising from this information report, but it is important to highlight the fact that the council still has a local planning policy framework. The framework 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 Nonetheless, 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. It is important to maintain the momentum for the production of the Maidstone Borough Local Plan, based on sound evidence, whilst ensuring that the public are given every opportunity to comment at appropriate stages of plan preparation and for their comments to help to shape the plan.

## 1.7 Other Implications

### 1.7.1

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

1.7.2 **Staffing** – The Spatial Policy team has dedicated its time to uploading consultation representations to its comments handling portal, and to validating and summarising the comments with the assistance of

officers across other departments. This has been a time consuming exercise due to the number of representations received and the volume of supporting information. The Spatial Policy team has experienced some staff turnover, and one officer is on long term sick leave. Officers have been appointed to all vacant positions, including a secondment from Development Management for 18 months, so the team will be at full strength by late September. Resources will need to be kept under review to ensure that the representations are considered and recommendations made in accordance with the Committee's work programme.

1.8 Relevant Documents

All representations can be viewed and downloaded from the comments handling portal at <http://maidstone-consult.limehouse.co.uk/portal>

1.8.1 Appendices

Appendix A: Maidstone Borough Local Plan Key Issues arising from Public Consultation (Regulation 18)

1.8.2 Background Documents

None

<b><u>IS THIS A KEY DECISION REPORT?</u></b>		<b><u>THIS BOX MUST BE COMPLETED</u></b>	
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If yes, this is a Key Decision because: .....			
.....			
Wards/Parishes affected: .....			
.....			