

**Maidstone Borough Council Local Plan  
Review: Regulation 18b Preferred Approach  
(December 2020)**

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## Foreword

Welcome to Maidstone Borough Council's Local Plan Review – Consultation Draft. This review comes during strange and challenging times, as we battle with a global pandemic, prepare for the UK's withdrawal from the European Union and, from a purely spatial planning perspective, await the outcomes from current government consultation around fundamental changes to the English planning system.

Notwithstanding these wider challenges, there are good reasons why we must continue to progress our local plan review. Not least the need to ensure that we remain in control of where development takes place in our borough and avoid a situation where our planning decisions are taken by Government Inspectors. Equally it will ensure that where development does take place, we can make sure that it brings with it the jobs and infrastructure necessary to maintain balance in our economy and our communities. In addition, we have accelerated the timeline for this review in order to try and delay the impact of a proposed increase in government housing targets, and ensure that if these higher numbers do come, we have delayed them to give sufficient time to plan properly and positively.

Having talked about challenges, this review has of course brought its own. We are very aware that new development impacts existing communities and places additional pressure upon our services and our infrastructure. So, this consultation document, which covers the period from 2022 to 2037, sets out the spatial strategy and supporting policies which we think will best enable us to meet the housing and other development pressures we face, in the most sustainable pattern and in a manner which will maximise our existing infrastructure and, where this is not possible, enable us to provide new infrastructure.

Our housing targets are stipulated by government and we have no control over these. Our current housing target is 883 units per year, the target contained within this document is 1214 units per year and, had we waited for the proposed increase in the target to take effect, the number we would have to plan for would have risen from 883 to 1569, almost 80%, in this plan period.

From an employment perspective, we must prepare for the uncertainties that will exist post Covid19 and post Brexit. What we know, is that the areas which

fare best in difficult economic times, are those which offer the maximum choice and flexibility to those wishing to invest or to reinvest in employment creating activities. For this reason, our approach at this stage, is one of providing beyond technical targets for employment land provision – and even then, we will need to keep this under regular review.

Our town centre sits at the heart of our borough and our communities. We must also try to ensure that it also remains at the heart of our economy and that despite current circumstances we equip it properly for its ongoing role as the County Town of Kent. For this reason, this document proposes that Maidstone's town centre will be the subject of an associated but separate Development Plan Document. This Town Centre Action Plan will look at how, over the period up to 2050, we can transform our town with a programme of new investment in high added value jobs, an improved retail, leisure and cultural offer, new community, health and education infrastructure and new and enhanced green spaces and river frontages.

It is neither possible or appropriate to summarise a document of this scale, particularly one which potentially influences so many facets of our urban and rural environments on a day to day basis, in a short foreword. My key message must be that these are our thoughts – now we want to hear yours.

# 1.Introduction

## How to Comment

**1.1 We welcome your comments on the approaches set out in this document. To aid efficient analysis, please use the proforma that accompanies this document [TO BE ATTACHED AFTER SPI COMMITTEE], although comments that do not use the proforma will still be accepted. The consultation runs from 1<sup>st</sup> December 2020 and finishes at 5pm on the 22<sup>nd</sup> December 2020.**

## About this Consultation

1.2 This document is the second public consultation on the review of the adopted Local Plan 2017. The first consultation took place in 2019 and was entitled ‘Scoping, Themes and Issues’. Since then, a great deal of additional work has been undertaken and Maidstone Borough Council is now in a position to consult on our preferred approaches to the policy areas that we propose to include in the review document. This also includes, reasonable alternative approaches, where appropriate. These are not final policies - the work, including evidence gathering, is still ongoing and this consultation provides an opportunity to influence the approaches we intend to take, before Maidstone Borough Council undertakes a public consultation on the draft Local Plan Review (LPR) documents. This is scheduled to take place in June 2021.

1.3 This consultation is aimed at a range of stakeholders, from the local community, through to landowners, developers, businesses, statutory undertakers and neighbouring local authorities.

1.4 All policies from the adopted Local Plan 2017 have been reviewed and you will see that the structure of the main chapters of this consultation document reflects the structure of the adopted Local Plan 2017. Some of the adopted Local Plan 2017 policies are still necessary and will be retained. Others need modification and others are no longer needed. There are also new policy approaches proposed in this document that did not feature in the adopted Local Plan 2017. This consultation is therefore an opportunity to comment on vision and objectives and the amount and location of growth (including housing, employment and retail) that is proposed in the Borough between 2022 and 2037. The document also seeks to address the need for infrastructure, services and facilities that both existing and new communities will need to ensure balanced growth and a healthy, prosperous, sustainable borough.

1.5 The latter parts of the consultation document also provide an opportunity to comment on approaches to more detailed, non-strategic policies that are primarily used to assess planning applications.

1.6 The LPR sets out to meet the growth identified in the supporting evidence base over the plan period (2022-2037). This has indicated a proposed overall growth as follows:

<b>Identified growth needs (2022-2037)</b>
Residential (dwellings) – 18,210
Employment (m2) – 101,555m2

1.7 For residential growth there is an increase of 5,790 new units from 2022 to 2037. For employment, the need is reset and not additional to that already identified. As this is a LPR the growth outlined above is split between saved existing undeveloped allocations from the Local Plan 2017 and new allocations proposed here in this consultation. The proposed split between existing and new allocations is as follows:

<b>Undeveloped Local Plan 2017 allocations/broad locations</b>	<b>New LPR proposed allocations</b>
Residential: 3,372	Residential: 5,883
Employment: 61,300 m2	Employment: 167,349 m2

1.8 A summary of the additional growth to that remaining in the Local Plan 2017 is outlined in table 1 below. This does not include LPRSA Emp 1, as this is to be defined through the development management process. It sets out the broad areas and the quantum for employment and residential growth across the Borough.

<b>Growth Location</b>	<b>Residential units</b>	<b>Employment m<sup>2</sup></b>	<b>Town centre m<sup>2</sup></b>
Smaller Settlements	279	-	-
TC Regeneration	700	532	265
Garden Settlements	2,700	-	-
Maidstone Urban Area	182	-	-
Edge of Maidstone (N)	84	-	-
Edge of Maidstone (SW)	250	-	-
Edge of Maidstone (S/SE)	658	-	-
Edge of Maidstone (NE)	92	-	-
Harrietsham	100	-	-
Headcorn	127	-	-
Lenham	-	3,296	-
Marden	113	-	-
Staplehurst	127	-	-
Boughton Monchelsea	42	-	-
Coxheath	100	-	-
Eyhorne St (H'bourne)	11	-	-

<b>Growth Location</b>	<b>Residential units</b>	<b>Employment m<sup>2</sup></b>	<b>Town centre m<sup>2</sup></b>
Sutton Valence	100	375	413
Yalding	100	-	-
the Countryside	25	41,023	-

1.9 The preferred approach for growth as set out above is felt to be sustainable. It is felt that by the allocation of growth to the existing centres in the Borough and developing new centres, that would be able to be independently sustainable, the growth pattern is sustainable. In addition, the growth pattern identified would ensure deliverability as it is a balanced approach across the Borough and ensure that the benefits of growth emerge in a timely manner.

## **Background to this Consultation**

1.10 The review of the adopted Local Plan 2017 is set within a framework that applies across England and is controlled by the government. This includes the overall matters that Local Plans have regard to, as well as the overall process for producing Local Plans and their reviews.

1.11 One of the matters that is now set by the government is the amount of housing need that the Council must plan to provide for in this review. This figure is 1214 units per annum from 2022, a rise from 883 units per annum planned for in the adopted Local Plan 2017. The figure is derived from a standard methodology that the government applies across England.

1.12 The scale of housing growth that the borough is required to meet has been, and will continue to be, challenging. The spatial strategy proposals contained in this consultation document result from very detailed work following the Council's Call for Sites exercise in 2019, which has included 2 stages of independent assessment by consultants commissioned to evaluate a range of 'garden settlement' scale submissions. The strategy which has emerged from this work, comprises 2 large scale mixed use proposals located in the north west and east of Maidstone, along with a pattern of growth dispersed sustainably amongst the town centre and the urban area, rural settlement centres and larger and smaller villages.

1.13 Recently, the government consulted on changes to the standard methodology, (the formula used to calculate house building targets) which, if adopted, would see Maidstone's housing need figure significantly increase further, to 1569 units per annum. In an effort to take advantage of the transition period proposed by the government, Maidstone Borough Council has brought forward its timetable for producing this review of the adopted Local Plan 2017, including undertaking this consultation on a three-week basis and bringing forward the next public consultation on the draft LPR documents from December 2021 to June 2021. A revised Local Development Scheme and Statement of Community Involvement have been published by the Council and a Covid 19

addendum to the Statement of Community Involvement is also in effect. All documents are available on the Council's LPR website -

<https://localplan.maidstone.gov.uk/home/local-plan-review>

1.14 From an employment perspective, the LPR is being undertaken in quite unprecedented times, with the impacts of an ongoing world-wide pandemic and the United Kingdom's withdrawal from the European Union as yet unknown. For this reason, the approach proposed in this document is based upon a level of over provision in order to maintain the widest and most flexible employment land offer possible as a mechanism to ensure that Maidstone can compete effectively for both investment and reinvestment.

1.15 The document recognises the important role of Maidstone Town Centre, the County Town of Kent and the most sustainable location in the borough. The role of the Town Centre going forward will become increasingly important both locally and sub regionally as a focus for inward investment and growth, and for this reason, will be the subject of a Development Plan Document prepared alongside the LPR. This 'Town Centre Plan' will promote growth in employment, leisure, culture, and housing in a manner underpinned by high levels of community, health and education infrastructure – all of which will be structured around the role of the Town Centre as an exemplar of sustainable development and sustainable living.

## **2.Introduction to the Maidstone Borough Local Plan Review**

2.1 This chapter provides useful background information regarding the LPR and this Preferred Approaches consultation document. It therefore has regard to the English planning system and the current planning documents that apply in Maidstone Borough. There is also information on the nature of the LPR, as well as the stage that the review has reached.

### **Background to the Local Plan**

2.2 Maidstone Borough Council's (MBC's) activities impact on the lives of people living and working in the borough in a variety of ways. From collecting refuse from homes and businesses, keeping our public open spaces clean, tidy and fit for purpose, actively intervening to make the borough 'open for business', managing the housing register and finding safe places to live for those in greatest housing need, all the way to managing the elections in the borough, the council's responsibilities and activities are diverse.

2.3 This responsibility is reflected in MBC's recently adopted Strategic Plan, which highlights our responsibility "to make every effort to deliver its services and produce cohesive plans for – economic, environmental, social and cultural prosperity. We have stewardship of our future and it is important that we get it right.

2.4 One part of MBC 's statutory responsibilities is as the *Local Planning Authority*. This means the council has a statutory responsibility for determining planning applications and is responsible for preparing and maintaining a *Local Plan* for the borough.

2.5 The Maidstone Borough Local Plan (MBLP) was adopted in October 2017 and covers the period to 2031, anticipating and planning for the new homes, business premises, shops and infrastructure needed over the Plan period.

2.6 This consultation document is part of the preparation of the LPR. It is intended for the LPR to eventually update the current Local Plan, whilst 'saving' relevant policies contained within it, and ensuring that it is in line with the latest national planning requirements, including extending the plan period to 2037.

2.7 The Local Plan forms part of the overall Development Plan for the borough. These key concepts are explained below.

### **National Planning System Context**

2.8 The ongoing review of the adopted Local Plan 2017 is set within a framework that applies across England and is controlled by the government. This includes the overall matters that Local Plans have regard to, as well as the overall process for producing Local Plans and their reviews.

2.9 One of the key documents that the government produces that sets out its expectations regarding the content and production of Local Plans is the National Planning Policy Framework (with accompanying National Planning Policy Guidance). Reference is made throughout this consultation document to the National Planning Policy Framework (NPPF) because of this.

2.10 The statutory regulations for what a Local Plan should contain, and how it should be prepared are set out in the Planning and Compulsory Purchase Act 2004 (as amended), the Localism Act 2011 (as amended) and the Town and Country Planning Local Planning (England) Regs 2012 (as amended). Together these Acts and Regulations establish the requirement for a Development Plan to be maintained for each constituent part of England.

2.11 The purpose of the planning system is to achieve sustainable development to the greatest extent possible. Sustainability has three dimensions; economic – helping to build a strong, responsive and competitive economy; social – supporting strong, vibrant and healthy communities; and environmental – contributing to the protection and enhancement of the natural, built and historic environment and taking a proactive approach to climate change. These aspects can sometimes compete with one another and the LPR will aim to strike a successful balance between the three. A key way this will be considered is through the parallel process of Sustainability Assessment (incorporating Strategic Environmental Assessment), which is detailed later in this chapter.

2.12 An important component of the Government's ethos is that the development that the country needs – new homes, new commercial premises, community facilities and the associated infrastructure - should be planned. The way to do this is to have a Local Plan in place which anticipates the development required and puts the planning arrangements in place to make it happen in a sustainable way.

## **What is the Development Plan?**

2.13 The *Development Plan* is the collective term for the primary documents which are used in planning application decisions.

2.14 Currently the Maidstone Development Plan comprises the adopted Maidstone Borough Local Plan (2017), the adopted Kent Minerals & Waste Local Plan (2013-30) as amended by Early Partial Review (2020), Kent Minerals Sites Plan (2020), the North Loose Neighbourhood Plan (2016) and the Staplehurst Neighbourhood Plan (updated 2020), Loose Neighbourhood Plan (2019) and Marden Neighbourhood Plan (2020). Once the LPR is adopted, it will supersede elements of the adopted Maidstone Borough Local Plan.



2.15 The above diagram illustrates the relationships between the national and local planning documents that apply in the borough.

## Content of the Maidstone Borough Local Plan

2.16 A Local Plan is a document produced by councils across the country which guides the way new development will happen over the coming years. It provides the key framework for future decisions on planning applications. It sets out how much new development is needed, where it should be built and what supporting infrastructure such as roads, schools and health centres should be provided. It also guides the quality of development. It can be thought of as a blueprint for the future growth of the borough. It is relevant for anyone interested in the future success of the borough - residents, workers, businesses, landowners, developers, and infrastructure providers.

2.17 The content required to be covered in a Local Plan are primarily set out in the NPPF and National Planning Practice Guidance (NPPG). Together, these establish the matters that the Local Plan must cover, as well as in part setting how policy approaches must address the matters identified in the Framework. There is still room for local issues and approaches to be identified, subject to the Local Plan policies conforming with the overall NPPF & NPPG framework.

2.18 We must also prepare the plan within the legal framework that national (and European) legislation creates.

2.19 The NPPF sets out that Local Plans should include strategic policies, which address the key strategic issues for the borough, as well as policies which will help to inform decision making on planning applications. The strategic policies of the LPR will need to:

“...set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

- a) housing (including affordable housing), employment, retail, leisure and other commercial development;
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- c) community facilities (such as health, education and cultural infrastructure); and d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation”

2.20 Maidstone’s Local Plan is therefore not concerned simply with new development. The planning policies and designations it contains also help to protect what is most valued in the borough – landscapes, historic buildings, wildlife habitats – by ensuring that new development is directed away from the locations that are the most sensitive and new development is planned in a way which enhances the overall quality of the borough. Its policies and proposals also have the potential to positively affect communities by adding social value and take a proactive approach to climate change.

2.21 There is already a Local Plan in place for this borough. The Maidstone Borough Local Plan was ‘adopted’ (finished) in October 2017 and it looks ahead to 2031 from an original start date of 2011, anticipating and planning for the new homes, business premises, shops and infrastructure needed over the coming years.

2.22 There are four types of policies in the adopted Local Plan (highlighted in bold below), 168 policies in all which are set out over nine chapters:

- a. Introduction to Maidstone Borough Local Plan
- b. Key Influences – including national policy and guidance, and other complementary plans and strategies.
- c. Spatial Portrait – setting out the Vision and Objectives for the Plan
- d. **Strategic Policies** (31) – identifying the Spatial Strategy of where growth will go, setting strategic policy for the larger settlements in the borough, and policies managing strategic cross-borough issues including housing mix, economic development, sustainable transport and development in the countryside.
- e. **Strategic Site Policies** (95) – identifying sites which will deliver the homes that Maidstone required to meet local need (66), detailed policies for broad locations for housing growth (3), detailed site allocations policies for Gypsy

- & traveller accommodation (16), detailed site allocation policies for retail and mixed use (6), and detailed site allocation policies for employment (4).
- f. **Development Management Policies (26)** – setting out how planning applications will be determined on local matters including management of the natural environment, design and density, and management of open spaces.
- g. Development Management Policies for the town centre (3);
- h. Development Management Policies in the countryside (12);
- i. **Monitoring & Review Policy (1)**

## Neighbourhood Plans

2.23 Neighbourhood plans are a way that local communities can influence the planning of the area in which they live and work. Parish councils and designated neighbourhood forums can prepare plans for their designated neighbourhood areas.

2.24 Neighbourhood planning is very active in Maidstone, and the council takes a positive approach to its duty to assist, confirmed by the Council’s Strategic Plan which commits MBC to “working with parishes and community groups on neighbourhood plans.”

2.25 Four plans have already been completed (‘made’): the North Loose Neighbourhood Plan 2015-2031 (2016); Loose Neighbourhood Plan 2018-2031 (2019); Marden Neighbourhood Plan 2017-2031 (2020) and the Staplehurst Neighbourhood Plan 2016-2031 (updated 2020). At the time of writing, an additional six plans are in preparation:

- Lenham Neighbourhood Plan, which is allocating land to house 1,000 homes in accordance with the area’s ‘broad location’ status, completed a successful examination and will be subject to local referendum post May 2021 when referendums resume following suspension due to Covid-19;
- Boughton Monchelsea Neighbourhood Plan has completed both Regulation 14 and 16 consultations and was submitted for examination in October 2020.
- Otham Neighbourhood Plan has completed Regulation 14 consultation and will be subject to Regulation 16 consultation between October and November 2020.
- Sutton Valence, Tovil and Yalding Neighbourhood Plans are at various stages of progression towards publication for public consultation.

2.26 A further six parishes are designated neighbourhood areas, a first step to producing neighbourhood plans in the future.

2.27 The Government requires neighbourhood plans to conform to national policies and be in general conformity with the strategic policies of the adopted Local Plan. The draft plan must be examined by an independent Examiner and pass a local referendum where more than half of those voting in the referendum have voted in favour of the plan being used to inform planning applications in the area. The plan moves forward to being made (adopted) by the Borough Council and becomes part of the Development Plan for the area.

2.28 Neighbourhood plans can allocate sites for development, including for housing, over and above the sites allocated in an adopted Local Plan. Similarly, the LPR may need to allocate sites in addition to those included in a neighbourhood plan, to ensure that the new borough-wide growth targets are met in full.

2.29 Neighbourhood Plans and Local Plans should be complementary and avoid any conflict between policies or land allocations. The LPR will need to take into account the policies of made neighbourhood plans. Where neighbourhood plans are emerging alongside the review, the parish councils and MBC will need to work together to minimise any potential conflicts. In the case where there is a conflict, emerging neighbourhood plans will need to be in general conformity with the strategic policies of Maidstone's adopted Local Plan and then also with the strategic policies contained in the LPR once adopted. Government legislation requires that where non-strategic policies in neighbourhood plans and local plans overlap, the last document to become part of the Development Plan has primacy.

## Planning Guidance

2.30 In addition to the policy documents above, the Council also publishes guidance documents which help to implement the Development Plan. At the current time these consist of:

- Affordable and Local Needs Housing (SPD) 2020
- Kent Design Guide (2005)
- Kent & Medway Structure Plan 2006: SPG4 Vehicle Parking Standards
- Kent Design Guide Review: Interim Guidance Note 3-Residential Parking
- London Road Character Area Assessment SPD (2008)
- Loose Road Character Area Assessment SPD (2008)
- Domestic and Medium Scale Solar PV Arrays (up to 50KW) and Solar Thermal (2014)
- Large Scale (>50KW) Solar PV Arrays (2014)
- Kent Downs AONB Management Plan 2014-2019 (Second Revision)

## Why are we reviewing the Local Plan?

2.31 A LPR is a process where a local authority will assess its present Local Plan to understand if any part of it needs to be updated. It is a process set out in national policy.<sup>1</sup>

2.32 The positive decision to prepare a LPR demonstrates the council's commitment to take active control over the borough's future growth. Through the review, we will locally shape, inform and make decisions about the locations for new development. This will also help avoid 'planning by appeal' in the future. In the worst case, authorities which do not make sufficient progress preparing a local plan risk having the plan prepared for them by central government.

2.33 At present Maidstone Borough Council is **reviewing** the adopted Local Plan (2011-2031). This consultation is part of that review process. The LPR is not a completely new plan. Some aspects of the current plan will not need to be updated or changed and will be carried

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<sup>1</sup> Paragraph 33, *National Planning Policy Framework* (2019)

forward into the new Local Plan. However, other aspects will change, due to changing requirements contained within national planning policy or other significant changes in local circumstances, for example. The development strategy of the adopted Local Plan will continue to be delivered up to 2031

2.34 Local Plans are required to be reviewed every five years. Another requirement is to extend the number of years that the plan covers - to 15 years from adoption, meaning at least 2037 for this review given the intended 2022 adoption date – and dealing with the additional new development requirements which that will bring.

2.35 As noted in the introduction to this document, the government has recently undertaken public consultations on changes to the English planning system. One of the key proposals is a new standard methodology for calculating housing need and this has also influenced the production of the LPR.

2.36 As the LPR is a ‘rolling forward’ of the current plan, and not a wholly new plan, there will be an overlap in the time horizon of the two. The development strategy of the adopted Local Plan will continue to be delivered up to 2031, including in particular the ‘broad locations’. The LPR will address the additional development requirements for the post 2022 period resulting from the Government’s standard methodology (for housing) and other evidence updates as well as the revised NPPF.

## **What is the focus of the Local Plan Review?**

2.37 For Maidstone there are clear reasons to justify why a LPR is necessary. These include:

### [National planning policy changes](#)

2.38 The NPPF has also been revised significantly since the Maidstone Borough Local Plan was adopted. The most significant changes include:

- a. Strengthening the requirement to produce a Statement of Common Ground concerning how overall need and cross-boundary co-operation is taking place;
- b. Introduction of the national standard method for calculating a ‘local housing need’ figure.
- c. A more detailed requirement to set out the housing needs of particular groups including families, older people, people with disabilities, students, and private renters;
- d. Increased guidance on how rural developments should make use of an area’s existing infrastructure/services and that villages should work together to provide rural service networks;
- e. A requirement to make 10% of new homes on major sites available for affordable home ownership
- f. A more onerous test of ‘deliverability’ setting out how local authorities should demonstrate availability and deliverability of land for new housing;

- g. Strategic policies to set out a housing requirement figure for designated neighbourhood areas;
- h. A requirement to set out a vision and strategy for economic growth locally;
- i. Promoting the re-use of existing and underutilised land and buildings to help meet local need;
- j. Clarifying that the 'agent of change' (or applicant) should be responsible for mitigating the impact of their scheme of potential nuisance arising from existing development;
- k. The inclusion of making sufficient provision for planning measures to address climate change mitigation and adaptation.

#### Changes to planning law

2.39 In 2017 the government updated secondary legislation that made it a requirement to complete a review of a local development document (Local Plan) every 5 years. As a result the Local Plan 2017 now needs to be reviewed by 2022.

#### Maidstone Strategic Plan (2019-2045)

2.40 The Maidstone Strategic Plan sets out the overarching priorities, outcomes and short-term actions to be given particular importance, to deliver the overall Vision. In addition, it identifies four cross-cutting themes which are correlated to the short-term actions and, by extension, to the identified outcomes. We will make sure these priorities, outcomes and additional cross-cutting themes are embedded in our approach to the LPR.

2.41 The Strategic Plan sets out the council's aspiration for Maidstone through to 2045 and how we are going to achieve it. Our Vision is "Maidstone - a vibrant, prosperous urban and rural community at the heart of Kent where everyone can realise their potential" which sets its aspiration for the borough through to 2045 and how we are going to achieve it. Maidstone has ensured that its Strategic Plan has been produced prior to the start of the LPR. It contains ambitious priorities that recognise the potential of the borough whilst setting long terms aspirations that will benefit our residents, businesses and partners now and in the future.

2.42 The Strategic Plan makes it clear that a fundamental way to achieve our aspirations is by being good stewards and ensuring we take a long-term view. As the plan states "the choices we make today will impact on the state of our environment and the quality of life enjoyed by our residents, decades from now." Fundamentally this is why it is so important for the council to have its long-term Strategic Plan in place with a Vision to lead us towards a planned future where we embrace controlled growth. The LPR will play an important role in respect of these priorities.

#### Performance of the Local Plan 17 against Authority Monitoring Report indicators

2.43 The Local Plan 2017 includes a number of monitoring indicators to monitor and review the effectiveness of the Local Plan policies. The Authority Monitoring Report (AMR), through the 50 Local Plan indicators and 41 Sustainability Appraisal indicators, addresses whether

the policies in the Local Plan 2017 are delivering the outcomes that were originally intended, and where policies are not meeting these outcomes, provides some background. The analysis of the 50 local plan indicators and 41 Sustainability Appraisal indicators demonstrates that, in some cases, changes to local plan policies are necessary to ensure that the Council continues to meet its monitoring targets.

2.44 Under indicator M9 the Council is required to monitor the number of entries on the self-build register and the number of plots for self-build units consented per annum. The Council has a sustained low delivery of self-build plots over the past 3 years compared with registered interest. A review of **Policy SP19 Housing Mix** and the approach taken by the Council to deliver self-build forms part of this review.

2.45 Indicator M13 requires the density of housing to be assessed. The average of housing densities delivered between 2016/17 and 2019/20 within the town centre and urban area are considerably higher compared to the targets set out in the adopted Local Plan. The AMR explains that this higher density is due to changes of use of single properties into flatted developments. A review of **Policy H1 Housing site allocations** and **Policy DM12 Density of housing development** forms part of this review.

2.46 Indicator M20 looks at the amount of B class floorspace by type consented and completed on allocated sites per annum. Both Policy **EMP1(2) South of Claygate, Pattenden Lane, Marden** and **RMX1(6) Mote Road** are yet to gain planning permission, though it is acknowledged that there is still ten years of the plan left in which these could be delivered. Similarly, M25 looks at the amount of convenience and comparison retail floorspace consented and completed on allocated sites per annum. During the monitoring year no retail development was permitted on **RMX1(1) Newnham Park, Bearsted Road, RMX1(3) King Street car park and former AMF Bowling Site** and **RMX1(5) Powerhub Building and Baltic Wharf, St Peter's Street**. Again, it is acknowledged that there is still ten years of the plan left in which these could be delivered, but these policies are part of this review.

2.47 The amount of B class employment floorspace consented and completed by type per annum is assessed by Indicator M18. Since 2016/17 there has been a net total loss of 32,505 sqm employment floorspace. As part of this LPR, the approach to employment land is being reviewed. This includes policies **SP21 Economic Development, RMX1 Retail and Mixed-use site allocations** and **EMP1 Employment site allocations**.

2.48 Indicator M24 looks at the amount of additional comparison and convenience retail floorspace consented and completed per annum. Since 2016/17 there has been a total overall loss of retail floorspace. This will increase pressure to deliver retail floorspace requirements over the remaining years of the plan. Retail requirements are being reviewed as part of the LPR. This includes policies **SP21 Economic Development, RMX1 Retail and Mixed use site allocations, DM16 Town Centre Uses, DM17 District centres, local centres and local shops and facilities, DM27 Primary Shopping Frontages, DM28 Secondary shopping frontages, and DM40 Retail units in the countryside.**"

Early review of Maidstone Local Plan 2017 (Policy LPR1)

2.49 The independent Planning Inspector who examined the adopted Local Plan decided that an early review of the plan would be needed. Policy LPR1 of the adopted Local Plan sets out a requirement to undertake a review of the Local Plan and includes a list of specific matters which an early review of the plan needs to consider. NB. As noted earlier in this chapter, the government subsequently introduced a five-year review period for Local Plans.

#### **Policy LPR 1 Review of the local plan**

The council will undertake a first review of the local plan. The matters which the first review may need to address include:

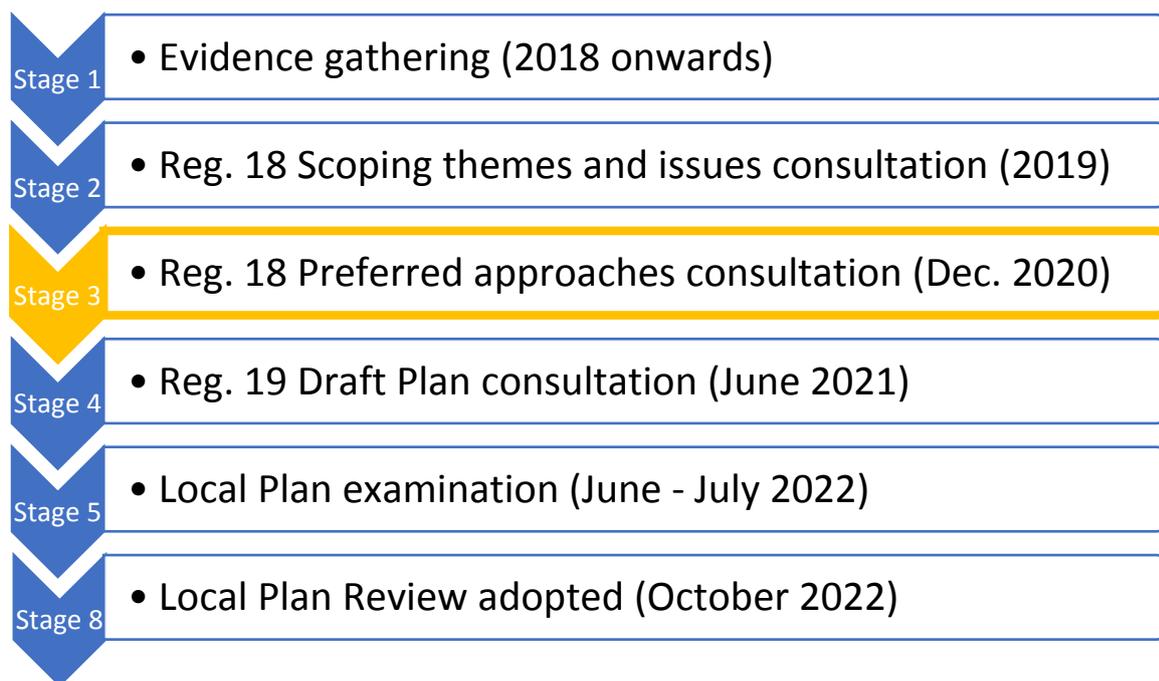
- i. A review of housing needs;
- ii. The allocation of land at the Invicta Park Barracks broad location and at the Lenham broad location if the latter has not been achieved through a Lenham Neighbourhood Plan in the interim;
- iii. Identification of additional housing land to maintain supply towards the end of the plan period and, if required as a result, consideration of whether the spatial strategy needs to be amended to accommodate such development;
- iv. A review of employment land provision and how to accommodate any additional employment land needed as a result;
- v. Whether the case for a Leeds-Langley Relief Road is made, how it could be funded and whether additional development would be associated with the road;
- vi. Alternatives to such a relief road;
- vii. The need for further sustainable transport measures aimed at encouraging modal shift to reduce congestion and air pollution;
- viii. Reconsideration of the approach to the Syngenta and Baltic Wharf sites if these have not been resolved in the interim; and
- ix. Extension of the local plan period.

The target adoption date for the review of the local plan is April 2021.

## **What is the present position on production of the Local Plan Review?**

LPR timetable

2.50 The review has 7 main stages to it. Currently the Council is at stage 3.



#### Reg. 18 Scoping themes & Issues Consultation

2.51 In July 2018 the Council agreed to undertake a LPR. The current Maidstone Borough Local Plan, adopted in October 2017, includes Policy LPR1 setting out matters which such a review should consider. The revised National Planning Policy Framework issued in July 2018 and further revised in February 2019 will also need to be taken into account. A LPR Scoping Themes & Issues document was produced and published for a 10 week consultation period between July and September 2019. A particular purpose of the consultation was to gather early feedback on the matters and issues which the LPR may need to tackle.

2.52 The Scoping Themes & Issues consultation included a set of overarching questions (8) and a separate set of technical questions (31) focused on specific topic areas. We received some 555 responses from the following; parish councils (20), developers/agents/landowners (90), expert agencies & infrastructure providers (11), other councils and MPs (7), residents associations/ neighbourhood planning groups (3) and other specialist groups (7) with the balance from private individuals (417). Approximately 250 of the responses were on a standard template objecting to the proposed garden community at Marden. The full text of each of the responses has been uploaded onto the consultation portal and is available here; <https://maidstone-consult.objective.co.uk/portal/>.

#### Reg.18 Preferred approaches consultation

2.53 This is the current stage that the Council has reached and has resulted in this public consultation. As noted in more detail earlier in this document. The consultation sets out the preferred approaches to key policy areas and, where appropriate, reasonable alternatives. There is no statutory timeframe for consultation under Regulation 18. The Council complies with the requirements set out in its Statement of Community Involvement.

Evidence gathering

2.54 A proportionate evidence base is used for the preparation of this LPR. This includes topic papers on key matters that help to guide the proposed preferred approaches. The key studies and topic papers currently comprise -

- [Maidstone Strategic Housing Market Assessment](#)
- [Maidstone Economic Development Needs Study Stage One](#)
- [Maidstone Economic Development Needs Study Stage Two](#)
- [Settlement hierarchy matrix](#)
- [Infrastructure Capacity](#)
- [Draft Strategic Land Availability Assessment](#)
- [Strategic Land Availability Assessment, Appendix A - Green Site Assessments Part 1](#)
- [Strategic Land Availability Assessment, Appendix A - Green Site Assessments Part 2](#)
- [Strategic Land Availability Assessment, Appendix B - Red Site Assessments Part 1](#)
- [Strategic Land Availability Assessment, Appendix B - Red Site Assessments Part 2](#)
- [SFRA Level 1 update and Level 2](#)
- [Integrated Transport Strategy indications](#)
- [Transport Modelling Draft Technical Note](#)
- [Garden Communities Part 1](#)
- [Garden Communities Part 2](#)
- [Sustainability Appraisal/Strategic Environmental Assessment](#)
- [HRA Scoping](#)
- [Economic Spatial Topic Paper](#)
- [Environment Topic paper](#)
- [Housing Spatial Topic Paper](#)
- [Social Infrastructure Spatial Topic Paper](#)
- [Retail and Leisure Spatial Topic Paper](#)
- [Transport and Air Quality Spatial Topic Paper](#)
- [Sports Facilities Strategy](#)
- [Playing Pitch Strategy](#)

2.55 We are also proposing to produce further information and evidence to inform the LPR, including -

- Gypsy and Traveller Accommodation Needs Assessment
- Local Plan Review Viability Assessment
- Detailed Air Quality and Transport Modelling
- Minerals Assessment
- Update to Economic Development Needs Study
- Update to Sports and Playing Pitch Strategies
- Integrated Transport Strategy
- Sustainability Appraisal/Strategic Environmental Assessment
- Habitat Regulations Assessment

2.56 We may also draw on studies led by other expert agencies. An example is the Kent Joint Strategic Needs Assessment published by the Kent Public Health Observatory which analyses the key health-related issues in the county.

2.57 An important foundation for the LPR is the Sustainability Appraisal (incorporating the Strategic Environmental Assessment). This has an important role in influencing and impacting on the content of the review, including on the pattern of future development that is ultimately selected. It is an evidence document prepared in an iterative way and in parallel with the evolution of the LPR. It provides an assessment of the overall and relative sustainability of the plan's policies and approaches. In addition to the published Sustainability Appraisal noted above, the Council has published a Sustainability Appraisal Scoping Report and a further Sustainability Appraisal on sites and spatial approaches. Both are available on the Council's LPR website.

#### Regulation 19 Draft plan consultation

2.58 This stage is a 6-week statutory public consultation on what the Council believes to be the draft LPR that will be submitted for examination. The consultation is for the people to engage with the Council and review the plan and raise any issues of soundness or legal failings as set out in national policy, guidance and legislation. This consultation will include a Policies Map to accompany the draft LPR. This will set out the relevant allocations and zonings on an Ordnance Survey map base.

#### Examination in Public

2.59 Following the above periods of public consultation, the LPR will be independently examined by a Government-appointed Planning Inspector appointed by the Secretary of State, who will consider and challenge its content and any objections to it and reach a decision on its overall 'soundness'.

2.60 Further details regarding the LPR timetable can be found in the Local Development Scheme.

#### Tests of Soundness

2.61 The LPR will need to meet the NPPF's 'tests of soundness' as follows:

- "a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework."

2.62 The ‘tests of soundness’ underline the importance of evidence underpinning the content of the LPR. This evidence needs to be sufficiently up to date to be a sound foundation for the review. We are taking a proportionate approach so that resources are focused on the studies which are integral to the plan, that they contain sufficient but not excessive detail and that best use is made of the adopted Local Plan evidence which is still fit for purpose.

#### Duty to Co-operate

2.63 These tests will guide the work on the LPR from the outset. There are also specific legal tests that it will need to pass, including that MBC has engaged positively with its strategic partners as part of its ‘Duty to Co-operate’. This is an iterative process and MBC is working with relevant authorities to discharge its duties in this regard. Such joint working can help to determine where additional infrastructure is necessary and whether development needs can be met within a plan area, and if such needs can be met elsewhere.

Maidstone Borough Council has engaged in effective and ongoing discussions and cooperation with neighbouring authorities and other prescribed bodies<sup>2</sup> throughout the Local Plan Review process, and this engagement has been integral to the development of the plan.

The Framework for engagement was set out at Regulation 18a, and as this is an iterative process MBC is working with relevant authorities to discharge its duties in this regard. Discussions will continue to be undertaken on a regular basis with prescribed bodies, including neighbouring authorities, to address cross-boundary issues should they arise.

#### Adoption

2.64 Subject to the LPR being found sound by an independent planning inspector the document will be adopted by resolution of the Full Council.

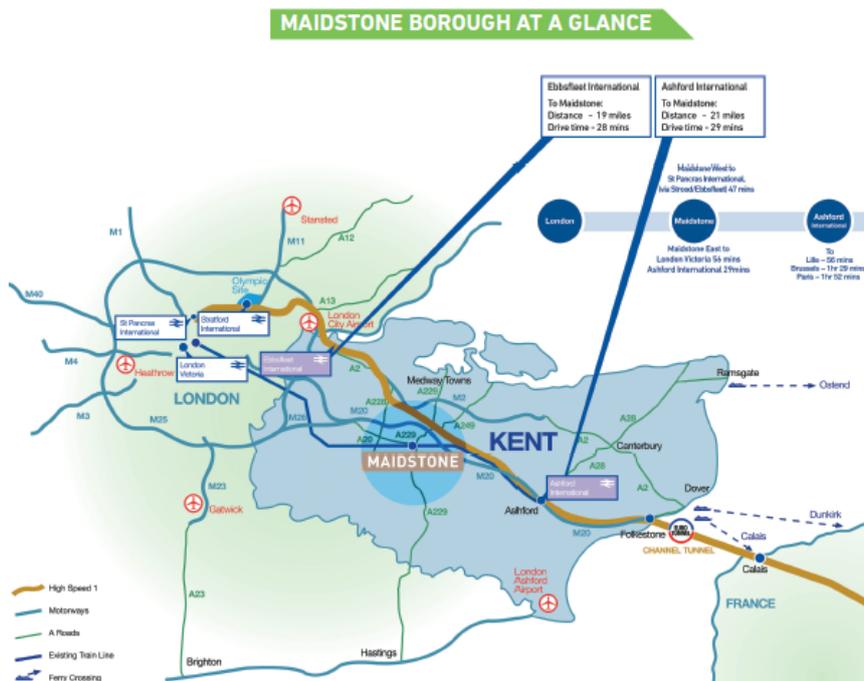
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<sup>2</sup> As set out in part 2(4) Town and Country Planning (Local Planning (England) (amendment) Regulation 2017.

### 3.Spatial Portrait & Key Local Issues

#### Spatial Portrait

3.1 The borough of Maidstone covers approximately 40,000 hectares and is situated in the heart of Kent. Maidstone is the county town of Kent and approximately 75% of its 171,800 population live in the urban area. The Maidstone urban area, located in the north west of the borough, has a strong commercial and retail town centre, with Maidstone comprising one of the largest retail centres in the south east. A substantial rural hinterland surrounds the urban area, part of which enjoys designation due to its high landscape and environmental quality. The borough encompasses a small section of the metropolitan green belt (1.3%), and 27% of the borough forms part of the Kent Downs Area of Outstanding Natural Beauty (AONB).



3.2 The borough is strategically located between the channel tunnel and London with direct connections to both via the M20 and M2 motorways. Three central railway stations in the town connect to London, Ashford, Tonbridge and to the Medway Towns. Maidstone borough has a close interaction with the Medway Towns that provide a part of the borough's workforce. The town centre acts as the focus for retail development throughout the borough and has an important role to play in the visitor economy with the tourist information centre located at Maidstone Museum.

3.3 The rural service centres of Harrietsham and Lenham lie on the Ashford International - Maidstone East - London Victoria line; and Headcorn, Marden and Staplehurst lie on the Ashford International - Tonbridge - London Charing Cross and London Cannon Street lines.

3.4 The larger village of Yalding lies on the Medway Valley Line, Paddock Wood - Maidstone West - Maidstone Barracks - Strood. The channel tunnel link known as High Speed 1 (HS1)

runs through the borough, providing fast links into London (a service links to HS1 from Maidstone West station, via Strood to Ebbsfleet). A number of main highway routes cross the borough including the A20, A229, A249, A274 and A26.

3.5 The borough is relatively prosperous with a considerable employment base and a lower than average unemployment rate compared to Kent. However, the borough has a relatively low wage economy that has led to out-commuting for higher paid work.

3.6 The local housing market crosses one adjacent borough boundary into Tonbridge and Malling, with relationships identified with the Ashford, Medway, Tunbridge Wells, and London housing markets. All of these markets are influenced by their proximity to London, resulting in relatively high house prices.

3.7 There are parts of the borough that would benefit from renewal, primarily including Maidstone town centre and there are pockets of deprivation that exist, particularly in the urban area. The rural service centres and larger villages provide services to the rural hinterland and some larger villages also play a vital part in the rural economy. There are a number of significant centres of economic activity in and around the rural settlements, and smaller commercial premises are dotted throughout the borough.

3.8 Agriculture remains an important industry to the borough including the traditional production of soft fruits and associated haulage and storage facilities.

3.9 The borough is fortunate to benefit from a number of built and natural assets including 41 conservation areas, over 2,000 listed buildings, 26 scheduled ancient monuments and 15 registered parks and gardens important for their special historic interest. Seven percent of the borough is covered by areas of ancient woodland, there are 63 local wildlife sites, 34 verges of nature conservation interest, 11 sites of special scientific interest, three local nature reserves and a European designated special area of conservation. The River Medway flows through the borough and the town centre and, together with its tributaries, is one of the borough's prime assets. Protection of the borough's distinct urban and rural heritage remains an important issue for the council.

3.10 The council is making provision for new housing and employment growth, together with associated infrastructure, whilst at the same time emphasising that growth is constrained by Maidstone's high quality environment, the extent of the floodplain, and the limitations of the existing transport systems and infrastructure. There is also likely to be increased pressure to compete with nearby Ebbsfleet Garden City, the Kent Thames Gateway and Ashford to attract inward investment. The challenge for the Maidstone Borough Local Plan and this LPR is to manage the potential impacts of future growth to ensure that development takes place in a sustainable manner that supports the local economy whilst safeguarding the valuable natural and built assets of the borough.

## **The LPR's Strategic Issues**

3.11 The table below brings together the NPPF's strategic themes and the Strategic Plan's priorities and outcomes, the NPPF strategic themes and the associated strategic issues for

Maidstone borough. This table helps provide the basis for the structure of the remaining chapters of this document

NPPF	Strategic Plan	Local Plan Review
Strategic Theme (Para 20)	Priorities & Outcomes	Strategic Issue
Set out an overall strategy for the scale, pattern and quality of development and make sufficient provision for ...		
<p>...Housing (including affordable housing), employment, retail, leisure, and other commercial development</p>	<p><b>Embracing growth &amp; enabling infrastructure</b></p> <p>Council leads masterplanning and invests in new places which are well designed.</p> <p>Key employment sites are delivered</p> <p>Skills levels and earning potential of our residents are raised</p> <p>Local commercial and inward investment is increased</p> <p><b>Homes &amp; Communities</b></p> <p>Existing housing is safe, desirable and promotes good health and well being</p> <p>Housing need is met including affordable housing Homelessness and rough sleeping are prevented</p> <p><b>A thriving place</b></p> <p>Our town and village centres are fit for the future</p> <p>A vibrant leisure and cultural offer</p>	<p>Meeting the borough's local housing need and helping to meet needs across the relevant Housing Market Area/s</p> <p>Ensuring a sufficient supply of affordable housing</p> <p>Ensuring sufficient land and floorspace is provided to support economic growth in the borough and to contribute to the needs of the wider economic market area</p> <p>Ensuring that Maidstone has a vital and vibrant town centre which maintains its role in the sub-region and that a network of local centres continue to serve local retail and service needs.</p>

NPPF	Strategic Plan	Local Plan Review
Strategic Theme (Para 20)	Priorities & Outcomes	Strategic Issue
<p>....Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation</p>	<p><b>Safe, clean &amp; green</b></p> <p>A borough that is recognised as clean and well cared for by everyone</p> <p>People feelsafe and are safe</p> <p>An environmentally attractive and sustainable borough</p> <p><b>Embracing growth and enabling infrastructure</b></p> <p>Sufficient infrastructure isplannedto meetthe demand of growth</p> <p><b>Heritage is respected</b></p>	<p>Ensuring that the borough’s environmental assets such as the Area of Outstanding Natural Beauty, Landscapes of Local Value, the countryside and Green Belt are suitably protected and enhanced.</p> <p>Ensuring that the borough’s biodiversity and wildlife habitats are suitably protected and enhanced</p> <p>Ensuringthattheborough’s historic assetsareconserved and managed</p> <p>Contributing to an overall improvement in air quality, in particularintheMaidstone Air Quality Management Area.</p> <p>Managingtheriskofflooding from all sources.</p> <p>Taking a proactive approach to mitigatingandadaptingto climate change</p>
<p>... Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)</p>	<p><b>Embracing growth &amp; enabling infrastructure</b></p> <p>Sufficient infrastructure is planned to meet the demands of growth</p>	<p>Ensuring sufficient transport infrastructure is provided to serve the new development that is planned.</p> <p>Ensuring sufficient utilities infrastructure is provided to serve the new development that is planned.</p>

NPPF	Strategic Plan	Local Plan Review
Strategic Theme (Para 20)	Priorities & Outcomes	Strategic Issue
<p>....Community facilities (such as health, education and cultural infrastructure);</p>	<p><b>Homes &amp; communities</b> Community facilities and services in the right place at the right time to support communities A diverse range of community activities is encouraged.</p> <p><b>Safe, clean and green</b> Everyone has access to high quality parks and green spaces People are safe and feel safe</p> <p><b>A thriving place</b> A vibrant leisure and cultural offer</p>	<p>Ensuring that sufficient provision is made for health and education to serve the new development that is planned.</p> <p>Ensuring a sufficiency of parks and open spaces</p> <p>Ensuring that sufficient provision is made for community infrastructure</p>

### What are the key cross-boundary issues?

3.12 The NPPF states “Local planning authorities and county councils (in two tier areas) are under a duty to co-operate with each other, and with other prescribed bodies, on strategic matters which cross administrative boundaries.”<sup>3</sup> It goes on to note “Effective and on-going joint working between strategic policy making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular joint working should help to determine where additional infrastructure is necessary and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.”<sup>4</sup>

3.13 Accordingly, in producing the LPR and associated evidence base we have, and will continue to, engage with our council neighbours, KCC and statutory organisations on matters which have cross-boundary implications.

3.14 The duty to co-operate is an on-going process; joint working must be effective and ‘deal with strategic, cross-boundary matters rather than defer them’<sup>5</sup>. The purpose of the duty is to ensure that we take account of the implications of our plan for our neighbours

and our statutory partners and that they do the same. Local plans should not be prepared in isolation from what is happening elsewhere. Importantly, these partners will also be involved in delivering aspects of the plan, notably the infrastructure needed to support the new development.

3.15 Joint working can take place to differing degrees. The greatest degree of integration is where councils collaborate to prepare a joint plan which could cover a limited number of topic areas that have cross-boundary implications or could be a comprehensive local plan for the combined area. A variation on this would be where councils each produce individual plans but the preparation timetable and overall approach to policy matters is integrated across the extended area. A more focused approach would be for councils to progress their own individual plans to their own independent timetables whilst ensuring that cross-boundary issues are addressed as the plans evolve through the duty to co-operate framework. In any scenario, it is open to a council to accept additional levels of development from a neighbour as part of this process and the duty to co-operate.

### **Progress on Neighbouring Authority Plans**

3.16 To date MBC and its neighbours have all progressed individual plans. Neighbouring authorities are all at varying stages with the preparation of their local plans as follows;

- Ashford Borough Council – adopted a comprehensive Local Plan in February 2019. The plan identifies sufficient land for the amount of new housing that the borough needs for the period 2011 to 2030, set at some 16,872 new homes and similarly provides for the new employment land needed. The adopted Local Plan states that a review of the plan will be adopted by the end of 2025 although at the time of writing no formal timetable for the review has been published.
- Tunbridge Wells Borough Council – has an adopted Core Strategy (2010) and a Site Allocations Local Plan (2016). A local plan to cover the period to 2033 is in preparation. Tunbridge Wells Borough Council – has an adopted Core Strategy (2010) and a Site Allocations Local Plan (2016). A local plan to cover the period to 2033 is in preparation. TWBC produced an ‘Issues & Options’ consultation plan in May 2017 and produced a draft Local Plan (Regulation 18 consultation) in September 2019. The Examination is scheduled for Autumn 2021. The local housing need figure for the borough using the new standard methodology decreased to 678 homes/year from 682.
- Tonbridge & Malling Borough Council – has a Core Strategy (2007), Development Land Allocations Development Plan Document (2008) and a Managing Development and the Environment DPD (2010). The ‘Tonbridge & Malling Local Plan’ has been submitted for Examination and hearings have commenced. The plan covers the period 2011-31. It makes provision for the full number of new homes needed, 13,930, and the matching employment land requirements. The current Local Development Scheme anticipates adoption of the Local Plan by the end of the year.

- Medway - is in the process of preparing a Local Plan for the period 2018-35. There have been 3 stages of consultation so far (2016, 2017, 2018). A further Regulation 19 consultation is planned for Spring 2021. Adoption of the plan is programmed for December 2021. Under the Government's methodology, Medway's housing requirement is 37,143 homes.
- Swale – has adopted a comprehensive Local Plan (2017) which covers the period to 2031. It has commenced a review of this plan which will cover the period 2022-2038. There was an initial consultation stage in 2018 and, following further consultation stage/s, adoption of the plan is anticipated in Autumn 2021 according to the latest Local Development Scheme. Under the Government's methodology, the housing requirement is in the order of 1,054 homes/year.

3.17 With the imperative to have an up-to-date Local Plan in place, there has been no apparent appetite for councils to change their own preparation timetables to enable joint plans to be prepared. It is also pertinent that the links between the neighbouring authorities are quite diverse, varying according to both geography and subject matter.

3.18 As a minimum, we will need to demonstrate that we have complied with the duty to co-operate by engaging actively with our neighbours (and other required bodies). According to the matter at hand, this involvement may need to be more intensive and result in agreed approaches. Evidential studies will look beyond the borough boundaries where appropriate. Where feasible, we will explore the joint-commissioning of evidence with our partners.

3.19 Factors which could affect any future decisions around the duty to co-operate include -

- Whether it will demonstrably achieve better planning outcomes for the borough;
- The requirements for new strategic road and other infrastructure to release housing employment growth
- The imperative to maintaining an 'up to date' planning framework for the borough;
- Resource availability; and
- Political decision-making arrangements.

3.20 The co-operation that is occurring and will occur in the future will be formalised through a **Statement of Common Ground**. This statement is signed by the parties involved and affirms that the identified cross boundary issues have been dealt with. For this borough, the strategic bodies which may be involved, (in addition to other local authorities) could include the South East Local Enterprise Partnership, Kent Nature Partnership, infrastructure providers and advisory bodies. These additional signatories will only need to agree with those parts of the SCG that are directly relevant to role and required cooperation. It is intended for the first set of broad Statement of Common Ground documents to be produced as a result of this preferred approaches consultation document.

3.21 As noted later in this document, garden communities are good examples of significant developments that are proposed to take place near to the boundaries with adjoining local authorities. These will be given particular attention in associated duty to cooperate

discussions, in order to ensure proper planning of existing proposals and to explore future residential and/or employment growth (with associated infrastructure) as may be appropriate.

3.22 The table below reproduces the strategic issues for the borough, indicates what the potential cross boundary issue may be and indicates which organisations may be party to the Statement of Common Ground.

<b>Strategic Issue for Maidstone borough</b>	<b>Geographical area relevant for the 'Duty to Co-operate'</b>	<b>Possible Statement of Common Ground signatories</b>
Meeting the borough's local housing need and helping to meet needs across the relevant Housing Market Area/s	Housing Market Area/s; neighboring authority areas	Tonbridge & Malling BC; Medway; Swale BC; Ashford BC; Tunbridge Wells BC.
Ensuring there is a sufficient supply of affordable housing		
Ensuring sufficient land and floorspace is provided to support economic growth in the borough and to contribute to the needs of the wider economic market area	Functional Economic Market Area	Tonbridge & Malling BC; Medway.  South East Local Enterprise Partnership
Ensuring that Maidstone has a vital and vibrant town centre which maintains its role in the sub-region and that a network of local centres continue to serve local retail and service needs.	Retail Catchment Area	[extent of RCA to be confirmed through future evidence]
Ensuring that the borough's environmental assets such as the Area of Outstanding Natural Beauty, Landscapes of Local Value, the countryside and Green Belt are suitably protected	Green Belt	Tonbridge & Malling BC.
	Kent Downs AONB; setting of High Weald AONB	Tonbridge & Malling BC; Medway; Swale BC; Ashford BC; Tunbridge Wells BC.
	Landscapes of Local Value	Tonbridge & Malling BC; Ashford BC; Tunbridge Wells BC.

Ensuring that the borough's biodiversity and wildlife habitats are suitably protected and enhanced	North Downs Woodlands Special Area of Conservation and, potentially, European designated sites in other boroughs	[extent of impacts to be identified through the Habitat Regulations Assessment]. Kent Nature Partnership
	SSSIs, Local Wildlife Sites, ancient woodland which straddle the borough's boundaries.	Natural England Tonbridge & Malling BC; Ashford BC; Medway; Swale BC; Tunbridge Wells BC.
Ensuring that the borough's historic assets are conserved and managed	Maidstone borough	Historic England
Contributing to an overall improvement in air quality, in particular in the Maidstone Air Quality Management Area.	Maidstone AQMA; AQMA in the Malling area of Tonbridge & Malling.	Kent County Council (as highway authority); Tonbridge & Malling BC.
Managing the risk of flooding from all sources.	Catchments of the River Medway, Stour, Beult & Teise.	Environment Agency; Tonbridge & Malling BC; Medway; Ashford BC; Tunbridge Wells BC
Managing nutrient neutrality for the new development in the Sour Catchment in relation to Stodmarsh Designated Sites	Catchment of the River Stour	Environment Agency, Natural England, Ashford BC
Taking a proactive approach to mitigating and adapting to climate change	Maidstone borough. [Significant overlap with air quality and transport matters]	[see air quality and transport matters]
Ensuring sufficient transport infrastructure is provided to serve the new development that is planned.	Strategic highway network, local highway network, and public rights of way within the borough and, potentially, key junctions falling in neighbouring authority areas. Rail infrastructure within the borough.	Kent County Council; Highways England; Network Rail; Tonbridge & Malling BC; Ashford BC; Medway; Swale BC; Tunbridge Wells BC.
Ensuring sufficient utilities infrastructure is provided to serve the new development that is planned.	Maidstone borough (subject to the selected spatial strategy)	Utility providers

Ensuring that sufficient provision is made for health and education to serve the new development that is planned.	Maidstone borough (subject to the selected spatial strategy)	Kent County Council; West Kent Clinical Commissioning Group; Maidstone & Tunbridge Wells NHS Trust.
Ensuring a sufficiency of parks and open spaces	Maidstone borough	-
Ensuring that sufficient provision is made for community infrastructure	Maidstone borough	-

## 4. Spatial vision and objectives

4.1 The council's vision for the borough is set out in the 2019 Strategic Plan:

*Maidstone: A vibrant, prosperous, urban and rural community at the heart of Kent where everyone can realise their potential.*

### Local Plan Review Spatial vision

4.2 Having regard to the Borough's Strategic Plan, as well as the other matters and strategic issues that the LPR will address, the proposed spatial vision for the LPR is as follows:

*By 2037: Embracing growth which provides improved infrastructure, economic opportunity, services, spaces, and homes for our communities, while protecting our heritage, natural and cultural assets, and addressing the challenges of climate change.*

### Spatial objectives

4.2 The objectives below respond to the strategic issues and other matters noted earlier in the document, as well as the spatial vision identified above. They will help deliver on the vision as stated.

1. To provide for a balance of new homes and related retail and employment opportunities in the borough across the Local Plan Review across the plan period across the borough

4.3 By 2037 prosperity the vision will be achieved through the strategic direction of growth set out in the LPR. The emphasis will be on increasing developing skilled employment opportunities in the borough alongside developing learning opportunities, having regard to the roles of centres across the borough and existing and improved accessibility patterns:

- i. Principally within the Maidstone urban area with a particular focus on the renewal of the town centre;
- ii. Within two new garden communities at Heathlands and Lidsing;
- iii. With significant employment locations at the former Syngenta Works and Woodcut Farm
- iv. To a lesser extent at the five rural service centres of Harrietsham, Headcorn, Lenham, Marden and Staplehurst consistent with their range of services and role; and
- v. Limited development at the five larger villages of Boughton Monchelsea, Coxheath, Eythorne Street (Hollingbourne), Sutton Valence and Yalding,
- vi. To support smaller villages and hamlets where appropriate.

2. Maintenance of the distinct character and identity of villages and the urban area;

4.4 The roles of the rural service centres and larger villages will be strengthened through the retention of existing services, the addition of new infrastructure where possible, and the

regeneration of employment sites including the expansion of existing employment sites where appropriate. Development throughout the borough will be required to provide a mix of housing tenures to allow for the creation of sustainable communities and be of high quality using design that responds to the local character of areas and that incorporates sustainability principles.

3. Protection of the built and natural heritage, including the Kent Downs AONB and its setting, the setting of the High Weald AONB and areas of local landscape value;

4.5 Development will have regard to safeguarding and maintaining the character of the borough's landscapes including the Kent Downs and High Weald Area of Outstanding Natural Beauty and their setting, as well as the setting of the High Weald Area of Outstanding Natural Beauty. Development will also have regard to, as well as other distinctive landscapes of local value and heritage designations whilst facilitating the economic and social well-being of these areas, including the diversification of the rural economy.

4. Provision of strategic and local infrastructure to support new development and growth including a sustainable Integrated Transport Strategy, adequate water supply, sustainable waste management, energy infrastructure, and social infrastructure such as health, schools and other educational facilities;

4.6 The Council will seek to ensure that key infrastructure and service improvements needed to support delivery of the Maidstone Borough LPR are brought forward in a co-ordinated and timely manner, and that new development makes an appropriate contribution towards any infrastructure needs arising as a result of such new development. The Council will achieve this through close working with infrastructure providers.

4.7 Through the delivery of the Integrated Transport Strategy, Maidstone will seek a transport network that supports a prosperous economy and provides genuine transport choices to help people make more journeys by modes such as public transport, walking and cycling.

4.8 The infrastructure will support the growth projected by the local plan to 2031 and LPR by 2037 with a focus on large scale developments, such as proposals at the new garden communities at Heathlands and Lidsing, with an aspiration for self-sufficiency.

5. Improve the quality of air within the air quality management area (AQMA);

4.9 Developments within, and with the potential to adversely impact the boroughs AQMA will be required to mitigate their impact, having regard to both on-site design and travel patterns and modes of travel.

6. Renewal of Maidstone Urban Area with particular focus on Maidstone the Town Centre and areas of social and environmental deprivation;

4.10 To transform the offer, vitality and viability of Maidstone town centre including its office, retail, residential, leisure, cultural and tourism functions together with significant enhancement of its public realm and natural environment including the riverside. As the

County Town of Kent, Maidstone's urban area will be revitalised by the regeneration of key commercial and residential sites and areas of existing deprivation. supported by the creation of employment opportunities, the regeneration of key sites, continued investment in the town centre and improvements to access. The town centre will be a first class town centre that will enable Maidstone to retain its role in the retail hierarchy of Kent by the creation of a distinctive, accessible, safe high quality environment for the community to live, work and shop in. The town centre will be regenerated by encouraging a wide range of new development including shops, businesses, residential development, cultural and tourism facilities, and enhanced public spaces for people to enjoy and for activities that will attract residents and visitors. There will also be focus on provision of appropriate social infrastructure as well as accessibility, permeability and sustainability of the town centre.

7. Redressing the low wage economy by expanding the employment skills base to target employment opportunities;

4.11 The plan aims to provide for investment in employment space across the borough and in the town centre in a manner which maximises choice and flexibility as a mechanism to attract a more diverse range of employment with increased levels of higher added value jobs. However, if this is to be both economically and environmentally sustainable, it is important that local residents and communities are equipped with the skills to compete for the employment and training opportunities that result from this investment, and to continue to develop their skills base throughout their careers and beyond.

4.12 In achieving this, the plan will need to work in parallel with other documents such as the boroughs Economic Development Strategy, and with other agencies such as the Local Enterprise Partnership, Invest in Kent and both local and sub regional Higher Education and Further Education providers to ensure that these links are made and that opportunities are created at the best locations for the delivery of this education and training.

8. Meeting housing needs by delivering affordable housing, local needs housing, accommodation for the elderly, accommodation to meet Gypsy and Traveller needs, and accommodation to meet rural housing needs;

4.13 To support new housing in villages that meets local needs and is of a design, scale, character and location appropriate to the settlement and which supports the retention of existing services and facilities; A better mix and balance of housing will be provided, and the density and location of development will be carefully considered.

4.14 To provide for future housing that meets the changing needs of the borough's population including provision for an increasingly ageing population and family housing, an appropriate tenure mix, affordable housing and accommodation to meet the needs of the Gypsy and Traveller community; and

9. Protection and promotion of the multi-functional nature of the borough's openspaces, rivers and other watercourses;

4.15 To retain and enhance the character of the existing green and blue infrastructure and to promote linkages between areas of environmental value;

4.16 The delivery of the Green and Blue Infrastructure Strategy will develop and enhance a high quality network of green and blue spaces building on the assets that already exist.

10. Ensuring that all new development is built to a high standard of sustainable design and construction;

4.17 To ensure that new development is of high-quality design, making a positive contribution to the area including protection of built and natural heritage and the protection and enhancement of biodiversity; Development will be required to take account of the impact of climate change. To ensure that new development takes account of the need to mitigate its impact on and respond to climate change, implementing sustainable construction standards for both residential and non-residential schemes;

11. Ensuring that applications for development adequately seeks to reduce its impact on and mitigates against climate change, the issues of flooding and water supply; and the need for dependable infrastructure for the removal of sewage and waste water.

4.18 To ensure that development supports the council's ambition of becoming a carbon neutral borough by 2030 by delivering sustainable and where possible low carbon growth which protects the boroughs natural environment. The council will, through Local Plan policy, seek to facilitate the necessary infrastructure to enable residents and businesses to minimise their impact on and respond to climate change. Developments will have considered the potential for the site to be delivered in a low carbon way, the incorporation of zero or low carbon technologies, and will include provision to enable future technologies and climate change adaptation. Additionally, development will give high regard to protection and enhancement of biodiversity.

## **5. The Borough Spatial Strategy (SS1)**

5.1 One of the principal aims of the local plan is to set out clearly the council's proposals for the spatial distribution of development throughout the borough based on the vision and objectives of the plan. This section determines the housing and economic development targets for the plan period and describes the council's approach to the distribution of development. The justification for this approach has been derived from the NPPF, the Sustainability Appraisal and the substantial, ongoing evidence base that is being produced by the council.

### **The Plan Period**

5.2 The LPR plan period runs from 2022-2037, extending an additional 6 years beyond the current Local Plan period which ends in 2031.

### **Requirements**

5.3 As a minimum, the LPR should provide for objectively assessed needs for housing, including affordable housing, as well as other uses including land for Gypsy, Traveller and Travelling Showpeople accommodation; employment; and retail.

5.4 Much of the need required over the period 2022-2037 is met through the existing Local Plan 2017. The policies in this document update and add to this document, but some policies, notably site allocations, will be retained. This is set out in the relevant chapters below.

5.5 Due to delays in completing site surveys informing the Gypsy & Traveller needs assessment, the G&T policies have not been updated in this document. At the current time it is expected that a separate G&T allocations DPD will be provided.

### **Housing Needs**

5.6 Key to delivering the targets will be the availability of suitable sites and the provision of supporting infrastructure. Gypsy & Traveller Needs are in the process of being assessed.

5.7 The objectively assessed housing need for the borough over the plan period 2011 to 2031 is set at 18,210 dwellings (1,214 dwellings per annum). This need is based on the Government's current (2018) Standard Methodology calculation, with key local inputs including net migration, household formation rates and house price to income ratios. The maximum housing need target is capped at a 40% uplift above and beyond the current plan figure (883 dwellings per annum, giving a maximum of 1,236 dwellings per annum). The need figure as calculated in December 2019 was 1,214 dwellings per annum; this will be reviewed in the run-up to the Regulation 19 public consultation in June 2021 to ensure that the Publication version of the plan is based on the most up to date data.

#### **Extant Supply**

5.8 The council does not need to allocate land to meet the whole need of 18,210 dwellings because there is a significant quantum of stock anticipated to be delivered from the land allocated in the 2017 Local Plan. As of 1<sup>st</sup> April 2020 there was an extant supply of 10,289

units:

- Known extant planning permissions at 1<sup>st</sup> April 2020 (6,917 units)
- Allocated sites without permission/ permission pending (1,088 units)
- Broad Locations without permissions (2,284 units)

#### Development 2020-2022

5.9 As there remains 2 monitoring years (2020/21 & 2021/22) before the Local Plan Review is scheduled to be adopted, this will impact on the extant supply. Simply put, some of the extant supply will be built, and a number of new windfall permissions will come forward to be added to the extant supply. Each year the Council holds a workshop with local developers to understand how developments in the extant supply are progressing. At the current time the advice is that for 2020/21 the estimated completions figure is anticipated to be 1,387 units, and for 2021/22 1,827 units. This effectively removes 3,214 dwellings from the extant supply. In terms of new permissions, the historic windfall delivery rate on small sites (<1Ha) has been applied, this stands at 472 dwellings per annum, or 944 over the two year period.

#### Invicta Barracks

5.10 500 units are expected to come forward on Invicta Barracks during the Local Plan 2017 period (2011-2031), with the remaining 800 units coming forward over the period 2022-2037.

#### Town Centre Opportunity sites

5.11 A further source of housing supply sites is the Town Centre Opportunity sites. These were adopted by the Council's Strategic Planning and Infrastructure Committee in 2019. Together they account for 883 units of capacity. While they will be covered by allocations in this document, they also carry some material planning weight, and so we show below the housing target both with and without these included.

#### New LPR Housing Need Figure

5.12 Totalling all of these changes together provides the Borough's future housing need. The new calculation is 18,210 (new target) – (8,019 (modelled extant supply @1<sup>st</sup> April 2022) + 2,718 (windfall 2022-2037) + 800 (Invicta) + 883 (town centre opportunity sites)) gives a new total of **5,790** units. This is set out in the table below. Without accounting for the Town Centre Opportunity sites this target would be 6,673 units.

### **Commercial Development Needs**

5.13 National Planning Practice Guidance requires Local Planning Authorities to understand existing business needs in terms of both their current and future requirements in the preparation of Local Plans. This includes identification of the Functional Economic Market Area, assessment of recent employment land supply and loss patterns, as well as understanding of the current market and wider signals relating to economic growth, diversification and innovation.

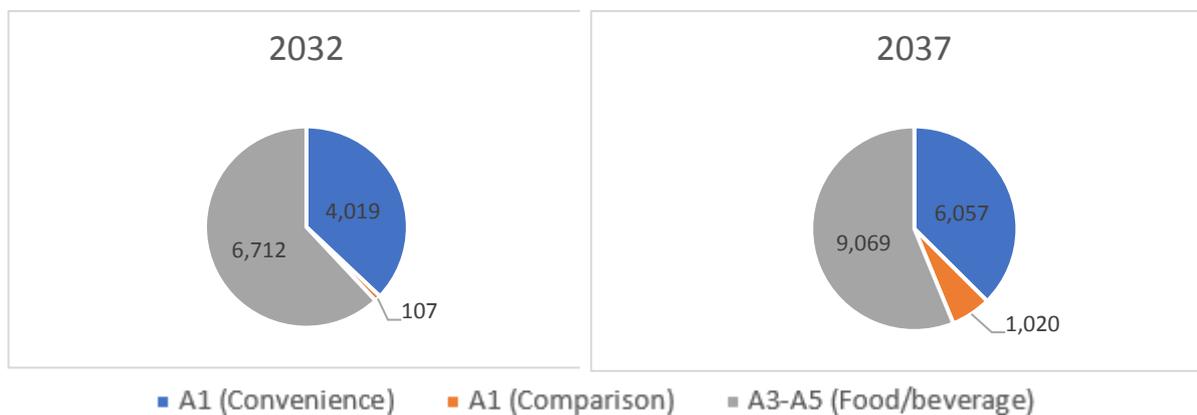
5.14 The Council's Employment Need Assessment was produced prior to the publication of the government's new use classes order 2020 and therefore has reference to previous use classes (e.g. A and B use classes rather than class E). It identifies that the minimum

floorspace required to meet need based on job growth forecasts (labour demand) is 101,555m<sup>2</sup> (gross) for B-Uses over the period 2022-2037. They essentially re-set the requirement from 2022 and are not in addition to the current Local Plan requirement. This figure is then translated into a land take requirement (in hectares), based on assumptions of the type of employment and its location in the borough. For example, offices (B1a/B1b use) located within Maidstone town centre are assumed to achieve a higher job density than offices located elsewhere in the borough, and will therefore have differing plot ratios applied. This will have implications on the overall land needed to provide the required floorspace.

5.15 The NPPF (2019) indicates that local plans should allocate a range of suitable sites to meet the scale and type of retail, leisure and other development needed in town centres, for at least 10 years. The retail need should be met in full and should not be compromised by limited site supply. Through application of a sequential approach, designated town centres should be the first choice for locating retail, leisure and main town centre uses.

5.16 Based on the expected population growth, combined with analysis of national and local retail trends and Experian forecasts; the objectively assessed projected retail floorspace requirements (sqm, gross) for all A-uses over the period 2019-2037 is 10,838m<sup>2</sup> gross by 2032, and 16,146m<sup>2</sup> by 2037.

5.17 This additional floorspace need (sqm, gross) can be broken down by different A-Use Classes as follows:



5.18 As we are only required to allocate sites to meet the retail need for the next ten years, the floorspace requirement 2022-2032 is 10,838 sqm (gross). This figure is not in addition to the existing Local Plan allocation, rather it resets and provides an entirely new target from 2022.

### G&T Accommodation Needs

5.19 There is a potentially significant emerging need for Gypsy & Traveller accommodation. Due to the equally significant amount of work to ensure that this matter is appropriately managed with appropriate outcomes to manage these needs, work on a new DPD will be undertaken at the earliest available opportunity.

## Settlement Hierarchy



5.20 Development must be delivered at the most sustainable towns and village locations in the Borough where employment, key services and facilities together with a range of transport choices are available or accessible. Due to the quantum of need, new growth locations have been identified in the form of garden settlements and strategic development locations. This is illustrated in the above settlement hierarchy, which reflects the Local Plan Review preferred spatial approach to new housing.

### Maidstone County Town

5.21 As the largest and most sustainable location for development, Maidstone town is the focus for a significant proportion of new housing, employment and retail development in the borough. Cultural and tourism facilities are an important contributor to the success of the town centre and opportunities to retain and enhance such facilities in the town centre and the wider urban area are an important consideration. A fundamental objective of the council's strategy is to ensure that the town's growth brings about the renewal of the town centre and other areas in need of renewal. Optimum use has been made of the development and redevelopment opportunities that exist within the urban area. A new Town Centre Action Plan will be prepared to guide development at this location, including ensuring that housing growth is balanced by employment growth and new infrastructure.

5.22 The town of Maidstone cannot accommodate all of the growth that is required on existing urban sites, and the most sustainable locations for additional planned development are at the edge of the urban area, expanding the boundary of the settlement in these locations. A characteristic of Maidstone is the way tracts of rural and semi-rural land penetrate into the

urban area. This feature results from the way the town has developed from its centre along radial routes and river corridors enveloping the land of former country estates. These green and blue corridors have a variety of functions in addition to the contribution they make to the setting of the town, including a local anti-coalescence function by maintaining open land between areas of development spreading out from the town; providing residents with access to open green space and the wider countryside; as well as providing biodiversity corridors. The council will maintain this network of green and blue infrastructure, whilst recognising that a limited amount development may offer opportunities for enhancement provided the function of the corridors is not compromised.

5.23 Broad locations for future housing growth have also been identified within the town centre boundary and at Invicta Park Barracks. The Kent Institute of Medicine and Surgery (KIMS) is now completed at junction 7 of the M20, and the local plan identifies this location for the expansion of medical facilities to create a cluster of associated knowledge-driven industries that need to be in close proximity to one another. The strategic location at junction 7 also includes replacement retail facilities at the adjacent Newnham Court Shopping Village, to deliver a comprehensively planned scheme with supporting infrastructure.

#### Garden Settlements

5.24 Heathlands and Lidsing present suitable and deliverable opportunities to deliver growth in sustainable locations. They will both be delivered according to garden community principles, with value captured from the raising of land values coming from the change of uses on these sites to help to fund infrastructure improvements, and place-shaping facilities. They will both operate as sustainable locations in their own right, but will also help to provide opportunities for surrounding areas in terms of improved employment opportunities and service choice.

5.25 Heathlands is a Council-proposed stand-alone new settlement, with the potential to accommodate around 5,000 new homes and a mix of employment and services within the Plan Period, and beyond. Development will be focused on the delivery of a new rail station on the Maidstone-Ashford line, with new infrastructure and employment opportunities focussed around this. It is hoped that the settlement will form a part of a strategic business case for the provision of a new motorway junction on the M20 between Junctions 8 & 9.

5.26 Lidsing is a significant site in largely unified ownership to the south of the Medway urban area. It has strategic access to the M2 via Junction 4, and presents as an excellent opportunity to create new employment uses harnessing this accessibility. The delivery of approximately 2,000 new homes both within and beyond the Plan Period will enable the delivery of improved infrastructure that will benefit surrounding areas including enhanced bus routes linking Lordswood and Hempstead, as well as improved general access to the M2, and enhancements to the infrastructure within the Capstone valley.

#### (Potential) Strategic Development Locations

5.27 Invicta Barracks is a strategic development location identified in the existing 2017 Local Plan. It has the potential to deliver c1,300 new homes as well as a range of new service in a strategic urban location to the north of the town centre.

5.28 The Leeds-Langley corridor will be safeguarded to enable the potential future delivery of an improved transport connection linking M20 J8 and the A274. It is not currently known whether and what quantum of development will be needed to help create the business case for this new route, and as such this Plan seeks to ensure that any development that takes place within this corridor does not act to sterilise this opportunity.

#### Rural service centres

5.29 It is important that these villages are allowed to continue to serve their local area by retaining vital services thereby reducing the need to travel. Some development at these locations provides for a choice of deliverable housing locations and supports the role of the rural service centres. Appropriately scaled employment opportunities will also be allowed, building on and expanding existing provision in these locations.

#### Larger villages

5.30 Some of the borough's larger villages can provide for a limited amount of housing development.

#### Smaller villages

5.31 Some of the borough's smaller villages can provide for a limited amount of housing development.

#### Countryside

5.32 It is important that the quality and character of the countryside outside of settlements in the hierarchy is protected and enhanced whilst at the same time allowing for opportunities for sustainable development that supports traditional land based activities and other aspects of sustainable development in rural areas, and makes the most of new leisure and recreational opportunities that need a countryside location. The individual identity and character of settlements should not be compromised by development that results in unacceptable coalescence.

5.33 In addition to the Kent Downs Area of Outstanding Natural Beauty and its setting, the setting of the High Weald Area of Outstanding Natural Beauty, the Metropolitan Green Belt and sites of European and national importance, the borough includes vast tracts of quality landscape, including parts of the Greensand Ridge and the Low Weald, together with the Medway, the Loose and the Len river valleys. The council will protect its most valued and sensitive landscapes.

## **Call for Sites 2019 & Strategic Land Availability Assessment**

5.34 In order to achieve a consistent and transparent approach to the allocation process, a standard pro forma was used to assess the development potential of all known housing and economic development sites. Information was sought through the 2019 Call for Sites exercise, as well as through an Alternative sources of sites investigation, and assessments are included in the 2020 Strategic Land Availability Assessment. The mitigation of constraints - local landscape, ecology, highways, services, flooding and so on - formed part of the assessments.

5.35 In accordance with the requirements of the NPPF, the availability, locational suitability, deliverability and viability of each potential development site was also examined. The results of the site appraisals are set out in the draft Strategic Land Availability Assessment (SLAA) 2020. The SLAA is a “living” document, and will change as the evidence base is challenged through the plan development period.

## **Preferred Approach and Reasonable Alternative Approaches**

5.36 A principal aim of the LPR is to set out clearly the council’s proposals for the spatial distribution of all forms of development throughout the borough over the plan period, based on the overall vision and objectives of the plan. This chapter sets out the minimum required amount of development for different uses over the LPR period and identifies a preferred approach spatial strategy and reasonable alternatives to accommodate the minimum development requirements.

The development of the Preferred Approach has had regard to two levels of Reasonable Alternatives testing through the Sustainability Appraisal, which in turn have been informed by the Strategic Land Availability Assessment:

- The Initial appraisal of spatial strategy options (SA Chapter 2)
- The appraisal of refined spatial strategy options (SA Chapter 3)

### *The Initial appraisal of spatial strategy options*

5.37 In this approach, highly varied spatial approaches were tested to understand which patterns of growth would produce particular sustainability patterns. All of the patterns tested were “reasonable”, in that they would meet the identified local need throughout the Plan period. The patterns were selected in part on their distinctiveness, so that they would show a sustainability difference between each other. The three approaches selected were:

1. Local Plan Review Continued (Maidstone maximum + RSCs + Larger Villages)
2. No development in Maidstone (Garden Settlements + RSCs + Larger Villages)
3. Maximise Garden Settlements (Garden Settlements + Maidstone + RSCs + Larger Villages)

5.38 These approaches were analysed based on a fixed quantum of growth being distributed according to the patterns above, and were interrogated using the Sustainability Appraisal criteria, as well as through Transport Modelling. The outcomes were that Maidstone was suggested to be the most sustainable location for more development, with the RSCs and Larger Villages being relatively sustainable due to their existing infrastructure assets. The Garden Settlements were not sustainable locations at present. This is because they do not have allocated infrastructure and services. It is expected that they would become more sustainable when properly planned with supporting infrastructure.

### *The appraisal of refined spatial strategy options*

5.39 The next stage involved the analysis of a set of “refined” spatial strategy options having had regard to the outcomes from the initial analysis. The analysis was based on the allocation of quantum of development to different areas based on site availability. A key assumption made at this stage was the decision that due to the risk profile of garden

settlements, that the Local Plan Review should only carry 2 such projects within it. After completion of the Garden Settlements Deliverability Assessment, there were 3 proposals that could be considered as deliverable within the Plan period: North of Marden, Lidsing, and Heathlands. As such the testing of refined alternatives consisted of three key variables:

- Higher or Lower development in Maidstone
- Zero, one, or two Garden Settlements
- Higher or lower in RSCs/ Larger Villages/ Smaller Villages & Hamlets/ The Countryside

5.40 The Alternatives tested, using Sustainability Appraisal criteria were:

Location	Scenario 1 LP 2017	Scenario 2 2 Garden Settlements			Scenario 3 1 Garden Settlement		
		A	B	C	A	B	C
Maidstone (Urban)	V. High	Low	Low	Low	High	High	High
Rest of Borough (Rural)	V. High	Low	Low	Low	High	High	High
Garden Settlements	0	Marden & Lidsing	Marden & Heathlands	Lidsing & Heathlands	Marden	Lidsing	Heathlands

#### Development of the Preferred Approach

5.41 The Preferred Approach was arrived at following consultation with borough councillors, as well as engagement on potential site allocations with Parishes. The following political preferences were expressed, in addition to technical evidence coming forward, such as input from infrastructure providers, constraints studies such as the SFRA, topic papers and land availability and deliverability studies:

- There is a clear political desire for garden settlements to be included within the LPR, and linked to this;
- There is a clear political desire for growth to be limited, both in Maidstone and in rural settlements;
- There is a preference for development in Maidstone town centre to focus on improving the local employment and infrastructure offer in preference to housing.

### Policy SS1

5.42 The new Local Plan spatial strategy is an evolution of that contained within the Local Plan 2017. Changes are flagged below for ease of use.

#### Maidstone Borough spatial strategy 2022-2037

1. Between 2022 and **2037** provision is made through the granting of planning permissions and the allocation of sites for **18,210** new dwellings;

2. Between **2022 and 2037** provision is made through the granting of planning permissions and the allocation of sites for:

- i. **33,430m<sup>2</sup>** floorspace for office use;
- ii. **27,135m<sup>2</sup>** floorspace for industrial use;
- iii. **40,990m<sup>2</sup>** floorspace for warehousing use;

3. Between **2022 and 2032** provision is made through the granting of planning permissions and the allocation of sites for:

- i. **4,019 m<sup>2</sup>** floorspace for retail (convenience) use;
- ii. **107m<sup>2</sup>** floorspace for retail (comparison) use; and
- iii. **6,712m<sup>2</sup> floorspace for food and beverage use.**

4. New land allocations that contribute towards meeting the above provisions are identified on the policies map.

#### Maidstone Urban Area

5. Maidstone urban area will continue to be the main focus for development in the borough. Best use will be made of available sites within the urban area. Renewal is prioritised within the town centre, which will continue to be the primary retail and office location in the borough, **and for which further detailed masterplanning is proposed to ensure that the maximum benefit is realised from development in the town centre.**

#### Garden Settlement & Strategic Development Locations

**6. New, sustainable Garden Settlements are identified at Lenham Heath and Lidsing which will provide new homes, jobs and services, all delivered to garden community principles.**

**7. A Strategic Development Location is identified at Invicta Barracks, with potential for development in the Leeds-Langley corridor to support and enable a possible addition to the highway network linking the A274 with M20 J8.**

#### Employment Sites

8. A prestigious business park at Junction 8 of the M20 that is well connected to the motorway network will provide for a range of job needs up to **2037**. The site will make a substantial contribution to the need for new office space in the borough as well as meeting the 'qualitative' need for a new, well serviced and well connected mixed use employment site suitable for offices, industry and warehousing, and will thereby help to diversify the range of sites available to new and expanding businesses in the borough. **Redevelopment of the former Syngenta Works site near Yalding will make a significant contribution to the provision of employment uses. A number of new, smaller employment**

**allocations are set out around the borough to assist in the delivery of a range of types of employment across the borough.**

### **Rural Service Centres**

9. Harrietsham, Headcorn, Lenham, Marden and Staplehurst rural service centres will be the secondary focus for housing development with the emphasis on maintaining and enhancing their role and the provision of services to meet the needs of the local community. Suitably scaled employment opportunities will also be permitted.

### **Larger Villages**

10. The larger villages of Boughton Monchelsea, Coxheath, Eyhorne Street (Hollingbourne), Sutton Valence and Yalding will be locations for limited housing development consistent with the scale and role of the villages.

### **Other locations**

**11. Smaller villages not identified within the settlement hierarchy may have the potential to accommodate limited growth which will contribute to ensuring that local services are supported, and sustainable communities are retained.**

12. Small scale employment opportunities will be permitted at appropriate locations to support the rural economy.

13. In other locations, protection will be given to the rural character of the borough avoiding coalescence between settlements, including Maidstone and surrounding villages, and Maidstone and the Medway Gap/Medway Towns conurbation.

14. The green and blue network of multi-functional open spaces, rivers and water courses, the Kent Downs Area of Outstanding Natural Beauty and its setting, the setting of the High Weald Area of Outstanding Natural Beauty, and landscapes of local value will be conserved and enhanced.

### **Infrastructure**

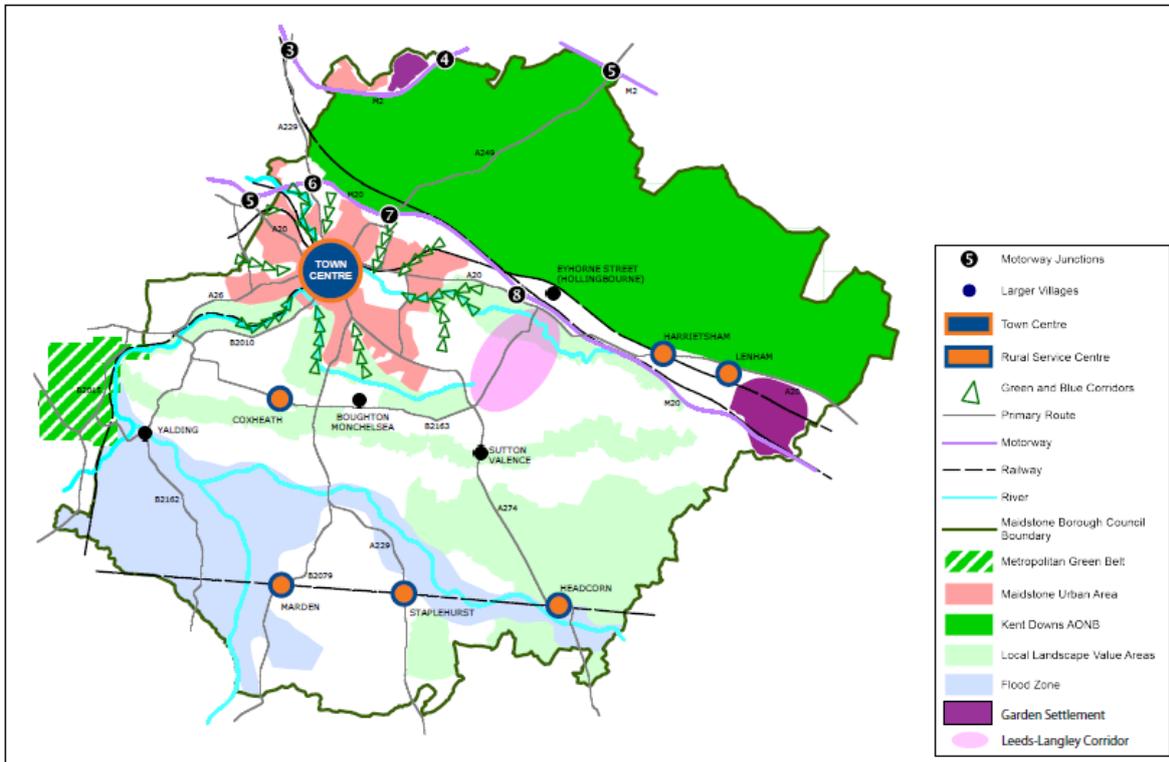
15. Infrastructure schemes that provide for the needs arising from development will be supported. New residential and commercial development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve it.

## Comparison between Existing Local Plan & the Local Plan Review

<b>Current Planned Growth 2011-2031</b>	<b>Additional growth 2022-2037</b>
17,660 new dwellings	5,790 new dwellings
187 Gypsy and Traveller pitches and 11 Travelling Showpeople plots;	Not identified yet (assessment ongoing)
39,830m <sup>2</sup> floorspace for office use	-6,400m <sup>2</sup>

20,290m <sup>2</sup> floorspace for industrial use	6,845m <sup>2</sup>
49,911m <sup>2</sup> floorspace for warehousing use	-8,921m <sup>2</sup>
100,000m <sup>2</sup> floorspace for medical use	0m <sup>2</sup>
6,100m <sup>2</sup> floorspace for retail use (convenience goods)	-43m <sup>2</sup>
23,700m <sup>2</sup> floorspace for retail use (comparison goods)	-22,680m <sup>2</sup>
0m <sup>2</sup> floorspace for food and beverage use	9,069m <sup>2</sup>

### Key Diagram (Draft)



Maidstone Borough Key Diagram

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## 6. Spatial Strategic Policies

### SP1 Maidstone Town Centre

Introduction to the Policy/ Reasoned Justification

6.1 Maidstone has a successful town centre, but there is scope for improvement. 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 in 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 192,000m<sup>2</sup>

6.2 Maidstone town centre is also a significant shopping destination, offering a predominately outdoor, street-based shopping environment. There is some 141,000m<sup>2</sup> of retail floorspace within the town centre boundary. 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.

6.3 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 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 pedestrians and cyclists are indirect and, to a degree, unattractive to use which limits the potential for sustainable linked trips.

6.4 The town centre like others across the country faces challenges from changing retailing patterns, 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 the Medway towns, as well as from Bluewater.

6.5 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 include the Hazlitt Theatre on Earl Street, the Maidstone museum on St Faith's 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 cafés.

6.6 Maidstone historically is a significant location for office employment in Kent. Since 2013 there has been a steady rate of conversions of office stock to residential use. It is acknowledged that there was an oversupply of poorer quality office stock in the town centre which was no longer fit for purpose. This had the effect of suppressing the town centre office market and thereby inhibiting new investment in stock which could better meet modern business needs. In order to protect the remaining good quality office stock in the town centre, an Article 4 Direction has been issued.

6.7 There is still potential to rationalise the supply of the poorest stock through conversion or redevelopment to alternative uses. The reduction in stock has been significant and in order for Maidstone to retain its position in the regional office market, new stock will need to be developed. There is little scope for the value of the lowest quality office stock, in terms of rents, to increase with further falls in values further making redevelopment for alternative uses increasingly viable. If a corresponding uplift in the market for town centre apartments can be instigated, there is the potential for highly viable sites for residential and new town centre uses to be delivered.

6.8 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, and further afield the substantial facilities of both Whatman Park and Mote Park.

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, often unseen and unappreciated in culverts.

6.10 Maidstone historically is the key crossing point of the Medway and as such has main roads passing through its centre. This has manifested itself as a gyrational network around the centre linking the A20, A229, A26 and A274. The quality and attractiveness of the town centre as a pedestrian-oriented location has long been a focus, with many upgrades resulting in a significant pedestrian-friendly area spanning Gabriel's Hill, High St, Week St, and most recently Earl St. Vehicles are generally pushed to the perimeter of the town centre, but access to parking within and adjacent to the centre is generally good. Public transport access within the centre is good with trains linking Maidstone town centre with London, Ashford, Tonbridge, Paddock Wood, and the Medway towns. This contributes considerably to Maidstone's commercial catchment. Buses also link the surrounding areas, with the bus station currently located as a part of the Mall.

6.11 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 One Maidstone will be delivering projects associated with marketing, events, regeneration and culture.

#### The Town Centre Opportunity Sites

6.12 There are a range of opportunities to bring forward new town centre renewal. Five such opportunities were identified through the Town Centre Opportunity Guidance documents published by the Council in 2019. These provide guidance on the future development of:

- Gala Bingo
- Len House
- Maidstone Riverside
- Maidstone West
- Mote Road

6.13 There are also other opportunities that will present themselves over the Plan period. The "churn" of land uses in the town centre is generally higher than that elsewhere, and this will continue to present opportunities for renewal and new uses in the town centre. These sites are included as allocations in this document.

## The Town Centre Boundary

6.14 The town centre boundary identifies the area covered by the policy SP1. It has resulted from a positive assessment of the opportunities for:

- Sites containing the main focus of town centre uses;
- the existing character and form of development and it's potential for change;
- the visual, physical and functional form within and around the primary shopping area; and
- the potential for appropriate development opportunities.

## Shopping

6.15 The Economic Development Needs Study (EDNS) (2020) sets out 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, cafés 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.

6.16 The EDNS forecasts the need for new shopping floorspace in the town for both the traditional comparison and convenience shopping, as well as for food and beverage space, over the time frame 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 as such the findings for the latter part of the plan period in particular must be regarded as broad indications of retail capacity rather than absolute quantum. This uncertainty is recognised through the NPPF, as allocations for town centre uses are only required for the first ten years of the plan. A further review of the capacity forecasts will therefore be needed during the LPR plan period to ensure continued provision of appropriate levels of floorspace in the town centre.

6.17 In terms of indicative floorspace requirements over the whole plan period, as well as floorspace allocation requirements over the first ten years of the plan, for all town centre A uses, the EDNS sets out the following:

Uses		Year	
Previous Use Class	New use Class	2032	2037
<b>Maidstone Town Centre</b>			
A1 convenience	E(a) use	3,008 sqm	4,673 sqm
A1 comparison	E(a) use	0 sqm	730 sqm
A3-A5 food/beverage	E(b) use	5,495 sqm	7,444 sqm
<b>Sub-total:</b>			<b>12,847 sqm</b>
<b>Rest of the borough</b>			
A1 convenience	E(a) use	1,011 sqm	1,384 sqm
A1 comparison	E(a) use	107 sqm	290 sqm
A3-A5 food/beverage	E(b) use	1,217 sqm	1,625 sqm
<b>Sub-total:</b>			<b>3,299 sqm</b>
<b>TOTAL:</b>			<b>16,146 sqm</b>

6.18 Over half of the borough's identified need (56%) is for food and beverage floorspace, with 38% identified for convenience retail and just 6% of the floorspace identified for comparison retailing. This is very much in accordance with the 'town centre first' approach, with 80% of all floorspace required in the town centre. The remaining 20% required throughout the rest of the borough is expected to serve local needs, thereby maintaining the centre hierarchy.

6.19 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 (LPRSA146).

6.20 The site has capacity to accommodate 4,000m<sup>2</sup> of retail floorspace and would accommodate almost the entire identified town centre need for E(a) uses to 2037. 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 Fremlin 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.

6.21 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, Ashford and Bluewater. 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.

6.22 In response, the council will actively support the longer term redevelopment of the wider area that encompasses The Mall, the multi storey car park fronting Romney Place and Sainsburys as well as the King Street car park site and the former AMF Bowling building (policy RMX1(3)), both on the north side of King Street. As well as re-providing 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. Redevelopment will help to sustain and enhance the commercial health of the town centre. A scheme in this location is unlikely to come forward until the latter end of the plan period. The council will work with its partners to help bring the site forward, and to address issues of site assembly and physical constraints of the site. Identifying this area for longer term growth brings clarity in respect of the future of the town centre.

6.23 The local plan needs to define the 'primary shopping area' for the purposes of applying the sequential test (policy CD1). The sequential test requires that new retail development is directed to within the primary shopping area first, then to edge of centre sites (within 300m of the primary shopping area) before out of centre sites. The primary shopping area encompasses the core retail part of the town centre only; there is further significant retailing on more outlying streets (see policy CD2 – secondary retail frontages).

#### Offices

6.24 The permitted development rights for changes of use from office accommodation to residential use have had a significant effect on the potential supply of residential units in the town centre. At 1<sup>st</sup> April 2020, a total of 1,344 dwellings had been consented through prior notification within the town centre since the PD rights came into effect in 2013. There remains additional poor quality office

floorspace identified in the town centre from which to realise further residential opportunities, yielding approximately 350 dwellings during the plan period. As at 1 April 2020, 70% of this identified poor quality office stock remains available for conversion to residential use.

6.25 Office-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.

6.26 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.

6.27 A route to tackle this issue is to address the oversupply of poorer quality stock. Changes to the General Permitted Development Order enable the conversion of office space to residential use without the need for planning permission and this could continue 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.

6.28 It is expected that modern office buildings with car parking which remain fit for purpose will continue to be occupied and remain part of the office stock within the town centre. These sites are designated in the plan for office (B1) use (E(g) Use under the new Use Class Order).

6.29 The EDNS identifies a requirement for 33,430sqm (GEA) of new office floorspace across the borough over the plan period. It does not specify how much of this requirement should be accommodated within the town centre. However, in planning for sustainable growth, the town centre is the most accessible, sustainable location for such development. One of the key opportunities and a top priority for new office development will be the Maidstone East/Royal Mail

6.30 Sorting Office site (LPRSA146). This prominent site has capacity to accommodate 10,000m<sup>2</sup> of high quality office floorspace and is directly served by rail, bus and taxi services, as well as offering commuter parking. Allocations at Powerhub Building and Baltic Wharf (LPRSA148) and Mote Road (LPRSA151) also provide significant opportunity for the development of new office floorspace within the town centre and should be developed using the Town Centre Opportunity Guidance approved by the Council in 2019.

## Housing

6.31 Whilst commercial uses are the priority for the town centre, residential uses in and around the town centre positively benefit the retail and employment uses by providing local demand, vitality and vibrancy especially during the evening. This can be achieved by improving links from the

surrounding areas into the centre, as well as through new town centre residential development, in particular as part of mixed use schemes.

6.32 Maidstone town centre has strong characteristics associated with premium property values (access to public transport and services and amenities), but at present the price in the town centre is generally lower than elsewhere in the borough. This is largely due to the stock in the town centre being smaller than elsewhere and lacking in desirable features such as private outdoor space. Generating better quality stock, and improving surrounding environments has the potential to rebalance this relationship.

6.33 There has been a pattern of the delivery of high proportions of affordable (social and affordable rent) housing in and around the town centre, reaching back to post-war developments and continuing to this day. A strategic approach to ensuring that there is a balanced set of housing tenures across the town centre will be required to ensure sustainable and balanced communities are achieved here.

6.34 Minimum space standards will be a key tool in ensuring new stock is of a high quality, and the mix of houses that provide a choice for a range of households (individuals, couples, small families, larger families, older people) should be provided in line with the 2019 SHMA.

#### Accessibility

6.35 A key function and strength of the town centre is 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 will be identified in an updated Integrated Transport Strategy, including seeking improved connectivity to and through the town centre by all modes, a revised approach to car parking management and improvements to active transport infrastructure.

#### Quality in the town centre environment

6.36 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, and attractiveness to visitors. Alongside obvious assets including the rivers Medway and Len, the town centre's bowl topography allow impressive 360 degree landscape views from elevated positions.

6.37 The town centre has a significant historic core, which as the centre has evolved has become fragmented through a varied set of new buildings of a wide variety and architectural quality. There is a need to create greater consistency between the historic, modern, and contemporary buildings to improve the overall sense of place within the centre. In recent years there have been improvements to the street furnishings and surfaces, and now much of the core of the town centre is prioritised for pedestrians.

6.38 The town centre has good quality open spaces on its doorstep, notably Benchley Gardens, Whatmore Park, and Trinity Park, as well as close proximity to Mote Park. Improved linkages to and between the existing green spaces and riverside environment within the town centre will help to improve access to all of these for users of the centre. The Green and Blue Infrastructure Strategy will help to identify the principles that should be followed and the Town Centre Action Plan will include specific initiatives for implementation, including 'greening' the town centre and help to adapt to, and mitigate against, climate change.

## Maidstone Town Centre Action Plan

6.39 A longer-term vision to improve the Town Centre will be brought forward in a Town Centre Action Plan. The Action Plan will be developed as a part of the overall Development Plan and will seek to increase investment and improve the services within, and operation of the town centre over the period to 2050.

### Maidstone Town Centre 2050 Vision

*Securing the future role of Maidstone as the County Town of Kent and as a focus for investment in a wide range of employment, retail and leisure facilities. By 2050 a renewed Maidstone town centre will be a distinctive, safe and high quality place that has:*

- *Retained its best environmental features, including the riverside and the enhanced public realm, facilitating a more active and multi-functional set of urban spaces;*
- *Provided a variety of well-integrated attractions for all ages including new shopping, 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 to maximise its sphere of influence and access to labour;*
- *Creating a stronger mix and balance of uses within the centre to support long term viability including where appropriate residential development;*
- *Delivery of new high quality community, health and education infrastructure;*
- *Adding higher value jobs, new approaches to sustainable working and sustainable living patterns;*
- *Sequencing the delivery of development such that improvements to jobs and infrastructure are provided alongside new housing;*
- *Ensuring the centre's green and blue infrastructure, and public realm is enhanced to attract new investment;*
- *Developing the visitor economy and creating an attractive and healthy living and working environment;*
- *Providing a pattern of both accessibility and service provision/activity which encourages all of the borough and beyond to identify with the Town Centre, and*
- *Tackling congestion and air quality issues through improvements in provision for vehicles, pedestrians and cyclists, including public transport.*

### Reasonable alternatives tested

6.40 The Town Centre was tested through the Sustainability Appraisal and Transport Modelling as a potential growth location in this Plan. It was consistently found to demonstrate the highest relative sustainability of all the growth locations in the borough, and as such is being allocated growth in line with this. Not developing in the town centre would place greater emphasis on the remaining urban as well as rural areas. It should be noted that there is not sufficient capacity in this area alone for it to comprehensively service all of the Borough's needs.

## Policy SP1 – Maidstone Town Centre

1) The continued renewal of Maidstone town centre, as defined on the policies map, is a priority. This will be achieved through the completion of a Town Centre Action Plan to secure:

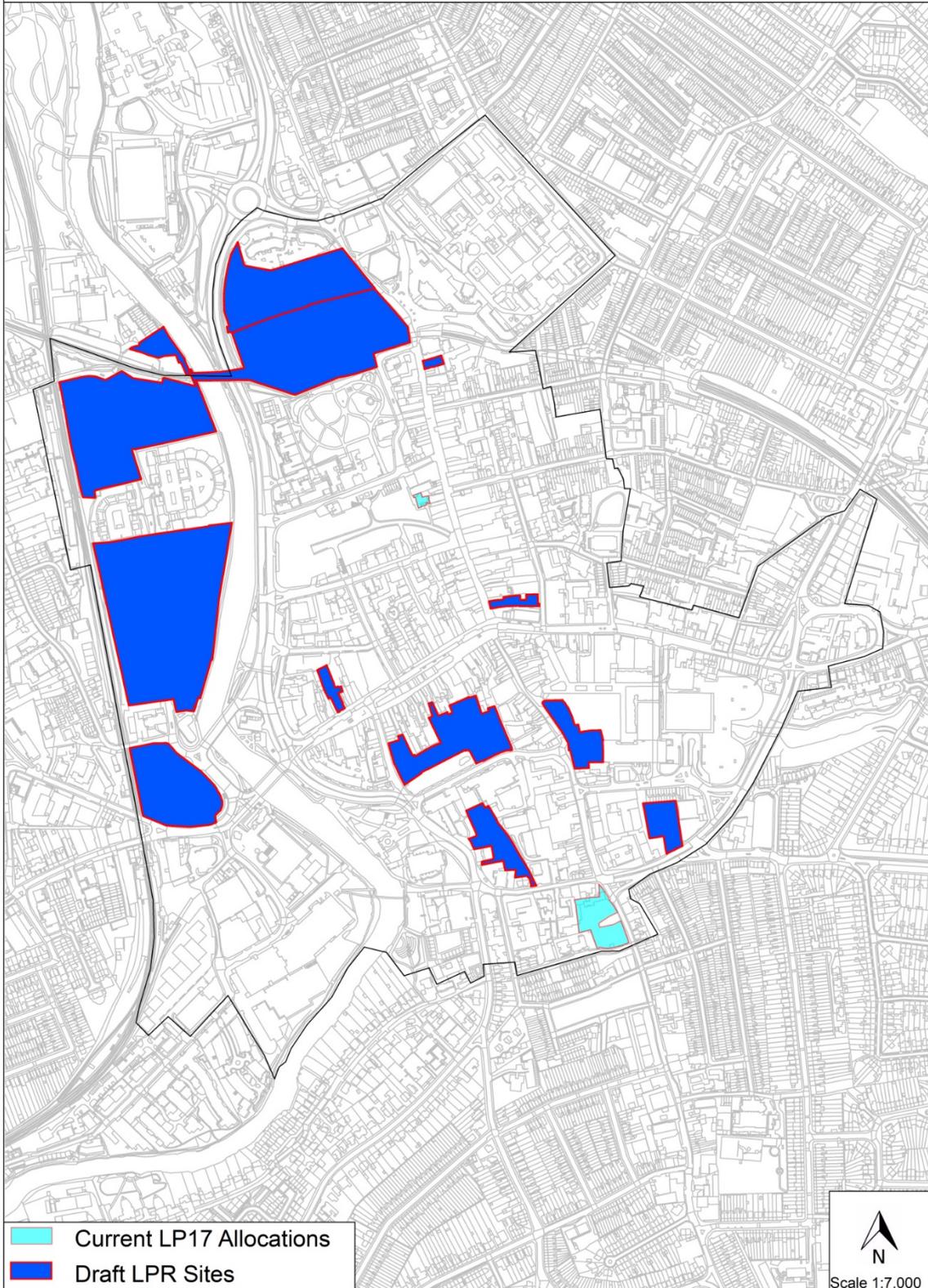
- a) The consolidation of Maidstone's position as the County Town of Kent;
- b) Retaining and enhancing a varied and well integrated shopping offer, including:
  - i) The protection and consolidation of retail uses within the primary shopping area;
  - ii) Outside the primary shopping area, allowing for a wider range of supporting uses including those that contribute to the evening and night time economy;
- c) Increasing local employment levels, capitalising on the covid-catalysed decentralisation trend from London, including:
  - i) The retention of the best quality office stock whilst allowing for the redevelopment of lower quality offices;
  - ii) Introduction of new workspace into the centre to enable the growth of a range of businesses and enterprises.
- d) Producing a step-change in the centre's leisure and cultural facilities;
- e) Select opportunities for residential redevelopment;
- f) The retention of the best environmental features, including the riverside, and delivery of schemes to improve the public realm and pedestrian environment as identified in the Infrastructure Delivery Plan; and
- g) Achieving improved accessibility to and through the town centre through the measures in the Integrated Transport Strategy and Infrastructure Delivery Plan.

2) Development in the town centre should:

- a) 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 Rivers Len and Medway, development should:
  - i) Respond positively to the rivers' setting as seen in both short range views and in longer range views from the river valley sides; and
  - ii) Ensure public access throughout the centre is maintained and enhanced.
- b) Contribute to a high quality public realm and improvement schemes for the town centre identified in the Infrastructure Delivery Plan.
- c) Development set out in the Local Plan 2017 includes:
  - i) A town centre broad location with the potential to deliver in the order of 940 additional homes at The Mall, on the riverside west of the River Medway, and through the conversion of existing poorer quality office stock. The riverside area has subsequently been updated through town centre opportunity guidance.
  - ii) 393 units on Site allocations H1 (12, 13 & 20) + RMX1 (2, 3, 5, & 6)
  - iii) 6,000m<sup>2</sup> new commercial and 11,400m<sup>2</sup> new retail across the centre
- d) An additional 883 units and 9,667m<sup>2</sup> commercial and retail floorspace on the 5 TC Opportunity Sites above and beyond the existing Local Plan 2017 growth.
- e) 700 additional residential units, and ambitious targets for jobs growth through the Town Centre Action Plan.

This policy will be revisited and updated in the forthcoming Town Centre Action Plan.

# Maidstone Town Centre



## SP2 Maidstone Urban Area

### Introduction to the Policy/ Reasoned Justification

- Development has been significant in the urban area over the past 5 years, and there is a need to ensure that infrastructure is balanced with current and planned allocations
- This policy should be read alongside SP3 & SP1
- Locations adjacent to the town centre are addressed a different policy: The Springfield/Whatmans sites off Royal Engineers Road is a gateway location just beyond the town centre boundary where significant new residential development is planned.

6.41 Policy SP2 is specifically concerned with the built up area of Maidstone that is outside the identified town centre boundary but within the urban boundary as 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.

6.42 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 infilling and select redevelopment of appropriate urban sites. Development proposals at all locations within the urban area should look to include links to open spaces.

6.43 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.

6.44 A number of key infrastructure requirements have been identified for provision within the Maidstone urban area as set out in the policy below. There is a significant strategic need for additional secondary school provision within the borough. The Valley Invicta Academy Trust has recently received approval from the Department for Education for an application for free school status and, subject to planning permission, funding has been provisionally secured for a scheme on land adjacent to Invicta Grammar School and Valley Park School.

### Regeneration

6.45 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. 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.

### Reasonable alternatives tested

6.46 The Urban Area was tested through the Sustainability Appraisal and Transport Modelling as a potential growth location in this Plan. It was consistently found to demonstrate a high relative sustainability when compared to other growth locations in the borough, and as such development is being allocated in line with this. Not developing within the urban area would place greater emphasis on the remaining urban as well as rural areas. It should be noted that there is not sufficient capacity in this area alone for it to comprehensively service all of the Borough's needs.

## Policy SP2 – Maidstone Urban Area

- 1) As a sustainable location, Maidstone urban area, as defined on the policies map, will be a key focus for new development.
- 2) Within the urban area and outside of the town centre boundary identified in policy SP4, Maidstone will continue to be a good place to live and work. This will be achieved by:
  - a) Allocating sites at the edge of the town for housing and business development;
  - b) The development and redevelopment or infilling of appropriate urban sites in a way that contributes positively to the locality's distinctive character;
  - c) Retaining well located business areas;
  - d) Maintaining the network of district and local centres, supporting enhancements to these centres in accordance with the overall hierarchy of centres;
  - e) Retaining the town's green spaces and ensuring that development positively contributes to the setting, accessibility, biodiversity and amenity value of these areas as well as the River Medway and the River Len; and
  - f) Supporting development that improves the social, environmental and employment well-being of those living in identified areas of deprivation.
- 3) Strategic policy SP3 sets out the requirements for development around the edge of the urban area. Elsewhere in the urban area land is allocated for housing, retail and employment development together with supporting infrastructure.
  - a) Approximately 1,846 new dwellings will be delivered on 23 existing Local Plan sites in accordance with policies H1(11) to H1(30).
  - b) Approximately 182 additional units will be delivered in the urban area on sites LPRSA156, 366, 152, 298, and 303.
  - c) Fourteen existing sites at Aylesford Industrial Estate, Tovil Green Business Park, Viewpoint (Boxley), Hart Street Commercial Centre, The Old Forge, The Old Brewery, South Park Business Village, Turkey Mill Court, Eclipse Park, County Gate, Medway Bridge House, Albion Place, Victoria Court and Lower Stone Street (Gail House, Link House, Kestrel House and Chaucer House) are designated Economic Development Areas in order to maintain employment opportunities in the urban area (policy SP11(a)).
  - d) Key infrastructure requirements include:
    - i) Improvements to highway and transport infrastructure, including junction improvements, capacity improvements to part of Bearsted Road, improved pedestrian/cycle access and bus prioritisation measures, in accordance with individual site criteria set out in policies H1(11) to H1(30);
    - ii) Additional secondary school capacity including one form entry expansions of the Maplesden Noakes School and Maidstone Grammar School;
    - iii) Additional primary school provision through one form entry expansion of South Borough Primary School;
    - iv) Provision of new publicly accessible open space; and
    - v) Improvements to health infrastructure including extensions and/or improvements at Brewer Street Surgery, Bower Mount Medical Centre, The Vine Medical Centre, New Grove Green Medical Centre, Bearsted Medical Practice and Boughton Lane Surgery.

## SP3 Development at the edge of Maidstone

### Introduction to the Policy/Reasoned Justification

6.47 In the current 2017 Local Plan there has been significant growth identified to the North West, and (particularly) the South East of Maidstone. The developments allocated in the current plan are at various stages of construction, with some having fully built out, some under construction, and some parcels still awaiting to start construction. The urban fringe of Maidstone has demonstrated that it is a deliverable location for new housing growth, but the expansion of the urban boundary now risks coalescing with surrounding villages.

6.48 This plan seeks to restrict additional growth at the edges of Maidstone to protect the integrity of surrounding villages in the medium term. This doesn't mean that no sites are allocated in these areas, but additional development on the scale of the 2017 Plan is not included. As such a single consolidated policy for the additional growth around the edge of Maidstone is proposed in the Local Plan Review.

6.49 The edge of Maidstone is still needed to play an important part in meeting housing need across the borough. In addition to the South East and North western extensions, modest sites are identified to the north, north-east, south, and south-west of the Urban Area.

6.50 It is appropriate that the existing policy wording ensuring the sustainable completion of the 2017 allocations is included, and this is encompassed in the Policy below.

### North West

6.51 The north west strategic development location benefits from good access to the M20 motorway, the A20 and the A26. There are capacity challenges that will need to be considered with the local transport network, including key junctions at the M20 junction 5 and at the northern and southern ends of Hermitage Lane. The council will work to address these challenges with Kent County Council, Highways England and the developers of the sites in this location.

6.52 Local services in this part of the town are good and include a mix of health and education facilities which are within walking distance or accessible by frequent public transport services.

6.53 Retail options are also good at this location. In addition to local convenience stores, the town centre is easily accessible, as is the Quarry Wood retail location across the borough boundary in Aylesford, which provides a mix of convenience and comparison goods.

6.54 At this location the council is keen to retain the separation between the edges of Barming and Allington and the edge of the Medway Gap settlements in Tonbridge and Malling Borough i.e. Aylesford, Ditton and Larkfield. To the north, long range landscape views that would be affected by developing these sites has been considered by the Planning Inspectorate, which concluded that it was acceptable to develop at East of Hermitage Lane.

6.55 The north west strategic development location has been comprehensively planned in respect of supporting infrastructure and connectivity between sites.

### South East

6.56 The south east strategic development location benefits from its proximity to Maidstone's urban area and the town centre, where key community infrastructure, local services and employment opportunities are located. A further benefit is that there are opportunities to expand and improve on existing services and facilities in this area, and to put new infrastructure in place to accommodate the demands arising from an increase in population.

6.57 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. New development on the urban periphery in the south east will be underpinned with a co-ordinated infrastructure approach for the area, which will focus on tackling congestion and air quality issues, improving accessibility to the town centre and providing the community services, facilities and accessible open space necessary to mitigate for the increase in population. This is reflected in some of the site allocation policies, where highways improvements such as junction improvements and bus priority measures on the A274 are proposed, along with significant areas of new public open space, two new primary schools and a community hall.

6.58 At this location the council is keen to limit as much as possible the extension of development further into the countryside along both sides of the A274, Sutton Road. This ensures that the more sensitive landscapes in this area will remain protected and development will be consolidated around the urban edge to make best use of new and existing infrastructure.

6.59 The south east strategic development location has been comprehensively planned in respect of supporting infrastructure and connectivity between sites.

#### Reasonable alternatives tested

6.60 Sustainability Appraisal and transport modelling evidence suggests that the Maidstone Urban area is a generally more sustainable location for future growth than the rest of the borough. While not as sustainable as the town centre, it is relatively sustainable, services are accessible, and an improved network of services along key routes is supported. Not developing in these areas would place greater emphasis on rural areas. It should be noted that there is not sufficient capacity in this area alone, or closer to the centre of Maidstone for these areas to comprehensively service all of the Borough's needs.

### Policy SP3 – Edge of the Maidstone Urban Area

#### **The South Eastern Urban Area**

Land to the south east of the urban area is allocated as a strategic development location for housing growth with supporting infrastructure.

- 1) In addition to development, redevelopment and infilling of appropriate sites in accordance with other policies in the Plan, approximately 2,651 new dwellings will be completed on Local Plan 2017 allocated sites (policies H1(7) to H1(10)).
- 2) The existing Parkwood Industrial Estate is designated as an Economic Development Area in order to maintain employment opportunities (policy SP11(a)).
- 3) Key infrastructure requirements for the south-east strategic development location include:
  - a. Highway and transport infrastructure improvements including: junction improvements on the A274 Sutton Road incorporating bus prioritisation measures, the installation of an extended bus lane in Sutton Road, together with improved pedestrian and cycle access, in accordance with individual site criteria set out in policies H1(7) to H1(10);
  - b. New primary schools on site H1(10) and expansion of an existing primary school within south east Maidstone;
  - c. A new community centre and local shopping facilities will be provided on site H1(5) to serve new development;
  - d. A minimum of 22.1 hectares of publicly accessible open space will be provided; and

- e. Improvements to health infrastructure including extensions and/or improvements at The Mote Medical Practice, Orchard Medical Centre, Wallis Avenue Surgery and Grove Park Surgery.

#### **The North Western Urban Area**

- 4) In addition to development, redevelopment and infilling of appropriate sites in accordance with other policies in the Plan, approximately 1,157 new dwellings will be delivered on three sites allocated in the Local Plan 2017 (policies H1(2) to H1(4))
- 5) The existing 20/20 site at Allington and Hermitage Mills are designated as Economic Development Areas in order to maintain employment opportunities (policy SP11(a)).
- 6) Key infrastructure requirements for the north-west strategic development location include:

- a) Highway and transport infrastructure including improvements to: the M20 junction 5 roundabout; junctions of Hermitage Lane/London Road and Fountain Lane/Tonbridge Road; pedestrian and cycle access; and public transport, including provision of a new bus loop in accordance with individual site criteria set out in policies H1(2) to H1(4);
- b) A new two form entry primary school, community centre and local shopping facilities will be provided on-site H1(2) to serve new development;
- c) A minimum of 15.95 hectares of publicly accessible open space will be provided; and
- d) Improvements to health infrastructure including extensions and/or improvements at Barming Medical Practice, Blackthorn Medical Centre, Aylesford Medical Centre and Allington Park or Allington Clinic.

#### **The remainder of the urban edge**

- 7) In addition to development, redevelopment and infilling of appropriate sites in accordance with other policies in the Plan, approximately 1,084 new dwellings will be delivered on ten sites (policies LPRSAs 196, 216, 203, 265, 235, 270, 172, 362, 246, and 266).

## SP4 Garden Settlements

### Introduction to the Policy/Reasoned Justification

6.61 The Council indicated when releasing the Call for Sites in March 2019 that it was interested in pursuing garden communities as a method of accommodating future housing need over the Local Plan Review Period.

6.62 New Garden Communities need to be of a sufficient scale to deliver meaningful supporting infrastructure. The Government defines 'garden villages' as being of between 1,500 and 10,000 homes and 'garden towns' as being of 10,000+ homes. They can be new, freestanding settlements or a new neighbourhood created through a major extension to an existing urban area. In either case, they are areas which are comprehensively planned and co-ordinated from the outset where the new homes and other forms of development will be built over an extended number of years.

6.63 New Garden Communities also offer the prospect of achieving mixed, balanced communities through the supply of a range of types and tenures of housing and a highly integrated approach to the provision of supporting infrastructure, facilities and mix of uses. This integration, co-ordination and delivery-focus are likely to be best achieved by taking a masterplanning approach to the delivery of the new garden community.

#### Assessment Process

6.64 Through the Call for Sites a number of garden settlement-scale developments were submitted. The Council has sought the independent assessment of the suitability and deliverability of each of these. There were judged to be 4 potentially suitable garden settlement locations within the borough. One of these, the Leeds-Langley corridor is not currently being promoted as a coherent development. Three submissions have been tested for deliverability by an independent consultant. The outcome of this study identified three potentially deliverable garden settlements.

6.65 The Sustainability Appraisal also assesses the proposed garden communities, against its own sustainability criteria. MBC has given further consideration to the work undertaken by the independent consultants in regard to garden communities and the sustainability appraisal when coming to a decision on the two garden communities for are part of the preferred spatial strategy. Consideration has been given to combinations of garden settlement proposals and different approaches to growth dispersal.

6.66 It has been recognised that there are strengths and weaknesses associated with all garden community submissions. The Council has considered the proposals and are content that the two garden communities that have been included in the preferred spatial strategy can contribute to meeting the Council's housing target as part of the preferred spatial strategy.

6.67 On balance, it is considered that Lidsing and Heathlands garden communities present significant potential benefits including:

- Connectivity potential, including to existing transport networks
- Potential for mixed and balanced communities
- A high degree of self-containment potential
- significant potential job creation
- potential to continue to meet needs beyond the plan period
- potential to provide significant infrastructure for new and existing communities

6.68 The Council has determined that it is appropriate to take forward 2 garden settlement proposals within the plan: land at Lidsing, and land at Lenham Heath. These will be the subject of specific policies at SP4(a) & SP4(b).

#### Reasonable alternatives tested

6.69 Garden Settlements as a typology of development that could help meet local need have been tested both as a typology, and on an individual and combination basis to explore their sustainability, transport impact, and potential ability to help meet overall needs. This enable the sustainability implications of Garden Settlements be compared to other types of development, as well as in combination with growth in other areas.

6.70 It is clear that either individually, or in concert, that Garden Settlement/ Strategic development locations do not have the ability to meet all need across the borough. It is possible to meet local need without any garden settlements. An overdependency on garden settlements would increase risk in terms of ensuring developable land comes forward in the earlier parts of the Plan period. A blend of garden settlement/ strategic development locations and traditional sites in mature urban and rural locations will be required to meet development throughout the Plan period.

#### Policy SP4 – Garden Settlements

1) The Council supports the development of appropriate Garden Community developments, subject to them, as well as having regard to other policies in this Plan:
a) Creating a distinctive place to live at a sustainable scale which responds to local character in the heart of Kent;
b) Providing a clear, holistic masterplan that integrates the new development with its surroundings;
c) Giving residents the best opportunities to follow healthy lifestyles, allowing activity to be built into their daily lives and providing opportunities to buy and grow healthy food along with ensuring that health services are close at hand;
d) That generous amounts of green space, landscaping, trees, and hedgerows are integrated into the design of the development - with the purposes of achieving biodiversity net gain, an attractive setting for development, informal recreational space, and attractive walking and cycling links;
e) Integrated and accessible transport choices, with a particular emphasis on active modes (walking and cycling), public transport and low emission technologies
f) Buildings and places designed with a strong focus on energy efficiency, reduced carbon emissions and climate change mitigation;
g) Exceptional connectivity through superfast broadband;
2) Additionally, in order to demonstrate that a Garden Community proposal is sustainable and deliverable, the following requirements will need to be met:
<ul style="list-style-type: none"> <li>• Masterplanning statement, including: <ul style="list-style-type: none"> <li>○ Design Code;</li> <li>○ Role of a Master developer;</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>○ Opportunities for multiple suppliers including SME builders to accelerate and sustain delivery rates;</li> <li>○ Evidence of collaboration between landowners, including an acceptable statement of the value captured on the site to provide new local development and services;</li> <li>○ Satisfactory engagement with utilities and other infrastructure providers to secure high quality local services;</li> </ul>
<ul style="list-style-type: none"> <li>● Evidence of Deliverability</li> </ul>
<ul style="list-style-type: none"> <li>○ Detailed viability statement, having regard to the appropriate existing land use value and a phased approach to local price elevation and value capture</li> <li>○ Comprehensive costings for all new infrastructure and utilities</li> <li>○ A phasing plan for the delivery of infrastructure improvements alongside new homes and jobs;</li> </ul>
<ul style="list-style-type: none"> <li>● Evidence of community engagement:</li> </ul>
<ul style="list-style-type: none"> <li>○ Engagement with and future roles for local communities;</li> <li>○ Identified future local governance arrangements.</li> </ul>
<ul style="list-style-type: none"> <li>● Development Mix containing:</li> </ul>
<ul style="list-style-type: none"> <li>○ Not less than 1,500 new homes;</li> <li>○ Appropriate local retail and services, taking into account the local and surrounding populations and levels of service provision;</li> <li>○ A good local employment offer, across a range of job types, with a benchmark target of 1 new job for each new home delivered;</li> </ul>

## SP4(a) Heathlands Garden Settlement

### Introduction to the Policy/Reasoned Justification

6.71 Heathlands offers a substantial opportunity for sustainable growth as a stand-alone garden settlement. It is the only such proposal within the borough that has passed the suitability and deliverability test set out in the Garden Settlements Assessment.

6.72 The site has many of the preconditions for a strategically located development. There is access to road by the A20 to the north, and potentially to the Maidstone-Ashford rail line. It's location at the foot of the North Kent Downs will provide a very attractive setting for the new residents, but care must be taken to ensure that the impact on views from and to the Downs are minimised and mitigated.

6.73 There is much work to be done in terms of bringing a masterplan together for this site, but there is the potential for an exemplary new settlement at this location, utilising the A20 and existing rail links, as well as contributing towards the business case for a new M20 junction. There is particular uncertainty around the delivery of the western portion of the site due to an existing minerals allocation, the impacts from the Lenham Waste Water Treatment facility potential for convergence with the village of Lenham, and potential AONB impact.

6.74 The requirement for a new rail station does however increase the strategic value of the land north of the currently proposed site. It is conservatively assumed that this has the potential for an additional 2,000 new homes, with a mix of employment and services to the north of the rail line. It will be particularly important that this part of the site is carefully designed to ensure the impact to

the setting of the AONB is appropriately managed, as well as ensuring that new links to the A20 are established.

#### Reasonable alternatives tested

6.75 All garden settlement-scale allocations have been tested individually, as a typology of development, and in various combinations to explore their sustainability, transport impact, and potential ability to help meet overall needs

6.76 It is clear that either individually, or in concert, that Garden Settlement/ Strategic development locations do not have the ability to meet all need across the borough. A blend of garden settlement/ strategic development locations and traditional sites in and on the edge of mature urban and rural locations will be required to meet development throughout the Plan period.

#### Policy SP4(a) Heathlands Garden Settlement

1) The new settlement should be Masterplanned and designed to garden Settlement standard as set out in Policy SP4. This should be prepared in agreement between the landowner(s) and the Council
2) Phasing & Delivery
<ul style="list-style-type: none"> <li>a) Starting in approximately 2030</li> <li>b) A mix of sizes of land parcels to enable development by a range of types and sizes of developers.</li> <li>c) Ensure that environmental mitigations are delivered in advance of construction</li> </ul>
3) Housing:
<ul style="list-style-type: none"> <li>a) 5,000 new homes;</li> <li>b) A minimum of 40% affordable housing;</li> <li>c) Range of types including across tenures, mix, including for generational living</li> </ul>
4) Masterplanning and design parameters:
<ul style="list-style-type: none"> <li>a) Design Code, Building typologies, rhythm and street layout</li> <li>b) Landscape study to inform design parameters including views into/ from the AONB;</li> <li>c) Interfaces with existing buildings which will be retained on and around the site;</li> <li>d) How the settlement's shape is designed with regards its relationship to Lenham, Lenham Heath &amp; Charing;</li> <li>e) Investigating how density can be optimised, particularly around the areas with the best access to the new rail station, district centre, and high quality open spaces</li> </ul>
5) Employment/ Commercial
<ul style="list-style-type: none"> <li>a) Development should aim to provide for as close to 5,000 new jobs as feasible and viable;</li> <li>b) A new District centre focused on a new railway station</li> <li>c) Local Centres where the site extends &gt;1.2km from rail station (diagram)</li> <li>d) Knowledge focused B1 focused around the new district centre</li> <li>e) New B2/B8 space</li> </ul>
<ul style="list-style-type: none"> <li>i) adjacent to A20 junction,</li> <li>ii) or potential future M20 junction</li> </ul>
6) Infrastructure
<ul style="list-style-type: none"> <li>a) Bespoke infrastructure funding agreement based on the value captured by the development, expected to be higher than that which would ordinarily be captured using a</li> </ul>

borough CIL approach, and should be spent on infrastructure locally, and in the surrounding areas, particularly Lenham and Charing, where suitable.

- b) New primary school
- c) Address future development of Lenham Waste Water Treatment Works
- d) 50% of the site area will be publicly accessible open space, meeting all of the standards set out in Policy SP13 (c) on-site.

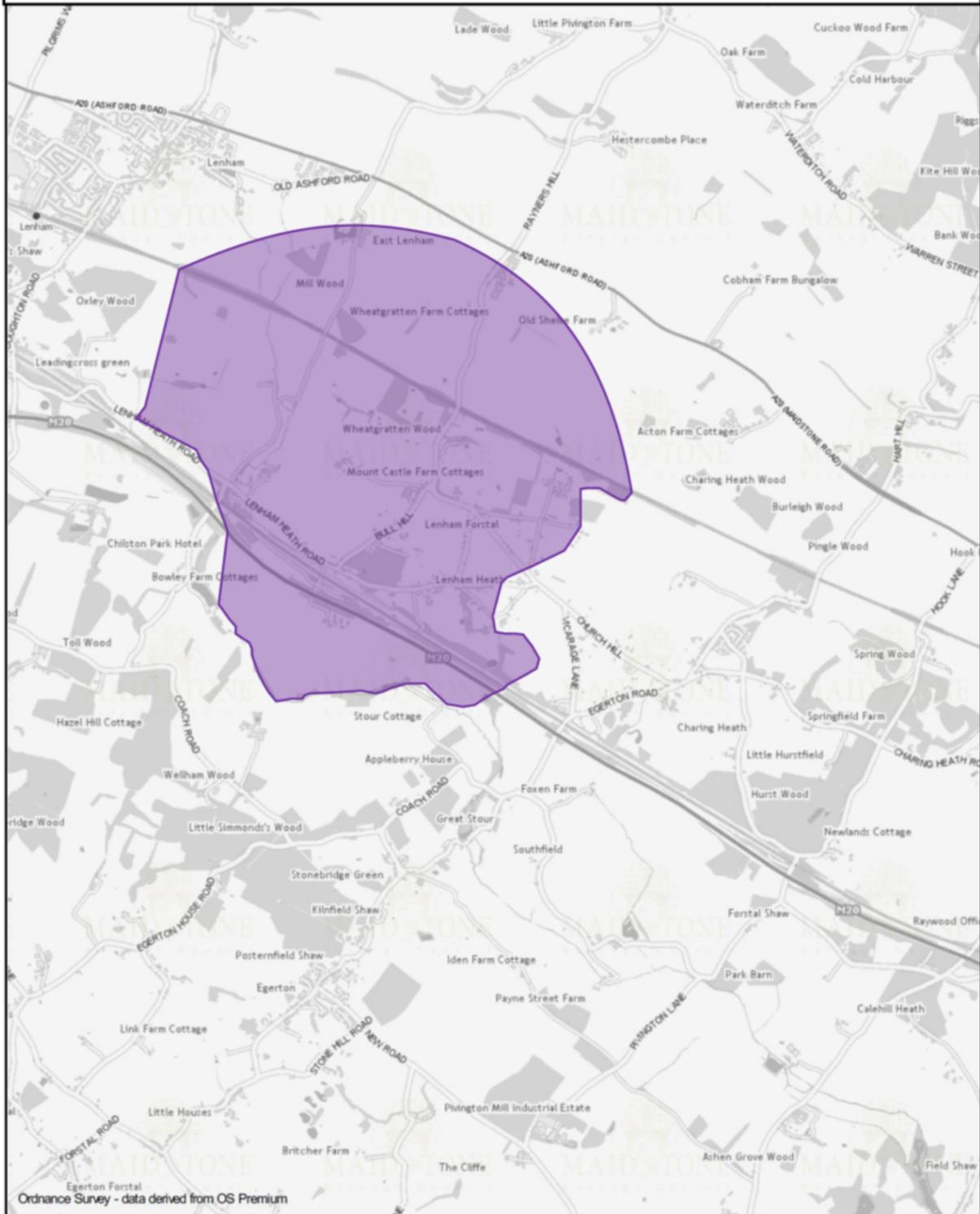
#### 7) Transport Connections

- a) A new rail station will be provided on the Maidstone-Ashford rail line;
- b) 2 new A20 connections will be established to the north of the development, on routes which successfully span the Maidstone-Ashford rail line to connect with the southern part of the site.
- c) A new bus route linking Improved bus routes
- d) Cycling & Walking links to the new district centre
- e) Potential connection to a new M20 junction as a result of cumulative development between M20 Junction 8 & Ashford

#### 8) Environmental

- a) A new country park/wetlands area around the Stour River south of the site and its ability to filter nitrates & phosphates arising upstream, having regard to the future operation of the Lenham Waste Water Treatment Works, having regard to Natural England's advice in July 2020 regarding nutrients entering the River Stour;
- b) Climate Change
- c) 20% biodiversity net gain will be expected to be achieved on-site
- d) There are several areas of potential archaeological sensitivity across the site, and these should be surveyed to ensure their (west of the site) + other areas
- e) Flood Risk Assessment will be required

# Heathlands Garden Settlement



## SP4 (b) Development North of M2/Lidsing

### Introduction to the Policy/Reasoned Justification

6.77 The Lidsing proposal Provides a large, deliverable development that could come forward in the early years of the LPR period. It has been assessed as being potentially suitable and deliverable through the Garden Settlement Assessments. Development should be designed to garden Settlement standards set out in Policy SP4.

6.78 The current proposal includes a significant employment offer as part of the development mix, and the Council considered that this is appropriate given the strategic access granted to the M2 via Junction 4. Additionally there is potential to add a new arm to the M2 J4 roundabout, which aims to improve how that junction functions as well as providing a new direct access to the motorway network from North Danes Way.

6.79 At present there is little connection between the Lordswood and Hempstead areas on Medway, and this proposal aims to not only link them via orbital bus route, but provide an additional service note to complement the existing facilities.

6.80 The site adjoins the North Downs AONB to the South, as well as the Capstone Valley to the north, which is of considerable local value. A section of the AONB would be required to establish a new arm to M2 J4, and the proposal includes a substantial potential enhancement to the AONB to mitigate this impact. Further mitigation should include how the junction improvement is designed to minimise impact both there and across the site.

6.81 There is the potential for the site to make a positive contribution to the reframing the Capstone Valley as a country park, and in particular by establishing enhanced walking and cycling links north-south through the valley.

6.82 The Council recognises that many aspects of this site have at least as much of an impact of the urban areas within Medway as Maidstone borough. The Council will engage in Duty to Co-operate discussions to ensure that issues are discussed, solutions are proposed, and areas of common ground and disagreement are identified.

### Reasonable alternatives tested

6.83 All garden settlement-scale allocations have been tested individually, as a typology of development, and in various combinations to explore their sustainability, transport impact, and potential ability to help meet overall needs. It is clear that either individually, or in concert, that Garden Settlement/ Strategic development locations do not have the ability to meet all need across the borough. A blend of garden settlement/ strategic development locations and traditional sites in mature urban and rural locations will be required to meet development throughout the Plan period.

### Policy SP5(b) Development North of the M2/ Lidsing

- 1) Should be Masterplanned and designed to garden Settlement standard as set out in Policy SP4. This should be prepared in agreement between the landowner(s) and the Council.
- 2) Phasing & Delivery
  - a) Starting in approximately 2027

- b) A mix of sizes of land parcels should be provided to enable development by a range of types and sizes of developers.
- c) Ensure that environmental mitigations are delivered in advance of construction.

3) Housing:

- a) 2,000 new homes;
- b) A minimum of 40% affordable housing;
- c) Range of types including across tenures, mix, including for generational living

4) Masterplanning and design parameters:

- a) Design Code, Building typologies, rhythm and street layout
- b) Landscape study to inform design parameters including views into/ from the AONB;
- c) Interfaces with existing buildings which will be retained on and around the site;
- d) How the settlement's shape is designed with regards its relationship to the Medway urban area, as well as the AONB and Bredhurst;
- e) Investigating how density can be optimised, particularly around the areas with the best access to services and high quality open spaces

5) Employment/ Commercial

- a) Development should aim to exceed 2,000 new jobs due to the area's excellent connectivity to the SRN;
- b) A new Local Centre should be created on an orbital bus route linking Lordswood & Hempstead, as well as the Medway town centres;

6) Infrastructure

- a) Bespoke infrastructure funding agreement based on the value captured by the development, expected to be higher than that which would ordinarily be captured using a borough CIL approach, and should be spent on infrastructure locally, and in the surrounding areas where suitable.
- b) New primary school
- c) 50% of the site area will be publicly accessible open space, meeting all of the standards set out in Policy SP13 (c) on-site.

7) Transport Connections

- a) A new connection to the M2 at Junction 4 will be created, enabling improved connections to the north of the site;
- b) A new orbital bus route linking Lordswood & Hempstead, and linking to the Medway town centres will be created;
- c) Cycling & Walking links throughout the site, and strategically north-south along the Capstone Valley should be created;
- d) New M20 junction as a result of development between M20J8 & Ashford

8) Environmental

- a) A new country park/wetlands area around the Stour River south of the site and its ability to filter nitrates & phosphates arising upstream, having regard to the future operation of the Lenham Waste Water Treatment Works;
- b) Climate Change
- c) 20% biodiversity net gain will be expected to be achieved on-site
- d) There are several areas of potential archaeological sensitivity across the site, and these should be surveyed to ensure their (west of the site) + other areas
- e) FRA will be required



6.87 Local landowners have identified a significant amount of land within the corridor which may be able to contribute towards the funding of the new route both by contributing land and potentially financial contributions as part of new development along any future route.

6.88 The Council considers that a strategic approach is required to ensure that a range of options remain viable in the medium to long term. With this in mind, a safeguarded area is proposed which required prospective developments in this area to demonstrate that they do not prejudice the future creation of a new route. This covers a deliberately wide area to ensure that a range of alignments can be considered. The safeguarding direction does not preclude development in this area. Existing permissions and allocations remain extant, but upon renewal or variation of consents, the new policy would expect to be enforced.

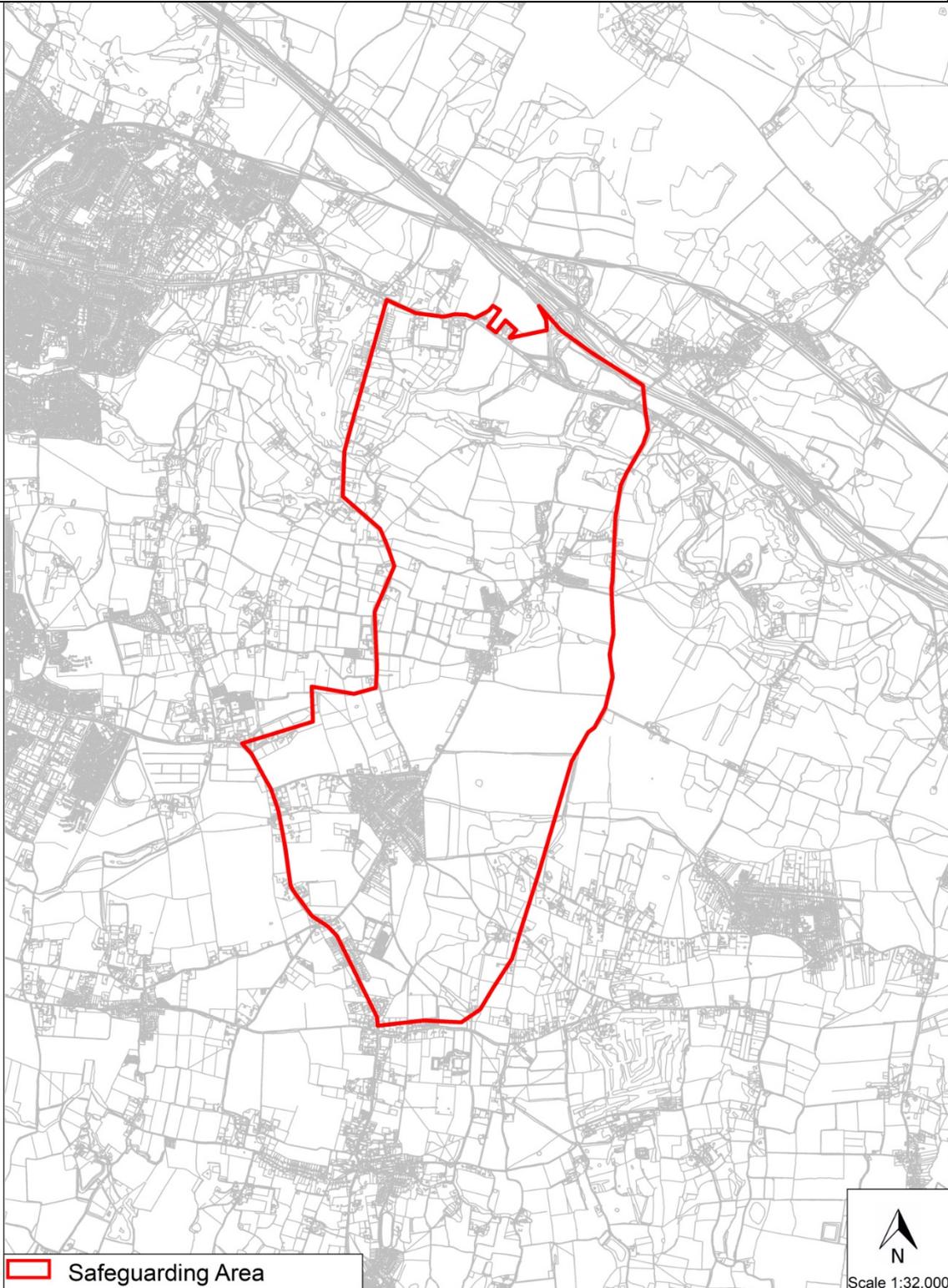
6.89 Discussions between KCC, MBC, local landowners and other stakeholders will continue, with the potential for a future AAP to be produced to guide development of the route in partnership with landowners & KCC created. There is not currently a timeframe for this, and there is additionally not any development associated at the current time.

#### Policy SP5(a) Development in the Leeds-Langley Corridor

Development Land within the corridor, as defined on the policies map, will be safeguarded for potential future delivery of a new highway linking the M20 junction 8 with the A274. This is an indicative area of search to facilitate further work between Regulation 18 and Regulation 19 production stages to enable conversations on potential safeguarding between MBC, KCC and relevant developers and landowners. As part of a wider transport strategy alternatives to a potential relief road will also be considered.

Development proposals which come forward in the defined corridor will be assessed for their potential to prejudice the delivery of a new highway. Proposals for new residential and commercial development coming forward in the defined corridor will need to be accompanied by a masterplan demonstrating how the development of the site potentially contributes to and does not inhibit the delivery of a Leeds Langley relief road.

# SP5a – LLRR Safeguarding Indicative Area of Search



## SP5 (b) Development at Invicta Barracks

### Introduction to the Policy/Reasoned Justification

6.90 Invicta Park Barracks covers a substantial area (41 ha) to the north of the town centre. It comprises a range of military buildings, including army accommodation, set within expansive parkland. The site is currently home to the 36 Engineer Regiment.

6.91 The MoD keeps its property portfolio under regular review. As part of the MoD review (November 2016) Invicta Park Barracks will be released by 2027. The local plan identifies Invicta Park Barracks as a broad location which is unlikely to come forward for housing growth until the end of the local plan period. The site has the potential to deliver in the order of 1,300 new homes, of which a minimum 500 dwellings will be delivered within the plan period. The council is working with the MoD to encourage an earlier delivery of the site.

### Reasonable alternatives tested

6.92 Due to this site's allocation in the 2017 Local Plan, the potential significance/nature of the development and its scheduled completion across the Review period, it is not considered that there is an alternative to including this site.

### Policy SP5(b) – Invicta Barracks Strategic Development Location

Invicta Park Barracks is identified as a broad location in accordance with policy H2 for up to 1,300 dwellings towards the end of the local plan period (post 2026). Should the site within the growth location, as defined on the policies map, be released before the local plan is reviewed, the following criteria must be met in addition to other policies of this local plan:

1. Preparation and submission of a development brief and a master plan prepared in conjunction with and for approval by the council to guide development;
2. Integration of new development within the existing landscape structure of the site (supported by ecological, arboricultural, and landscape and visual impact assessments together with the identification of detailed mitigation measures where appropriate);
3. Ensuring requisite community facilities, which may include neighbourhood shopping and health facilities in addition to a new primary school, are delivered where proven necessary and in conjunction with housing;
4. Provision of publicly accessible open space, including natural and semi-natural open space, as proven necessary, and/or contributions;
5. Off-site highway improvements as necessary to mitigate the impact of development;
6. Securing a network of public footpath and cycling routes through the site;
7. Preservation of features of ecological importance, including the retention and enhancement of wildlife corridors, and ensuring that connection with ecological features and corridors outside the site is maintained/enhanced;
8. Enhanced walking, cycling and public transport connections to the town centre and local area;
9. Preservation of Park House (Grade II\*) and its setting, in particular the parkland to the north and east of Park House to include removal of existing built development at 1-8 (consecutive) The Crescent to enhance/restore the parkland setting; and
10. Development proposals must demonstrate that the necessary sewerage infrastructure is either available, or can be delivered in parallel with the development.

## SP5(c) - Lenham broad location for housing growth

### Introduction to the Policy/Reasoned Justification

6.93 The rural service centre of Lenham was identified as a broad location in the Local Plan 2017 to accommodate 1,000 dwellings post April 2021. Transport links to Maidstone and other retail and employment centres by bus and rail are good. Master planning of the area will be essential to achieve a high quality design and layout, landscape and ecological mitigation, and appropriate provision of supporting physical, social and green infrastructure. Housing site allocations and associated infrastructure requirements will be made through the Lenham Neighbourhood Plan and/or the local plan review.

6.94 It is important that development of Lenham takes place in a manner that is well integrated with the existing communities of Lenham, so that they are seen as, and function as, the village which they adjoin, rather than stand-alone communities. In order to ensure a coordinated and planned approach, proposals for development within Lenham which come forward prior to an agreed Neighbourhood Plan and/or the local plan review being adopted will be refused.

6.95 Housing site allocations and associated infrastructure requirements have been made through the Lenham Neighbourhood Plan, which complements how environmental, social, design and economic objectives of the local plan will be met and to demonstrate the physical and functional integration of the site(s) within Lenham.

### Reasonable Alternatives tested

6.96 In addition to the sites identified in the Lenham Neighbourhood Plan, a significant number of other sites were proposed in and around Lenham. At the current time it was not considered reasonable to add to the 1,000 units in this area. This is in part due to the risk from market saturation in the local area.

### SP5(c) - Lenham broad location for housing growth

Implementation and future revisions to the Neighbourhood Plan will incorporate and address the following principles in the delivery of 1,000 homes as per the Lenham Neighbourhood Plan:

1. Make efficient use of land and provide a broad range of housing choice by size and tenure (including market and affordable housing) and cater for people with special housing needs;
2. Outline measures to mitigate the traffic impacts from development on the strategic and local road networks;
3. Identify appropriate provision of, or contributions towards infrastructure improvements;
4. Incorporate primary school(s) and secondary school(s) if the scale of development justifies on-site provision, or if not, contributions to provision off-site in order to meet the needs generated by the broad location;
5. Ensure development is fully integrated with the surrounding village through shared community uses, and a variety of transport modes including walking, cycling and public transport;
6. Provide, commensurate with the scale of development, a network of open spaces and green infrastructure for amenity, play, sport and recreation, including allotments, local nature reserves woodlands, green spaces and wildlife corridors. Such provision should respond positively to the wider area to ensure enhanced linkages and networks;
7. Incorporate appropriate landscape treatment which ensures that developments can be satisfactorily assimilated into the surrounding area;
8. Protect and, where possible, enhance any features of biodiversity value on site or which

- are off-site but might be affected by the proposed development;
- 9. Incorporate an appropriate flood risk management strategy and measures for its implementation; and
- 10. Ensure adequate provision is made for enhanced and comprehensive sewerage infrastructure.

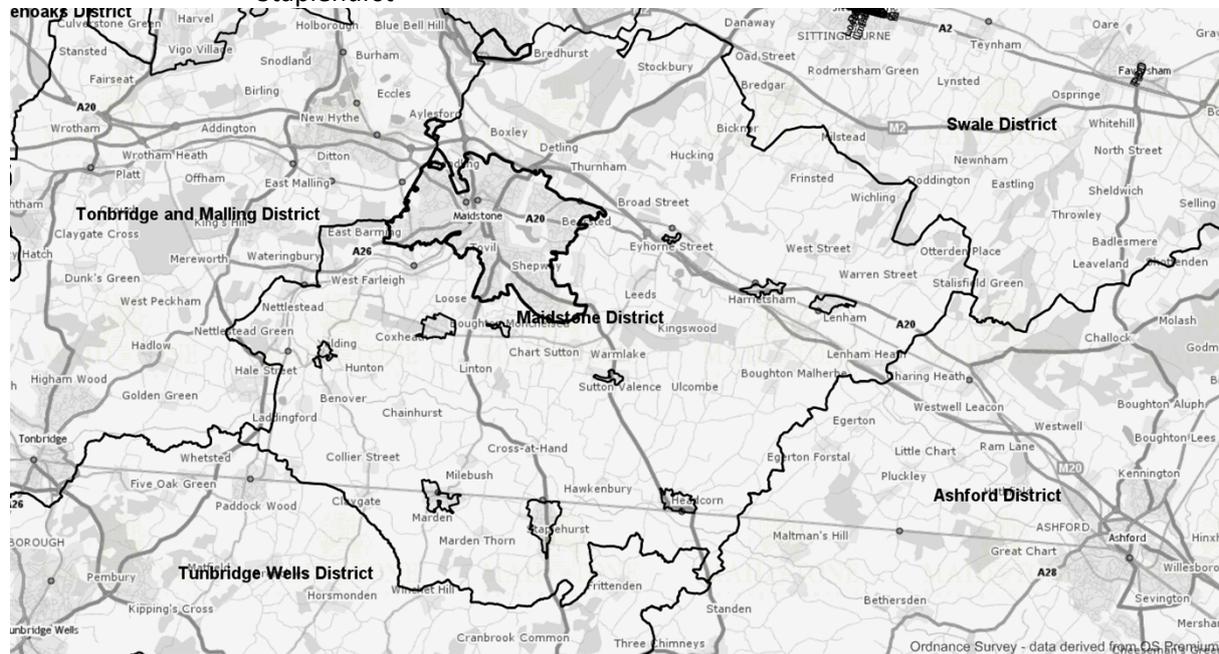
## SP6 Rural Service Centres

### Introduction to the Policy/Reasoned Justification

6.97 Outside of Maidstone town centre and urban area, rural service centres are considered the most sustainable settlements in Maidstone's settlement hierarchy. 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.

6.98 The Settlement Hierarchy is established in Policy SS1 and is unchanged in regard to the Rural Service Centres as identified in the 2017 Local Plan. The 2018 Settlement Hierarchy Assessment considered the services and facilities available in each settlement, and recommends that they remain unchanged. The Rural Service Centre settlements are as follows:

- Harrietsham
- Headcorn
- Lenham
- Marden
- Staplehurst



6.99 The rural service centres 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 rural service centres remain sustainable settlements with the services and facilities necessary to support a growing population. Additional infrastructure will be required as the plan continues to be developed, to respond to the additional growth set out in this spatial strategy. At the current time the infrastructure requirements are carried forwards from the Local Plan 2017.

6.100 Rural service centres are considered to have high deliverability due to their land price-house price balance. There is a need to ensure that sufficient land is allocated to meet need across the borough and across the plan period, and to meet the needs of the individual settlements.

#### Reasonable alternatives tested

6.101 Whilst Maidstone town is a focus for new development it does not have the capacity to meet all of the boroughs needs over the plan period. The sustainability appraisal and transport assessment show that development in the rural service centres with associated infrastructure improvements is considered to be generally more sustainable than the ad-hoc growth in and around smaller settlements and the countryside. There is not considered to be a reasonable alternative in which there is no development in rural locations, but the identification of Garden Settlements will reduce this by consolidating in specific locations.

6.102 In terms of individual site selection on a settlement by settlement basis, whilst each Rural Service Centres generally had a range of potential sites from which to allocate, the sites included in the plan were selected in consultation with ward members, taking into consideration the site assessment outcomes in the Sustainability Appraisal.

#### Policy SP6 Rural Service Centres

Within the designated rural service centres of Harrietsham, Headcorn, Lenham, Marden and Staplehurst, the council will:

1) Focus new housing and employment development within the settlements when it is:

a) An allocated site in the 2017 local plan or Local Plan Review;

b) Minor development such as infilling; or

c) 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.

3) Resist the loss of local shops, community facilities and green spaces, whilst supporting new retail development, community services and green spaces to meet local need.

### SP6(a) Harrietsham

#### Introduction to the Policy/Reasoned Justification

6.103 Harrietsham provides a range of key services. Provision of and access to schools and community facilities in the village are adequate, and will grow commensurate 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 retail and play facilities, which are currently limited. Harrietsham has seen a number of new developments arising from the 2017 Local Plan, which alongside new housing has also helped to deliver new retail premises within the settlements.

#### Policy SP6a Harrietsham

At the rural service centre of Harrietsham, as shown on the policies map, key services will be retained and supported.

1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP5, approximately 149 new dwellings will be delivered on three allocated sites (H1(33), LPRSA071 and LPRSA101).

2) Two existing sites are designated as Economic Development Areas in order to maintain employment opportunities in the locality (policy SP11a).

3) Key infrastructure requirements for Harrietsham include:

a) Improvements to highway and transport infrastructure including improvements to the A20 Ashford Road, improvements to Church Road and the provision of additional pedestrian crossing points in accordance with individual site criteria set out in policies H1(33), LPRSA071 and LPRSA101.

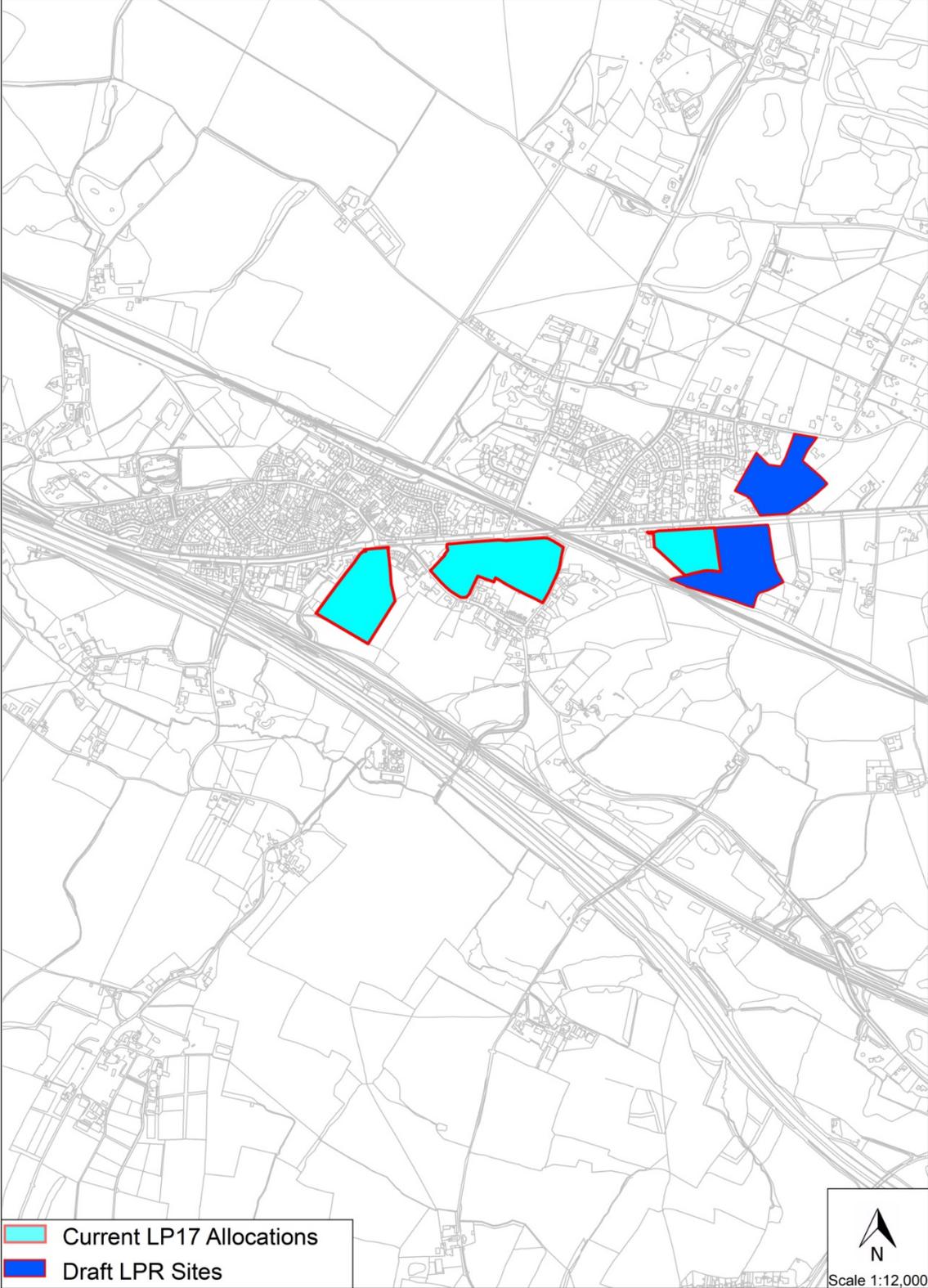
b) Provision of a one form entry expansion at either Lenham or Harrietsham primary schools;

c) A minimum of 1.32 hectares of publicly accessible open space will be provided; and

d) Improvements to health infrastructure including extension and/or improvements at Glebe Medical Centre.

4) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.

# Harrietsham Rural Service Centre



## SP6(b) Headcorn

### Introduction to the Policy

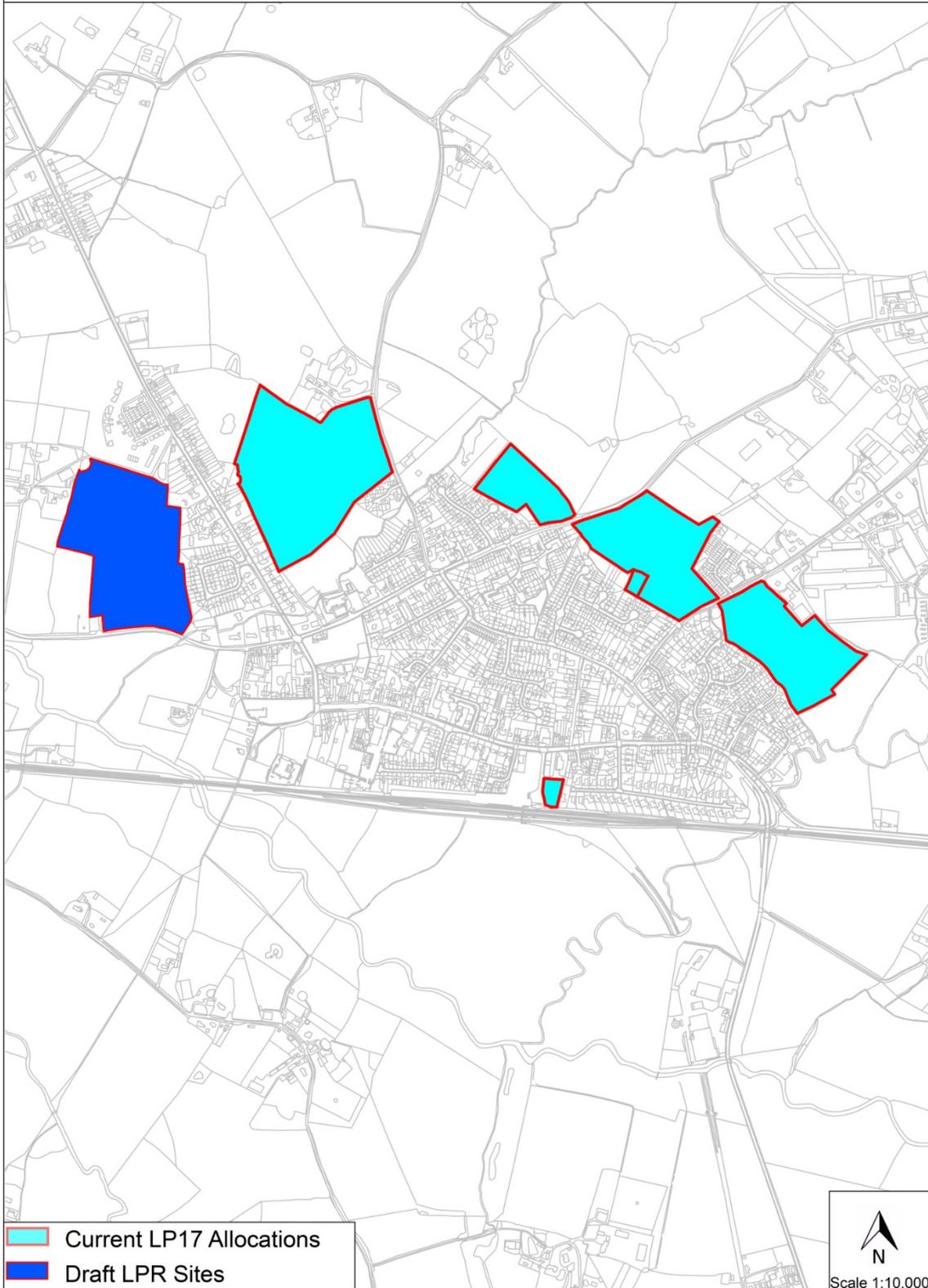
6.104 Headcorn has a diverse range of services and community facilities which are easily accessible on foot or by cycle due to the compact form of the village. There are local employment opportunities and there is a local wish to ensure that existing employment sites are kept in active employment use. A regular bus service runs between Headcorn and Maidstone and the village has good rail linkages to other retail and employment centres, including London. Flooding is an issue in Headcorn. The Strategic Flood Risk Assessment advises strict controls on the location of development within Flood Zones 2 and 3. The village lies within a landscape of local importance where proposals should seek to contribute positively to the conservation and enhancement of the protected landscape in accordance with policy SP14. Headcorn is surrounded on three sides by the functional floodplain of the River Beult and its tributaries and additional capacity will be required in the sewer network and may be required at the wastewater treatment works in the period to 2031.

### Policy SP6b Headcorn

At the rural service centre of Headcorn, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP6, approximately 402 new dwellings will be delivered on three allocated sites (policies H1(36), H1(38) and LPRSA310.
- 2) Two existing sites are designated as Economic Development Areas in order to maintain employment opportunities in the locality (policy SP11a), and a further 5,500m<sup>2</sup> employment floorspace is allocated (policy EMP1(1)).
- 3) Key infrastructure requirements for Headcorn include:
  - a. Improvements to highway and transport infrastructure, including junction improvements, a variety of measures to improve sustainable transport infrastructure and improvements to pedestrian and cycle access, in accordance with individual site criteria set out in policies H1(36), H1(38) and LPRSA310
  - b. Provision of a one form entry extension to Headcorn Primary School;
  - c. A minimum of 3.96 hectares of publicly accessible open space will be provided;
  - d. Additional capacity will be required in the sewer network and at the wastewater treatment works if required in the period to 2031; and
  - e. Improvements to health infrastructure including extension and/or improvements at Headcorn Surgery.
- 4) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.

# Headcorn Rural Service Centre



## SP6(c) Lenham

### Introduction to the Policy/Reasoned Justification

6.105 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 is 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 good. There is a local aspiration for 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. Lenham lies within the setting of the Kent Downs Area of Outstanding Natural Beauty and it is recognised that there is a need to balance the benefits of utilising the most sustainable locations on the borough with the need to respect the setting of the AONB.

6.106 Lenham has a post examination Neighbourhood Plan which allocates land for circa 1,000 dwellings across three areas (7 sites including H1(41)). A new garden settlement at Heathlands to the east of Lenham, at Lenham Heath, is proposed as part of this plan. It is also recognised that the village of Lenham is a suitable settlement to deliver a select number of smaller scale sites.

### Policy SP6c Lenham

6.107 Outside the Maidstone urban area, rural service centres are the second most sustainable settlements in the hierarchy to accommodate growth. At the rural service centre of Lenham, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP6, approximately 145 new dwellings will be delivered on one allocated site (policy H1(41)), in addition to six allocations in the Lenham Neighbourhood Plan which will deliver around 1,000 new dwellings.
- 2) Two pitches are allocated for Gypsy and Traveller accommodation in accordance with policy GT1(8).
- 3) Three existing sites are designated as Economic Development Areas in order to maintain employment opportunities in the locality (policy SP11a).
- 4) Two new employment site allocations (LPRSA260 and LPRSA285) will deliver 3,296m<sup>2</sup> employment space.
- 5) Key infrastructure requirements for Lenham include:
  - a) Improvements to highway and transport infrastructure including junction improvements, a variety of measures to improve sustainable transport infrastructure, and improvements to pedestrian access in accordance with individual site criteria set out in policies H1(41);
  - b) Provision of a one form entry expansion at either Lenham or Harrietsham primary schools;
  - c) Provision of 0.34 hectares of natural/semi-natural open space through Policy H1(41) and additional open space as specified through the Neighbourhood Plan allocations.
  - d) Improvements to health infrastructure including extension and/or improvements at The Len Valley Practice.
- 6) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.

## SP6(d) Marden

### Introduction to the Policy

6.108 Marden is a successful service centre, 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

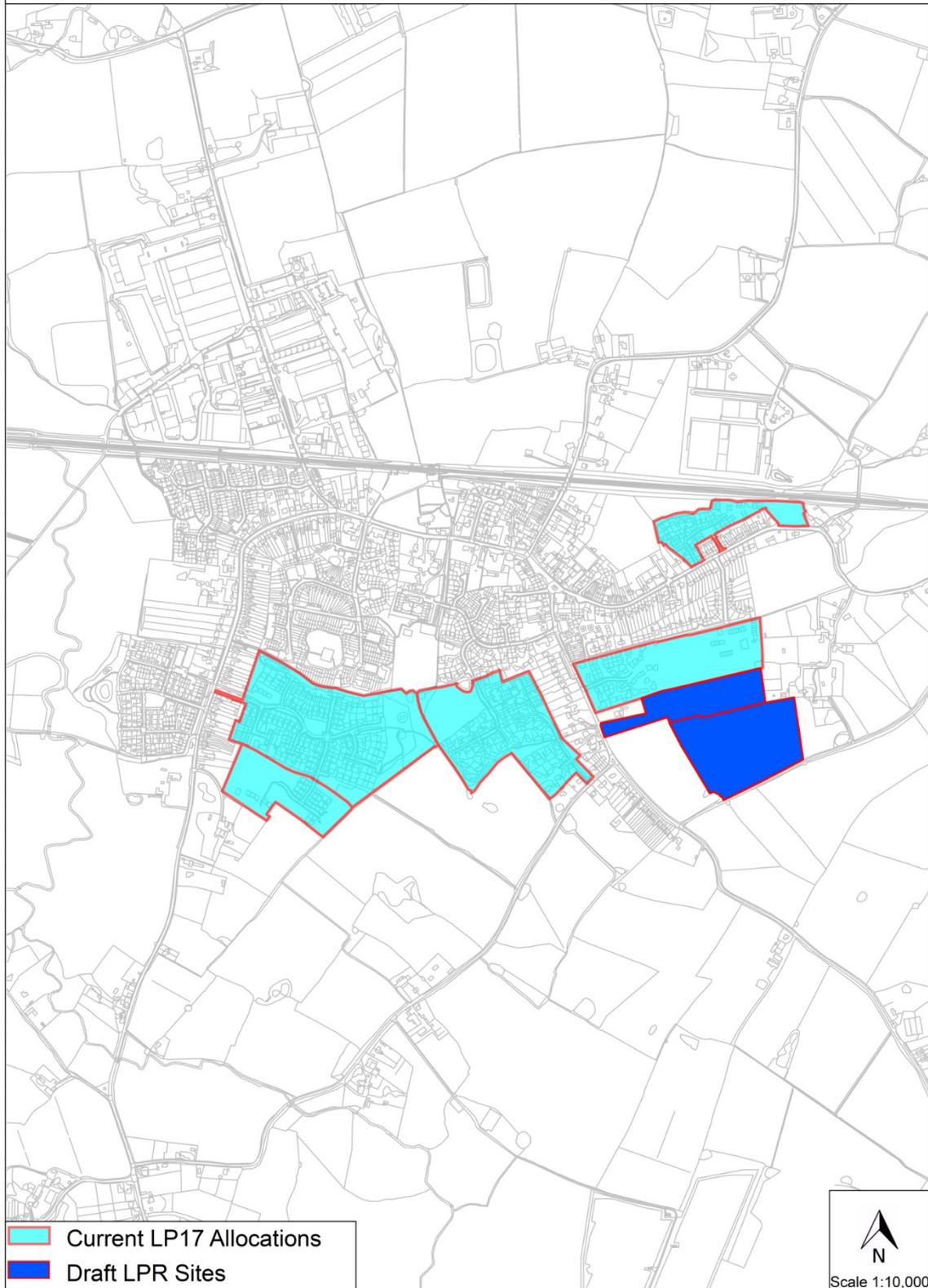
demand for new development. This has to be balanced with the desire to ensure local people have access to affordable housing. Public transport connections to Maidstone are less frequent and require improvement. Flooding is an issue in Marden and the Strategic Flood Risk Assessment advises strict controls on the location of development within Flood Zones 2 and 3.

#### Policy SP6d Marden

At the rural service centre of Marden, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP6, approximately 237 new dwellings will be delivered on five allocated sites (policies H46, -LPRSA295 and LPRSA314).
- 2) Two pitches are allocated for Gypsy and Traveller accommodation in accordance with policy GT1(9).
- 3) One existing site is designated as an Economic Development Area in order to maintain employment opportunities in the locality (policy SP11a), and a further 21,300m<sup>2</sup> employment floorspace is allocated on two sites (policies EMP1(2) and EMP1(3)).
- 4) Key infrastructure requirements for Marden include:
  - a) Improvements to highway and transport infrastructure including railway station enhancements, a variety of measures to improve sustainable transport infrastructure, and improvements to pedestrian access in accordance with individual site criteria set out in policies H1(46), LPRSA295 and LPRSA314;
  - b) Provision of 0.6 form entry expansion at Marden Primary School;
  - c) A minimum of 1.74 hectares of publicly accessible open space will be provided; and
  - d) Improvements to health infrastructure including extension and/or improvements at Marden Medical Centre.
- 5) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.

# Marden Rural Service Centre



## SP6(e) Staplehurst

### Introduction to the Policy

6.109 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 service centres with the exception of Marden. Current transport infrastructure in Staplehurst is good and includes a train station but improvements to transport infrastructure are essential 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.

### Policy SP6e Staplehurst

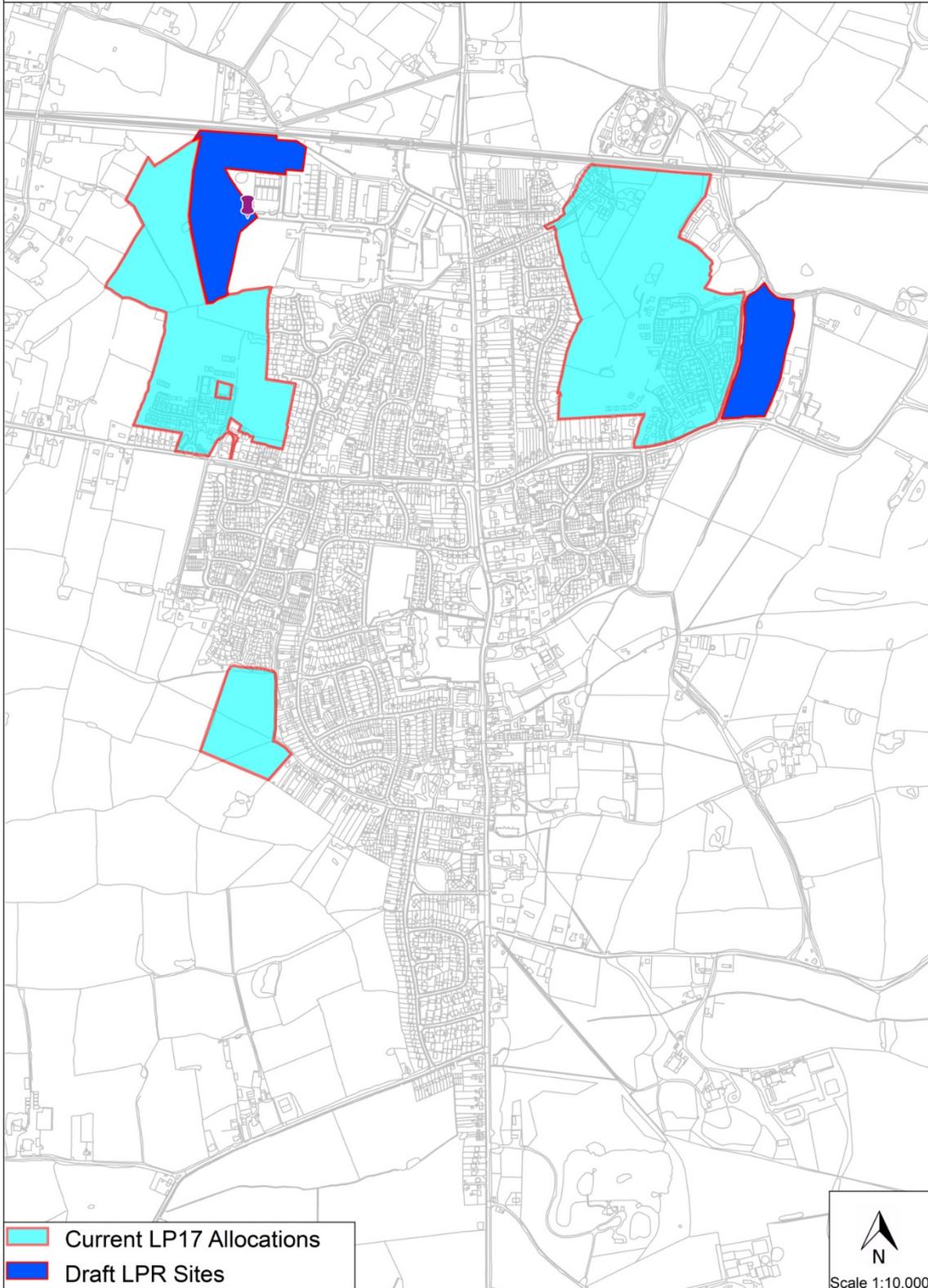
At the rural service centre of Staplehurst, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP5, approximately 837 new dwellings will be delivered on three allocated sites (policies H1(48) to H1(50), LPRSA066 and LPRSA114).
- 2) Four pitches are allocated for Gypsy and Traveller accommodation in accordance with policies GT1(10) and GT1(11).
- 3) One existing site is designated as an Economic Development Area in order to maintain employment opportunities in the locality (policy SP11a).
- 4) Key infrastructure requirements for Staplehurst include:

- a) Improvements to highway and transport infrastructure including junction improvements, a variety of measures to improve sustainable transport infrastructure, and improvements to pedestrian and cycle access in accordance with individual site criteria set out in policies H1(48) to H1(50) LPRSA066 and LPRSA114;
- b) Provision of 0.5 form entry expansion at Staplehurst Primary School;
- c) A minimum of 11.78 hectares of publicly accessible open space will be provided; and
- d) Improvements to health infrastructure including extension and/or improvements at Staplehurst Medical Centre.

- 5) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.

# Staplehurst Rural Service Centre



## SP7 Larger Villages

### Introduction to the Policy/Reasoned Justification

6.110 The overall amount of development that will be acceptable in larger villages will be less than in the Rural Service Centres as they are comparatively less sustainable locations for meeting the development needs of the borough as a whole.

6.111 The assessment of population, village services and facilities has identified five villages that can be designated as larger villages, these are:

- Boughton Monchelsea
- Coxheath
- Eyhorne Street (Hollingbourne)
- Sutton Valence
- Yalding

6.112 Based on the analysis of population, services and facilities, all five settlements are considered sustainable locations for limited new housing development provided that it is of a scale in keeping with their role, character and size. An appropriate increase in population would help to support village services and facilities. The continued sustainability of these settlements 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.

6.113 Similar to the rural service centres, all five villages have different characteristics and there is variation in the limited range of services and facilities they provide.

### Policy SP7 Larger Villages

Within the designated larger villages of Boughton Monchelsea, Coxheath, Eyhorne Street (Hollingbourne), Sutton Valence and Yalding, as shown on the policies map, the council will:

1) Focus new development within the settlements when it is:

- a) An allocated site in the local plan or a Neighbourhood Plan;
- b) Minor development such as infilling; or
- c) The redevelopment of previously developed land that is of a size appropriate to the role, character and scale of the village.

2) Resist the loss of local shops, community facilities and green spaces, whilst supporting new retail development, community services and green spaces to meet local need.

### Reasonable alternatives tested

6.114 There is a need to ensure that sufficient land is allocated to meet need across the borough, and these locations are considered very deliverable due to their land price-house price balance. Whilst the balance of development is focussed on Garden settlements and Maidstone urban area, proportionate development in larger settlements can make a positive and sustainable contribution to the borough's Housing Land Supply. Development in Larger villages can also contribute to that settlement's longer-term sustainability and viability through increased demand for infrastructure and services.

6.115 There is not considered to be a reasonable alternative in which there is no development in rural locations, but the identification of Garden Settlements will reduce this by consolidating in specific locations.

6.116 In terms of individual site selection on a settlement by settlement basis, whilst each Rural Service Centres generally had a range of potential sites from which to allocate, the sites included in the plan were selected in consultation with ward members, taking into consideration the site assessment outcomes in the Sustainability Appraisal.

## **SP7(a) Boughton Monchelsea**

### Introduction to the Policy

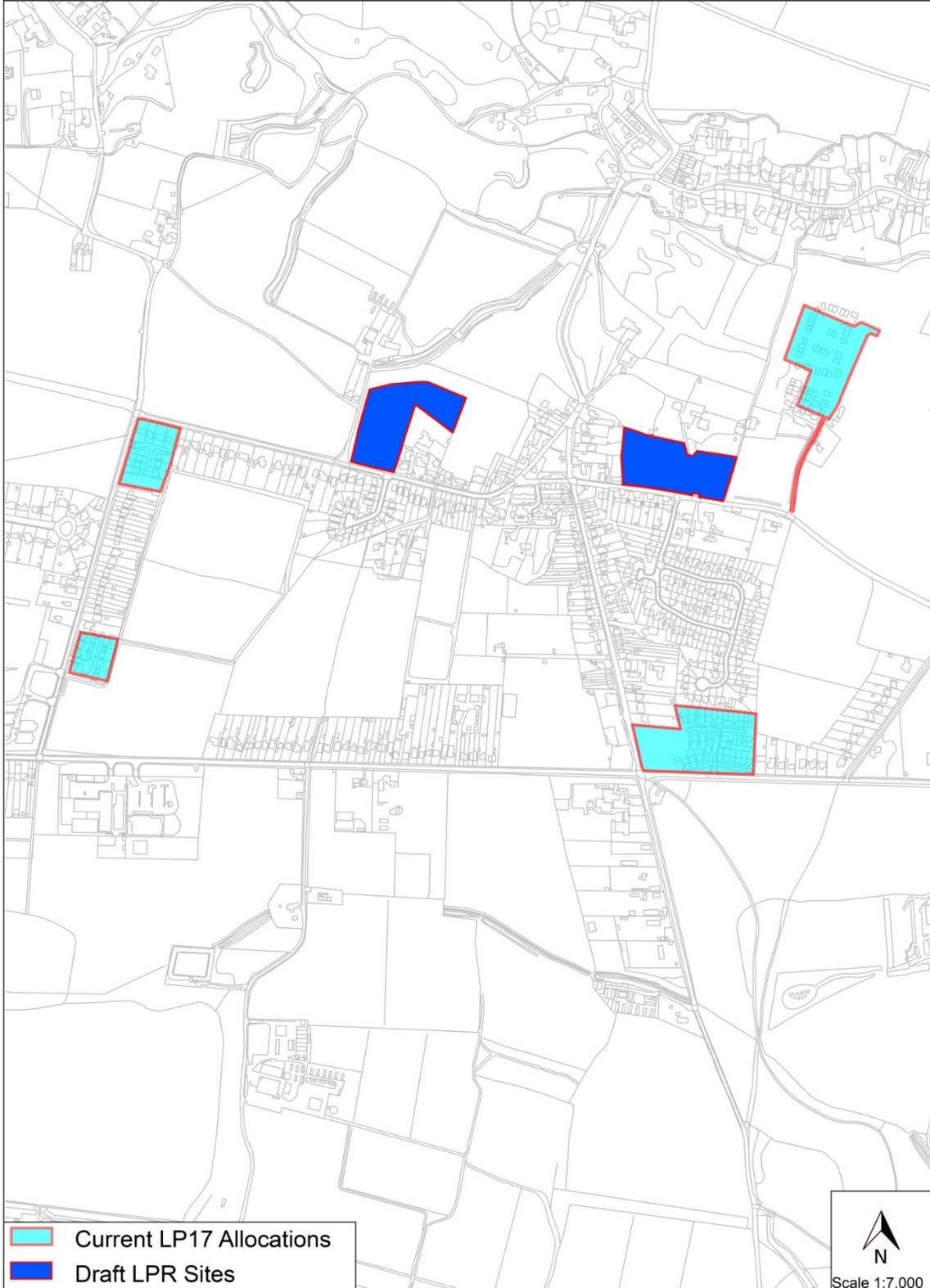
6.117 Boughton Monchelsea lies to the southeast of Maidstone's urban edge adjacent to the scarp face of the Greensand Ridge, and is a village that comprises and is characterised by a number of distinct groups/clusters of dwellings. The settlement performs well in the audit in terms of education and childcare, with a primary school, play group, 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 settlement are quite dispersed. Local employment opportunities in the settlement are also limited

### Policy SP7a Boughton Monchelsea

At the larger village of Boughton Monchelsea, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP7, approximately 92 new dwellings will be delivered on four allocated sites (policies H1(52) and H1(54), LPRSA122, LPRSA360).
- 2) One pitch is allocated for Gypsy and Traveller accommodation in accordance with policy GT1(2).
- 3) Key infrastructure requirements for Boughton Monchelsea include:
  - a) Improvements to highway and transport infrastructure will be made in accordance with individual site criteria set out in policies H1(52), H1(54) LPRSA122, LPRSA360. Key schemes include junction improvements and a variety of measures to improve sustainable transport infrastructure; and
  - b) A minimum of 0.75 hectares of publicly accessible open space will be provided.
- 4) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.

# Boughton Monchelsea Larger Village



## SP7(b) Coxheath

### Introduction to the Policy

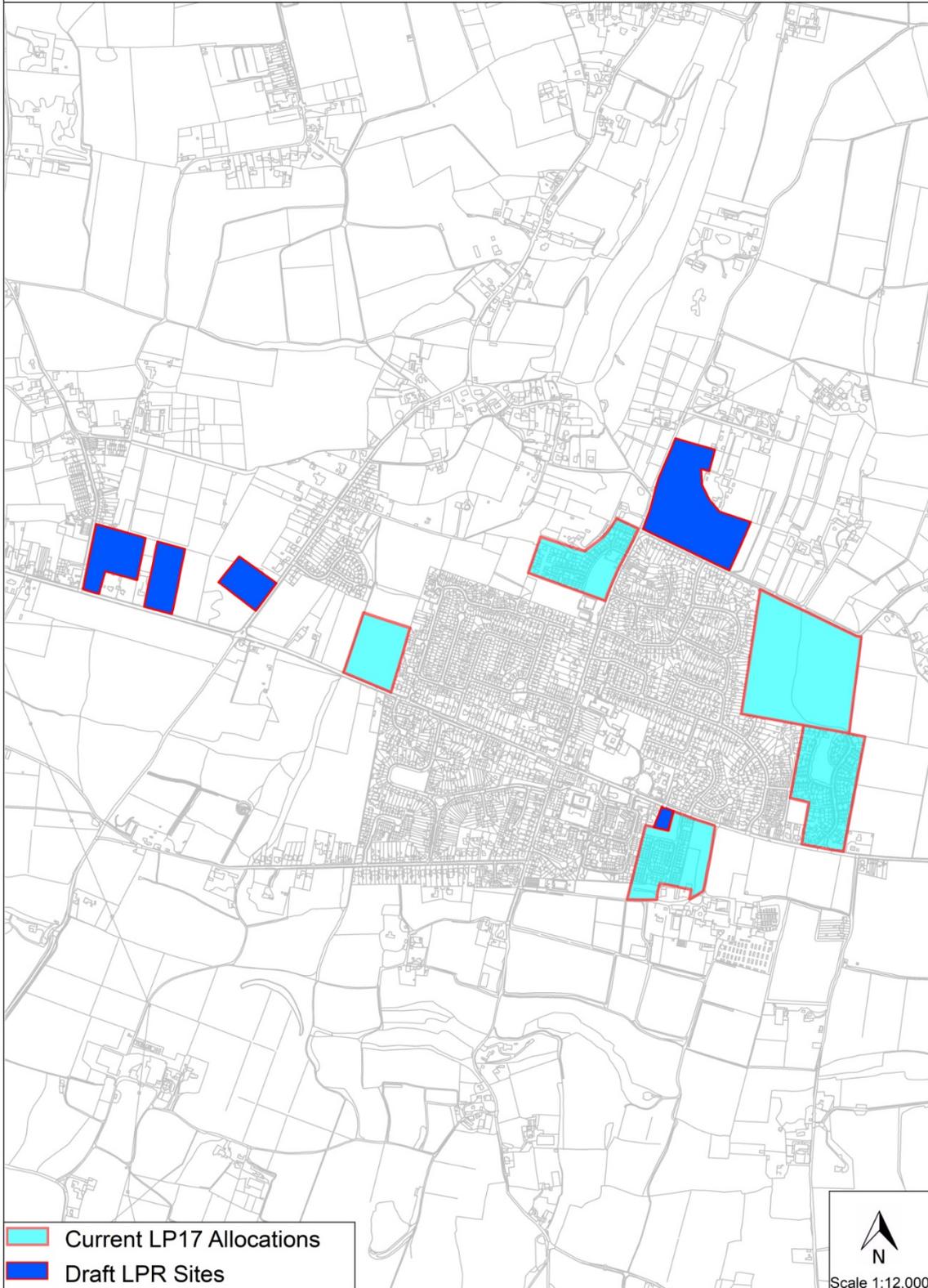
6.118 Coxheath has the advantage of a compact urban form and a good offering of key services and facilities to support a growing population. Healthcare services in the village are particularly strong and include two GP surgeries, a dentist, community trust clinic, chiropractic clinic and a pharmacy. However, the GP surgeries are currently at capacity and any further development in Coxheath will be expected to contribute towards ensuring healthcare facilities can meet the demands of future growth. 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, which affords good access to a number of secondary schools and other facilities.

### Policy SP7b Coxheath

At the larger village of Coxheath, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP7, approximately 295 new dwellings will be delivered on five allocated sites (policies H1(58), LPRSA005, LPRSA084, LPRSA202 and LPRSA257
- 2) Key infrastructure requirements for Coxheath include:
  - a) Improvements to highway and transport infrastructure, including junction improvements at Linton Crossroads, a variety of measures to improve sustainable transport infrastructure, and improvements to pedestrian access in accordance with individual site criteria set out in policies H1(58), LPRSA005, LPRSA084, LPRSA202 and LPRSA257;
  - b) A minimum of 3.17 hectares of publicly accessible open space will be provided; and
  - c) Improvements to health infrastructure including extension and/or improvements at Orchard Medical Centre and Stockett Lane Surgery.
- 3) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.

# Coxheath Larger Village



## **SP7(c) Eyhorne Street (Hollingbourne)**

### Introduction to the Policy

6.119 Eyhorne Street (Hollingbourne) is a linear settlement which lies to the northeast of Maidstone's urban area in the setting of the Kent Downs Area of Outstanding Natural Beauty. The primary school, pre-school and one of the local playing fields are approximately 0.5km from the village centre. The village does not have a 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.

### Policy SP7c Eyhorne Street (Hollingbourne)

The larger village of Eyhorne Street, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP7, approximately 26 new dwellings will be delivered on three allocated sites (policies H1(63) and LPRSA204).
- 2) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11a.

# Eyhorne St (Hollingbourne) Larger Village



## SP7(d) Sutton Valence

### Introduction to the Policy

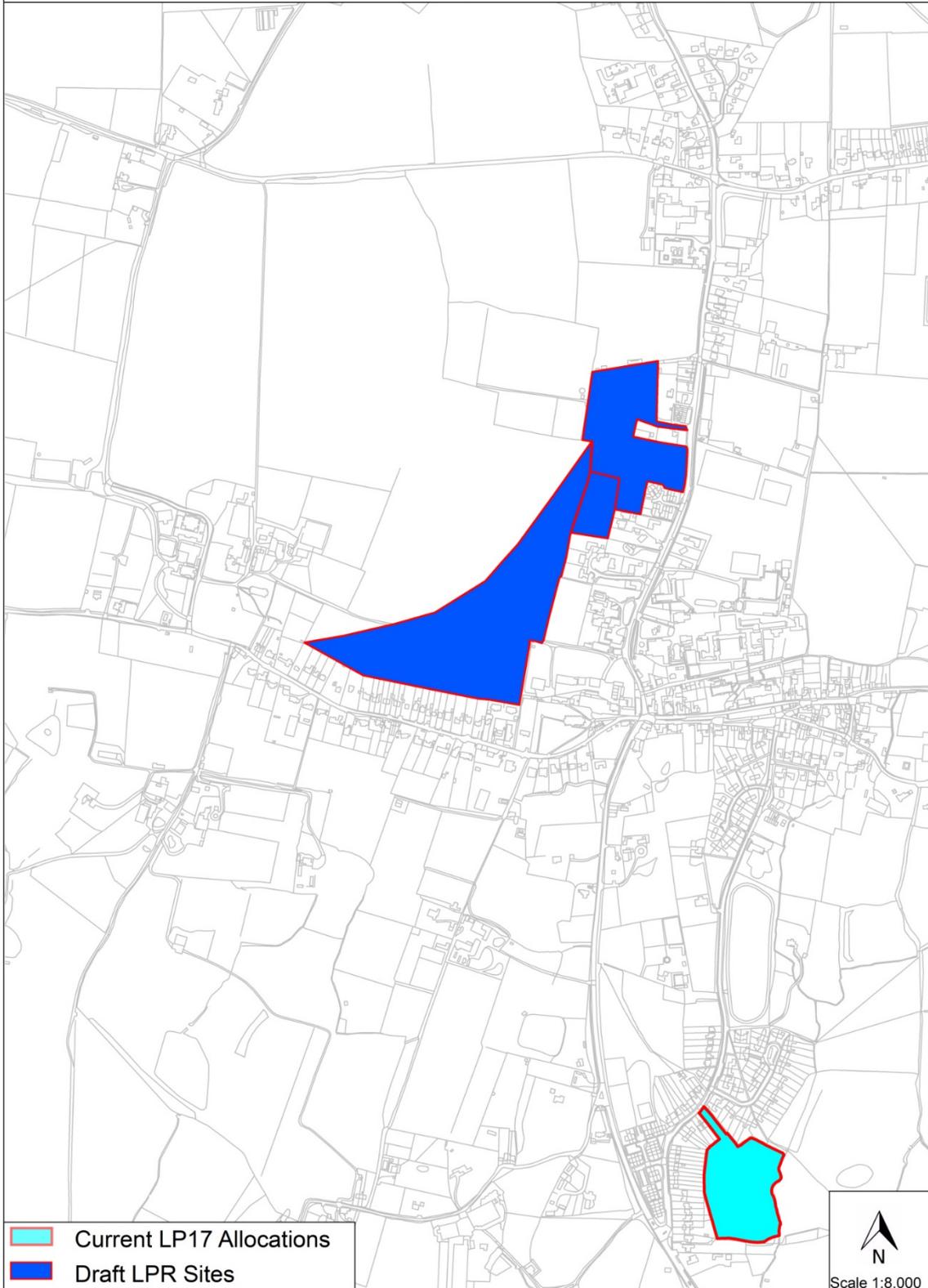
6.120 Sutton Valence lies to the southeast of Maidstone's urban area on a plateau above the Greensand Ridge. The settlement performs well in the audit in terms of education facilities. There is a pre-school, primary school and the Sutton Valence boarding school, which caters for children from the age 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.

### Policy SP7d Sutton Valence

At the larger village of Sutton Valence, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP7, approximately 100 new dwellings will be delivered on three allocated sites (policies LPRSA021, LPRSA078 and LPRSA335).
- 2) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.
- 3) Key infrastructure requirements for Sutton Valence include:
  - a) Improvements to health infrastructure including extension and/or improvements at Sutton Valence Surgery and Cobtree Medical Practice.
  - b) Improvements to highway and transport infrastructure, including junction improvements at Linton Crossroads, a variety of measures to improve sustainable transport infrastructure, and improvements to pedestrian access in accordance with individual site criteria set out in policies H1(63) and LPRSA204
  - c) A minimum of 6.24 hectares of publicly accessible open space will be provided

# Sutton Valence Larger Village



## SP7(e) Yalding

### Introduction to the Policy

6.121 Yalding has a number of the key services and facilities expected of a larger village. The village has 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. Yalding also has sustainable connections to nearby Paddock Wood, which also has a range of services and facilities, including a secondary school.

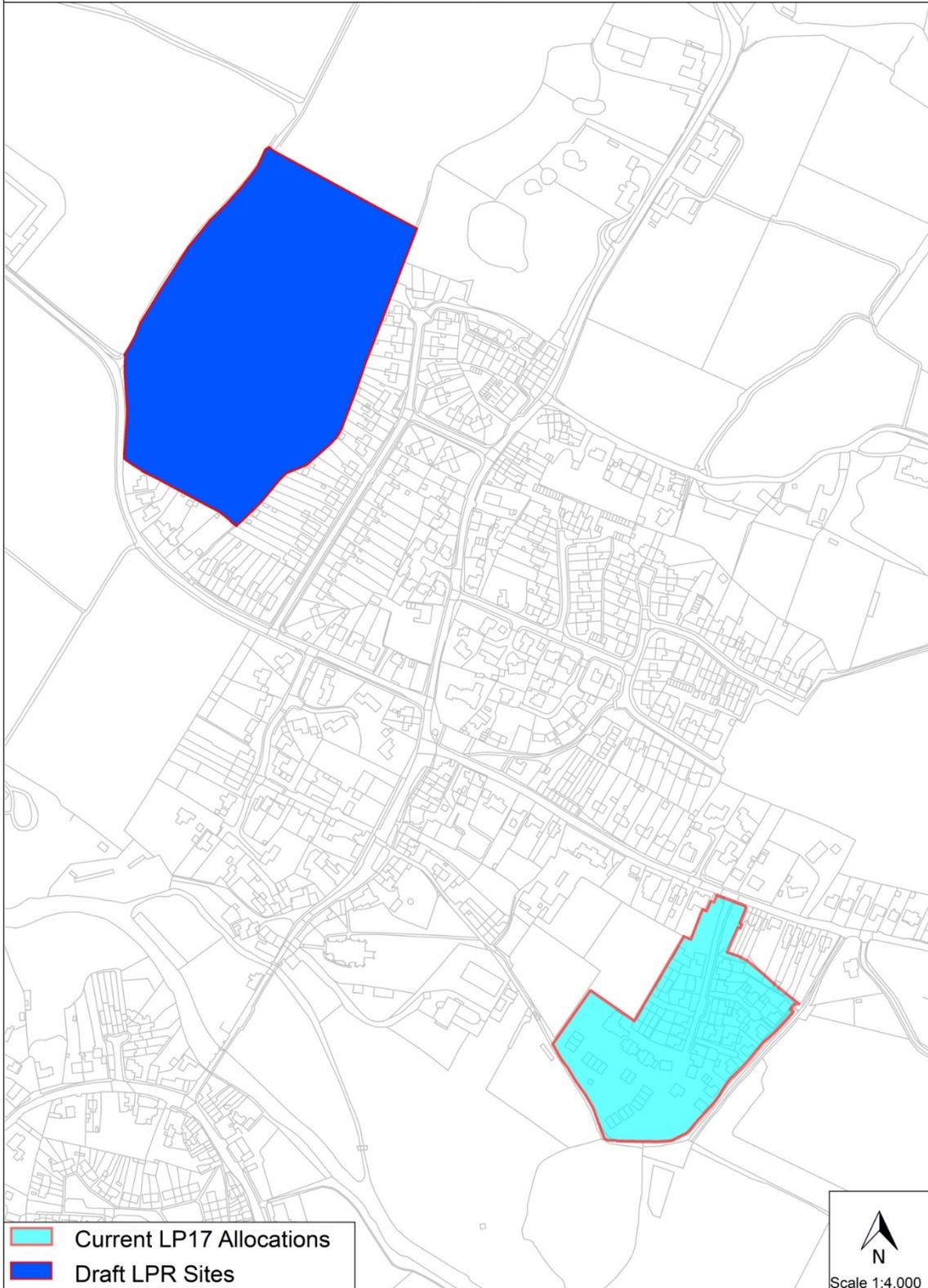
6.122 In addition to allocated development within the settlement, the council will support the redevelopment of the brownfield former Syngenta Works site, which lies to the west of Yalding village. It is important to ensure that safe and sustainable linkages between the Syngenta site and the village are provided if this development comes forward. Robust flood mitigation measures will have to form an essential part of any development proposal in the settlement. The size of the Syngenta site offers an opportunity for a sustainable drainage mitigation approach to flood prevention. Subject to the findings of the flood risk assessment, potential suitable uses for the site could include employment (B classes), leisure, commuter car parking and open space (in accordance with policy LPRSAEmp1.

### Policy SP7d Yalding

At the larger village of Yalding, as shown on the policies map, key services will be retained and supported.

- 1) In addition to minor development and redevelopment of appropriate sites in accordance with policy SP7, approximately 165 new dwellings will be delivered on two allocated sites (policy H1(65), and LPRSA248.
- 2) Key infrastructure requirements for Yalding include:
  - a) Improvements to highway and transportation infrastructure will be made in accordance with individual site criteria set out in policy H1(65) and LPRSA248. Key schemes include improvements to pedestrian access; and
  - b) Improvements to health infrastructure including extension and/or improvements at Yalding GP Practice.
  - c) A minimum of 1.77 hectares of publicly accessible open space will be provided
- 3) The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP11c.

# Yalding Larger Village



## SP8 Smaller Villages

### Introduction to the Policy/Reasoned Justification

6.123 Smaller Villages are those rural settlements that are not defined as Larger Villages or Rural Service Centres. These settlements rely heavily on community-focused services. Community facilities can include 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, provision of a basic level of community facilities are essential if small rural settlements are to remain vital and viable.

6.124 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.

6.125 For sustainability reasons, the local plan priority is to locate new or improved community facilities in areas with a greater range of higher-order services; rural service centres and larger villages. However, in small villages new facilities may be permitted to serve the local community provided a clear need is demonstrated. Additionally, development which can be shown to positively support local services, as agreed with local communities, will be supported.

6.126 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.

6.127 Development on remote sites, or sites which do not appropriately reflect the existing envelope of smaller villages, is unlikely to be acceptable due to impact on the setting of the settlement within its countryside setting. As in other rural centres, infilling and the redevelopment of brownfield sites is encouraged.

6.128 Whilst some smaller villages have a limited range of services, consideration will be given to the public transport links to Rural Service Centres, Larger Villages and Maidstone. In appraising proposals for development in smaller villages, consideration will therefore be given to, the range of facilities and infrastructure offered, and its connectivity to services in larger settlements by means of public transport.

6.129 With the exception of Eyhorne Street, all of the rural service centres and larger villages are designated neighbourhood areas. Other designated neighbourhood areas located in the countryside, together with non-designated rural settlements, can offer a limited opportunity for new development to support the continued sustainability of the settlement in accordance with policy SP8.

### Reasonable alternatives tested

6.130 Whilst small scale infill development in smaller villages can make a limited contribution towards the supply of land, it nevertheless represents an opportunity to balance development across the borough in a proportionate way. These sites can help maintain the viability of services in smaller settlements and provide vital opportunities to bring forward smaller brownfield sites for development.

6.131 It is right, however, for communities to be given the opportunity to identify sites through the Neighbourhood Planning process, therefore this policy encourages local communities to bring forward Neighbourhood Plans or other strategies to support their local services and demographic pressures.

6.132 The Local Plan Review does not seek to allocate sites in Smaller Villages to allow time for those communities seeking to take a proactive approach to new development in their areas to do so through a Neighbourhood Plan. If, when the Local Plan is reviewed there is not delivery against this policy, the Council will consider allocating sites where need is identified.

#### Policy SP8 – Smaller Villages

1. The Council will resist the loss of local shops, community facilities and green spaces, whilst supporting new retail development, community services and green spaces to meet local need.
2. Smaller villages offer a limited opportunity for new development which can support the continued sustainability of the settlement. This is estimated to be 289 units, in the last 10 years of the Plan period.
3. Within the Smaller Villages small scale housing development will be acceptable where:
  - a) The scale of the development is proportionate to the size of the settlement and the type and level of local services available
  - b) The development design takes account of landscape impact having regard to the setting of the settlement within the countryside.
  - c) It can be linked to the retention or expansion of specific infrastructure or service assets within the settlement;
  - d) It has community support, either through a Neighbourhood Plan, or other Parish endorsement;
- e) Where it is apparent that smaller villages are not set to meet the 289 unit allocation of residential units, the Council, through a future review of the Local Plan, will allocate sites to make up the shortfall

### SP9 Development in the Countryside

#### Introduction to the Policy/Reasoned Justification

6.133 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. Much of the rural landscapes are of high quality with valuable agricultural and ecological 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.

6.134 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 character and beauty 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 mitigated in a way that maintains and enhances the distinctive character of the more rural parts of the borough.

## Rural economy

6.135 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.

6.136 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 the wider landscape and natural assets, such as wildlife, soil and water resources 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 SPD.

6.137 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.

6.138 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

6.139 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.

6.140 There may be a need for some development to help ensure the sustainability of these smaller settlements, and this is covered in SP8.

## Design

6.141 The countryside is a sensitive location within which to integrate new development and the council will expect proposals to respect the high quality and distinctive landscapes of the borough in accordance with policy DM30. In order to assist in the successful integration of new development into the countryside the council will ensure Landscape and Visual Impact Assessments are carried out as appropriate to assess suitability and to aid and facilitate the design process.

## Kent Downs Area of Outstanding Natural Beauty and its setting

6.142 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. The council has a statutory duty to have regard to the purposes of the designation, including the great weight afforded in national policy to its conservation and enhancement. Within the AONB, the Kent Downs AONB Management Plan 2014-2019 provides a framework for conserving and enhancing the natural beauty of the area. The council has adopted the Management Plan and will support its implementation. Open countryside to the immediate south of the AONB forms a large extent of 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.

6.143 The council will ensure proposals conserve and enhance the natural beauty, distinctive character, biodiversity and setting 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 groups of buildings in sustainable locations.

6.144 New development in the AONB should demonstrate that it meets the requirements of national policy. This will require high quality designs as set out in policy DM30. 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.

6.145 The above considerations apply to the setting of the Kent Downs AONB. The Management Plan states that the setting of the Kent Downs AONB is 'broadly speaking the land outside the designated area which is visible from the AONB and from which the AONB can be seen, but may be wider when affected by intrusive features beyond that.' It makes it clear that it is not formally defined or indicated on a map.

6.146 The foreground of the AONB and the wider setting is taken to include the land which sits at and beyond the foot of the scarp slope of the North Downs and the wider views thereof. It is countryside sensitive to change, with a range of diverse habitats and landscape features, but through which major transport corridors pass. Having due regard to the purposes of the designation is part of the council's statutory duty under the Countryside and Rights of Way Act 2000. National policy (NPPF and NPPG) directs that great weight should be given to conserving landscape and scenic beauty in the AONB. The duty is relevant to proposals outside the boundary of the AONB which may have an impact on the statutory purposes of the AONB. Matters such as the size of proposals, their distance, incompatibility with their surroundings, movement, reflectivity and colour are likely to affect impact. The Kent Downs AONB Management Plan advises that 'where the qualities of the AONB which were instrumental in reasons for its designation are affected, then the impacts should be given considerable weight in decisions. This particularly applies to views to and from the scarp of the North Downs.' It is considered therefore that it is not necessary to formally define the setting of the Kent

Downs AONB and that the impact of development can be appropriately assessed through the criteria of the policy.

#### High Weald Area of Outstanding Natural Beauty and its setting

6.147 The High Weald AONB lies beyond the southern boundary of the borough adjacent to the parishes of Marden and Staplehurst, within the administrative area of Tunbridge Wells Borough Council. Its closest point to the borough is at Winchet Hill in the southern part of Marden parish. The council has exactly the same statutory duty to conserve and enhance the setting of this AONB as it does with the Kent Downs AONB and will apply the same policy considerations for any proposals that may affect its setting.

#### Metropolitan Green Belt

6.148 Green Belts afford protection to the countryside from inappropriate development, and policies for their protection are set out in the NPPF. A small area (5.3km<sup>2</sup>) on the western edge of the borough is included within the Metropolitan Green Belt. The designation extends up to the borough boundary, contiguous with the Green Belt boundary in Tonbridge and Malling Borough Council's administrative area; and lies between Teston and Wateringbury and west of the River Medway, which includes the settlements of Nettlestead and Nettlestead Green. The council has undertaken a review of its Green Belt boundary (Maidstone Borough Council Metropolitan Green Belt Review, January 2016), which concluded there were no exceptional circumstances for revising the Green Belt boundaries within the borough.

6.149 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 NPPF.

#### Landscapes of local value

6.150 The council will seek to conserve or enhance its valued landscapes. The Kent Downs AONB and High Weald AONB and their settings and other sites of European and national importance are considered to be covered by appropriate existing policy protection in the NPPF, NPPG and other legislation. As well as this national policy guidance and statutory duty, the settings of the Kent Downs and High Weald AONBs are also afforded protection through the criteria of policy SP17 and no additional designation is therefore necessary. In addition to these areas, the borough does include significant tracts of landscape which are highly sensitive to significant change. Landscapes of local value have been identified and judged according to criteria relating to their character and sensitivity

- i. Part of a contiguous area of high quality landscape;
- ii. Significant in long distance public views and skylines;
- iii. Locally distinctive in their field patterns, geological and other landscape features;
- iv. Ecologically diverse and significant;
- v. Preventing the coalescence of settlements which would undermine their character;
- vi. Identified through community engagement;
- vii. Providing a valued transition from town to countryside

6.151 Development proposals within landscapes of local value should, through their siting, scale, mass, materials and design, seek to contribute positively to the conservation and enhancement of the

protected landscape. Designated areas include parts of the Greensand Ridge and the Low Weald, and the Medway, the Loose and the Len river valleys. These landscapes were highlighted as areas of local value by the public through local plan consultations.

6.152 The Greensand Ridge lies to the south of Maidstone and is defined by the scarp face of the Ridge with extensive views across the Low Weald to the south. It is characterised by frequent small blocks of coppice and deciduous woodland, extensive orchards and frequent oast houses, with ragstone being a predominant material in walls and buildings.

6.153 The Medway Valley is characterised by the wide River Medway and steep valley sides where the valley incises the Greensand and is crossed by distinctive ragstone bridges. The area lends itself to much recreational land use including the Medway Valley Walk, although some sections are more wooded and remote in character. The Loose Valley lies to the south of Maidstone and is characterised by the Loose stream, mill ponds and springs with steep wooded valley sides, mature native woodland and traditional mill buildings and cottages. The Len Valley lies to the east of Maidstone and is bordered by Bearsted to the west. It is characterised by the River Len, historic mills and a network of pools with remnant orchards.

6.154 The Low Weald covers a significant proportion of the countryside in the rural southern half of the borough. The Low Weald is recognised as having distinctive landscape features: the field patterns, many of medieval character, hedgerows, stands of trees, ponds and streams and buildings of character should be conserved and enhanced where appropriate.

#### Reasonable alternatives tested

6.155 The countryside is a highly valued local resource, and is utilised by both urban and rural populations within and around the borough. It is appropriate that its valued features are protected, and to this end development has been directed to the more sustainable settlements across the borough. This plan identifies a small quantum of growth within smaller settlements within the countryside, but this will be required to maintain the overall character of both the settlement and the countryside overall.

#### Policy SP9 Development in the 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 defined on the policies map.

- 1) Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area.
- 2) Agricultural 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.
- 3) Great weight should be given to the conservation and enhancement of the Kent Downs Area of Outstanding Natural Beauty.
- 4) Proposals should not have a significant adverse impact on the settings of the Kent Downs Area of Outstanding Natural Beauty or the High Weald Area of Outstanding Natural Beauty.
- 5) The Metropolitan Green Belt is shown on the policies map and development there will be managed in accordance with national policy for the Green Belt.
- 6) The distinctive landscape character of the Greensand Ridge, the Medway Valley, the Len Valley, the Loose Valley, and the Low Weald, as defined on the policies map, will be conserved and enhanced as landscapes of local value.
- 7) Development in the countryside will retain the separation of individual settlements.

Account should be taken of the Kent Downs Area of Outstanding Natural Beauty Management Plan and the Maidstone Borough Landscape Character Guidelines Supplementary Planning Document.

## 7. Thematic Strategic Policies

### SP10 Housing

#### Introduction to the Policy/Reasoned Justification

7.1 The council has identified the levels of growth in its spatial strategy in Chapter 5. It is important to note that the emerging plan housing target does not include a contingency amount. This is due to the considerable current uncertainty around the future planning regulations, as well as the market uncertainty created by Brexit and covid. Bearing these influences in mind it was not considered prudent to allocate a surplus of land.

7.2 A call for sites has been undertaken during the preparation of the plan, whereby landowners, developers and the public were asked to submit sites to the council for an assessment of their development potential. As part of the assessment, all of the sites submitted were subject to site visits, and an appraisal of each site's suitability for development was undertaken.

7.3 The appraisal examined site topography, conditions and surrounding land uses. To protect the best of Maidstone's urban and rural heritage, the appraisal considered the impact that development would have on the landscape, ecology, ancient woodland, heritage, archaeology, and the loss of best and most versatile agricultural land. Safety is a prime concern, so the access to each site was evaluated, together with the impact of development on the wider highway network. The need for infrastructure to support new development is a key consideration, so the assessment looked at access to schools, community and health facilities, shops, open space, public transport, and utilities. The impact of development on existing residential amenity was also an important factor. Site conditions can constrain development or require mitigation, so the appraisal looked at the impact of air quality, noise, land contamination and flooding. A number of infrastructure providers and other organisations input to the process, including the Environment Agency, water companies and Kent County Council; and the council's evidence base was supplemented in order to inform decisions.

7.4 Individual site assessments were recorded on pro forma to ensure consistency in the process, and made public. Each site has been subject to independent sustainability appraisal, which has assisted in decisions. The results of site appraisals have been recorded in the council's Strategic Housing and Economic Development Land Availability Assessment, which lists all sites that have potential for development and the sites that have been rejected. Sites that are located within the plan's settlement hierarchy have been allocated for housing in the local plan.

7.5 The site appraisals have informed the policy criteria that each development site must meet. Of the sites listed, some can be developed with minimal infrastructure provision, whereas others will need more intervention. Some sites contain features which should be retained, such as trees or ponds that are worthy of retention for landscape, screening or ecological reasons. Other sites may have access restrictions or will need to contribute toward highway improvements to relieve congestion. The requirements for each housing site, including development guidance, mitigation and infrastructure contributions, are set out in detailed site allocation policies in the plan.

7.6 Policy RMX1 identifies the retail and mixed use allocations and, where housing forms part of the development split, the residential element of these sites is included in the table below. The dwelling yield in the final column is an estimate and the actual number of dwellings on each site could be higher or lower following the detailed consideration of a planning application.

## SP10(a) Housing Mix

### Introduction to the Policy/Reasoned Justification

7.7 The key requirements for 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. The borough is made up of a variety of household types including, for example, older people who have specific housing needs that are different to the needs of large families and different again to those of disabled 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. Through providing a mix of housing types the borough will be able to accommodate the needs of an increasingly diverse population within the borough. The council will actively seek to balance communities where particular house sizes or tenures have become prevalent beyond an evidenced need.

7.8 Evidence detailed in the Maidstone Strategic Housing Market Assessment (SHMA) 2015 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.

7.9 Custom and self-build housing is housing built or commissioned by individuals or associations of individuals for their own occupation. National planning policy and guidance sets out the need for local planning authorities to identify and take account of such housing need in their area when planning for a mix of dwellings. Whilst the SHMA has not identified a need for custom and self-build housing to be strategically allocated in Maidstone, it is clear that this sector can play a key role in helping achieve a higher level of home ownership, and that policies should be flexible to take account of changing market conditions over time.

7.10 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. Neighbourhood plans can also be used as a mechanism to allow some flexibility and local context while contributing to the overarching strategic needs of the borough. Where affordable housing is proposed or required, the housing register will provide additional guidance.

### Reasonable alternatives tested

7.11 Consideration was given to the potential to enact highly locally-specific tenure and mix targets in the preparation of the Plan. While there is undoubtedly some value in incorporating neighbourhood-level needs data into this policy, the granularity of data is not currently in the Council's evidence base to support it. The Council considers that the more appropriate method will be for these highly local mixes to be proposed and tested through the Neighbourhood Planning process.

### Policy SP10a – 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. In considering proposals for new housing development, the council will seek a sustainable range of house sizes, types and tenures (including plots for custom and self-build) that reflect the needs of those living in Maidstone Borough now and in years to come.
2. Accommodation profiles detailed in the Strategic Housing Market Assessment 2015 (or any future updates) 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. Where affordable housing is to be provided, developers should also take into consideration the needs of households on the council's housing register and discuss affordable housing requirements with the council's housing team at the pre-submission stage of the planning process.
4. Large development schemes will be expected to demonstrate that consideration has been given to custom and self-build plots as part of housing mix.
5. The council will work with partners to support the provision of specialist and supported housing for elderly, disabled and vulnerable people.
6. Gypsy, Traveller and Travelling Showpeople accommodation requirements will form part of the borough need for housing.

## **SP10(b) Affordable Housing**

### [Introduction to the Policy/Reasoned Justification](#)

7.12 The Maidstone Strategic Housing Market Assessment supports the approach of seeking a proportion of dwellings to be provided on-site for affordable housing needs. The council has a net affordable housing need of 5,800 homes from 2013 to 2031, equivalent to 322 households each year. This is a significant need for the borough and a clear justification for the council to seek affordable dwellings through new development schemes.

7.13 The Ministerial Statement published 28 November 2014 refers to the introduction of a threshold for infrastructure contributions. The NPPG refers to circumstances where infrastructure contributions through planning obligations should not be sought from developers: affordable housing should not be sought from developments of 10 units or less, and which have a maximum combined floorspace of 1,000m<sup>2</sup>. The council's viability testing has assumed the national threshold of 11 dwellings for affordable housing. To support community integration, affordable housing will be provided on-site, and 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.

7.14 Affordable housing requirements will differentiate across the borough by geographical area; this is due to relative issues such as sales values and policy considerations. Local Plan 2017 viability testing confirmed that the rural areas in Maidstone are more viable than urban locations, and brownfield sites (previously developed land) within urban areas are less viable than greenfield sites. This viability testing demonstrated that a 40% affordable housing rate can be achieved in the rural areas and a 30% rate within the urban area.

7.15 In order to respond to the identified need for affordable housing of different tenures through the period of the plan, the council will seek an indicative target of 70% affordable rented or social rented housing, or a mixture of the two, and 30% intermediate affordable housing (shared ownership and/or intermediate rent). This ratio was used for strategic viability testing purposes and

has been shown to be viable. The SPD indicated a preference for social rent and the viability assessment needs updating in preparation for the publication of the Plan.

7.16 The Government has introduced a vacant building credit to incentivise brownfield development on sites containing vacant buildings. In considering how the vacant building credit should apply to a particular development, the council will consider whether the building has been made vacant for the sole purposes of redevelopment and whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

7.17 To ensure proper delivery of affordable housing, developers are required to discuss proposals with the council's housing department at the earliest stage of the application process, to ensure the size, type and tenure of new affordable housing is appropriate given the identified needs. Where economic viability affects the capacity of a scheme to meet the stated targets for affordable housing provision, the council will expect developers to examine the potential for variations to the tenure and mix of provision, prior to examining variations to the overall proportion of affordable housing.

7.18 Developers will be required to pay for viability assessments and any cost of independent assessment. The council will only consider reducing planning obligations if fully justified through a financial appraisal model or other appropriate evidence.

7.19 Retirement homes (sheltered housing) and extra care homes (assisted living) are not as viable as other residential uses in Maidstone. A 20% affordable housing rate will be sought for such developments, which will allow for an appropriate balance between affordable housing need and supporting infrastructure provision.

7.20 The Affordable and Local Needs Housing Supplementary Planning Document contains further detail on how the policy will be implemented.

#### Reasonable alternatives tested

7.21 Application of greater local distinctiveness was considered, with a view to enacting a more detailed, locally distinctive policy. However the affordability information the Council currently has does not provide the granularity of evidence required to support it.

#### Policy SP10c – Affordable Housing

On major development sites or mixed use development sites where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more the council will require the delivery of affordable housing.

1. The target rates for affordable housing provision within the following geographical areas, as defined on the policies map, are:

- a. Maidstone urban area 30%, with the exception of policy H1(11)
- b. Countryside, rural service centres and larger villages 40%.

2. Affordable housing provision should be appropriately integrated within the site. In exceptional circumstances, and where proven to be necessary, off-site provision will be sought 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. The indicative targets for tenure are:

- a. 70% rented affordable housing, either social rented housing or a mixture of the two; and
- b. 30% affordable home ownership products.

Developers are required to enter into negotiations with the council’s Housing department, in consultation with registered providers, at the earliest stage of the application process to determine an appropriate tenure split, taking account of the evidence available at that time.

- 4. The council will seek provision of 20% affordable housing for schemes that provide for retirement housing and/or extra care homes.
- 5. The council has set a zero affordable housing rate for fully serviced residential care homes and nursing homes.
- 6. Where it can be demonstrated that the affordable housing targets cannot be achieved due to economic viability, the tenure and mix of affordable housing should be examined prior to any variation in the proportion of affordable housing.

The Affordable and Local Needs Housing Supplementary Planning Document contains further detail on how the policy will be implemented.

## SP10(d) Gypsy & Traveller Site Allocations

### Introduction to the Policy/Reasoned Justification

7.22 A new GTTSAA has been commissioned and survey work for this study commenced in winter 2020. Owing to the Covid-19 lockdowns and subsequent public health advice, the survey work was put on hold until the surveyors are safely able to interview residents.

7.23 Sites allocated in the Local Plan 2017 will remain as allocations where these have not yet been delivered. Additionally, policy DM 15 (Gypsy, Traveller and Travelling Showpeople accommodation) will be retained in order to ensure that in the interim period, suitable sites can come forward for GTTS development. Policy DM15 (Gypsy, Traveller and Travelling Showpeople accommodation) will therefore be maintained to guide the determination of planning applications and the allocation of specific sites.

7.24 The table below details the LP2017 allocations and their status.

Allocations complete	Allocations partially complete	Allocations not started	
GT1(3)	GT1(4) – 2 delivered	GT1(1)	GT1(10)
GT1(5)	GT1(13) – 2 delivered	GT1(2)	GT1(11)
GT1(7)	GT1(14) – 2 delivered	GT1(4)	GT1(13)
GT1(12)		GT1(6)	GT1(14)
GT1(15)		GT1(8)	GT1(16)
		GT1(9)	
These policies have been delivered and will not be retained when the Local	These policies are partially complete and will therefore be carried through to	These policies have not yet been started and are expected to be retained in the Local Plan Review.	

Plan Review is adopted.	the Local plan review at a reduced allocation.	
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7.25 Whilst work on the GTTSAA is at an early stage, discussions with consultants undertaking the GTTSAA have indicated that there will be a significant need for new pitches in Maidstone over the plan period to 2037. The Call for Sites exercise invited the submission of Gypsy, Traveller and Travelling Showpeople sites, however only a small number were put forward for inclusion in the plan. As a consequence Maidstone is facing a significant shortfall of sites.

7.26 On the basis that the GTTSAA has not been completed and there will be a likely significant shortfall in sites that will not be met by Call for Sites submissions, it is felt that the most appropriate course of action is to undertake a separate Gypsy, Traveller and Travelling Showpeople DPD, with targeted Call for Sites work, so that the needs of the community can be adequately and appropriately addressed and appropriate engagement can take place.

#### Reasonable alternatives tested

7.27 Until the new GTTSAA and associated DPD has been produced it is appropriate to continue the current approach to Gypsy and Traveller development with existing site allocations and a criteria-based policy

#### Policy SP10d – Gypsy & Traveller Site Allocations

1. The sites allocated under policies GT1(1) to GT1(16) will continue to deliver approximately 41 pitches (22 remaining) for Gypsy and Traveller accommodation to assist in meeting needs up to 2031. Development will be permitted provided the criteria for each site set out in the detailed site allocation policies are met.
2. A new Gypsy, Traveller and Travelling Showpeople DPD will be created to manage emerging need.

## SP11 Economic Development

### Introduction to the Policy/Reasoned Justification

7.28 The local economy is characterised by its strong base in administration and professional services, as well as public services, stemming in particular from Maidstone's county town role. The town centre is an established focus for shopping and leisure activities, drawing trade from both within the town and beyond, in particular the Malling area, Medway and Sittingbourne. The qualifications profile is relatively low in Maidstone with just over one third of residents qualified at NVQ Level 4 or above. This is below the South East (41.4%) and national (38.6%) averages. More people in Maidstone are also qualified at below level 2 compared to Kent as a whole. At the same time, the proportion of Maidstone's population holding 'other' or no qualifications is higher than the South East but lower than the UK. The 2011 Census shows that some 1,180 more people were leaving the borough for work than coming in, a reversal of the situation in 2001 when more people commuted into Maidstone to work. More out-commuters are working in managerial, professional, and technical occupations, while those commuting into Maidstone tend to be in skilled / semi-skilled occupations. 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. In general unemployment in the borough is low when compared with the Kent and national picture.

7.29 For Maidstone Borough to grow in a sustainable manner the increase in house building has been aligned with growth in local employment. 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 E and B of the Use Class Order including offices, research and development, warehouses and industry;
- Public and social uses such as health and education; and
- Town centre uses such as retail, leisure, entertainment, arts, cultural and tourism development.

7.30 The net additional land requirements for E and B class uses and retail to 2037 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 adopted Economic Development Strategy (2015) sets out an economic vision for the borough in 2031 through its 'ambition statement'. The strategy goes on to identify five priorities to capitalise on the borough's economic assets and to create the right conditions for growth. These are 1) retaining and attracting investment; 2) stimulating entrepreneurship; 3) enhancing Maidstone town centre; 4) meeting skills needs and 5) improving the infrastructure.

7.31 A significant proportion of Maidstone's growth in E and 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. Analysis suggests that some 25,000m<sup>2</sup> of the borough's stock of office floorspace is long term vacant. Such stock, which

is no longer fit for purpose, is unlikely to be fully re-occupied and its loss to other uses is unlikely to adversely impact on the borough's economic growth.

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

7.33 The proposed strategic site allocation at Junction 7 (Local Plan Policy RMX1(1)) 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 been granted for the medical hub. 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.

7.34 With the exception of some of the secondary office stock within the town centre, existing business sites and industrial estates are an important and appropriate part of the business stock for the future which can also help to provide for the range of employment needs. Policy SP11(a) 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.

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

7.36 Within the countryside economic development will be permitted for 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 CD7 sets out the considerations which will apply when established rural businesses want to expand their existing premises. There is also a trend towards greater homeworking which allows for a reduced impact on transport infrastructure.

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

#### Reasonable alternatives tested

7.38 There are a number of potentially suitable employment growth locations across the borough. These include in the town centre, at strategic highway locations such as motorway junctions, within the borough's network of villages, as well as within new garden settlements. Whereas this could have been seen as a choice between locations, the Council is choosing to increase the supply of employment space at a number of different locations to ensure that there is flexibility for investors and businesses.

## Policy SP11 – Economic Development

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:

1. The retention, intensification, regeneration of the existing industrial and business estates identified as Economic Development Areas as defined on the policies map;
2. 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;
3. Enhancing the vitality and viability of Maidstone town centre and maintaining the hierarchy of retail centres;
4. Supporting proposals that encourage highly skilled residents to work in the borough to reduce out-commuting;
5. Improving skills in the workforce in particular by supporting further and higher education provision within Maidstone's urban area;
6. Supporting improvements in information and communications technology to facilitate more flexible working practices;
7. Prioritising the commercial re-use of existing rural buildings in the countryside over conversion to residential use, in accordance with policy Q&D 5; and
8. 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, in accordance with policy CD7.

### **SP11(a) Retention of Employment Sites**

#### Introduction to the Policy/Reasoned Justification

7.39 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 SP22 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.

7.40 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. Policy SP11 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 500m<sup>2</sup> of B1 floorspace to be used for B8 uses without the need for planning permission.

7.41 Planning applications which seek alternative non B class uses to E(g), B2 or B8 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.

7.42 Exceptionally, a mixed use scheme which incorporates an element of non B or E(g) 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 CD1.

7.43 There is also a significant stock of B and E(g) 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, causes highway safety issues 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.

7.44 In the town centre specifically, there is a significant stock of office premises however the quality of these is mixed. A review of the town centre office stock reveals that the better quality stock is not focused in a single or limited number of locations, rather it is dispersed through the town centre. Notwithstanding the current, changes to permitted development rights, it is considered important to retain the better quality office premises to help sustain the town centre's role as an employment location. The larger scale (above 1000m<sup>2</sup>) higher quality office premises are included in Policy SP22 as their loss to alternative uses would have the greatest significance for the town centre's employment role.

#### Reasonable alternatives tested

7.45 At the current time there is an identified need for additional employment floorspace across the borough, and as such there is not considered to be a justification to release allocated employment sites at this time.

#### Policy SP11a – Retention of employment sites

1. The following locations, as defined on the policies map, are designated Economic Development Areas for use classes B1, E(g), B2 and B8:
  - i. Lordswood Industrial Estate, Walderslade;
  - ii. Aylesford Industrial Estate, Aylesford;
  - iii. 20/20 Business Park, Allington;
  - iv. Parkwood Industrial Estate, Maidstone;
  - v. Tovil Green Business Park/Burial Ground Lane, Tovil;
  - vi. Station Road/Lodge Road/Honeycrest Industrial Park, Staplehurst;
  - vii. Pattenden Lane, Marden (extended to include EMP1(3) as site is now developed);
  - viii. Detling Airfield, Detling;

- ix. Lenham Storage, Lenham;
- x. Marley Works, near Lenham;
- xi. Barradale Farm, near Headcorn;
- xii. Station Road, Harrietsham;
- xiii. Viewpoint, Boxley;
- xiv. Ashmills Business Park, Lenham;
- xv. Tenacre Court/Roebuck Business Park, Ashford Road, Harrietsham;
- xvi. Hart Street Commercial Centre, Hart Street, Maidstone;
- xvii. Hermitage Mills, Hermitage Lane, Maidstone;
- xviii. Bearsted Green Business Centre (The Old Forge), Bearsted;
- xix. Gallants Business Centre, East Farleigh;
- xx. Headcorn South, Biddenden Road, near Headcorn;
- xxi. Woodfalls Industrial Estate, Laddingford;
- xxii. Warmlake Business Estate, near Sutton Valence;
- xxiii. Bredhurst Business Park, Westfield Sole Road, Walderslade;
- xxiv. The Old Brewery, London Road, Maidstone; and
- xxv. Brooklyn Yard, Sandling, Maidstone.

2. The following locations, as defined on the policies map, are designated Economic Development Areas for use class E(g) or B1:

- i. South Park Business Village, Maidstone;
- ii. Turkey Mill Court, Maidstone;
- iii. Eclipse Park, Maidstone;
- iv. County Gate, Staceys Street, Maidstone;
- v. Medway Bridge House, Fairmeadow, Maidstone;
- vi. 23/29 Albion Place, Maidstone;
- vii. Victoria Court, Ashford Road, Maidstone; and
- viii. West of Lower Stone Street comprising Gail House, Link House, Kestrel House and Chaucer House.

- 3. Within designated Economic Development Areas, change of use or redevelopment of a site or premises to non B or E(g) 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, based on a viability assessment and a robust marketing exercise.
- 4. Within designated Economic Development Areas, mixed use proposals incorporating an element of non B or E(g) 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 or E(g) class employment premises in Maidstone urban area and the rural service centres for employment-generating uses will be supported.
- 6. Within designated Economic Development Areas, the redevelopment of premises and the infilling of vacant sites for business uses will be permitted.
- 7. Within designated Economic Development Areas located within the countryside proposals should ensure high quality designs of an appropriate scale and materials are accompanied by significant landscaping within, and at the edge of, the development.

## SP11(b) District and Local Centres

### Introduction to the Policy/Reasoned Justification

7.46 Local convenience shops and other such facilities can play an important role in sustainable development, by meeting the day-to-day needs of local communities. The NPPF seeks to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet such needs.

7.47 Whilst the council recognises the importance of securing viable uses for premises, this must also be balanced against the needs of the community. Changes in the economy sometimes lead to public houses becoming vacant and alternative uses being sought. However, for some communities, especially in rural areas, these facilities provide both important services and leisure opportunities.

7.48 Where the loss of a local convenience shop or facility is proposed, the council will expect such an application to be supported by a viability report, prepared by a qualified professional within the relevant industry, together with financial accounts and marketing information illustrating that the use is no longer viable. Accounts should, where possible, cover a three year period. The council will also give consideration to the availability of comparable alternative facilities. In assessing this, the feasibility of such alternatives being used will be considered, including not only the distance from the potential users, but also the attractiveness and likelihood of the route being used. The impact of the loss of a local facility may be greater in village locations, where alternatives are less accessible. Well located local facilities can be positive assets, which are available to all, including those without cars and with mobility problems.

7.49 Within the borough, the council has identified district and local centres which fulfil the function of providing essential local facilities as a group. District centres serve a wider catchment than a local centre and will typically cater for weekly resident needs. A district centre will usually comprise groups of shops, often containing at least one supermarket or superstore, and a range of non retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library. Local centres include a range of small shops serving a small catchment. Typically, amongst other shops, a local centre might include a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette. In rural areas, large villages may perform the role of a local centre. Additionally, there are small parades of shops throughout the borough of purely neighbourhood significance.

7.50 The council wishes to maintain the existing retail function together with supporting community uses in these locations, in the interests of securing sustainable, well-functioning communities. Within the defined district and local centres, new non E or F use classes will be resisted at ground level in order to maintain the retail role of the centres. The provision of additional retail and/or community facilities, plus a new local centre to complement the new residential development scheme at Langley Park, will be supported for similar sustainability reasons.

### Policy SP11(c) District and Local Centres

1. The council will seek to maintain and enhance the existing retail function and supporting community uses in the following district centres, as defined on the policies map:

- i. Mid Kent Centre, Castle Road, Allington;
- ii. Grovewood Drive, Grove Green;

- iii. Heath Road, Coxheath;
- iv. The Square, Lenham;
- v. High Street, Headcorn;
- vi. High Street and Church Green, Marden; and
- vii. High Street, Staplehurst.

2. The council will seek to maintain and enhance the existing retail function and supporting community uses in the following local centres, as defined on the policies map:

- i. Ashford Road, Bearsted;
- ii. The Green/The Street, Bearsted;
- iii. Marlborough Parade, Beverley Road, Barming;
- iv. Cherry Tree, Tonbridge Road;
- v. Boughton Parade, Loose;
- vi. Egremont Road, Madginford;
- vii. Parkwood Parade/Sandling Lane, Penenden Heath;
- viii. Senacre Square, Woolley Road;
- ix. Northumberland Court, Shepway;
- x. Snowdon Parade, Vinters Park;
- xi. Mangravet, Sutton Road/Mangravet Avenue;
- xii. High Street/Benover Road, Yalding; and
- xiii. Hermitage Walk, Hermitage Lane
- xiv. Langley Park

3. A new local centre will be provided as part of a new residential development scheme at Langley Park

#### Reasonable alternatives tested

7.51 Service centres close to residential areas is a key facet of sustainable development. It is recognised that retail patterns are changing, but the Council considers that local retail will continue to be a key contributor to local placemaking and residents' quality of life. As such no local centres are recommended to be removed during this Plan period, and where there is substantial growth, new centres will be created.

## SP11(c) Employment Allocations

### Introduction to the Policy/Reasoned Justification

7.52 As well as the remaining existing employment allocations carried forward from the 2017 Local Plan, the Strategic Employment Land Availability Assessment assessed the potential of a range of sites to accommodate new office, industrial and warehousing/storage development. Sites assessed as suitable, available and achievable and appropriate for allocation in the Local Plan Review are listed in the table below.

#### EMP1(4) Woodcut Farm

7.53 There is a unique opportunity in the borough to provide a prestigious business park at Junction 8 of the M20 that is well connected to the motorway network and that can provide for a range of job needs up to 2037. The Woodcut Farm site will meet the 'qualitative' need for a new, well serviced and well connected mixed use business park in the borough which can meet the anticipated demand for new offices, small business orientated space, stand-alone industrial and manufacturing space built for specific end users and smaller scale distribution businesses. This site will overcome this 'qualitative' gap in the borough's existing portfolio of employment sites and will thereby help to diversify the range of

sites available to new and expanding businesses. The key priority for the Woodcut Farm site is the delivery of new office/research & development and warehousing floorspace (B1a/b). Outline permission was granted in 2018 for a mixed-use commercial development comprising B1(a), B1(b), B1(c) and B8 units, with a maximum floorspace of 45,295m<sup>2</sup>. The split is approximately 50/50 B1 and B8 uses and will contribute significantly towards the evidenced need for 74,330m<sup>2</sup> of this type of floorspace by the end of the plan period. Whilst the site is yet to deliver floorspace, works are occurring on site relating to pre-commencement conditions attached to the outline permission and should deliver over the next couple of years. As such, this site will be kept under review as the Local Plan Review progresses. At this stage, it remains important to continue to set out allocation specific detail regarding the development of the Woodcut Farm site, should the current permission fail to deliver or a new application were to come in. The site will provide at least 10,000m<sup>2</sup> of B1a/b floorspace, thereby contributing significantly towards the evidenced need for 24,600m<sup>2</sup> of this type of floorspace by the end of the plan period. High quality office development is sought providing complementary provision to the town centre. As the viability of office development may be challenging in the shorter term, land will be safeguarded specifically for B1a/b uses, and for no other purpose, pending the viability position improving in the later part of the plan period. This approach will help ensure that the site delivers a genuine mixed B class use business park, which is what is required, rather than a logistics park or conventional industrial estate. Industrial (B2) and distribution (B8) uses are nonetheless appropriate as part of the mix of uses on the site and, in addition to the office requirement, the allocation will help deliver the quantitative need for the 7,965m<sup>2</sup> additional warehousing floorspace which is needed in the borough by 2031.

7.54 The site, which is some 25.8ha in total, is situated to the west of the A20/M20 junction (junction 8). It comprises the wedge of land lying between the M20 to the north east and the A20 to the south west. The site is agricultural land, divided into fields by hedgerows which predominately run in a north-south direction. The site is also bisected north-south by a watercourse which eventually runs into the River Len to the south of the A20. The land is undulating, the ground rising up from either side of the watercourse. To the south the site borders a number of dispersed properties which front onto the A20 (Ashford Road). To the south east the site is bounded by Musket Lane. To the north west lies Crismill Lane and a substantial tree belt which fronts onto this lane. The site boundary then follows the hedge belt which adjoins Crismill Lane approximately half way down its length and links to the complex of buildings at Woodcut Farm and turns south to the A20, running along the eastern boundary of the fields which front onto the Woodcut Farm access.

7.55 The site is located in the countryside and lies within the setting of the nationally designated Kent Downs Area of Outstanding Natural Beauty (AONB). The site falls within the White Heath Farmlands landscape character sub-area where landscape condition is poor overall, partially because of the fragmentation caused by the existing highway infrastructure. Landscape sensitivity for the character sub-area is recorded as moderate, the landscape providing the setting of the Kent Downs (AONB).

7.56 The site itself was specifically assessed in the Maidstone Landscape Capacity Study (2015). This found that the site has a high degree of sensitivity in landscape terms and an accordingly low capacity to accommodate new employment-related development.

7.57 This being the case, any future development proposals must be planned with very careful attention to the site's visual and physical relationship with the AONB, responding to the site's topography and natural landscape features in terms of the scale, design, siting, use, orientation,

levels and lighting of buildings and associated development, alongside infrastructure and landscaping requirements.

7.58 To achieve a high quality scheme in this prime location, a campus style development will be delivered in a parkland setting. This will be created through the retention and enhancement of existing tree and hedge belts, including those subject to Tree Preservation Orders no. 19 of 2007 and no. 17 of 2007, and substantial additional structural landscaping within the site in the form of shaws and woodland blocks. This should include the retention and reinforcement of the streamside vegetation. Landscape buffers will also be established along the principal site boundaries, including to help provide a setting to the Grade II listed Woodcut Farmhouse and to help secure the residential amenity of nearby residential properties.

7.59 Buildings will cover no more than 40% of the site. This figure excludes the western most field, of some 9ha in area, which is reserved as an undeveloped area to include an enhanced landscape buffer to establish a clear and strong boundary between the development and the wider countryside to the east of Bearsted. This area should be managed and structured as open woodland with associated biodiversity benefits and the potential to establish woodland pasture in the future.

7.60 The flatter area of the site, to the east of the stream, is better able to accommodate larger footprint buildings up to 5,000m<sup>2</sup> with heights restricted to a maximum of 12m. To the west of the stream the land rises and is suited to smaller footprint buildings of up to 2,500m<sup>2</sup> and up to 8m in height. The siting, scale and detailed design of development within this area must also have particular regard to the setting of Woodcut Farmhouse (Grade II listed). On the highest part of the site, as shown on the policies map, building footprints will be limited to 500m<sup>2</sup>.

7.61 There are archaeological remains in the immediate vicinity of the site, including an Anglo-Saxon burial site. Measures appropriate to the actual archaeological value of the site, revealed by further survey as needed, will be addressed. There are no statutory or non-statutory sites of nature conservation importance within the site and the County Ecologist advises that the potential for impacts on designated sites is limited. As is normal practice for a proposal of this nature, an ecological scoping study will be required to establish the presence of, and potential for, any impacts on protected species

7.62 Vehicular access to the site will be taken from the A20 Ashford Road and a Transport Assessment will identify the scope of improvements required to the junctions (and associated approaches) at

- the M20 Junction 8 (including the west-bound on-slip and merge); the A20 Ashford Rd/M20 link road roundabout;
- the A20 Ashford Rd/Penford Hill junction;
- the A20 Ashford Rd/Eyehorne Street/Great Danes Hotel access; and the Willington Street/A20 Ashford Rd junction.

7.63 The site is located on a bus route (A20) but without significant additional dedicated measures it is highly likely that workers and visitors travelling to and from the site will be highly reliant on their private cars. A Travel Plan will be required to demonstrate how development will deliver significantly improved access by sustainable modes, in particular by public transport but this could also include cycling, walking and car share initiatives.

#### LPRSAEmp1 Former Syngenta Works, Hampstead Lane, Yalding

7.64 The former Syngenta Works site near Yalding is a large, flat brownfield site (19.5ha) about one kilometre to the west of Yalding village and adjacent to Yalding Railway Station. The site was previously used for agro-chemicals production and was decommissioned in 2002/2003. The site has been cleared of buildings, apart from an office building at the site entrance, and the land has been remediated to address the contamination resulting from its previous use. Immediately to the east of the site is a canalised section of the River Medway. The whole site lies within Flood Zone 3a.

7.65 The aim of the Sequential Test method set out in the NPPF is to steer new development to areas with the lowest probability of flooding. If, following application of the Sequential Test, it is not possible for the development to be located in areas with a lower probability of flooding, the Exception Test can be applied. Crucial to any redevelopment of this brownfield site is the identification of a comprehensive scheme of flood mitigation which addresses the identified flood risk. Subject to such a scheme being achievable, the site is potentially suitable for employment uses.

#### LPRSA260 Land at Ashford Road, Lenham

7.66 This site is proposed for a mix of employment uses including offices, industrial and warehousing. It is positioned between an existing Economic Development Area (Ashmills Business Park) and Local Plan 2017 housing allocation H1(41), Tanyard Farm. As such, any uses would need to be appropriate to the neighbouring residential uses. This allocation would provide approximately 3,108m<sup>2</sup> of employment (E(g), B2, B8 use) floorspace.

#### LPRSA273 Land between Maidstone Road and Whetsted Road

7.67 This site is considered suitable for mixed employment uses (B1, B2, or B8 uses), plus suitable flood mitigation SUDs measures. The site would form part of Paddock Wood extension proposed in the Tunbridge Wells draft Local Plan and as such, would need to be comprehensively masterplanned.

#### LPRSA285 Land at Dickley Court, Lenham

7.68 This site adjoins the Marley Works designated Economic Development Area. There is currently a residential care home on the site, however the owners have indicated that site may come forwards for office redevelopment in the future. Given the site's suitable location for employment uses, it is allocated for approximately 188m<sup>2</sup> of office (E(g) use) floorspace.

#### Policy SP11(c) Employment Allocations

The sites allocated under policies EMP1(1), EMP(2), to EMP1(4), RMX1(4), LPRSA260, LPRSA273 and LPRSA285 will deliver approximately 146,967m<sup>2</sup> employment floorspace to help meet employment needs during the plan period. Development will be permitted provided the criteria for each site set out in the detailed site allocation policies are met.

#### Reasonable alternatives tested

7.69 The Council has considered the recommendations contained in the emerging Employment Needs Study, as well as the early implications of Covid and Brexit. There is considerable uncertainty around the role of employment land and floorspace, which is tied up with new patterns of home working, social distancing and improved telecommunications infrastructure. The Council considers that there remains an important role for employment floorspace, and we are seeking to capitalise on any working pattern flows from larger employment location such as London. To this end we are seeking to ensure that there is adequate provision of employment land and floorspace across the Plan period to give the market the best chance possible to grow in the borough.

## SP12 Sustainable Transport

### Introduction to the Policy /Reasoned Justification

7.70 Working in partnership with Kent County Council (the local highway authority), Highways England, infrastructure providers and public transport operators, the council will facilitate the delivery of transport improvements to support the growth proposed by the plan. An Integrated Transport Strategy (ITS), prepared by the council, will have the aim of facilitating economic prosperity and improving accessibility across the borough and to the town centre, in order to promote Maidstone as a regionally important transport hub. The ITS needs to address a number of transport challenges as set out below.

### Highway network

7.71 Maidstone borough has an extensive highway network which provides direct links both within the borough and to neighbouring areas including Ashford, Tonbridge and Malling, the Medway Towns, Tunbridge Wells, Swale and London. Four north-south and east-west primary routes pass through the town centre and numerous secondary routes run in concentric rings around the town, providing local links to the rural parts of the borough. Maidstone also enjoys good connections to the motorway network, including direct access to four junctions of the M20.

7.72 The principal constraint on the borough's urban road network is the single crossing point of the River Medway at the town centre bridges gyratory, where the A20, A26 and A229 meet. From this point, congestion spreads along the main radial approaches to Maidstone during the morning and evening peaks, leading drivers to seek alternative routes for longer journeys around the periphery of the town.

7.73 The policies for individual site allocations set out the requirements for contributions towards strategic and local highway infrastructure at key locations and junctions, and key improvements include:

- Capacity improvements and signalisation of Bearsted roundabout and capacity improvements at New Cut roundabout. Provision of a new signal pedestrian crossing and the provision of a combined foot/cycle way between these two roundabouts.
- Traffic signalisation of the M20 J7 roundabout, widening of the coast bound off-slip and creation of a new signal controlled pedestrian route through the junction.
- Capacity improvements at M2 J5 (located in Swale Borough).
- Upgrading of Bearsted Road to a dual carriageway between Bearsted roundabout and New Cut roundabout.
- Interim improvement to M20 junction 5 roundabout including a white lining scheme.
- Traffic signalisation of M20 junction 5 roundabout and localised widening of slip roads and circulatory carriageway.
- Provision of an additional lane at the Coldharbour roundabout. Capacity improvements at the junction of Fountain Lane and the A26 Tonbridge Road.
- Bus prioritisation measures on the A274 Sutton Road from the Willington Street junction to the Wheatsheaf junction, together with bus infrastructure improvements.
- Improvements to capacity at the junctions of Willington Street/Wallis Avenue and Sutton Road.
- Package of measures to significantly relieve traffic congestion on Sutton Road and Willington Street.
- Improvements to capacity at the A229/A274 Wheatsheaf junction.
- Highway improvements at Boughton Lane and at the junction of Boughton Lane and the A229 Loose Road.

- Linton Crossroads junction improvements.
- A20 Ashford Road highways improvements to include carriageway narrowing, reduction of the speed limit and pedestrian crossing facilities at Harrietsham. Signalisation of the Kings Road / Mill Bank junction at Headcorn.
- Capacity improvements at the junction of A229, Headcorn Road, Station Road and Marden Road at Staplehurst.
- Capacity improvements at Hampstead Lane/B2015 Maidstone Road junction at Yalding.

7.74 The details of these schemes and further highway and transport improvements, including provision of a circular bus route to serve the north west Maidstone strategic development area, are set out in detail in the Integrated Transport Strategy and the Infrastructure Delivery Plan.

#### Leeds-Langley Relief Road

7.75 Consideration of the potential construction of a LLRR is a requirement of Policy LPR1 of the review of the Local Plan Review. The case for the justification of the construction and the delivery of a LLRR lies with the County Council as the highway authority. To date, the detailed costings (estimates vary between £50 and £80 million), environmental and route appraisals and also an assessment of whether future housing requirements would necessitate and also support construction of a LLRR which will be required to progress the proposals, have not yet been undertaken.

7.76 At the present time the case has not been made, but early work suggests that it is likely that a quantum of new development would be needed to help fund it, therefore masterplanning via a business case for the whole corridor should be considered. An approach to ensuring that a strategic approach to delivery of new development and a potential new route is set out in SP5.

#### Car Parking

7.77 The provision of an adequate supply of well-located and reasonably priced car parking is essential to support the borough's retail economy, to facilitate access to areas where alternative travel modes are limited or unavailable, and to ensure that mobility impaired persons are able to access key education, employment and leisure opportunities. However, the supply of car parking also drives demand for limited road space and can therefore contribute to traffic congestion and poor air quality, as well as making more sustainable modes of travel less attractive. Therefore it is crucial that the council and its partners avoid an over provision of parking, particularly in and around Maidstone town centre.

7.78 The ITS will seek to address parking issues by producing a refreshed Town Centre Parking Strategy. A key aspect of this strategy, will be the use of measures to provide disincentives to the use of long-term car parking in the town centre whilst prioritising shoppers and visitors; by utilising long-stay town centre parking tariffs to encourage a shift to sustainable modes of transport such as Park and Ride and reviewing the Residents' Parking Zones to ensure they are fair, simple and meet the needs of all road users.

#### Park and Ride

7.79 The council has been operating Park and Ride services in Maidstone since the early 1980s and was one of the first local authorities in the UK to introduce the concept. The service aims to address the growing peak time congestion in the town centre and has met with varying levels of success to date. Two sites are currently in operation at London Road and Willington Street, following the closure of the Sittingbourne Road site in February 2016, which in total comprise some 903 parking spaces.

7.80 The council will continue to review and improve the functionality and effectiveness of Park and Ride services in Maidstone, including through the investigation of whether additional sites may be

available and deliverable to contribute towards wider objectives for sustainable transport and air quality

#### Bus services

7.81 Maidstone borough has a well established bus network provided principally by Arriva, together with a number of smaller independent operators. The network is centred on Maidstone town centre and combines high frequency routes serving the suburban areas with longer distance services providing connections to many of the outlying villages and neighbouring towns, including Ashford, Sittingbourne, Tonbridge, Tunbridge Wells and the Medway Towns.

7.82 Although KCC and the council do not directly influence the provision of commercial bus services, both authorities work closely with the operators to improve the quality of services and to ensure that the highway network is planned and managed in a way that facilitates the efficient operation of buses. This relationship has been formalised through the signing of a voluntary Quality Bus Partnership (QBP) agreement, which includes commitments by Arriva, KCC and the council to work collectively to improve all aspects of bus travel and to increase passenger numbers.

7.83 Given the deletion of the previously proposed Park and Ride sites at Linton Crossroads and at Old Sittingbourne Road, the council will work with the service operators to procure express/limited stop bus services on the radial routes into Maidstone (particularly from the north including the Newnham Park Area and from the south on the A229 and A274) to the Town Centre and railway stations in the morning and evening peaks to encourage modal shift together with the implementation of bus priority measures to seek to secure the reliability and speed of such services.

7.84 A number of services cannot be provided commercially and are classed as socially necessary services that require subsidy from KCC. These primarily consist of school, rural, evening and weekend services, which provide access to education, employment, health care, or essential food shopping. KCC also completed the countywide roll out of the Kent Freedom Pass during 2009. The County Council now provides free travel on almost all public bus services in Kent Monday to Friday for an annual fee for young people living in the county and in academic years 7 to 11. The County Council also assumed responsibility from the council for the administration and funding of the statutory Kent and Medway Concessionary Travel Scheme for disabled people, their companions and those aged over 60, in April 2011. As the Local Education Authority, KCC also provides free or subsidised home-to-school transport to children who meet the criteria.

#### Rail services

7.85 Three railway lines cross Maidstone borough, serving a total of 14 stations. The current operator of the vast majority of rail services in the area is the south east franchise holder, Southeastern.

7.86 The principal rail route serving Maidstone town is the London Victoria to Ashford International line (also referred to as the Maidstone East Line), which includes stations at Maidstone East, Bearsted, Hollingbourne, Harrietsham and Lenham. The average journey time between Maidstone East and London Victoria is an hour and runs half-hourly. The London Charing Cross / Cannon Street to Dover Priory / Ramsgate line passes through the south of the borough, with stations at Marden, Staplehurst and Headcorn. Charing Cross and Cannon Street stations are located in close proximity to the City of London and hence services on this line are heavily used by commuters, which places pressure on the limited station car park capacity in these villages.

7.87 The Medway Valley Line, connecting Strood and Paddock Wood, runs from north to south across the borough, with stations at Maidstone Barracks, Maidstone West, East Farleigh,

Wateringbury, Yalding and Beltring. The line operates as part of the Kent Community Rail Partnership, which has delivered improvements to the stations and promoted the service widely. In May 2011, Southeastern commenced the operation of direct peak-time services between London St Pancras and Maidstone West via Strood and High Speed 1 on a trial basis. This has reduced rail journey times between Maidstone and London to 48 minutes and provided commuters from the town with the option of travelling to an alternative London terminus closer to the City. Collectively, these enhancements have contributed to a 25% increase in passenger numbers on the Medway Valley Line since 2007, putting it in the top 10 lines nationally for ridership growth according to the Association of Train Operating Companies.

7.88 KCC published its Rail Action Plan for Kent in 2011, which sets out the County Council's objectives for the new South Eastern Franchise. The reinstatement of services between Maidstone and the City of London is the plan's top priority. It also recognises the need for the level of rail fares charged in Kent to offer better value for money and for the roll out of Smartcard ticketing offering combined bus and rail travel, similar to Transport for London's Oyster card.

#### Air Quality

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

7.90 Development in or affecting Air Quality Management Areas should where necessary incorporate mitigation measures which are locationally specific and proportionate to the likely impact. Examples of mitigation measures include:

- Using green infrastructure to absorb dust and other pollutants; Promoting infrastructure to encourage the use of modes of transport with low impact on air quality; and
- Contributing funding to measures, including those identified in the air quality action plans and low emissions strategies, designed to offset the impact on air quality arising from new development

#### Influencing travel behaviour

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

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

#### Cycling and walking

7.93 Both KCC and the council are committed to the provision of a comprehensive cycle network for residents and visitors to Maidstone.

7.94 The borough currently has a number of cycle routes that link the town centre to the suburban areas; however connections within the town and further afield are limited and there is a lack of cycle parking at key destinations. Consequently, cycle use in Maidstone is very low, the 2011 Census travel to work data indicated that 1% of work trips were undertaken by bike. However 12% of journeys to work were made on foot.

7.95 The provision of attractive and safe walking and cycling routes with adequate cycle parking will be incorporated within the ITS. The borough's walking environment, its walking routes and its public realm will be developed and improved through local plan policies, the ITS, the IDP, and through the Green and Blue Infrastructure Strategy. These strategies and documents, together with the adopted Maidstone Walking and Cycling Strategy, will have the aim of increasing the proportion of trips made by walking and cycling in the borough by 2031.

#### Policy SP12 – Sustainable Transport

1. Working in partnership with Kent County Council (the local highway authority), Highways England, infrastructure providers and public transport operators, the Borough Council will manage any negotiations and agreements regarding schemes for mitigating the impact of development where appropriate on the local and strategic road networks and facilitate the delivery of transport improvements to support the growth proposed by the local plan.
2. An Integrated Transport Strategy will be prepared with the aim of facilitating economic prosperity and improving accessibility across the borough and to Maidstone town centre, in order to promote the town as a regionally important transport hub.
3. In doing so, the council and its partners will:

A. Ensure the transport system supports the growth projected by Maidstone's local plan and facilitates economic prosperity;

B. Deliver modal shift through managing demand on the transport network through enhanced public transport and the continued Park and Ride services and walking and cycling improvements;

C. Improve highway network capacity and function at key locations and junctions across the borough;

D. Manage parking provision in the town centre and the wider borough to ensure it is fair and proportionate and supports demand management;

E. Improve transport choice across the borough and seek to influence travel behaviour;

F. Protect and enhance public rights of way;

G. Deliver strategic and public transport links to and from Maidstone, including increased bus service frequency along the radial routes into the town centre and its railway stations, particularly in the morning and evening peak travel times;

H. Work with landowners and public transport operators to secure the provision of a new bus interchange facility that is more accessible, user-friendly and fit for purpose;

I. Work with service providers to improve bus links to the rural service centres and larger villages, including route options and frequency;

J. Improve strategic links to Maidstone across the county and to wider destinations such as London; Ensure the transport network provides inclusive access for all users; and

K. Address the air quality impact of transport.

L. Support the provision of and improvements to Electric Vehicle charging infrastructure.

4. Within the bus and hackney carriage corridors, as defined on the policies map, the council and

the highway authority will develop preference measures to improve journey times and reliability and make public transport more attractive, particularly on park and ride routes and the radial routes into the town centre. Such measures will include:

- a. Bus priority measures along radial routes including bus prioritisation at junctions;
- b. Prioritisation of sustainable transport modes along radial routes; and/or
- c. Enhanced waiting and access facilities and information systems for passengers, including people with disabilities.

The Infrastructure Delivery Plan will support the implementation of the local plan and outlines how and when necessary infrastructure schemes will be delivered.

#### Reasoned Justification/ Reasonable alternatives tested

7.96 It is recognised through transport modelling that new growth will add journeys onto the existing network, which is already at capacity during peak hours at certain points. New development is required, and as such there is a need to direct development to areas with travel choice, bring forward mitigation measures aimed at encouraging journeys to be taken by more sustainable modes, as well as increasing capacity where it is needed.

7.97 Transport modelling shows that the existing settlement hierarchy of Maidstone and the RSCs/ larger villages have generally better transport connections than elsewhere in the borough, and continuing the LP17 pattern of growth is therefore potentially reasonable. Also tested however, is the benefits that could arise from directing more growth to garden settlements. These new settlements have the potential to be designed in a way which places a greater emphasis on public and active travel, as well as potentially the sharing of vehicles for certain trips.

### **SP13 Infrastructure**

#### Providing the infrastructure needed to support growth

7.98 Infrastructure can be separated into three main categories; physical infrastructure (such as highways and public realm improvements), social and community infrastructure (such as schools, adult social services and cultural facilities) and green infrastructure (such as play spaces, natural and semi-natural open space, and sports pitches).

7.99 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 in new infrastructure.

7.100 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 and emerging infrastructure requirements in the borough and its associated challenges in accommodating further development. The product of this engagement process will be an updated 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.

7.101 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:

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

7.102 Site specific infrastructure requirements arise when there is a direct link between development and supporting infrastructure that is required to make the development happen. In some instances, perhaps due to site constraints or other considerations, it will be most appropriate to seek financial contributions through section 106 legal agreements in lieu of on-site/off-site provision.

7.103 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.

7.104 There are certain infrastructure typologies which are required when building new development. Connections to the highways and utilities network, and flood defences for example. Additionally, the delivery of new schools and health facilities will generally be delivered at a strategic scale, and will not be delivered by most sites. Where there are competing demands for contributions towards the delivery of infrastructure, secured through section 106 legal agreements, the council will prioritise these demands in the manner listed below:

Infrastructure priorities for residential development:

1. Affordable housing
2. Transport
3. Open space
4. Public realm
5. Libraries

Infrastructure priorities for business and retail development

1. Transport
2. Public realm
3. Open space

Utilities Infrastructure

7.105 Utilities are generally planned at the planning applications stage, but where there are larger areas of development, such as in garden settlements and strategic development locations, opportunities to exploit economies of scale which allow for improved utilities access across the area should be exploited. This may include combining trenches for services, ensuring connections for future phases are included, the oversizing of networks to accommodate further future growth, and the development of bespoke area-based infrastructure networks such as combined heat and/ or power networks.

7.106 There is an accelerating 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.

#### Funding Infrastructure Improvements

7.107 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 infrastructure required to support delivery of the local plan, and how/when/where infrastructure will be provided. 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;
- Future site specific provision (Including Section 106 contributions); and
- Community Infrastructure Levy
- Outside organisations (eg NHS CCG, KCC, Central Government)

7.108 The finance from these funding sources listed above will not be sufficient to fund the total amount of infrastructure provision that is being sought.

#### The Community Infrastructure Levy (CIL)

7.109 The council has produced a Charging Schedule setting out the levy rate(s). The Community Infrastructure Levy is a tool used to reduce the funding gap that exists once existing resources (to the extent that they are known) have been taken into account in the delivery of local infrastructure improvements. It has been set subject to the viability of development locally, and is not the only source of local infrastructure funding. Indeed there is likely to still be a gap in funding requirements, and thus there will be a need to prioritise key infrastructure projects to ensure that the overall strategy within the local plan can be delivered.

7.110 The Council continue to monitor the charging schedule to ensure that the levy charges remain appropriate, and that they reflect market conditions and the funding gap for infrastructure. The charging schedule will be reviewed and revised if it is established that it needs to be amended.

7.111 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 the Plan. Transport based schemes form the majority of the delivery plan, which reflects a need to address an historic underspend on transport infrastructure in Maidstone Borough. Financing transport based schemes through CIL is considered a council priority.

7.112 The local plan focuses development at the Maidstone urban area, the rural service centres and larger villages. 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 transport infrastructure particularly in Maidstone urban area;
- Additional education and community facilities or expansion to existing facilities; and
- Strategic open space requirements.

7.113 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.

7.114 The Council will continue to keep the CIL rates under review with regards to the changing relationship between development costs and development values.

#### Section 106 Agreements

7.115 Section 106 Agreements will continue to be used for site specific infrastructure on development sites, such as local provision of open space, habitat protection, flood mitigation, access roads and sustainable transport infrastructure.

7.116 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.

7.117 In order to reflect NPPG paragraph 108, and also overcome the constraints imposed via the use of S106 agreements and/or Community Infrastructure Levy, normally S278 agreements under the Highways Act 1980 will be used to secure any necessary mitigation in connection with the Strategic Road Network.

7.118 Provision of affordable and local needs housing is dealt with in detail in policies SP10b and HOU6 respectively.

#### Policy SP13 (a) – 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. In certain circumstances where proven necessary, the council may require that infrastructure is delivered ahead of the development being occupied.
2. Detailed specifications of the site specific contributions required are included in the site allocation policies. Development proposals should seek to make provision for all the land required to accommodate any additional infrastructure arising from that development. Dedicated Planning Agreements (S106 of the Town and Country Planning Act, 1990) will be used to provide a range of site specific mitigation, in accordance with the S106 tests, which will normally be provided on-site but may where appropriate be provided in an off-site location or 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 require an "open book" approach and, where necessary, will operate the policy flexibly
4. Where there are competing demands for contributions towards the delivery of infrastructure, secured through section 106 legal agreements, the council will prioritise these demands in the manner listed below: Infrastructure priorities for residential development:

- i. Affordable housing
- ii. Transport
- iii. Open space
- iv. Public realm

- v. Social services
- vi. Libraries

Infrastructure priorities for business and retail development:

- i. Transport
- ii. Public realm
- iii. Open space

This list serves as a guide to the council's prioritisation process, although it is recognised that each site and development proposal will bring with it its own issues that could mean an alternate prioritisation is used.

5. The Community Infrastructure Levy will continue to 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. The CIL rate will be reviewed to reflect recent changes in development costs and land/ floorspace values across the borough.
6. Infrastructure schemes that are brought forward by service providers will be encouraged and supported, where they are in accordance with other policies in the local plan. New residential and commercial development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve it.

## **SP13 (b) Open Space Development**

### **Introduction to the Policy**

7.119 The adequate provision of open spaces within the borough is critical to the health and enjoyment of local residents, and will act to draw investment into the area. It is recognised that as Maidstone's population grows, the demand for open spaces will grow proportionately. Development creates value and thus the opportunity to create new open spaces. It is recognised that as Maidstone and our villages grow, land which is "open" in character may be lost to the expanding urban area. While positive features of the rural area can be retained, development should replace larger, more rural land, with smaller, more active, higher quality open spaces for communities to enjoy.

7.120 To support the appropriate delivery of development identified in the local plan, the council will identify opportunities to secure new open spaces, improve existing open spaces, and improve the access to and between open spaces to meet and/or contribute towards the open space requirements in accordance with the standards set out in INF1.

### **Policy SP13(b) Open Space Development**

- 9) Development which contributes to the creation of, or enhancement of the existing fabric of open spaces within the borough will be supported.
- 10) All new development should make a contribution, either on site, or where not feasible, off-site to improving the borough's open spaces.
- 11) On some strategic sites, open space will be allocated as a part of the land uses required within the site allocation.
- 12) Existing local open spaces fitting the definition in NPPF Para 100 will be protected.
- 13) Unless stated in a site allocation new developments should make a contribution towards increasing and improving open space as set out in INF1.

7.121 Reasoned Justification/ Reasonable alternatives tested. The current Policy Framework, SP13(b) and INF1 sets out an appropriate basis for allocating new open spaces as a part of larger new developments, and securing smaller open space contributions on other sites, but it has some shortcomings, and retaining it was considered. The methodology includes some shortcomings however, in that the calculation of the ranges of open space required to be delivered per 1,000 head of population can be larger than the size of the site developed at higher densities, and requiring new development to meet existing shortfalls of open space in their local area while noble, is unfair.

7.122 The new policy framework sets out a range of objectives that development can contribute towards, not simply increasing the amount of open space, but access to them, and the quality of provision on offer within them.

## **SP14 The Environment**

### **Introduction to the Policy/Reasoned Justification**

7.123 Maidstone's 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 natural assets remain robust and viable.

### **Green and blue infrastructure**

7.124 Green and blue infrastructure (GBI) is a network of natural components of open space and water 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 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.

7.125 Green and blue infrastructure has the capacity to deliver a wide range of positive outcomes in line with the objectives of the council including:

- Helping to attract and retain higher paying employers;
- Maintaining and enhancing biodiversity, water and air quality;
- Promoting distinctive landscapes and townscapes;
- Helping in the creation of an efficient, sustainable, integrated transport system;
- Helping to mitigate and adapt to climate change; and
- Creating healthier communities

7.126 The green and blue infrastructure is considered to be of such importance that a Green and Blue Infrastructure Strategy (GBIS) has been produced. The strategy looks 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 landscape and 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, landowners and neighbouring local authorities, including Kent County Council, to help achieve the objectives of the Strategy.

7.127 The growth proposed in the borough provides a chance to increase the value of accessible 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, or geodiversity interest, will be managed and maintained over the long-term.

7.128 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 local plan and details on implementation will be included in the green and blue infrastructure strategy.

#### Climate change

7.129 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

7.130 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 Plan (RBMP).

7.131 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

7.132 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 landowners, land managers and developers to encourage better soil handling practices to avoid the degradation of soil and ensure soil functions are maintained as appropriate.

7.133 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.

7.134 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.

7.135 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. 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.

7.136 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.

7.137 The borough has already experienced development applications that have, in certain areas, required the trans-location of wildlife to receptor sites in alternative off-site locations. Such sites are

important in ensuring adequate provision of suitable habitats for valued and protected species and should be protected and maintained. Natural England should be consulted on development proposals that will have an adverse impact on receptor sites, either directly or indirectly. It is extremely unlikely that the trans-location of wildlife from one receptor site to another would be permitted under licence for the purposes of allowing development.

7.138 The Environment Bill 2019-21 is expected to bring into force a requirement for new developments to deliver Biodiversity Net Gain. The Bill indicates that there will be a requirement for a 10 per cent improvement in “biodiversity value” as a condition of planning permissions for new development. In its Climate Change and Biodiversity Strategy, Maidstone Borough Council recognises the intrinsic value of biodiversity and the contributions it can make to the mitigation of climate change and the broad local support for protecting nature. It is essential therefore that new development makes a positive contribution to the delivery of enhanced biodiversity in the borough, through provision of Biodiversity Net Gain across all new development.

7.138a Any proposed development in the Lenham and Lenham Heath areas, including the growth location, existing allocation and Heathlands, will need to be explicitly considered against the requirements set out in the Natural England advice note issued in July 2020. These proposals have a potential to impact on the Stodmarsh National Nature Reserve downstream in Canterbury area and therefore due regard should be had to the requirement of the Conservation of Habitats and Species Regulations 2017.

7.138b The Habitats Regulation Assessment being undertaken as part of this Local Plan Review is considering the potential for these developments to impact on the nutrients of the Stour. Whilst there is no legal requirement, a screening will be undertaken at Regulation 18b stage. This assesses the plan and site allocations in light of the development proposed in the Lenham area and their potential to impact on the Stodmarsh NNR.

#### Landscape

7.139 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 SP17. 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.

7.140 The NPPF encourages the protection of valued landscapes. For Maidstone, these landscapes are identified as the Greensand Ridge, the Low Weald, and the river valleys of the Medway, the Loose and the Len, which are afforded protection in policy SP17.

7.141 A landscape character assessment, together with capacity studies, forms part of the local plan evidence base and should be used to inform development and land management proposals. They are a descriptive tool which identify and describe variations of landscape character, distinguishing the features that give a locality its 'sense of place' and pinpointing what makes it distinctive, setting out information on landscape character, condition and sensitivity in a comprehensive and objective way. The documents identify the positive attributes of a landscape which need protecting or enhancing as well as the negative aspects, which can be restored or otherwise improved upon. In cases where development is proposed on sensitive sites more detailed landscape and visual assessments will be required.



- i. An ecological evaluation of development sites and any additional land put forward for mitigation purposes to take full account of the biodiversity present, including the potential for the retention and provision of native plant species;
- ii. Arboricultural assessments to take full account of any natural assets connected with the development and associated sites; and
- iii. A landscape and visual impact assessment to take full account of the significance of, and potential effects of change on, the landscape as an environmental resource together with views and visual amenity.

3. 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.
4. When significant harm cannot be avoided through consideration of alternative sites or adequate mitigation provided on-site within the immediate locality, compensatory measures will be achieved within the relevant Biodiversity Opportunity Area, or other location as agreed by the local planning authority.
5. Development proposals will give weight to the protection of the following designated sites for biodiversity, as shown on the policies map, which will be equal to the significance of their biodiversity/geological status, their contribution to wider ecological networks and the protection/recovery of priority species as follows:

i. For internationally designated sites (including candidate sites), the highest level of protection will apply. The council will ensure that plans and projects proceed only when in accordance with relevant Directives, Conventions and Regulations. When the proposed development will have an adverse effect on the integrity of a European site, planning permission will only be granted in exceptional circumstances, where there are no less ecologically damaging alternatives, there are imperative reasons of overriding public interest and damage can be fully compensated.

ii. For nationally designated sites (including candidate sites), development will only be permitted where it is not likely to have an adverse effect on the designated site or its interests (either individually or in combination with other developments) unless the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the designated site that make it of national importance and any broader impacts on the national network of Sites of Special Scientific Interest. Where damage to a nationally designated site cannot be avoided or mitigated, compensatory measures will be sought. Development will also accord with and support the conservation objectives of any biodiversity site management plans.

iii. For locally designated sites (including draft published sites), development likely to have an adverse effect will be permitted only where the damage can be avoided or adequately mitigated or when its need outweighs the biodiversity interest of the site. Compensation will be sought for loss or damage to locally designated sites.

6. Where a proposed development falls within the Stour Catchment, or where sewage from a development will be treated at a Waste Water Treatment Works that discharges into the river Stour or its tributaries, then applicants shall undertake an Appropriate Assessment to demonstrate that

the requirements set out in the advice note on Nutrient Neutrality issued by Natural England have been met.<sup>6</sup>

Account should be taken of the Landscape Character Guidelines SPD, the Green and Blue Infrastructure Strategy and the Kent Downs AONB Management Plan.

## SP14 (b) – Historic Environment

### Introduction to the Policy/Reasoned Justification

7.143 Maidstone Borough has been shaped and influenced by a long past history, the legacy of which is a strong and rich cultural heritage. Brewing, paper making and shipping along the Medway have been notable industrial influences on the borough's heritage. The borough's varied geology has been the source of locally distinctive building materials, namely Kentish ragstone, Wealden clay for brick and tile making and oak from the Wealden forests used in the construction of timber-framed buildings and weather boarding.

7.144 The diversity of heritage assets is recognised through designations made at the national level by Historic England such as listed buildings, scheduled ancient monuments and registered parks and gardens and also those identified more locally such as conservation areas, the parks and gardens included in the Kent Gardens Compendium and locally listed buildings. The term 'heritage asset' is defined in the NPPF and, in addition to these 'designated' assets, encompasses features of more localised significance, so called 'non-designated' heritage assets.

7.145 Collectively these heritage assets contribute to the strong sense of place which exists across the borough. This historic inheritance also has wider economic, social and cultural benefits. The Archbishop's Palace and Leeds Castle are two particularly high profile examples which help to drive tourism in the borough. Mote Park is a registered historic park which both local residents and visitors value highly as a popular recreational resource. Historic features such as buildings, traditional field enclosures and monuments are also integral to the borough's high quality landscape, particularly enjoyed by users of the borough's extensive public rights of way network.

7.146 This rich historical resource is, however, vulnerable to damage and loss. This importance is signified by the fact that heritage assets are inherently irreplaceable; once lost they are gone forever. Through the delivery of its local plan, and its wider activities, the council will act to conserve and enhance the borough's heritage assets. This will be underpinned by a heritage assessment which will feed into later iterations of this Plan.

### Policy SP14(b) Historic Environment

To ensure their continued contribution to the quality of life in Maidstone Borough, the characteristics, distinctiveness, diversity and quality of heritage assets will be protected and, where possible, enhanced. This will be achieved by the council encouraging and supporting measures that secure the sensitive restoration, reuse, enjoyment, conservation and/or enhancement of heritage assets, in particular designated assets identified as being at risk, to include:

- i. Collaboration with developers, landowners, parish councils, groups preparing

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<sup>6</sup> Natural England (July 2020) *Advice on Nutrient Neutrality for New Development in the Stour Catchment in Relation to Stodmarsh Designated Sites - For Local Planning Authorities.*

- neighbourhood plans and heritage bodies on specific heritage initiatives including bids for funding;
- ii. Through the development management process, securing the sensitive management and design of development which impacts on heritage assets and their settings;
- iii. Through the incorporation of positive heritage policies in neighbourhood plans which are based on analysis of locally important and distinctive heritage; and
- iv. Ensuring relevant heritage considerations are a key aspect of site master plans prepared in support of development allocations and broad locations identified in the local plan

## SP14 (c) – Climate Change

### Introduction to the Policy/Reasoned Justification

7.147 In April 2019 Maidstone Borough Council approved a motion recognising global climate and biodiversity emergencies. The council articulated this recognition through its new draft Biodiversity and Climate Change Strategy which builds on the council’s commitment to embed the climate and biodiversity emergency strategies across the organisation.

7.148 Planning plays a fundamental and decisive role in helping the council to deliver carbon neutrality and the National Planning Policy Framework embeds climate change and biodiversity at the heart of the planning system.

7.149 The growth proposed in the borough has to be balanced with the need to respond to the Climate Change and biodiversity emergencies. New development will be expected to mitigate against and be adaptable to climate change through a range of measures outlined in the policy below.

### Policy SP14(c) Climate Change

To ensure that development in the borough mitigates and adapts to climate change, the Council will seek to:

1. Adopt a strategy for growth which delivers development in sustainable locations well supported by or capable of delivering better services and public transport which will minimise the need to travel.
2. Encourage the delivery of sustainable buildings and a reduction of CO2 emissions in new development, having regard to the Kent and Medway Energy and Low Emissions Strategy.
3. Encourage and support the delivery of low carbon energy and low carbon heat networks in new developments.
4. Require the integration of blue-green infrastructure into new development in order to mitigate urban heat islands, enhance urban biodiversity and to contribute to reduced surface water runoff through SUDS.
5. Require new development to encourage a shift in sustainable travel through:
  - a. prioritising active travel by ensuring good provision and connectivity of walking and cycling routes;
  - b. by ensuring public transport accessibility, and;
  - c. through the provision of electric vehicle infrastructure.
6. Require high levels of water efficiency in new development.
7. Require new development to plan for and respond to the impacts of climate change.

Reasoned Justification/ Reasonable alternatives tested

7.150 The Climate Change and Biodiversity Strategy commits the council to addressing the climate change emergency. This is supported by measures and legislation being enacted at national level. The policy responds to these through embedding the need to address climate change at a strategic level.

7.151 Omitting the need to address climate change is not a reasonable alternative, but the requirements of the policy need to be balanced against what is practical, having regard to evidence.

## SP15 Design

### Introduction to the Policy/Reasoned Justification

7.152 Good design is the fundamental principle underpinning good planning. It has a very important impact upon the quality of the environment and the way in which places function. The NPPF places great emphasis upon raising the quality of the built, natural and historic environment and the quality of life in all areas. It attaches great importance to the securing of high quality design and seeks to ensure that all development contributes to making places better for all.

7.153 The council aspires to achieve high quality design throughout the borough, and this policy seeks to manifest this aim and will be used to assess all development requiring planning permission. In order to achieve high quality design, the council expects that proposals will positively respond to and, where appropriate, enhance the character of their surroundings. It is important that development contributes to its context.

7.154 Key aspects of built development will be the scale, height, materials, detailing, mass, bulk and site coverage. These features should relate well, and respond positively, to the context in which they are seen. Good design should also address the functioning of an area, including accessibility to all, linkages to local services, and issues of crime. New development should integrate well into the built, natural and historic environment and should address the connections between people and places, including vehicle and pedestrian movement.

7.155 In establishing the use and designing the layout and site coverage of development, landscape shall be integral to the overall design of a scheme and needs to be considered at the beginning of the design process. In appropriate locations, local distinctiveness should be reinforced and natural features worthy of retention be sensitively incorporated. It is also important that all new development protects and enhances any on-site biodiversity and geodiversity features, or provides sufficient mitigation measures, and in areas at risk of flooding, inappropriate development should be avoided.

7.156 In assessing the appropriateness of design, the council will have regard to adopted Conservation Area Appraisals and Management Plans, Character Area Assessments, the National Design Guide 2019, and the Kent Design Guide, which provide specific information about local character and distinctiveness and give guidance on design principles. Regard will also be given to the Kent Downs Area of Outstanding Natural Beauty Management Plan.

7.157 Proposals which fail to take opportunities to secure high quality design will be resisted.

### Policy SP15 – Principles of Good Design

Proposals which would create high quality design and meet the following criteria will be permitted:

- I. Create designs and layouts that are accessible to all, and maintain and maximise opportunities for permeability and linkages to the surrounding area and local services;
- II. Respond positively to, and where possible enhance, the local, natural or historic character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage
- III. incorporating a high quality, modern design approach and making use of vernacular materials where appropriate;
- IV. Create high quality public realm and, where opportunities permit, provide improvements, particularly in town centre locations;
- V. Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that development

does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking, or visual intrusion, or loss of light;

- VI. Respect the topography and respond to the location of the site and sensitively incorporate natural features such as trees, hedges and ponds worthy of retention within the site. Particular attention should be paid in rural and semi-rural areas where the retention and addition of native vegetation appropriate to local landscape character around the site boundaries should be used as positive tool to help assimilate development in a manner which reflects and respects the local and natural character of the area;
- VII. Provide a high quality design which responds to areas of heritage, townscape and landscape value or uplifts an area of poor environmental quality;
- VIII. Orientate development, where possible, in such a way as to maximise the opportunity for sustainable elements to be incorporated, including optimising access to sustainable transport modes, and to reduce the reliance upon less sustainable energy sources;
- IX. Protect and enhance any on-site biodiversity and geodiversity features where appropriate, or provide sufficient mitigation measures;
- X. Safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access;
- XI. Create a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour;
- XII. Incorporate measures for the adequate storage of waste, including provision for increasing recyclable waste;
- XIII. Provide adequate vehicular and cycle parking to meet adopted council standards; and
- XIV. Be flexible towards future adaptation in response to changing life needs.

Account should be taken of Conservation Area Appraisals and Management Plans, Character Area Assessments, the Maidstone Borough Landscape Character Guidelines SPD, the Kent Design Guide and the Kent Downs Area of Natural Beauty Management Plan.

## 8. Detailed Site Allocation Policies

### Retention of MBLP 2017 Site Allocations

Allocations complete	Allocations expected to complete 2020-22	Allocations not complete			Allocations Superseded	
					Superseded Policy	Superseded By
H1 (1)	H1 (5)	H1 (2)	H1 (22)	H1 (54)	H1 (13)	LPRSA 144
H1 (6)	H1 (16)	H1 (3)	H1 (24)	H1 (58)	RMX1 (2)	LPRSA 146
H1 (20)	H1 (23)	H1 (4)	H1 (25)	H1 (65)	RMX1 (4)	LPRSAEmp1
H1 (32)	H1 (29)	H1 (7)	H1 (26)	EMP1 (1)	RMX1 (5)	LPRSA 148
H1 (34)	H1 (31)	H1 (8)	H1 (27)	EMP1 (2)	RMX1 (6)	LPRSA 151
H1 (35)	H1 (33)	H1 (9)	H1 (28)	EMP1 (4)		
H1 (37)	H1 (39)	H1 (10)	H1 (30)	RMX1 (1)		
H1 (40)	H1 (43)	H1 (11)	H1 (36)	RMX1 (3)		
H1 (42)	H1 (45)	H1 (12)	H1 (38)			
H1 (44)	H1 (47)	H1 (14)	H1 (41)			
H1 (51)	H1 (53)	H1 (15)	H1 (46)			
H1 (55)	H1 (56)	H1 (17)	H1 (48)			
H1 (57)	H1 (59)	H1 (18)	H1 (49)			
H1 (61)	H1 (60)	H1 (19)	H1 (50)			
H1 (62)	H1 (63)	H1 (21)	H1 (52)			
H1 (64)	H1 (66)	These policies are not complete, and are not anticipated to complete before October 2022. They are expected to be retained in the Local Plan Review.			These policies are proposed to be superseded by new allocations. As such they are not expected to be retained in the Local Plan Review.	
EMP1(3)	These allocations are not complete, but are anticipated to complete before October 2022. They are not expected to be retained when the Local Plan Review is Adopted.					
These policies are complete, and will not be retained when the Local Plan Review is Adopted.						

NB – SITE MAPS TO BE ADDED FOR ALL SITES

## New Site Allocations proposed in the Local Plan Review

8.1 As set out in Policy SS1 and SP1-7, the following site allocations are proposed to meet the objectively identified needs across the Plan period. These are additional to, and complement the development allocated in Policies SP1-7.

Site Ref	Site Name	Growth Location	Identified Capacity		
			Employment use m <sup>2</sup>	Town centre use m <sup>2</sup>	Resi units
LPRSA145	Len House	Maidstone Town Centre	530	265	29
LPRSA147	Gala Bingo & Granada House	Maidstone Town Centre	200	100	71
LPRSA148	Maidstone Riverside	Maidstone Town Centre	5,148	2,574	650
LPRSA149	Maidstone West	Maidstone Town Centre	1,034	517	130
LPRSA151	Mote Road	Maidstone Town Centre	2,000	0	84
LPRSA009	Right Kard	Maidstone Town Centre	37	18	2
LPRSA053	12-14 Week Street	Maidstone Town Centre	81	40	3
LPRSA144	High St/ Medway St	Maidstone Town Centre	56	28	42
LPRSA146	Maidstone East	Maidstone Town Centre	TBD	TBD	210
LPRSA150	Mill Street Car Park	Maidstone Town Centre	358	179	15
LPRSA156	Danebury	Maidstone Urban Area	-	-	3
LPRSA366	Springfield Tower	Maidstone Urban Area	-	-	145
LPRSA152	Former Royal British Legion Site	Maidstone Urban Area	-	-	4
LPRSA196	Land at Willow Farm	N of Maidstone	-	-	45
LPRSA216	Rochester Meadow	N of Maidstone	-	-	39
LPRSA203	Land at Bydews Place	SW of Maidstone	-	-	10
LPRSA265	Land at Abbey Farm	SW of Maidstone	-	-	240
LPRSA235	Land at Boughton Lane	S of Maidstone	-	-	23
LPRSA270	Land South of Police HQ	S of Maidstone	-	-	196
LPRSA172	Land at Sutton Road	SE of Maidstone	-	-	139
LPRSA362	Police HQ, Sutton Rd	SE of Maidstone	-	-	300
LPRSA246	Land at Appletree House	NE of Maidstone	-	-	25
LPRSA266	North of Ware St	NE of Maidstone	-	-	67
LPRSA298	Dorothy Lucy Centre	E of Maidstone	-	-	16
LPRSA303	IS Oxford Rd	E of Maidstone	-	-	14
LPRSA071	L/a Keilen Manor, Marley Rd	Harrietsham	-	-	40
LPRSA101	Land south of A20	Harrietsham	-	-	60
LPRSA310	Land at Mote Rd	Headcorn	-	-	127
LPRSA260	Ashford Road	Lenham	3,108	-	-
LPRSA285	Land at Dickley Court	Lenham	188	-	-
LPRSA295	Land north of Copper Ln	Marden	-	-	74
LPRSA314	Land east of Albion Rd	Marden	-	-	39
LPRSA066	Land east of Lodge Rd	Staplehurst	-	-	78
LPRSA114	Land at Home Farm	Staplehurst	-	-	49
LPRSA122	Orchard Land adj. White Cottage	Boughton Monchelsea	-	-	18

Site Ref	Site Name	Growth Location	Identified Capacity		
			Employment use m <sup>2</sup>	Town centre use m <sup>2</sup>	Resi units
LPRSA360	Campfield Farm	Boughton Monchelsea	-	-	24
LPRSA005	Land Adjacent to Dingley Dell	Coxheath	-	-	17
LPRSA084	Land off Heath Road	Coxheath	-	-	33
LPRSA202	Land at Forstal Lane	Coxheath	-	-	30
LPRSA257	Land at junction Dean St & Heath Rd	Coxheath	-	-	20
LPRSA204	Land south east of Eyhorne Street	Eyhorne St (H'bourne)	-	-	11
LPRSA021	Land adjacent 4 Southways	Sutton Valence	-	-	12
LPRSA078	Haven Farm	Sutton Valence	375	413	41
LPRSA335	Fir Tree Farm & Norton Lea (South)	Sutton Valence	-	-	47
LPRSA248	North of Kenward Rd	Yalding	-	-	100
LPRSA001	Land Adjacent to Brhemar Garage	the Countryside	-	-	16
LPRSA273	Land between Maidstone Road and Whetsted Road	The Countryside	41,023	-	-
LPRSA329	Sapphire Kennels	The Countryside	-	-	9

#### About Draft Site Allocations

8.2 The set of allocations included within this document represent the Council's current preferred approach to meeting development need over the LPR period 2022-2037. They are provided for the purpose of consultation as a part of the process of developing a Local Plan, and are not afforded the weight of adopted policy at the current time. The current capacities are derived from the Council's Strategic Land Availability Assessment, rather than detailed site designs. This is on the basis that a consistent approach should be taken to assumptions of capacity at this stage. It is noted that some of the sites selected have more detailed proposals alongside them, but others do not.

8.3 There is need for additional engagement with infrastructure providers on the land requirements for infrastructure to support the development included in the plan. As such all sites outside the town centre currently carry a 20% contingency to account for this. Once the infrastructure requirements are agreed, this contingency will be released. It is considered that there is adequate floorspace on the town centre sites on active frontages to accommodate infrastructure needs there.

8.4 There will, as a result of consultation and emerging evidence be changes to these allocations, which may include, but are not limited to:

- The removal of site(s) from the plan;
- Addition of other site(s) into the plan;
- Addition, modification, or deletion of site requirements;
- Changes to site boundaries;
- Changes to the mix of uses on the site;
- Changes to the assumed site capacity.

## **Sites in Maidstone Town Centre**

Policy LPRSA009 - Right Kard, Maidstone Town Centre

Right Kard is included as a draft allocation for the development of approximately 2 dwellings, 37m<sup>2</sup> retail and 18m<sup>2</sup> employment at an average density of 150 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- The development will need to be designed to protect user's amenity with regards the adjacent pub.
- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access/ Highways and transportation**

- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Open Space**

- Provision of a minimum of 0.02 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

Policy LPRSA053 - 12-14 Week Street, Maidstone Town Centre

12-14 Week Street is included as a draft allocation for the development of approximately 3 dwellings at an average density of 150 dwellings per hectare and additionally 81m<sup>2</sup> of retail and 40m<sup>2</sup> of employment use. Currently 0.02 Ha of the site is considered to be constrained due to the Town Centre Conservation Area. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

**Design and layout**

- The design of the development shall reflect the amenity of nearby residential properties.
- 

**Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Development will need to respect and where possible enhance the character of the Conservation Area.

**Access/ Highways and transportation**

- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

**Open Space**

- Provision of a minimum of 0.04 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

**Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA144 – Medway/ High St, Maidstone

34-35 High Street, and the land at Medway St is included as a draft allocation for the development of approximately 42 dwellings at an average density of 200 dwellings per hectare with 56m<sup>2</sup> of retail use and 28m<sup>2</sup> of employment use. Currently 0.05Ha of the site is considered to be constrained due to Listed buildings. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- A high density scheme will be developed reflecting that the site is in a town centre location.
- The development layout will include significant landscaping including tree planting.
- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access/ Highways and transportation**

- Access will be taken from the existing frontage on High St (pedestrian priority), and Medway St.
- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.
- Improvements to and provision of pedestrian and cycle links, to facilitate connections from the site and through Maidstone town centre.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Flood Risk/ Drainage**

- Development should be directed to the area with the lowest flood risk, and the exceptions test may need to be met.

### **Open Space**

- Provision of a minimum of 0.03 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA145 - Len House, Maidstone Town Centre

Len House is included as a draft allocation for the development of approximately 29 dwellings, 530m<sup>2</sup> of retail, and 265m<sup>2</sup> of employment use. Currently 0.53 Ha of the site is considered to be constrained due to Listed buildings. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development should preserve and respect the setting of the existing listed building.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Development should make a positive contribution to the Conservation Area.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Access/ Highways and transportation**

- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

### **Flood Risk/ Drainage**

- Flood Zone 2 (3.69%) / Flood Zone 3 (82.86%) / None (13.45%)
- Development should be directed to the area with the lowest flood risk

### **Open Space**

- Provision of a minimum of 0.27 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Contaminated Land**

- The site will need to be made safe prior to development commencing.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA146 - Maidstone East, Maidstone Town Centre

Maidstone East is included as a draft allocation for the development of a minimum of 210 dwellings, along with ancillary retail, new business uses and potentially a medical facility. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- The provision of up to 10,000m<sup>2</sup> of offices (E(g)) comparison and convenience shopping floorspace, 4,000m<sup>2</sup> of comparison and convenience shopping floorspace offices (B1a) and some 210 dwellings. The submission of a retail impact assessment is required which demonstrates that the National Planning Policy Framework's impact test is met.
- The provision of a more prominent station entrance fronting onto Sessions House Square/Week Street.
- Development is designed to respond to the listed Sessions House and its setting. Development should provide an 'active' frontage comprising individual retail units facing the west side of Sessions House Square and provide direct pedestrian entrance into the development via this frontage.
- Development is designed to achieve a visual and physical connection between Sessions Square and Brenchley Gardens.
- The overall height and bulk of development is controlled to limit the overall incursion in views of Sessions House from the west.
- Assessment of the archaeological potential of the site is undertaken and the measures needed to address the assessment's findings secured.
- The provision of commuter car parking to serve Maidstone East railway station.
- Maintenance access for Network Rail to the western end of the railway tracks is secured.
- The incorporation of landscaped elements within the overall scheme design including the retention of existing landscape features where possible. Where the loss of existing landscape features is unavoidable, appropriate compensatory planting must be provided.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Access/ Highways and transportation**

- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.
- The scheme enables the improved, safe and convenient interchange between

buses, trains and taxis, including through the provision of improved pick up/drop off facilities.

- Full disabled access to the station and platforms is secured.
- Highway access is taken from Sandling Road. An additional, in-bound only access to the Sorting Office part of the site could be taken from Fairmeadow

#### **Flood Risk/ Drainage**

- The submission of a detailed surface water drainage strategy for the development based around sustainable drainage principles

#### **Open Space**

- Provision of a minimum of 0.8 Ha of open space within this site, together with additional on/off site provisions and/or contributions towards off-site provision/ improvements.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

#### **Public realm**

- Improvements at Sessions House Square and Week Street to provide an enhanced public open space and public realm.
- Contributions to a comprehensive public realm enhancement scheme for the stretch of Week Street linking the site to the junction with Fremlin Walk, and from the site to Brenchley Gardens, to significantly upgrade the quality and attractiveness for pedestrians.

## Policy LPRSA147 - Gala Bingo & Granada House, Maidstone Town Centre

Gala Bingo & Granada House is included as a draft allocation for the development of approximately 71 dwellings, 200m<sup>2</sup> retail and 100m<sup>2</sup> employment use. Currently 0.20 Ha of the site is considered to be constrained due to Heritage. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development should positively contribute to the appearance and setting of the Conservation Area.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Access/ Highways and transportation**

- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

### **Flood Risk/ Drainage**

- Flood Zone 3 (100%)
- Development should be directed to the area with the lowest flood risk.

### **Open Space**

- Provision of a minimum of 0.10 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place

## Policy LPRSA148 - Maidstone Riverside, Maidstone Town Centre

Maidstone Riverside is included as a draft allocation for the development of approximately 650 dwellings 5,148m<sup>2</sup> of retail use and 2,574m<sup>2</sup> employment. Currently 1.72 Ha of the site is considered to be constrained due to Listed buildings. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Existing Baltic Wharf building should be retained.
- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Access/ Highways and transportation**

- Provision of extra bus stops on existing route, along St. Peter's Street.
- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

### **Flood Risk/ Drainage**

- Flood Zone 2 (53.06%) / Flood Zone 3 (8.3%) / None (38.64%)
- Development should be directed to the area with the lowest flood risk, and the exceptions test may need to be met

### **Open Space**

- Provision of a minimum of 2.63 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Contaminated Land**

- Site should be made safe prior to any development commencing.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA149 - Maidstone West, Maidstone Town Centre

Maidstone West is included as a draft allocation for the development of approximately 130 dwellings, 1,034m<sup>2</sup> of retail, and 517m<sup>2</sup> of employment use. Currently 1.04 Ha of the site is considered to be constrained due to Broadway. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Access/ Highways and transportation**

- Provision of a new suitable access or ensure existing access provisions meet standard and safety provisions.
- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

### **Flood Risk/ Drainage**

- Flood Zone 2 (44.74%) / Flood Zone 3 (29.2%) / None (26.06%)
- Development should be directed to the area with the lowest flood risk, and the exceptions test may need to be met.

### **Open Space**

- Provision of a minimum of 0.53 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## Policy LPRSA150 - Mill Street Car Park, Maidstone Town Centre

Mill Street Car Park is included as a draft allocation for the development of approximately 15 dwellings, 358m<sup>2</sup> of retail and 179m<sup>2</sup> of employment at an average density of 150 dwellings per hectare. Currently 0.09 Ha of the site is considered to be constrained due to Listed buildings. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development should preserve and respect the setting of the existing listed building.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Ensure development does not impact trees that are subject to a local TPO.
- Development should make a positive contribution to the Conservation Area.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Access/ Highways and transportation**

- Provision of suitable access or ensure existing access provisions meet standard and safety provisions.
- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

### **Flood Risk/ Drainage**

- Flood Zone 2 (4.02%) / Flood Zone 3 (10.47%) / None (85.51%)
- Development to be directed to the area with the lowest flood risk, and the exceptions test may need to be met.

### **Open Space**

- Provision of a minimum of 0.18 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA151 - Mote Road, Maidstone Town Centre

Mote Road is included as a draft allocation for the development of approximately 84 dwellings, and 2,000m<sup>2</sup> new employment floorspace. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Where possible development should be sited to create frontage blocks to Mote Road/Wat Tyler Way and to Romney Place.
- The development preserves the setting of the listed properties in Romney Place.

### **Uses**

- The development should deliver a minimum of 2,000m<sup>2</sup> of office floorspace. Any scheme which includes a lesser amount of office floorspace should be accompanied by a viability assessment that considers alternative delivery and management approaches and their impact on viability. It should clearly set out the sales and build costs assumptions used and demonstrate that the amount of office floorspace is the maximum which could be provided as part of a viable development.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access/ Highways and transportation**

- Town centre locations benefit from lower trip rates, reducing the level of mitigation necessary.
- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its town centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Open Space**

- Provision of a minimum of 0.15 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

### **Land contamination**

- The submission of a land contamination report and appropriate mitigation measures to be implemented prior to development commencing.

## **Maidstone Urban Area Site Allocations**

Policy LPRSA152 - Former Royal British Legion Social Club, Maidstone

Former Royal British Legion Social Club is included as a draft allocation for the development of approximately 4 dwellings at an average density of 35 dwellings per hectare. Currently 0.03 Ha of the site is considered to be constrained due to trees. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access/ Highways and transportation**

- The development shall provide a new suitable access or ensure existing access provisions meet standard and safety provisions.

### **Open Space**

- Provision of a minimum of 0.06 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place

Policy LPRSA298 - Dorothy Lucy Centre, Maidstone

Dorothy Lucy Centre is included as a draft allocation for the development of approximately 16 dwellings at an average density of 35 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access / Highways and transportation**

- The development shall provide a new suitable access or ensure existing access provisions meet standard and safety provisions.
- Provision of a suitable access junction should be included in any proposal

### **Open Space**

- Provision of a minimum of 0.17 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

#### **Policy LPRSA303 - EIS Oxford Rd, Maidstone**

EIS Oxford Rd is included as a draft allocation for the development of approximately 14 dwellings at an average density of 35 dwellings per hectare. Currently the site is considered to be constrained due to 2,175m<sup>2</sup> Community use. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

#### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development shall make provision to retain the existing community use on site unless a suitable alternative location has been identified.

#### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

#### **Access / Highways and transportation**

- Provision of a new suitable access or ensure existing access provisions meet standard and safety provisions.
- Provision of a suitable access junction.

#### **Open Space**

- Provision of a minimum of 0.20 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

#### Policy LPRSA362 – Maidstone Police HQ, Sutton Rd, Maidstone

Maidstone Police HQ is included as a draft allocation for the development of approximately 300 dwellings. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

##### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

##### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

##### **Access, Highways and transportation**

- Provision of a suitable access junction.
- Improvements to highway and transport infrastructure including capacity improvements to Sutton Road.

##### **Use**

- The development shall make provision for suitable community infrastructure.

##### **Open Space**

- Provision of a minimum of 0.18 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

##### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

#### Policy LPRSA156 – Danebury, College Road

The Danebury site is included as a draft allocation for the development of approximately 3 dwellings. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

##### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

##### **Landscape / Ecology**

- A bat survey will be required to determine whether the existing building is used for the roosting and breeding of bats.

##### **Access/ Highways and transportation**

- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

##### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its urban centre location.

##### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

#### **Open Space**

- Provision of a minimum of 0.04 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## Policy LPRSA366 – Springfield Tower, Royal Engineers Road

The Springfield site is included as a draft allocation for the development of approximately 145 dwellings. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Development shall respect the setting of the listed Springfield Mansion
- The scheme should provide a positive aspect to Old Chatham Road
- The height and scale of buildings to respect the amenity of Radnor Close
- The layout of buildings should seek to encourage permeability through the site
- Car parking provision should reflect the site's proximity to the town centre and Maidstone East

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Any scheme should seek to enhance the public realm to the west of the site
- Any proposal shall respect any existing trees on site, and should be accompanied by an arboricultural assessment.

### **Access/ Highways and transportation**

- Suitable access to the highway network required and linkage to town centre active travel routes and schemes is recommended.

### **Noise**

- Development will be subject to a noise survey to determine any necessary measures in respect of its urban centre location.

### **Air Quality**

- Appropriate air quality measures to be agreed with the council will be implemented as part of the development.

### **Open Space**

- Provision of a minimum of 0.14 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## **Edge of Maidstone Site Allocations**

Policy LPRSA246 - Land Rear of Appletree House, Maidstone

Land Rear of Appletree House is included as a draft allocation for the development of approximately 25 dwellings at an average density of 35 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- The development shall be confined to the southern part of the site, below 127 Hockers Lane
- Dwellings shall be orientated to avoid direct overlooking of neighbouring housing
- Dwelling not to exceed 2 storeys in height
- The western boundary shall be landscaped in a manner to reduce the visual impact upon adjacent open countryside and visibility from the PRoW
- Boundaries with neighbouring residential properties shall incorporate adequate natural screening.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Ancient woodland should be respected by the site.

### **Access, Highways and transportation**

- Provision of a new suitable access to meet standards and safety provisions.
- Provision of a new bus route, as well as the necessary bus stops and pedestrian access
- Provision of a suitable widths on Hockers Lane. Capacity impact modelling required for indication of further mitigations required.

### **Open Space**

- Provision of a minimum of 0.29 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place

## Policy LPRSA266 - Land at Ware Street, Maidstone

Land at Ware Street is included as a draft allocation for the development of approximately 67 dwellings at an average density of 35 dwellings per hectare. Currently 1.04 Ha of the site is considered to be constrained due to TPOs. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- The PROW running thorough the site should be retained and enhanced.
- The site layout shall respect and enhance the setting of the PROW.
- The site access shall be located and designed so as to minimise the loss of mature trees fronting Ware Street
- The northern boundary shall be landscaped in a manner that reduces the impact of development upon the wider setting of the open land to the north and incorporates biodiversity enhancement measures.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access, Highways and transportation**

- Provision of a new suitable access to meet standards and safety provisions.
- Capacity impact modelling required for indication of further mitigations required.
- Provision of new bus stops on the existing bus route.

### **Open Space**

- Provision of a minimum of 0.75 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA196 - Land at Willow Farm, the Countryside

Land at Willow Farm is included as a draft allocation for the development of approximately 45 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Air Quality**

- Development should mitigate in line with the Low Emissions Strategy.

### **Access, Highways and transportation**

- The proposal shall make provision of suitable access ensuring they meet standards and safety provisions
- Pedestrian access to facilitate connections to the site should be incorporated into the design.
- The development shall include the widening of Boarley Lane and Tyland Lane

### **Open Space**

- Provision of a minimum of 0.49 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA216 - Rochester Meadow, the Countryside

Rochester Meadow is included as a draft allocation for the development of approximately 39 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Air Quality**

- Development should mitigate in line with the Low Emissions Strategy.

### **Access, Highways and transportation**

- Provision of suitable access ensuring they meet standards and safety provisions
- Improvement of the town centre and hospital connectivity with access via development 196.
- Provision of a new bus route, or improvements to achieve public transport connectivity journey time criteria.

### **Open Space**

- Provision of a minimum of 0.43 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA010 - Bydews Place, South West of Maidstone Urban Extension

Site 1, Bydews Place is included as a draft allocation for the development of approximately 10 dwellings at an average density of 35 dwellings per hectare. Currently 0.61 Ha of the site is considered to be constrained due to Ancient Woodland and Listed Buildings. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- PROW access should be retained and improved through the design of any future development.
- Retain and enhance the tree line along Dean Street apart from where required for vehicular or pedestrian access.
- Retain the landscape boundaries to the north of the site unless necessary for the provision of vehicular or pedestrian access.
- Development shall be designed to actively address the access track to the site.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- The design shall incorporate a 15m buffer to the Ancient Woodland.

### **Access, Highways and transportation**

- Improvements to access point layout is required.
- Improvements to pavement provision to access bus stops.

### **Open Space**

- Provision of a minimum of 0.76 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

### Policy LPRSA265 - Land at Abbey Farm, South West of Maidstone Urban Extension

Land at Abbey Farm is included as a draft allocation for the development of approximately 240 dwellings at an average density of 35 dwellings per hectare. Currently 6.19 Ha of the site is considered to be constrained due to Heritage. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

#### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- PROW should be retained and enhanced.
- Development should preserve and enhance the setting of the listed buildings.

#### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Development should be designed to preserve ancient woodland.
- Development should make a positive contribution to the Conservation Area.

#### **Access, Highways and transportation**

- Provision of suitable access that meet standards and safety provisions.
- Enhancements to public transport services, to bring a bus service into the site and with increased regularity.
- The development should deliver the widening of Dean Street

#### **Open Space**

- Provision of a minimum of 5.95 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

#### **Contaminated Land**

- The site is on or adjacent to a former landfill site and the site should be made safe prior to any development commencing.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

### Policy LPRSA235 - Land at Boughton Lane, South of Maidstone Urban Extension

Land at Boughton Lane is included as a draft allocation for the development of approximately 23 dwellings at an average density of 35 dwellings per hectare. Currently 6.59 Ha of the site is considered to be constrained due to its setting in the townscape/ landscape. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

#### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

- PROW running through the site should be retained and enhanced
- Development will be restricted to the 2.7ha located to the south of Leonard Gould Way and to the rear of 'Slade House', 'Milldean', 'Grove Cottage', 'Cherry Lodge' and 'Pendale', Pickering Street as shown on the Policies Map.
- The remaining 7.1ha of land to the east and north east of the development site will be provided as Public Open Space.
- The development shall retain and reinforce where necessary the existing boundary hedgerows and tree belts.
- The character of the development and its resultant density will reflect its role as a transition site on the edge of the urban area.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access, Highways and transportation**

- Provision of a suitable access point.
- Provision of pavements along the site frontage to achieve pedestrian access to the route required for the short public transport journey times to the town centre and hospital.

### **Open Space**

- Provision of a minimum of 7.1 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## Policy LPRSA270 - Land South West of Police HQ, South of Maidstone

Land South West of Police HQ is included as a draft allocation for the development of approximately 196 dwellings at an average density of 35 dwellings per hectare. Currently 21.78 Ha of the site is considered to be constrained due to Town Structure/ convergence. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- PROW should be retained and enhanced.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- TPOs should be retained and incorporated into the design of the site.

### **Access, Highways and transportation**

- Provision of suitable access that meet standards and safety provisions.
- Enhancements to public transport services, to bring a bus service into the site.
- Provision of a suitable access junction.

### **Open Space**

- Provision of a minimum of 5.23 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA172 - Land at Sutton Road, South East of Maidstone

Land at Sutton Road is included as a draft allocation for the development of approximately 139 dwellings at an average density of 35 dwellings per hectare. Currently 4.35 Ha of the site is considered to be constrained due to Trees. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development shall respect the current setting of Rumwood Court.
- The site contains a large number of TPO trees, which should be located within areas of public realm rather than private gardens

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Protected trees should be incorporated into the design of the site wherever possible

### **Access, Highways and transportation**

- Provision of suitable access that meet standards and safety provisions.
- Extended bus route to the northern part of the site.
- Provision of a suitable access junction.
- Improvements to highway and transport infrastructure including capacity improvements to Sutton Road.

### **Open Space**

- Provision of a minimum of 1.57 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Harrietsham Site Allocations

Policy LPRSA071 – Land adjacent Keilen Manor, Harrietsham

Land adjacent Keilen Manor, Harrietsham is included as a draft allocation for the development of approximately 40 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### Design and layout

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development proposals will be of a high standard of design incorporating the use of vernacular materials
- Development proposals shall incorporate substantial areas of internal landscaping within the site to provide an appropriate landscape framework for the site to protect the setting of the Kent Downs AONB
- An undeveloped section of land will be retained and landscaped to protect the amenity and privacy of existing neighbouring residents.
- The northern and eastern sections of the site will be built at a lower density to reflect the existing open character of the countryside beyond.
- The development will be set back from Marley Road behind retained hedgerows. Any loss of hedgerow for access purposes shall be replanted behind the visibility splay.
- Landscaping shall be provided on the western site boundary adjacent to the existing woodland including that subject to a Tree Preservation Order.
- The development will provide ecological mitigation/enhancement areas and landscaped buffers along all boundaries to ensure appropriate habitat connectivity with the retention of existing trees and hedgerows.

### Landscape / Ecology

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Existing trees will need to be retained as part of any development.
- The development proposals are designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.

### Access, Highways and transportation

- Provision of a suitable access to the primary road network that meet standards and safety provisions. Junction modelling will be required to demonstrate that a safe, suitable junction could be created.
- Provision of bus stops and safe pedestrian access to them (likely a new crossing) as well as increased service regularity.
- A pedestrian and cycle route will be provided connecting Marley Road with the A20.

### Open Space

- Provision of a minimum of 0.66 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA101 - Land south of A20, Harrietsham

Land south of A20 is included as a draft allocation for the development of approximately 60 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development proposals will be of a high standard of design incorporating the use of vernacular materials.
- There shall be frontage development to the A20, set back to align with Mayfield development to the west.
- The woodland areas along the southern boundary of the site will be retained, in order to screen new housing from the railway line.
- The line of trees along the eastern boundary of the site will be retained and enhanced, in order to provide a suitable buffer to the adjacent open countryside to the east.
- The layout shall incorporate sustainable surface water drainage with ecological and landscape benefits.
- The layout should adequately protect the amenity and privacy of existing neighbouring residents.
- The design and layout should be designed so as to protect future occupiers from railway noise.
- The development will provide ecological mitigation/enhancement areas and landscaped buffers along site boundaries and across the central part of the site to ensure appropriate habitat connectivity and the retention of existing trees and hedgerows

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- The development proposals are designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.

### **Access, Highways and transportation**

- Provision of suitable access on the A20 that meet standards and safety provisions.
- Increased bus service regularity on existing route.

### **Open Space**

- Provision of a minimum of 0.66 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## Headcorn Site Allocations

Policy LPRSA310 – Mote Road Headcorn

Land at Mote Road Headcorn is included as a draft allocation for the development of approximately 127 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### Design and layout

- Development shall respect the PRoW which passes through the site and seek to combine this with new open space
- Density and typology to reflect the site's semi-rural setting
- The layout of new dwellings and roads to respect the amenities and setting of adjacent residential properties.
- Layout and landscaping on the western portion of the site shall reflect its adjacent to open countryside
- The layout shall be designed so as to ensure that the substation adjacent to the SW corner of the site does not adversely affect the amenities of future residents

### Landscape / Ecology

- The proposed landscaping scheme shall respect and protect TPO trees within the site or adjacent to boundaries.
- The existing hedgerow fronting Mote Road shall be retained and enhanced and the impacts of any access junction minimised and mitigated.
- Vehicular access routes within the development shall feature tree planting
- Open space within the site shall be focussed upon useable multi-function amenity space and not overly reliant upon useless fringe semi-natural buffering.

### Access, Highways and transportation

- Any development shall address the fact that there isn't a pavement within 200m of the site boundary on Mote Road, nor any other non-car permeability with the existing urban fabric, which will encourage occupants of the scheme to be car dependant.

### Flood Risk/ Drainage

- The only access to the site is through FZ3. Any development will be dependant upon acceptable flood safety measures being agreed with the EA

### Open Space

- Provision of a minimum of 1.28 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### Utilities Infrastructure

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## **Lenham Site Allocations (employment only)**

Policy LPRSA260 – Ashford Road Lenham

Land at Ashford Road, Lenham is included as a draft allocation for the development of approximately 3,108m<sup>2</sup> of employment floorspace (E(g), B2 and B8 uses). Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design, scale bulk and massing shall reflect the edge of settlement location.
- Development proposals will be of a high standard of design incorporating the use of vernacular materials
- Development proposals shall incorporate substantial areas of internal landscaping within the site to provide an appropriate landscape framework for the site to protect the setting of the Kent Downs AONB
- An undeveloped section of land will be retained and landscaped to protect the amenity and privacy of existing neighbouring residents.
- The northern and eastern sections of the site will be built at a lower density to reflect the existing open character of the countryside beyond.

### **Landscape / Ecology**

The proposal is accompanied by a landscaping scheme.

### **Access, Highways and transportation**

- The provision of suitable access to the highway.
- Provision of a bus stop on the existing 10x route adjacent to the site (with suitable pedestrian infrastructure) and an increased service regularity, or a shuttle service to Lenham Rail Station.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

### Policy LPRSA285 – Land at Dickley court, Lenham

Land at Dickley Court, Lenham is included as a draft allocation for the development of approximately 188m<sup>2</sup> of office floorspace (E(g) use). Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

#### **Design and layout**

- The design shall take into account the edge of settlement location of the site.
- The design should take account of the need to preserve the protected trees on the western edge of the site.
- Regard shall be had to the amenity of nearby residential properties.

#### **Landscape / Ecology**

- Any application for development shall be accompanied by a landscaping scheme.

#### **Access, Highways and transportation**

- The provision of suitable access to the site.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## **Marden Site Allocations**

Policy LPRSA295 - Land north of Copper Lane, Marden

Land north of Copper Lane is included as a draft allocation for the development of approximately 74 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- The proposals shall be designed to appropriately integrate and provide vehicular and pedestrian connections with site Land East of Albion Road.
- The south part of the site around the existing ponds shall be kept free of development with new landscaping to soften and break views from the south.
- Retain and enhance the hedge/tree lines along the boundaries of the site apart from where required for vehicular or pedestrian access.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Structural landscaping will be required throughout the site to soften and break up the impact of built development.

### **Access, Highways and transportation**

- Provision of suitable access that meet standards and safety provisions.
- Provision of a new bus service to service the site.
- Widening of Copper Lane and surrounding roads to provide sufficient bus access.

### **Open Space**

- Provision of a minimum of 0.82 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

### Policy LPRSA314 - Land east of Albion Rd, Marden

Land east of Albion Rd is included as a draft allocation for the development of approximately 39 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

#### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- The proposals shall be designed to appropriately integrate and provide vehicular and pedestrian connections with site Land north of Copper Lane.

#### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Structural landscaping will be required along the south edge to soften and break up the impact of built development in views from the south.

#### **Access, Highways and transportation**

- Creation of new pavements and crossing points for pedestrian use.
- Increased bus service regularity and a new bus stops, as well as new pavements and a crossing point (KCC Highways owned land appears sufficient to provide width for the pavements.)
- Removal of existing resident parking for the widening of Albion Road.

#### **Open Space**

- Provision of a minimum of 0.43 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

### Policy LPRSA066 - Land east of Lodge Rd, Staplehurst

Land east of Lodge Rd is included as a draft allocation for the development of approximately 78 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

#### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected and railway line.
- PROW will be preserved and enhanced.
- The proposals shall be designed to appropriately integrate and provide vehicular and pedestrian connections with development on site H1 (48).

#### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

#### **Access, Highways and transportation**

- Provision of a suitable access point that meet standards and safety provisions.
- Suitable pedestrian access to regular transport services.
- Provision of enhanced public transport services on the A229 corridor.

#### **Open Space**

- Provision of a minimum of 0.89 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## Policy LPRSA114 - Land at Home Farm, Staplehurst

Land at Home Farm is included as a draft allocation for the development of approximately 49 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- The north and eastern section of the site will be built at a lower density to reflect the settlement edge.
- Development should be sited and designed to ensure an appropriate relationship with neighbouring commercial uses.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- The development proposals are designed to take into account the results of a LVIA undertaken in accordance with the principles of current guidance.

### **Access, Highways and transportation**

- Provision of a suitable access point that meet standards and safety provisions.
- Provision of enhanced public transport services as part of collaborative improvements. Provision of a new bus route and a stop within 400m.
- Improvements to highway and transport infrastructure including capacity improvements to the A229 junction with Headcorn Road and Marden Road.

### **Flood Risk/ Drainage**

- The layout should avoid development on the northern part of the site in Flood Zone 2.

### **Open Space**

- Provision of a minimum of 0.54 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## **Boughton Monchelsea Site Allocations**

Policy LPRSA122 - The Orchard, Land Adjacent White Cottage, Boughton Monchelsea

The Orchard, Land Adjacent White Cottage is included as a draft allocation for the development of approximately 18 dwellings at an average density of 30 dwellings per hectare. Currently 0.24 Ha of the site is considered to be constrained due to Adjacent Listed Church. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- A low to medium density scheme will reflect the setting of the adjoining Conservation Area and neighbouring Grade II Listed Cottage. Development should protect and enhance the setting of the listed building.
- Development proposals will be of a high standard of design incorporating the use of vernacular materials.
- The proposed layout shall respect the clustered pattern of development that characterises the groups of dwellings within this part of Boughton Monchelsea parish.
- Lighting on the site should be carefully designed so that it minimises landscape and ecological impacts.
- Development will be subject to the results of an archaeological pre-determination assessment.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.
- The development will provide ecological mitigation/enhancement areas and landscaped buffers along the site boundaries and in the northern part of the site to ensure appropriate habitat connectivity and the retention of existing trees/hedgerows.

### **Access, Highways and transportation**

- Provision of increased regularity on the existing bus service.
- Public footpath KM104A on the eastern boundary will be retained and improved and set within an area of natural/semi-natural open space.

### **Open Space**

- Provision of a minimum of 0.20 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## Policy LPRSA360 – Campfield Farm, Boughton Monchelsea

Land at Campfield Farm is included as a draft allocation for the development of approximately 24 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Development proposals will be of a high standard of design incorporating the use of vernacular materials.
- The northern and western sections of the site will be built at a lower density to reflect the character of the countryside beyond.
- Landscaping shall be provided adjacent to areas of existing woodland to the north of the site.
- Lighting on the site should be carefully designed so that it minimises landscape and ecological impacts.
- Development will be subject to the results of an archaeological pre-determination assessment.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- The development proposals are designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.
- The development will provide ecological mitigation/enhancement areas and landscaped buffers along the site boundaries to ensure appropriate habitat connectivity and the retention of existing trees/hedgerows.

### **Access, Highways and transportation**

- Provision of a suitable access onto Haste Hill Road.
- Provision of an enhanced bus service to increase service regularity on nearby route.
- Improvements to pedestrian infrastructure.
- Public footpath KM69 and its bordering hedgerow on the western boundary will be retained.

### **Open Space**

- Provision of a minimum of 0.25 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## **Coxheath Site Allocations**

Policy LPRSA005 - Land Adjacent to Dingley Dell, the Countryside

Land Adjacent to Dingley Dell is included as a draft allocation for the development of approximately 17 dwellings at an average density of 30 dwellings per hectare. Currently 0.38 Ha of the site is considered to be constrained due to Trees. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Development proposals will be of a high standard of design incorporating the use of vernacular materials
- The peripheries of the site will be built at a lower density to reflect the existing character of the countryside beyond.
- The development will be set back from Heath Road with frontage development to the Road.
- Lighting on the site should be carefully designed so that it minimises landscape and ecological impacts.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Tree Survey required before any development.
- Development should not adversely impact neighbouring protected trees.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.

### **Access, Highways and transportation**

- Improvements to the existing access.
- Increased bus service regularity.
- Provision of safe pedestrian connections (pavements) to access services.

### **Open Space**

- Provision of a minimum of 0.19 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## Policy LPRSA084 - Land off Heath Road, Coxheath

Land off Heath Road is included as a draft allocation for the development of approximately 33 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development proposals will be of a high standard of design incorporating the use of vernacular materials
- The peripheries of the site will be built at a lower density to reflect the existing character of the countryside beyond. The provision of a 15 metre landscape buffer along the site's western boundary incorporating a pedestrian route and cycle way.
- The development will be set back from Heath Road and from Gallants Lane behind retained hedgerows. Any loss of hedgerow for access visibility purposes shall be replanted behind the visibility splay.
- The development will provide ecological mitigation/enhancement areas and landscaped buffers along the site boundaries to ensure appropriate habitat connectivity and the retention of existing trees and hedgerows.
- Lighting on the site should be carefully designed so that it minimises landscape and ecological impacts.
- Regard to be had to the Foul sewer which runs east -west through the site

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- The development proposals are designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.

### **Access, Highways and transportation**

- Provision of a suitable access junction that meet standards and safety provisions.
- Increased bus service frequency with provision of a bus shelter.
- Provision of safe pedestrian connections (pavements) to access bus stop on the west side of Gallants Lane.

### **Open Space**

- Provision of a minimum of 0.36 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA202 - Land at Forstal Lane, Coxheath

Land at Forstal Lane is included as a draft allocation for the development of approximately 30 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development proposals will be of a high standard of design incorporating the use of vernacular materials
- The peripheries of the site will be built at a lower density to reflect the existing character of the countryside beyond.
- The provision of a 15 metre landscape buffer along the site's southern and western boundaries incorporating a pedestrian route and cycle way.
- The development will be set back from Stockett Lane and Forstal Road behind retained hedgerows. Any loss of hedgerow for access purposes shall be replanted behind the visibility splay.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- The development proposals are designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.

### **Access, Highways and transportation**

- Provision of a suitable access point that meet standards and safety provisions.
- Provision of a new or diverted bus route.
- Public footpath KM49 will be retained and improved and set within an area of natural/semi-natural open space.

### **Open Space**

- Provision of a minimum of 1 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## Policy LPRSA257 - Land at Junction of Heath Road/ Dean Street, the Countryside

Land at Junction of Heath Road/ Dean Street is included as a draft allocation for the development of approximately 20 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Development proposals will be of a high standard of design incorporating the use of vernacular materials
- The peripheries of the site will be built at a lower density to reflect the existing character of the countryside beyond.
- The development will be set back from Dean Street behind retained hedgerows. Any loss of hedgerow for access visibility purposes shall be replanted behind the visibility splay.
- Trees on the boundaries of the site will be safeguarded and incorporated into the landscaping scheme.
- Lighting on the site should be carefully designed so that it minimises landscape and ecological impacts.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Development should not adversely impact protected trees.
- The development proposals are designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.

### **Access, Highways and transportation**

- Provision of a suitable access point that meet standards and safety provisions.
- Increased bus service frequency with provision of a bus shelter at the bus stop on the west side of Gallants Lane.
- Provision of safe pedestrian connections (pavements) to access services.

### **Open Space**

- Provision of a minimum of 0.22 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## **Eyhorne St (Hollingbourne) Site Allocations**

Policy LPRSA204 - Land south east of Eyhorne Street, Eyehorne St (Hollingbourne)

Land south east of Eyhorne Street is included as a draft allocation for the development of approximately 11 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.
- Development proposals will be of a high standard of design incorporating the use of vernacular materials
- Development proposals shall incorporate substantial areas of internal landscaping within the site to provide an appropriate landscape framework for the site to protect the setting of the Kent Downs AONB, taking account of the results of a landscape and visual impact assessment according with the principles of current guidance.
- The layout should adequately protect the amenity and privacy of existing neighbouring residents.
- Landscaping shall be provided adjacent to areas of existing trees/woodland on the northern and eastern boundaries.
- The development will provide ecological mitigation/enhancement areas and landscaped buffers along site boundaries to ensure appropriate habitat connectivity and the retention of existing trees.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- The development proposals are designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.
- The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.

### **Access, Highways and transportation**

- Provision of a suitable access point that meet standards and safety provisions.
- Provision of a new bus stop and increased service regularity on the existing route.
- Public footpath KH198 on the southeastern boundary will be retained and set within an area of natural/semi-natural open space

### **Open Space**

- Provision of a minimum of 0.12 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## **Sutton Valence Site Allocations**

Policy LPRSA021 - Land adjacent 4 Southways, Sutton Valence

Land adjacent 4 Southways is included as a draft allocation for the development of approximately 12 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access, Highways and transportation**

- Provision of a suitable access point that meet standards and safety provisions through acquisition of third party land or access through adjacent sites.
- Provision of a new bus stop.
- Provision of new crossing and pavements to access services.

### **Open Space**

- Provision of a minimum of 0.13 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

### Policy LPRSA078 - Haven Farm, Sutton Valence

Haven Farm is included as a draft allocation for the development of approximately 41 dwellings at an average density of 30 dwellings per hectare, 375m<sup>2</sup> of retail provision and 413m<sup>2</sup> of B class business use. Currently 0.14 Ha of the site is considered to be constrained due to Trees. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

#### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

#### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Protected trees should be protected from impact of potential development.

#### **Access, Highways and transportation**

- Provision of new bus stops on North Street, with a new crossing facility.

#### **Open Space**

- Provision of a minimum of 0.56 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

### Policy LPRSA335 - Fir Tree and Norton Lea (South), Sutton Valence

Fir Tree and Norton Lea (South) is included as a draft allocation for the development of approximately 47 dwellings at an average density of 30 dwellings per hectare. Currently 26 Ha of the site is considered to be constrained due to landscape/ settlement convergence and accordingly the site area has been reduced as shown on the allocation map at policy SP7d. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

#### **Design and layout**

- PROW should be retained and enhanced through any development.
- The design of any future development should be reflective of, and minimise impact on, the designated landscape.
- Ensure that the scale of development is in keeping with adjoining developments, locating development towards the east of the site to maintain a sense of openness towards the wider countryside
- Listed buildings should be retained and their setting is protected.

#### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.
- Protected trees should be retained where possible.
- Consideration should be taken for the impact on the nearby conservation area.
- Conserve, reinforce and extend the network of existing hedges/trees in the context of historic field patterns to create enclosure

#### **Access, Highways and transportation**

- Provision of a suitable access junction to the site.
- Provision or improvements to bus stops and pavements to access services.

#### **Open Space**

- Provision of a minimum of 5.55 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

#### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## **Yalding Site Allocations**

Policy LPRSA248 - Land North of Kenward Road, Yalding

Land North and South of Kenward Road is included as a draft allocation for the development of approximately 100 dwellings at an average density of 30 dwellings per hectare. Currently 1.49 Ha of the site is considered to be constrained due to Flooding. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- Design of the site will need to ensure neighbouring resident's amenity is protected.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access**

- Provision of a suitable access point that meet standards and safety provisions, if necessary removal of parking on Kenward Road.

### **Highways and transportation**

- Provision of enhanced bus service regularity.

### **Strategic highways and transportation**

- Widening of Kenward Road or removal of parking.

### **Flood Risk/ Drainage**

- Development should be directed to the areas of lowest flood risk.

### **Open Space**

- Provision of a minimum of 1.77 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.
- The developer should ensure that appropriate consultation with the underground utilities operator take place.

## **Sites in the Countryside**

Policy LPRSA001 - Land Adjacent to Brhemar Garage, the Countryside

Land Adjacent to Brhemar Garage is included as a draft allocation for the development of approximately 16 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- The design of any future development should be reflective of, and minimise impact on, the designated landscape.
- The application shall be accompanied by a suitable landscaping scheme that addresses the open context of the sites setting.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access/ Highways and transportation**

- New access onto A274 or widening of Heniker Lane.
- New pavement and crossing infrastructure.

### **Open Space**

- Provision of a minimum of 0.18 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

## Policy LPRSA329 - Land at Sapphire Kennels, the Countryside

Land at Sapphire Kennels is included as a draft allocation for the development of approximately 9 dwellings at an average density of 30 dwellings per hectare. Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

### **Design and layout**

- The design of any future development should be reflective of, and minimise impact on, the designated landscape.

### **Landscape / Ecology**

- A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/ flora.

### **Access**

- New pavements and crossing points required.
- Provision of access improvements or confirmation of the suitability of existing access.

### **Highways and transportation**

- New pavements and crossing points.

### **Strategic highways and transportation**

- Junction modelling and road safety audit required.

### **Open Space**

- Provision of a minimum of 0.10 Ha of open space within this site, together with additional on/ off site provisions and/or contributions towards off-site provision/ improvements.

### **Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities.

Policy LPRSA273 – Land between Maidstone Road and Whetsted Road, the countryside Land between Maidstone Road and Whetsted Road, is included as a draft allocation for the development of approximately 41,023m<sup>2</sup> of employment floorspace (E(g), B2 and B8 uses). Subject to retention of this site in the Published Local Plan Review, the following conditions are considered appropriate to be met before development is permitted.

**Design and layout**

- The scale, massing and bulk of the development shall reflect the sites rural character with development towards the boundaries of the site being of a reduced density.

**Landscape / Ecology**

- A suitable landscape buffer shall be provided to the boundaries of the site to mitigate against the impact of development on the sites open setting.

**Access, Highways and transportation**

- Provision of suitable access provision to the highway network.
- The submission of a travel plan.
- Relevant contributions to public transport infrastructure.

**Flood Risk/ Drainage**

- Flood Zone 2 (0.17%) / Flood Zone 3 (99.83%)
- The development shall have been subject to a flood risk assessment.
- The exceptions test may need to be met.

**Utilities Infrastructure**

- Connections to the nearest points of the network (with adequate capacity) will be required for all utilities

## 9. Non-strategic policies – Development Management Preferred Approaches

### Introduction

What are non-strategic policies?

9.1 The purpose of the second part of this consultation paper is to set out preferred approaches to the non-strategic elements of the Local Plan Review. The purpose and parameters of non-strategic elements of a Local Plan are outlined in paragraph 28 of the NPPF. It states: *‘Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.’*<sup>7</sup>

9.2 In the Local Plan (2017) the non-strategic elements of the document were referred to as Development Management Policies. So, they will be referred to as such again. The development management policies contained in this section also form part of the policy framework alongside the Strategic Policies previous outlined. Similarly, they aim to achieve the Vision and the Strategic Objectives of the Local Plan Review. They provide more detail for decision making in relation to issues and for assessing the acceptability of certain types of development. Development management policies aim to assist in delivering the Local Plan Review Strategy through shaping, considering, and determining, development proposals.

How do the non-strategic policies link to the strategic policies?

9.3 The approaches set out in this section do not cover all policy areas and, where principles for development are addressed by national policies or in the strategic and place-based approaches contained earlier in this document, they are not repeated. However, the Council considers it prudent to group its approaches to the development management policies by theme. The themes are in line with the strategic policy approaches contained within this preferred approaches paper, which, in turn, are consistent with those themes identified in national planning policy.<sup>8</sup> The links between the strategic policies and the non-strategic topic areas are highlighted in table 1.

LOCAL PLAN REVIEW 2020 STRATEGIC POLICIES	SP10 (a-d) – Housing	SP11 (a-d) – Economic development	SP12 – Sustainable transport	SP13 (a-b) – Infrastructure	SP14 (a-c) – The Environment	SP15 – Design
NON-STRATEGIC THEMES & TOPICS	Housing  (tenures, types, density,	Commercial development  (employment, retail, leisure & tourism)	Sustainable transport  (transport & air quality)	Infrastructure  (publicly accessible open Space,	Environment  (agricultural land, heritage,	Quality & Design  (sustainable design,

<sup>7</sup> MHCLG, National Planning Policy Framework, paragraph 28 (2019), p.10

<sup>8</sup> MHCLG, National Planning Policy Framework, paragraph 20 (2019), p.9

	Gypsy & Travellers)			community facilities, digital communications, renewable & low carbon energy schemes)	caravan storage)	lighting, signage & frontages, conversions, design in the countryside, technical standards & private amenity space)
LOCAL PLAN 2017 NON-STRATEGIC POLICIES COVERED	DM5, DM9, DM10, DM11, DM12, DM13, DM14, DM15	DM7, DM16, DM17, DM26, DM27, DM28, DM29, DM31, DM34, DM35, DM36, DM37, DM38, DM40, DM41	DM6, DM21, DM22, DM23,	DM19, DM20, DM24, DM25	DM3, DM4, DM33, DM39	DM1, DM2, DM8, DM18, DM30, DM31, DM32,

Table 1 Non-strategic thematic areas & relationship with LPR Strategic policies and Local Plan (2017) Development Management Policies

#### How have the non-strategic policies been reviewed?

9.4 In the Regulation 18 Scoping, Themes and issues consultation (July 2019) the Council undertook an initial high-level review of the Development management/non-strategic policies within the Maidstone Borough Local Plan 2017. <sup>9</sup> That review has been used as the starting point for the update to the non-strategic section of the Local Plan Review. Subsequently this has been built upon through further work, including feedback from the Reg18a Scoping Themes and Issues consultation, national policy and legislation changes, feedback from colleagues across the Council and the emerging evidence base. Based on these things, the Council has done a further review of the Development Management Policies in the Local Plan 2017 and come to some initial conclusions. It must be stressed this is based on the evidence and feedback that the Council has currently gathered and does not yet represent the final non-strategic component to the Local Plan Review; further work is to be undertaken before any final draft policies are to be decided. These will be published at the next stage of consultation (Regulation 19 submission version of the Local Plan Review).

9.5 The initial conclusions in relation to the Development Management policies in the Local Plan 2017 are set out in table 2 below. The table illustrates whether a policy should be kept or removed from the Local Plan (retain or delete). Action details set out the level of change to a policy and then

<sup>9</sup> Maidstone Borough Council, Local Plan Review: Scoping Themes & Issues Consultation - appendix B (July, 2019), pp.68-71.

the policy is given a new policy reference number to reflect that some policies are to be deleted and new ones added.

<b>Local Plan (2017) Policy</b>	<b>Retain or Delete</b>	<b>Action details</b>	<b>New LPR DM policy reference</b>
DM1	Retain	Move to strategic policy section	SP15
DM2	Retain	Split between strategic and DM policies	Q&D 1
DM3	Retain	Move to strategic policy section	SP14
DM4	Retain	Amend	Env 1
DM5	Retain	Amend	Hou 1
DM6	Retain	Amend	TRA1
DM7	Delete	Include in DM1	SP15
DM8	Retain	Amend	Q&D 2
DM9	Retain	Amend	Hou 2
DM10	Retain	Amend	Hou 3
DM11	Retain	Amend	Hou 4
DM12	Retain	Amend	Hou 5
DM13	Retain	Amend	Hou 6
DM14	Retain	Amend	Hou 7
DM15	Retain	Amend	Hou 8
DM16	Retain	Amend	CD1
DM17	Retain	Amend	CD1
DM18	Retain	Amend	Q&D 3
DM19	Retain	Amend	INF1
DM20	Retain	Amend	INF2
DM21	Retain	Amend	TRA2
DM22	Retain	Amend	TRA3
DM23	Retain	Amend	TRA4
DM24	Retain	Amend	INF3
DM25	Retain	Amend	INF4
DM26	Retain	Amend	TLR1
DM27	Retain	Amend	CD2
DM28	Retain	Amend	CD2
DM29	Retain	Amend	CD3
DM30	Retain	Amend	Q&D 4
DM31	Retain	Amend	Q&D 5
DM32	Retain	Amend	Hou 11
DM33	Retain	Amend	Env 2
DM34	Retain	Amend	CD4
DM35	Retain	Amend	CD5
DM36	Retain	Amend	CD6
DM37	Retain	Amend	CD7
DM38	Retain	Amend	TLR2
DM39	Retain	No action	Env 3

DM40	Retain	Amend	CD8
DM41	Retain	No action	CD9

Table 2. Review of Policies in the Local Plan 2017

Are there any new non-strategic policies?

9.6 As a part of the Local Plan review work and developing evidence base, new non-strategic policies need to be added to the Maidstone Local Plan. This is generally as a result the emerging evidence base pointing towards issues in the Borough, feedback from public consultations and new or amended national planning policy, guidance, or legislation. One such area of significant change that covers a range of the non-strategic approaches is climate change. Something that is key to national policy and guidance and locally to the Council's corporate strategy.

9.7 Set out in table 3 are a list of new preferred approaches by theme that the Council wishes to consult on. The detail of each of these new preferred approaches is to be set out later in the themed sections alongside the reviewed Local Plan 2017 policies.

Thematic area	New policy approach	New LPR DM policy reference
Housing	Custom & Self-build housing	Hou 9
Housing	Build to rent	Hou 10
Quality & Design	Technical Standards	Q&D 6
Quality & Design	Private open space standards	Q&D 7

Table 3. New non-strategic policies

How are the preferred approaches set out?

9.8 Each of the themes that are contained in this part of the document have been broken down to set out an introduction, preferred approaches and then reasoned justification. Please find below an explanation of each of these components:

- **Introduction** – the context for the theme and policies and what is included in that area.
- **Preferred approaches** – this will consist of amended Local Plan (2017) policies and proposed new policy areas identified through the review of the Local Plan (2017). Due to the current stage in the plan making process the Council is setting out policy approaches rather than fully formed preferred policies. This is because further evidence base work is needed and further testing. This has meant that policy development is at varying stages of refinement. Some are very detailed policies, whilst others are more outlines of a policy.

Where a Local Plan 2017 development management policy has been identified to be retained and then amended it is outlined in this section. When it is outlined in this section the amendments are displayed. New additional text is outlined in red and underlined and text to be removed has a line through it.

For each new preferred approach, several reasonable alternatives have been considered. This is to justify the preferred approach that has been chosen above.

- **Reasoned justification** - The supporting text in a development plan or Local Development Document explaining and justifying the approach set out in the policies contained in the document. At present this is amalgamated together following the preferred approaches due

to the developing nature of them. Therefore, individual preferred approaches do not at present have a reasoned justification.

## Housing

### Introduction

9.9 Maidstone has a diverse housing market, population and as a result need as outlined in the SHMA (2019). This has led to the development of strategic policies SP10 (a-d) to outline the strategy for growth to meet the needs of the Borough's population into the future.

9.10 To support the need for housing growth and deliver the vision and objectives of the Local Plan Review and the borough's Strategic Plan, a few policies are required to carefully manage residential housing growth. It has been identified that there are preferred approaches regarding the following areas of housing development:

- housing on brownfield land;
- the development of existing housing over time;
- density;
- types and tenures,
- Specialist accommodation needs;
- gypsy and traveller development; and;
- custom and self-build housing.

### Preferred approaches

#### Hou 1: Development on Brownfield land

9.11 One of the core principles of the NPPF encourages the effective use of land by re-using land that has been previously developed, provided it is not of high environmental value. This is known as brownfield land and a large proportion of brownfield sites in the Maidstone urban area have been developed at high densities for housing in recent years, particularly in and adjacent to the town centre along the River Medway. Making the best use of previously developed land will continue to be encouraged throughout the lifetime of this plan.

9.12 It is important to ensure that brownfield land is not underused and that the most is made of vacant and derelict land and buildings in order to reduce the need for greenfield land, which is a finite resource and often of higher quality in terms of landscape and biodiversity.

9.13 Brownfield development is essential for urban regeneration and, if designed to a high standard, it brings homes, jobs and services closer together; reduces dependency on the car; and strengthens communities.

9.14 A number of brownfield sites in current or previous economic use are located in the countryside. Such sites are outside of the settlement boundaries, and countryside restraint policies apply. However, the council will consider proposals for residential development on brownfield sites in rural areas, subject to key considerations. Key considerations will include: The level of harm to the character and appearance of an area; The impact of proposals on the landscape and environment; Any positive impacts on residential amenity; What sustainable travel modes are available or could reasonably be provided; What traffic the present or past use has generated; and The number of car movements that would be generated by the new use, and what distances, if there are no more

sustainable alternatives. Residential gardens in urban areas are excluded from the definition of a brownfield site.

### Policy Hou 1: Development on brownfield land

1. Proposals for development on previously developed land (brownfield land) ~~in Maidstone urban area, rural service centres and larger villages~~ on land outside of smaller villages and the countryside that make effective and efficient use of land and which meet the following criteria will be permitted:
  - a. ~~The site is not of high environmental value~~ ~~Where the site has poor environmental value;~~ Where the site has poor environmental value; and
  - b. If the proposal is for residential development, the density of new housing proposals reflects the character and appearance of individual localities, and is consistent with policy Hou 5 unless there are justifiable planning reasons for a change in density.
2. Exceptionally, the residential redevelopment of brownfield sites in the countryside which are not residential gardens and which meet the above criteria will be permitted provided the redevelopment will also result in a significant environmental improvement and the site is, or can reasonably be made, accessible by sustainable modes to Maidstone urban area, a rural service centre or larger village.

### Reason for change, retention, or new policy

The policy has been changed for the following reason:

- Development Management feedback

### Further work to do

None identified at this time.

Hou 2: Residential extensions, conversions, annexes & redevelopment in the built-up area

9.15 The following policy relates to residential extensions, conversions and redevelopment within the built-up area that fall outside those developments allowed by permitted development rights.

9.16 The term conversion here refers to change from one type of residential use to another, rather than a separate use: for example, a dwelling house to a set of self-contained flats or houses in multiple occupation (HMOs). HMOs differ from self-contained flats as bedrooms/bed sitting rooms are private but other facilities, such as bathrooms and kitchens, are shared. The NPPF also places emphasis upon the quality of new residential development and requires a good standard of amenity to be provided for all existing and future occupants of land and buildings.

9.17 The council wishes to ensure that new residential units are attractive, high quality places to live, which respond positively to the local area. Good quality development should be of a scale and layout which provides attractive and comfortable places to live. The intensified use of dwellings to create smaller households can cause problems for nearby residents, for example noise and disturbance from increased traffic movements and requirements for parking. Policy DM9 seeks to control the potential problems arising from such proposals.

9.18 Residential extensions generally benefit the community by increasing the amount and quality of accommodation in the borough. However, careful design is necessary, in order to prevent a

reduction in the quality of living conditions for adjoining residents and the built environment in general. The adopted Residential Extensions SPD (May 2009) will be used to guide the assessment of proposals for residential extensions.

**Policy Hou 2: Residential extensions, conversions, annexes, and redevelopment within the built-up area**

1. Within the defined boundaries of the urban area, rural service centres, larger villages, and On land outside of smaller villages and the countryside proposals for the extension, conversion or redevelopment of a residential property which meet the following criteria will be permitted if:
  - i. The scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context;
  - ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced;
  - iii. Adjoining residents would avoid unacceptable loss of privacy, outlook or light and would avoid unacceptable intrusion from noise or odour; and
  - iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.
  
2. Within the defined boundaries of the urban area, rural service centres and larger villages, proposals for the conversion or redevelopment of a dwelling to self-contained flats or the use of a building as a house in multiple occupation which also meet the following criterion will be permitted:
  - i. The intensified use of the building and its curtilage would not significantly harm the appearance of the building or the character or amenity of the surrounding area.

**Reason for change, retention, or new policy**

The policy has been changed for the following reason:

- Development Management feedback

**Further work to do**

None identified at this time.

Hou 3: Residential premises above shops & businesses

9.19 'Living over the shop' can have a positive impact upon the vitality of town centres and other commercial areas. Once shoppers and workers depart, residential units to upper floors can provide a sense of life and occupation, which can add to a perception of security and vitality. 'Living over the shop' also helps to create a sense of place and mix of uses advocated by the NPPF.

9.20 The phrase 'living over the shop' refers to the developments at the first floor level and above, where the ground floor level is occupied by a development in one of the following use classes: E(a), E(b), E(c)(i), E(c)(ii), E(c)(iii), E(g)(i), F2(a).<sup>10</sup>

9.21 The preferred approach would apply to proposals including the uses listed above that fall outside of permitted development rights. For example, schemes that are larger than what is presently permitted or involve external alterations etc. The approach would also be geographically limited to identified centres (district & local).

<sup>10</sup> Town and Country Planning (Use Classes) Order 1987 (as amended)

### Policy Hou 3: Residential premises above shops and businesses

1. The council will permit 'living over the shop' projects ~~in~~ that meet the following criteria:
  - They are above deemed suitable premises (including uses in class E & F.2 of the use class order);
  - The premises are located in the identified town centre, district and local centres, or above existing village shops;
  - They accord with with the relevant parking standards as set out in the Kent Design Guide Review: Interim Guidance Note 3: RESIDENTIAL PARKING (2008)
  - Meet the servicing requirements (bin storage and collection); and;
  - The proposal would not be negatively impacted by surrounding noise and air quality issues.
  
2. Change of use to residential accommodation in premises where the ground floor is (or last was) in ~~class A retail or class B1 business uses~~ class E or class F.2 within town, district or local centres will be permitted, provided it can be shown that the accommodation is no longer suitable or is potentially unsuitable for residential occupation because of location ~~or~~ design, noise or air quality issues.

#### Reason for change, retention, or new policy

The policy has been changed for the following reasons:

- Development Management feedback
- Amendments to the Use Classes Order

#### Further work to do

None identified at this time.

### Hou 4: Residential Garden land

9.22 Within the built-up areas of the borough's towns and villages, there is significant pressure for the development of residential garden land. Such development, typically involving the subdivision of existing residential curtilages, can often appear cramped and damage the existing pattern of development. The council wishes to only permit development where it can be absorbed within the existing character, pattern and layout of the built environment without detriment to visual amenity. All new development should respect the amenities of neighbouring occupiers and their quality of life. It should be designed to avoid an unacceptable loss of privacy, light or outlook and also excessive levels of noise from activities, processes and traffic movements.

### Policy Hou 4: Residential garden land

~~Within the defined boundaries of the urban area, rural service centres and larger~~ villages On land outside of smaller villages and the countryside, development of domestic garden land to create new buildings which meet the following criteria will be permitted provided:

- i. The higher density resulting from the development would not result in significant harm to the character and appearance of the area;
- ii. There is no significant loss of privacy, light or outlook for adjoining properties and/or their curtilages;
- iii. Access of an appropriate standard can be provided to a suitable highway; and
- iv. There would be no significant increase in unacceptable impact on amenity by noise or disturbance from traffic gaining access to the development.

#### Reason for change, retention, or new policy

The policy has been changed for the following reason:

- Development Management feedback

**Further work to do**

None identified at this time.

#### Hou 5: Density of residential development

9.23 The development strategy for the borough is based on meeting future housing requirements through the best use of previously developed land before releasing greenfield sites for development in order to protect the borough's valuable landscape and biodiversity assets. The setting of minimum densities for residential developments will help the Council to achieve this and make best use of land, whilst also being in line with national planning policy (NPPF paragraph 123) and proposed policy SP10(b).

**Policy Hou 5: Density of residential development**

All new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Development proposals that fail to make efficient use of land for housing, having regard to the character and location of the area, will be refused permission. Subject to this overriding consideration the following minimum densities are expected in the following locations:

1. At sites within the town centre new residential development will be expected to achieve a net density of 150 dwelling per hectare.
2. Sites within inner urban area (800 metres from the town centre) a net density of 75 dwellings per hectare
3. Sites within outer urban area (within the urban boundary of Maidstone, but not within the inner urban area) a net density of 35 dwellings per hectare
4. Sites within identified Garden Communities will be expected to achieve a net density of 40 dwellings per hectare
5. At sites within or adjacent to the rural service centres, and larger and smaller villages as defined under policies ~~SP5-10~~ SP1-8 and ~~SP11-16~~ respectively new residential development will be expected to achieve a net density of 30 dwellings per hectare where that is compatible with the individual settings of those sites.

**Reason for change, retention, or new policy**

The policy has been changed for the following reasons:

- Development management feedback
- NPPF changes (paragraph 123)

**Further work to do**

None identified at this time.

#### Hou 6: Affordable local housing need on rural exception sites

9.24 Policy SP10 (c) seeks to set out the Council's affordable housing need and the general requirements for it across the Borough. However, in rural areas as defined outside of the settlement boundaries and urban areas affordable housing can be in limited supply due to a lack of market housing allocated in rural locations. Rural exception sites are a way to bring forward affordable housing in rural locations where it would not normally be allowed.

9.25 Rural exception sites are defined in national planning policy. They refer to sites that are not allocated for residential use in the Local Plan, but that are proposed for affordable housing in perpetuity and address the identified needs of the local community in which they are proposed.

9.26 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 and so rural exception sites are a good way to allow people in rural communities to stay local rather than be forced to move elsewhere to find housing.

#### **Policy Hou 6: Affordable local need housing on rural exception sites**

Outside of Maidstone, the five rural service centres and five larger villages, the council will work with parish councils and local stakeholders to bring forward affordable local needs housing at its rural communities. The council will grant planning permission subject to the following criteria.

1. Development has been proven necessary by a local needs housing survey approved by the council which has been undertaken by or on behalf of the parish council(s) concerned. In consultation with the parish council and registered prospective provider of social-affordable housing (registered provider or build to rent landlord).
2. The council in line with the requirements of national planning policy will determine the number, size, type and tenure of homes to be developed after assessing the results of the survey. The council will also use the housing register to determine where there may be unmet housing needs.
3. ~~People meeting the relevant occupation criteria will be given priority to occupy local needs housing (under the council's housing allocation scheme).~~
4. In the first instance affordable 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. If this cannot be done then the subsidy applied will be recycled into alternative affordable housing provision.
5. 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, in particular school, health, and shopping are accessible from the site preferably on foot, by cycle or on public transport. The site must also be safely accessible to and from the public highway by all vehicles using the site at all times.
6. The scale of development must be in proportion to the context of the settlement where it is located.
7. Where national landscape, ecological and heritage designations are affected by the proposed development, proposals must have regard to the designation and its purpose whilst complying with national policy and guidance.

The delivery of this policy is outlined further in the Affordable and Local Needs Housing Supplementary Planning Document 2020 or successor documents. Will be produced to expand on how the proposals in this policy will be implemented.

#### Reason for change, retention, or new policy

The policy has been changed for the following reasons:

- National policy changes – NPPF & NPPG
- Feedback from Development Management

#### Further work to do

- Viability testing

### Hou 7: Specialist residential accommodation

9.27 The preferred approach refers to accommodation for older and disabled persons. These have been grouped together to reflect the National Planning Practice Guidance. Specifically, this preferred approach will cover specialist residential accommodation (including nursing homes, care homes, and extra care accommodation) that fall within use class C2 providing some form of care package and communal facilities more than a lounge.

9.28 In line with national trends, the population of the borough is ageing, and this will result in an increasing demand for elderly accommodation over the time frame of the local plan. Population projections predict that by 2037 23% of the borough's residents will be over 65 years of age compared with 19% in 2019.<sup>11</sup>

9.29 Similar to the age profile of the Borough's population those persons with disabilities are increasing. From 2019-37 the number of persons with a long-term health problem or disability will increase by 11,213 or 39%.<sup>12</sup>

9.30 The preferred approach seeks to provide for specialist accommodation across the borough in sustainable locations.

#### Policy Hou 7: Specialist residential accommodation

##### **Nursing and care homes**

Within the defined boundaries of the urban area, rural service centres and larger villages On land outside of smaller villages and the countryside, proposals for new specialist residential accommodation providing care and communal facilities nursing and residential care homes through new build, conversion or redevelopment and for extensions to existing nursing and residential care homes which meet the following criteria will be permitted:

1. The proposal will not adversely affect the character of the locality or the amenity of neighbouring properties by means of noise disturbance or intensity of use; or by way of size, bulk or overlooking; and
2. Sufficient visitor and staff vehicle parking is provided in a manner which does not diminish the character of the street scene.

Proposals for specialist residential accommodation outside of the defined boundaries of the urban area, rural service centres and larger villages will not be permitted.

<sup>11</sup> Icen, *Maidstone Strategic Housing Market Assessment* (October 2019), p.76

<sup>12</sup> Icen, *Maidstone Strategic Housing Market Assessment* (October 2019), p.78

Existing specialist residential accommodation will be protected from loss through either redevelopment or conversion. Any change outside that permitted will need to demonstrate the lack of need for the facility within the Borough.

#### **Reason for change, retention, or new policy**

The policy has been changed for the following reasons:

- National policy and guidance changes – NPPF & NPPG
- Feedback from Development Management
- Evidence base update – Strategic Housing Market Assessment (2019)

#### **Further work to do**

### Hou 8: Gypsy, Traveller and Travelling Showpeople accommodation

9.31 Maidstone Borough has a significant population of Gypsies and Travellers, who live on mostly small, privately owned sites outside of the urban area. The aim of the Local Plan is to ensure that pitches can be delivered to meet the local need whilst having consideration for the impact on the local character and landscape.

#### **Policy Hou 8: Gypsy, Traveller and Travelling Showpeople accommodation**

1. Planning permission for Gypsy and Traveller and Travelling Showpeople accommodation will be granted if the site is allocated for that use or if the following criteria are met:
  - I. Caravans to meet the definition of a caravan in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968;
  - II. The planning definition of a Gypsy, Traveller or Travelling Showpeople, as set out in Planning Policy for Traveller sites (2015) is met;
  - III. Local services, in particular school, health and shopping facilities, are accessible from the site preferably on foot, by cycle or on public transport;
  - IV. The development would not result in significant harm to the landscape and rural character of the area. Impact on these aspects will be assessed with particular regard to:
    - a. Local landscape character;
    - b. Cumulative effect - the landscape impact arising as a result of the development in combination with existing lawful caravans; and
    - c. Existing landscape features - development is well screened by existing landscape features and there is a reasonable prospect of such features' long term retention;

Additional planting should be used to supplement existing landscaping but should not be the sole means of mitigating the impact of the development;
- I. The site can be safely accessed to and from the highway by all vehicles using the site on a regular basis;
- II. The site is not located in an area at risk from flooding (zones 3a and 3b) based on the latest information from the Environment Agency or a specific Flood Risk Assessment which has been agreed by the Environment Agency; and

<p>III. The ecological impact of the development has been assessed through appropriate survey and a scheme for any necessary mitigation and enhancement measures confirmed.</p>
<p>2. In addition to the above criteria the following applies to Travelling Showpeople accommodation only:</p> <p style="padding-left: 40px;">I. The site should be suitable for the storage and maintenance of show equipment and associated vehicles.</p>
<p>3. <u>Applications for further ancillary development (including out buildings/dayrooms etc) on a Gypsy and Traveller and Travelling Showpeople will be permitted if the following criteria are met:</u></p> <p style="padding-left: 40px;">I. <u>Criteria 1 (ii) (a-c) of this policy is met; and;</u></p> <p style="padding-left: 40px;">II. <u>The scale and form of any development respects its setting.</u></p>
<p><b>Reason for change, retention, or new policy</b></p>
<p>The policy has been changed for the following reasons:</p> <ul style="list-style-type: none"> <li>• Fulfils Strategic Plan objectives of ‘embracing growth and enabling infrastructure’ and ‘homes and communities’</li> <li>• Complies with Planning Policy for Traveller sites (2015)</li> <li>• Incorporates feedback from colleagues in Development Management</li> </ul>
<p><b>Further work to do</b></p>
<p>The preferred approach is to look to produce a separate DPD/SPD for gypsy and travellers, that also looks at development of outbuildings associated with gypsy and traveller development.</p>

#### Hou 9: Custom & self-build housing

9.32 Self-build plots are plots of land which are made available for individuals to design and build their own home whereas custom build plots are provided by site developers to the specification of individuals which may or may not follow a basic design pattern.

9.33 There is a legal responsibility to keep a register of individuals and interested associations of individuals that are seeking a plot of land to construct a self or custom build house as a sole or main residence. As set out in Policy SP10(b) the Council supports the principle of self and custom build housing aims to meet the needs of those identified on the registers that it keeps. However, it also needs to manage the development of this type of housing to make sure it is appropriate. As such the preferred approach below seeks to set out parameters to manage this specific form of development.

<p><b>Policy Hou 9: Custom &amp; self-build housing</b></p>
<p><u>The Council will support self and custom build development that are in suitable and sustainable locations, conform to the other policies in the plan, and meet the following criteria:</u></p> <ul style="list-style-type: none"> <li>• <u>Where there are 5 or more proposed custom build dwellings on a single site a Design Brief should be submitted and agreed with the Council prior to the application being submitted;</u></li> <li>• <u>All proposals for custom &amp; self-build are supported by evidence of need and;</u></li> <li>• <u>All proposals demonstrate engagement with the Council to understand the requirements of the authority’s self and custom build register in order to ensure effective delivery of sites</u></li> </ul> <p><u>The revision of self-build or custom build housing to open market housing will be permitted in the following circumstance:</u></p>

- Evidence is provided to the Council that plots have been prominently marketed for sale to self or custom builders and have not sold for a significant period.

#### Reason for change, retention, or new policy

It was considered appropriate for a new policy to be developed due to the following reasons:

- Changes to national planning policy and guidance
- AMR monitoring – (indicator M9)

As this policy is new the Council felt it appropriate to test it against other reasonable alternatives. These are out below:

##### Approach 1 – No policy

No new policy is brought forward

##### Approach 2 – Amalgamate with other policies

To bring forward the issue as part of another broader design policy or amend an existing policy to allow for this.

##### Approach 3 – have a separate independent policy

To develop a separate preferred approach to deal with the issue independently of other design policies.

Due to the specific nature of the topic area approach 3 was selected and the preferred approach outlined above was selected. It was felt that an independent policy is more appropriate than options 1 or 2. Having no policy would lead housing in Maidstone Borough to not be managing an important element of housing need. While it is felt that management of custom and self-built housing could not be part of another policy due to the specific nature of the issues raised by development of this nature. Therefore, an independent policy is felt to be the most appropriate.

#### Further work to do

- Viability testing

### Hou 10: Build to rent proposals

9.34 National policy and guidance support the diversification of the housing market in order to speed up the delivery of the residential accommodation. One way to do this is through support for the build to rent sector. This is supported by strategic policy SP10b housing mix that supports a range of housing tenures to come forward.

9.35 Since 2016 there has been a national growth in the build to rent market mainly aimed at younger age groups up to 35 year olds.<sup>13</sup> In more recent years this growth has been occurring in Maidstone Borough, especially within the Maidstone urban area.<sup>14</sup> One of the reasons for this are the higher than average rents that can be obtained from flatted development in Maidstone.<sup>15</sup> Therefore, the Council has thought it prudent to develop a new policy approach to manage this form of development.

<sup>13</sup> Icen, *Maidstone Strategic Housing Market Assessment* (October 2019), p.95

<sup>14</sup> Icen, *Maidstone Strategic Housing Market Assessment* (October 2019), pp.95-96

<sup>15</sup> Icen, *Maidstone Strategic Housing Market Assessment* (October 2019), p.96

9.36 The Planning Practice Guidance has a requirement that where a demand is identified, authorities should include a plan policy setting out their approach to promoting and accommodating build to rent housing. Build to rent developments will bring new providers into the UK housing market. This will increase local competition. A build to rent scheme is long term and so where a sale of a build to rent scheme is proposed, there should not be a withdrawal of the affordable housing contribution. The accompanying S106 should set out what should happen if any homes within a build to rent scheme are sold/converted before the end of the covenant period. The S106 should consider such scenarios and, in particular, include a mechanism to recoup ('clawback') the value of the affordable housing provision that is withdrawn if affordable private rent homes are converted to another tenure. Build to rent schemes allows occupants to live at a property for longer. The NPPF glossary states that build to rent developers will as a norm offer longer tenancy agreements of 3 years or more. Whilst there is no requirement for authorities to apply national space standards to the Borough, build to rent home schemes can bring higher quality and better managed accommodation to the private rental market. The process for managing affordable private rent units should also be set out in the S106. The Planning Practice Guidance outlines that affordable private rent homes within any particular scheme should be constructed and managed to the same high quality standards as the private rental homes. The NPPF states that affordable housing on build to rent schemes should be provided by default in the form of affordable private rent and other affordable housing policies in the plan.

#### **Policy Hou 10: Build to rent proposals**

In line with recommendations of the SHMA (2019) and national planning policy and guidance the Council has developed the following policy for build to rent proposals.

Planning permission will be granted for developments of self-contained, private rented homes which:

1. Are located in Maidstone Town centre, within close proximity, and larger strategic sites; and;
2. Are secured in single ownership providing solely for the rental market for an extended period minimum 20-year term with provision for clawback of affordable housing contributions should the covenant not be met; and
3. Provide tenancies for private renters for an extended period above normal contract lengths with a break clause in the tenant's favour and structured and limited in-tenancy rent increases agreed in advance; and
4. Provide a high standard on-site management of the accommodation; and
5. Provide for a mix of unit sizes in accordance with Policy SP10b; and
6. Meet the standards of design set out in Q&D 6 & Q&D 7; and
7. Provide on-site affordable housing, at 20% affordable private rented and 20% discount to market rates.

#### **Reason for change, retention, or new policy**

It was considered appropriate for a new policy to be developed due to the following reasons:

- Changes to national planning policy and guidance
- Evidence base update – Strategic Housing Market Assessment (2019)

As this policy is new the Council felt it appropriate to the test it against other reasonable alternatives. These are out below:

Approach 1 – No policy

No new policy is brought forward

Approach 2 – Amalgamate with other policies

To bring forward the issue as part of another broader design policy or amend an existing policy to allow for this.

Approach 3 – have a separate independent policy

To develop a separate preferred approach to deal with the issue independently of other design policies.

Due to the specific nature of the topic area approach 3 was selected and the preferred approach outlined above was selected. It was felt that an independent policy is more appropriate than options 1 or 2. Having no policy would lead housing in Maidstone Borough to not be managing an element of the housing demand. While it is felt that management of build to rent housing could not be part of another policy due to the specific nature of the issues raised by development of this nature. Therefore, an independent policy is felt to be the most appropriate.

**Further work to do**

- Viability testing

Hou 11: Rebuilding, extending and subdivision of dwellings in the countryside

9.37 The intrinsic character and beauty of the countryside is an important asset of the borough, which is recognised by the NPPF and the local plan and which is highly sensitive to development. However, to support rural communities, a level of flexibility for certain forms of development in rural areas is required.

9.38 In appropriate circumstances, the council will support the rebuilding of a lawful residential dwelling, extension or subdivision to an existing dwelling in line with the NPPF.<sup>16</sup> In considering such proposals, the council will have 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.

9.39 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 Hou 11: Rebuilding, extending and subdivision of dwellings in the countryside**

1. Outside of the settlement boundaries as defined on the policies map, proposals for the replacement of a dwelling in the countryside which accord with national policy and meet the following criteria will be permitted:
  - i. The present dwelling has a lawful residential use;
  - ii. The present dwelling is not the result of a temporary planning permission;
  - iii. The building is not listed;
  - iv. The mass and volume of the replacement dwelling is no more visually harmful than the original dwelling;
  - v. The replacement dwelling would result in a development which individually or cumulatively is visually acceptable in the countryside; and

<sup>16</sup> MHCLG, National Planning Policy Framework, paragraph 79 (2019), p.22

- vi. 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;
  - vii. The traditional boundary treatment of an area would be retained;
  - viii. Access points in number and width should be kept to a minimum to preserve the character of the countryside and rural lanes; and
  - ix. The replacement dwelling would not have a negative impact on neighboring residential amenity (privacy, daylight, sunlight, overshadowing or overbearing).
2. Proposals to extend dwellings in the countryside which meet the following criteria will be permitted:
- i. The proposal is well designed and is sympathetically related to the existing dwelling without overwhelming or destroying the original form of the existing dwelling;
  - ii. The proposal would result in a development which individually or cumulatively is visually acceptable in the countryside;
  - iii. 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
  - iv. 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; and
  - v. The proposal would not have a negative impact on neighboring residential amenity (privacy, daylight, sunlight, overshadowing or overbearing).

In all instances account should be taken of the Residential Extensions SPD.

<b>Reason for change, retention, or new policy</b>
<ul style="list-style-type: none"> <li>• Development Management comments</li> <li>• Changes to national planning policy and guidance</li> </ul>
<b>Further work to do</b>
None identified at this time.

### Reasoned justification

9.40 The section below outlines the reasoned justification for the eleven housing policies outlined above. The reasoned justification is evidence to show what evidence and policy has been considered in drawing together the preferred approaches outlined in each housing policy.

Information source	Relevant information summary
Maidstone Strategic Plan	<ul style="list-style-type: none"> <li>• <b>Embracing Growth and Enabling Infrastructure</b> - Housing need is met including affordable housing</li> <li>• <b>Homes and Communities</b> - Improving housing through use of our statutory powers to promote good health and wellbeing</li> </ul>
Policy & Legislation	<ul style="list-style-type: none"> <li>• <b>Housing Act 2004</b> – control of minimum conditions in existing and new housing stock; basis for licensing of houses in multiple occupation</li> <li>• <b>Self-Build and Custom Housebuilding Act 2005</b> – keep a register of individuals and associations of individuals who wish to acquire serviced plots of land and have regard to that register</li> <li>• <b>Housing and Planning Act 2016</b> – requirement to meet demand for custom built and self-built homes; amends provisions for the management of social housing; amends private rental legislation; creation of brownfield register; allows developers who wish to bring forward applications for housing relating to a major infrastructure project to apply for consent under the nationally significant infrastructure planning regime</li> <li>• <b>Homes (Fitness for Human Habitation) Act 2018</b> – requirement that residential rented accommodation is provided and maintained in state of fitness for human habitation and for connected purposes</li> <li>• <b>NPPF</b> – it is recognised that while the LPR is being prepared new indicators and changes to the national methodology may come forward; required to meet the needs of a wide range of different types of housing (families with children/affordable housing/self-build and custom build/student accommodation/travellers who have ceased to travel/private rented sector/older people); in addition to rural exception sites NPPF adds the opportunity to include entry-level exceptions sites aimed at providing housing stock for first-time buyers in rural areas; opportunities for local/village centres to establish networks of infrastructure should be explored, for example by having shared catchments for infrastructure items, identifying corridors which have functional relationships, or splitting assets between neighbourhood villages</li> <li>• <b>NPPG</b> – provides guidance on how residential developments specifically designed and targeted at the private rental sector should be planned for; making effective use of land, including planning for higher density development; sets out the method for assessing housing and economic land availability; provides advice on planning for the housing needs of different groups including self-build and custom build housing, affordable housing, rural housing, student housing, and private rented housing; guidance on policies for older and disabled people housing; provides guidance on how planning authorities can gather evidence to set optional requirements and the nationally described space standard; provides guidance on 5-year housing land supply and Housing Delivery Test; guidance on how to consider rural housing policies; and provides guidance on the preparation and monitoring of self-build and custom housebuilding registers. Provides guidance for build to rent schemes where a need for such development is identified</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Planning Policy for Traveller sites (2015)</b> – ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community; plan-making and decision taking should protect Green Belt from inappropriate development; promote more private site provision while recognizing that there will always be those travellers who cannot provide their own sites; reduce the numbers of unauthorized developments and encampments and make enforcement more effective; enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure; protect local amenity and environment; promote peaceful and integrated co-existence between the site and the local community; promote, in collaboration with commissioners of health services, access to appropriate health services; ensure that children can attend school on a regular basis; provide a settled base that reduces both the need for long-distance travelling and possible environmental damage caused by unauthorised encampment; provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development; avoid placing undue pressure on local infrastructure and services; do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans; reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability; if there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable traveller sites; a rural exception site policy should seek to address the needs of the local community; consider including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents</li> <li>• <b>Use Class Order</b> – This was updated in September 2020, removing Use Classes ‘A’ (retail) and ‘D’ (community and leisure), as well as B1 (offices). These are now grouped under new Use Classes ‘E’ and ‘F’.</li> </ul>
<b>Evidence Base</b>	<ul style="list-style-type: none"> <li>• <b>SHMA (2019)</b> – Outlines the need for housing and other specialist accommodation during the plan period.</li> <li>• <b>GTAA (2020)</b> – still in progress but will set out the need for Gypsy and traveller accommodation in the Borough for the Local Plan period.</li> <li>• <b>Custom &amp; Self-build Register</b> – Sets out the needs and preferred locations within the Borough for custom and self-build plots</li> <li>• <b>Department for Communities and Local Government, Accelerating Housing Supply and Increasing Tenant Choice in the Private Rented Sector: A Build to Rent Guide for Local Authorities (2015)</b></li> </ul>
<b>Regulation 18a feedback summary</b>	<ul style="list-style-type: none"> <li>• Infrastructure should be provided alongside or before new housing</li> </ul>

	<ul style="list-style-type: none"> <li>• Use deliverable brownfield sites where possible (support for making the use of brownfield sites before greenfield sites mandatory and making building on brownfield sites more profitable)</li> <li>• A mix of housing types is required</li> <li>• There was support for local needs housing in new developments</li> <li>• Support for development which helps to establish multi-generational settlements</li> <li>• KCC seeks that homes are built, sited and designed to allow for benefits such as remote working, reducing the requirement for unnecessary travel whilst being more environmentally sustainable</li> <li>• Density should follow the pattern of the existing developments in the area/densities in rural villages should not increase due to the adverse effects on the existing community</li> </ul>
<p><b>Development Management feedback summary</b></p>	<p><b>DM5 – Development on brownfield land</b></p> <ul style="list-style-type: none"> <li>• Minor amendments to wording</li> </ul> <p><b>DM9 – Residential extensions, conversions and redevelopment within the built-up area</b></p> <ul style="list-style-type: none"> <li>• Principle of the unlikely to change, minor amendments to wording due to NPPF changes.</li> </ul> <p><b>DM10 – Residential premises above shops and businesses</b></p> <ul style="list-style-type: none"> <li>• Policy may need to be amended to reflect changes to permitted development rights</li> </ul> <p><b>DM11 – Residential garden land</b></p> <ul style="list-style-type: none"> <li>• Principle of policy unlikely to change, minor amendments to make the policy more specific</li> </ul> <p><b>DM12 – Density of housing development</b></p> <ul style="list-style-type: none"> <li>• Update to reflect changes in the NPPF around minimum densities</li> </ul> <p><b>DM13 – affordable local needs housing on rural exception sites</b></p> <ul style="list-style-type: none"> <li>• Principle of policy unlikely to change, minor amendments to reflect new definitions in the NPPF and way of providing affordable housing by non-RP's</li> </ul> <p><b>DM14 Nursing and care homes</b></p> <ul style="list-style-type: none"> <li>• Update to reflect the emerging SHMA evidence</li> </ul> <p><b>DM15 – Gypsy, Traveller and Travelling Showpeople accommodation</b></p> <ul style="list-style-type: none"> <li>• Minor amendments to update the policy to reflect the development of outbuildings /dayrooms on sites and further defined appropriate development</li> </ul>
<p><b>Authority monitoring report indicators</b></p>	<p>Listed below are the key monitoring indicators for the Local Plan 2017 used in the Authority Monitoring Report relevant to the housing theme:</p> <ul style="list-style-type: none"> <li>• M4: Progress on allocated housing sites per annum</li> <li>• M5: Predicted housing delivery in the next 5 years</li> <li>• M6: Housing trajectory: Predicted housing delivery in the next 15 years</li> <li>• M7: Windfalls: delivery of housing on identified sites</li> <li>• M8: Prior notification office to residential conversions in the town centre</li> <li>• M9: Number of entries on the self-build register and number of plots consented per annum</li> </ul>

	<ul style="list-style-type: none"> <li>• M10: Number of dwellings of different sizes (measured by number of bedrooms) consented per annum</li> <li>• M11: Number and tenure of affordable homes delivered (including starter homes)</li> <li>• M12: Affordable housing as a proportion of overall housing delivery in qualifying geographical areas consented/completed relative to Policy SP20 requirements</li> <li>• M13: Density of housing in policies DM12/H1</li> <li>• M14: Number of nursing and care home bedspaces delivered</li> <li>• M15: Number of applications on the housing register</li> <li>• M16: Number of homeless households in the Borough</li> <li>• M17: House price: earnings ratio</li> <li>• M27: Annual delivery of permanent pitches/plots (allocated and unidentified sites) (G+T)</li> <li>• M28: Delivery of permanent pitches on allocated sites (G+T)</li> <li>• M29: Five-year supply position (G+T)</li> <li>• M30; Number of caravans recorded in the bi-annual caravan count</li> </ul> <p>Key conclusions:</p> <ul style="list-style-type: none"> <li>• M9 - Under indicator M9 the Council is required to monitor the number of entries on the self-build register and the number of plots for self-build units consented per annum. The Council has a sustained low delivery of self-build plots over the past 3 years compared with registered interest. A review of <b>Policy SP19 Housing Mix</b> and the approach taken by the Council to deliver self-build is necessary.</li> <li>• M13 - Indicator M13 requires the density of housing to be assessed. The average of housing densities delivered between 2016/17 and 2019/20 within the town centre and urban area are considerably higher compared to the targets set out in the adopted Local Plan. The AMR explains that this higher density is due to changes of use of single properties into flatted developments. A review of <b>Policy H1 Housing site allocations</b> and <b>Policy DM12 Density of housing development</b> may be necessary.</li> </ul>
<b>Duty to Cooperate</b>	<p>TWBC have many G&amp;T sites around Paddock Wood and will have implications for MBC. TWBC will meet their need through site allocations. Neighbouring Local Planning Authorities were consulted on SHMA as it developed especially the Housing market area. No substantive comments were received.</p>

## Commercial development

### Introduction

9.41 Building a strong, competitive economy and supporting a prosperous rural economy, as well as ensuring the vitality of town centres are key parts of national policy and guidance. NPPF sections 6 and 7 set out that policies should help create the conditions in which business can invest, expand and adapt, as well as support the role that town centres play at the heart of local communities. This consultation has considered the strategic level drivers for the economic, retail and leisure

development in Policy SP11. This section adds further detail to SP11 through specifically looking at the following areas:

- Main town centre uses
- Primary and secondary shopping frontages
- Leisure and community uses;
- Rural worker accommodation and live-work units;
- Expansion of businesses;
- Farm shops and equestrian development; and;
- Rural tourism, leisure and recreation.

## Preferred approaches

### CD1: Town, District and Local Centres

9.42 Maidstone has a very strong town centre, along with a network of much smaller but important district and local centres, which, although overshadowed by the strength of Maidstone town centre, have a vital role in providing easy access to shops, services and facilities. It is important that this strategic network and hierarchy of centres is maintained to ensure that shops and services are as accessible as possible.

9.43 Maidstone is the County town of Kent. The town centre is where the vast majority of commercial development will occur, in line with the NPPF's town centre first approach. Sequential tests and impact assessments will be required, where proposals for main town centre uses are put forward outside of the defined centres.

9.44 For clarity, the definition of the main town uses and town centres that has been adopted in this approach are those set out in the NPPF Annex 2: Glossary. As a result, town centres refer to city centres, town centres, district centres, and local centres.<sup>17</sup>

9.45 Within the borough, the council has identified district and local centres (policy SP11(c)) which fulfil the function of providing essential local facilities as a group. The council wishes to maintain the existing retail function together with supporting community uses in these locations, in the interests of securing sustainable, well-functioning communities.

9.46 Local convenience shops and other such facilities outside of any defined centres can play an important role in sustainable development, by meeting the day-to-day needs of local communities. The NPPF seeks to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet such needs.

### Policy CD1: Town, District and Local Centres

#### Main Town Centre Uses

1. Proposals for **retail and** main town centre **leisure and culture** uses should be located in an existing centre unless:
  - i. By means of a sequential approach, it is demonstrated that the proposal could not be accommodated first on a site within an existing centre and the proposal is located at

<sup>17</sup> MHCLG, National Planning Policy Framework, Annex 2: Glossary (2019), p.72

- the edge of an existing centre, or second it is demonstrated that the proposal could not be accommodated on a site within or at the edge of an existing centre and the proposal is located on an accessible out of centre site; and
- ii. By means of an impact assessment it is demonstrated that a retail, office or leisure proposal would not result in a significant adverse impact, cumulative or otherwise, on the vitality and viability of an existing centre or undermine the delivery of a site allocated for the use proposed ([see criterion 3](#)); or
  - iii. The development is in the countryside and is in accordance with Policy ~~DM37~~-[CD7](#) or Policy ~~DM40~~-[CD8](#); or
  - iv. The development is designed to only serve the needs of the neighbourhood.
2. Proposals located at the edge of an existing centre or out of centre should ensure the provision of specific measures which will improve the quality and function of sustainable connections to the centre, in particular walking and cycling routes and public transport links and specific measures which will mitigate the impact of the proposal on the identified centre or centres. The nature, extent and permanence of the measures will be directly related to the scale of the proposal.

**Impact assessment**

3. Where a proposal is for a main town centre use outside of a defined centre, an impact assessment is required for the following:
- i. Proposals over 2,500sqm within the Maidstone Urban Area as defined on the policies map
  - ii. Proposals over 400sqm beyond the Maidstone Urban Area as defined on the policies map

**District and Local Centres**

4. The Council will seek to maintain and enhance the existing retail function and supporting community uses in the District and Local Centres as defined in [SP11\(c\)](#). As such, new non [E or F](#) uses at ground floor level within the defined centres will be resisted.

**Local shops and facilities**

5. In considering [Where](#) planning proposals ~~which would~~ involve or require the loss of existing post offices, pharmacies, banks, public houses or class ~~A1~~ [F2](#) shops selling mainly convenience goods outside local and district centres, consideration will be given to the following:
- i. Firm evidence that the existing uses are not now viable and are unlikely to become commercially viable;
  - ii. The availability of comparable alternative facilities in the village or the local area; and
  - iii. The distance to such facilities, the feasibility of alternative routes being used, and the availability of travel modes other than by private motor vehicle.

**Reason for change**

This policy combines and consolidates LP17 policies DM16 and DM17 making it more concise. The elements of policy DM17 defining the District and Local Centres have been moved to a more appropriate location in this LPR, (Policy SP11(c)).

This policy continues to reflect the NPPF and NPPG guidance on town centre first approach and now includes a lower, locally set threshold of 400m<sup>2</sup> for applying the impact assessment for proposals outside of the Maidstone Urban Area. This is in recognition that proposals smaller than the nationally set threshold of 2,500m<sup>2</sup> could have a significant adverse impact on the borough's smaller District and Local Centres. The EDNS evidence supports this approach.

Furthermore, the policy has been updated to accurately reflect the changes that have occurred to the Use Class Order<sup>18</sup> in September 2020.

#### Further work to do

Review Primary Shopping Area and TC boundaries to ensure they remain suitable and fit for purpose.

### CD2: Primary and Secondary Frontages

9.47 Town centres should provide a range and mix of complementary uses. A balance between retail, entertainment and leisure activity will help town centres compete with online shopping and ensure their continued vitality and viability. Maidstone town centre needs a good mix of uses that extend activity throughout the daytime and into the evenings. There is a need for new retail floorspace over the plan period, as set out in policy SS1. Additionally, a flexible approach to accommodating leisure and cultural uses ensures the town centre is responsive to the evolving market offer.

9.48 To ensure a continued appropriate mix of uses within Maidstone town centre, primary and secondary frontages are identified within the town centre boundary.

#### Policy CD2: Primary and Secondary Frontages

##### Primary Frontages

1. The primary shopping frontages in Maidstone town centre are shown on the policies map. To ensure that retail (E(a)) remains the predominant use within the primary shopping frontages, development will be permitted where:
  - i. The proposal is for retail (~~A1~~) (E(a)) use; or
  - ii. The proposal is for a professional or financial use (E(c)), a café and restaurant use (E(b)), a drinking establishment (*sui generis*), a community or leisure use ( ~~D1~~ E(d),(e) or (f) or F2) ~~or a leisure use (D2)~~ and would not result in the percentage of ground floor retail ( ~~A1~~ E(a)) floorspace in the frontage block in which the development would be located falling below 85%.

##### Secondary Frontages

2. The secondary shopping frontages in Maidstone town centre are shown on the policies map. Development within the secondary frontages will be permitted where:
  - i. The proposal is for a retail use ( ~~A1~~ E(a)), a professional and financial services use (~~A2~~E(c)), or a café and restaurant ( ~~A3~~ E(b)); or

<sup>18</sup> Town and Country Planning (Use Classes) Order 1987 (as amended)

- ii. The proposal is for a drinking establishment (A4) or hot food takeaway (A5) (sui generis) provided the development, either alone or cumulatively with other A4 and A5 similar uses in the frontage, does not have an adverse impact on local amenity, including as a result of fumes, noise, hours of operation or the visual impact of ducting; or
- iii. The proposal is for a leisure or community use which accords with policy DM29-CD3.

3. In all cases, proposals should establish or retain an 'active frontage' to the street.

#### Reason for change

This policy merges DM27 and DM28 into a single policy for ease of reference.

Use classes are amended to reflect latest Use Class Order.

Minor amendments based on DM feedback.

EDNS evidence suggests continued balanced approach for primary frontages and that current secondary frontages approach is robust.

#### Further work to do

Review defined Primary and Secondary Frontages to ensure they remain fit for purpose.

### CD3: Leisure and community uses

9.49 Allowing for a variety of leisure uses to meet growing and diversifying indoor leisure needs as well as more community uses such as health centres, creches and community uses within the defined centres will add to their diversity, providing centralised services and facilities, and will extend both their appeal and periods of activity throughout the day. Encouraging and supporting these types of uses could also increase the prospects of vacant premises being brought into use. It is important that where such proposals are located within defined centres, they are designed in such a way that establishes or maintain an 'active frontage' onto the street. This means creating interest and activity, and engaging those in the street, often through the use of glazing, as opposed to blank walls or fences.

9.50 Outside of the defined centres, leisure and community uses may also be appropriate to meet local needs, however it will be important that such proposals are sustainably located and accessible by public transport.

#### Policy CD3: Leisure and community uses

1. Proposals for leisure uses (Class D2) and community uses (Class D1 E) in the town which meet the following criteria will be permitted are supported where:
  - i. The development, including in combination with any similar uses in the locality, does not have a significant adverse impact on local amenity, including as a result of noise and hours of operation; and
  - ii. The proposal established or retains a An 'active frontage' to the street is established or maintained wherever possible, particularly where the development is within a defined town, district or local centre as defined by policy SP11 (c).

2. Where the development is proposed outside of a defined town, district or local centre, it should be easily accessible by sustainable transport modes.

**Reason for change**

This policy updates DM29 based on Development Management feedback. It is now applicable to proposals for leisure and community uses anywhere in the borough, compared to previously policy DM29, which referred only to leisure and community uses within the town centre.

Furthermore, the policy has been updated to accurately reflect the changes that have occurred to the Use Class Order<sup>19</sup> in September 2020.

**Further work to do**

None identified at this stage.

CD4: Accommodation for rural workers

9.51 The NPPF 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.

**Policy CD4: Accommodation for Rural Workers**

1. Proposals to site a caravan or other form of temporary housing accommodation for ~~an agricultural or forestry~~ a rural worker outside of the settlement boundaries as defined on the policies map which meet the following criteria will be permitted:
  - i. The dwelling and its siting ~~on an agricultural or forestry holding~~ are essential for the efficient development and running of the enterprise there;
  - ii. The need is for accommodation for a full time worker;
  - iii. There is clear evidence, such as a business plan, that the enterprise has been planned on a sound financial basis and that there is a firm intention and ability to develop it;
  - iv. No other housing accommodation is already available locally to meet the need;
  - v. The necessary accommodation cannot be provided by the conversion of a building on the holding; and
  - vi. The necessary accommodation would be sited with any farmstead or other group of rural buildings on the holding.
  
2. Where a temporary planning permission is granted for a dwelling, the council will:
  - i. Limit the permission to a term of no more than 3 years;
  - ii. Limit the occupation of the accommodation to a person solely or mainly working, or last working in the locality in ~~agricultural or forestry~~ a rural occupation, or a widow or widower of such a person and to any resident dependants;
  - iii. Require the removal of the temporary accommodation within 3 months after the expiry of the permission; and

<sup>19</sup> Town and Country Planning (Use Classes) Order 1987 (as amended)

iv. 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.

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

- i. There is a clearly established existing functional need for the dwelling;
- ii. 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;
- iii. 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;
- iv. 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
- v. 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.

4. The council will limit the occupation of any dwelling to a person solely or mainly working, or last working, in the locality in ~~agricultural or forestry~~ **a rural occupation**, or a widow/widower of such a person, and to any resident dependents.

In addition to the above criteria, account should be taken of the Kent Farmsteads Guidance and the Kent Downs AONB Farmstead Guidance.

#### Reason for change

Feedback from the Development Management Team has resulted in minor wording amendments to policy DM34, broadening the scope of the policy to allow for workers in other rural occupations such as dog kennelling or fisheries.

#### Further work to do

None identified at this time.

#### CD5: Live-work units

9.52 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.” 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. Usually this workspace is an office space, but the work element of live/work could conceivably include small scale light industrial use. In some instances, it might include uses such as a treatment room for an alternative health practitioner, or an artists’ studio.

9.53 As we adapt to different ways of working, with increased levels of homeworking, this policy sets out detailed criteria around the construction of a purpose built live-work unit.

#### Policy CD5: Live-work units

1. The construction of new-build live-work units will be restricted to the defined urban area, **garden settlements**, 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.

#### Reason for change

Minor wording amendments to the policy to include reference to Garden Settlements.

#### Further work to do

None identified at this time.

## CD6: New agricultural buildings and structures

9.54 The NPPF 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.

9.55 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 2015. 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.

9.56 This policy sets out the Council's approach to assessing applications for agricultural buildings and structures, where planning permission is required.

### Policy CD6: New agricultural buildings and structures

1. Proposals for new agricultural buildings or structures on land in use for agricultural trade or business which meet the following criteria will be permitted:
  - i. The proposal is **proportionate and** necessary for the purposes of agriculture;
  - ii. The proposal would not have an **adverse unacceptable** impact on the amenity of existing residents; and
  - iii. 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.
  
2. In the case of ~~polytunnel~~ developments **for structures such as polytunnels or Cravo greenhouses**, in addition to the above criteria, the council will expect proposals to address the following issues:
  - i. How surface water run-off will be dealt with and controlled **within the boundaries of the site**;
  - ii. The inclusion of a rotation programme for the covering/uncovering of the structures/frames, which explores the possibility of following the seasons; and
  - iii. The inclusion of a programme for the maintenance and enhancement of existing field margins in the interests of encouraging biodiversity.

#### Reason for change

Feedback from the Development Management Team has resulted in minor wording amendments to the policy

#### Further work to do

None identified at this time.

## CD7: Expansion of existing businesses in rural areas

9.57 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, further supporting a prosperous rural economy. 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.

<b>Policy CD7: Expansion of existing businesses in rural areas</b>
<p>1. Planning permission will be granted for the sustainable growth and expansion of rural businesses in the rural area where:</p> <ul style="list-style-type: none"><li>i. New buildings <b>and proposed access thereto</b> are <del>small</del> <b>appropriate</b> 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;</li><li>ii. The increase in floorspace would not result in unacceptable traffic levels <b>or types</b> on nearby roads or a significant increase in use of an existing substandard access;</li><li>iii. The new development, together with the existing facilities, will not result in an unacceptable <del>loss in</del> <b>impact on</b> 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; and</li><li>iv. No open storage of materials will be permitted unless adequately screened from public view throughout the year.</li></ul>
<p>2. Where significant adverse impacts on the rural environment and amenity would result from expansion, rural businesses requiring expanded premises should look to relocate to one of the Economic Development Areas identified in policy SP22 <b>SP11(a), SP11(d)</b>, or to a site within Maidstone urban area or one of the rural service centres.</p>
<b>Reason for change</b>
Feedback from the Development Management Team has resulted in minor wording amendments to the policy
<b>Further work to do</b>
None identified at this stage

## CD8: Farm shops in the countryside

9.58 The creation and expansion of rural businesses can contribute towards a prosperous rural economy. However, whilst promoting a strong rural economy, the NPPF also recognises the intrinsic character and beauty of the countryside, which is a valuable asset. Retail development in the countryside, if not strictly managed, can also run counter to the objectives of sustainable development, by creating additional journeys to rural locations and potentially impacting on village

shops. It is therefore necessary to limit 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.

**Policy CD8: Retail units Farm shops in the countryside**

1. Proposals involving retail sales of fresh produce at the point of production (or originating from the farm holding) outside defined settlement boundaries as defined on the policies map which meet the following criteria will be permitted:
  - 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;
  - iii. The proposal would not demonstrably damage the viability of district centres and village shops; and
  - iv. Re-use or adapt appropriate farm buildings where they are available; new buildings will only be considered exceptionally.
  
2. In granting planning permission for farm shops, the council may impose conditions and/or S106 obligations 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.

**Reason for change**

Feedback from the Development Management Team has resulted in minor wording amendments to the policy and its title.

**Further work to do**

Further clarification required for:

Point 1 (i) what is 'significant' e.g. over 50%?

Point 1 (ii) "...would not exceed a minimal level". What is a minimal level?

**CD9: Equestrian development**

9.59 Horse riding remains a popular leisure activity in the borough. The NPPF 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. Where 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. This policy sets out the criteria for equestrian development, where planning permission is required.

**Policy CD9: Equestrian development**

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

- i. The conversion of existing buildings would be used in preference to new built development;
- ii. 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;
- iii. The cumulative impact of the proposed equestrian development has been shown to be considered, and where appropriate this has been mitigated;
- iv. All new development is of a design which is sympathetic to its surroundings in terms of scale, materials, colour and details;
- v. Proposals will include lighting only where it can be proven to be necessary;
- vi. The proposal is accompanied by an integral landscaping scheme including boundary treatments which reflect the landscape character of the area;
- vii. The proposal contains an appropriately sited and designed area for the reception of soiled bedding materials and provision for foul and surface water drainage;
- viii. Adequate provision is made for the safety and comfort of horses in terms of size of accommodation and land for grazing and exercising;
- ix. The site would have easy access to bridleways and/or the countryside; and
- x. 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.

#### Reason for change

No changes to this policy are proposed.

#### Further work to do

None identified at this time.

## Tourism, leisure and recreation

9.60 The NPPF recognises the importance of sustainable tourism and leisure developments in supporting a prosperous rural economy. Maidstone borough is fortunate to have a strong rural tourism offering, with agriculture, viticulture, countryside and river recreation opportunities. These policies aim to support the vitality of the rural tourism, leisure and recreation industry whilst balancing the need to protect the intrinsic characteristics of the countryside that make it an attractive place to visit.

### TLR1: Mooring facilities and boat yards

9.61 Mooring facilities and boatyards can provide tourism and recreation facilities which can contribute positively towards the economy. 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.

#### Policy TLR1: Mooring facilities and boat yards

1. Proposals for ancillary riverbank development associated with 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;
  - iii. Watlington;
  - iv. East Farleigh;
  - v. Yalding; and
  - vi. Stoneham;And provided that 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 through provision of 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.

#### Reason for change

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.

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

Feedback from the Development Management Team has resulted in minor wording amendments to the policy, to make it clear that the actual mooring of rivercraft is controlled by the Environment Agency. It is only the ancillary riverbank development that may require planning permission from the local authority.

#### Further work to do

None identified

#### TLR2: Holiday lets, caravan and camp sites

9.62 With such a diverse rural tourism offer, it is important to provide alternative, diverse forms of accommodation to encourage visitors to stay for extended periods of time in the borough. However, the provision of tourist facilities must be balanced against the need to recognise the quality of the countryside for the sake of its intrinsic character and beauty. Proposals must also accord with the criteria set out under SP14 in relation to Areas of Outstanding Natural Beauty and Green Belt.

#### Policy TLR2: Holiday lets, caravan and camp sites

1. Proposals for sites for the stationing of holiday lets, 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; and
  - 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 dwelling.

#### Reason for change

Feedback from the Development Management Team has resulted in minor wording amendments to the policy.

#### Further work to do

Investigate the possibility of requiring a register of lettings to be kept and submission of a business plan to demonstrate long term viability as part of the policy.

#### Reasoned justification

9.63 The following section outlines the reasoned justification for the nine commercial development policies and two tourism, leisure and recreation policies. The reasoned justification is evidence to show what evidence and policy has been considered in drawing together the preferred approaches outlined in each policy.

Information source	Relevant information summary
Maidstone Strategic Plan	<ul style="list-style-type: none"><li>• <b>Embracing growth and enabling infrastructure</b> – leading masterplanning and investing to bring about high-quality jobs, intervening where necessary in the market to deliver key employment sites.</li><li>• <b>A thriving place</b> – Maidstone is the Business Capital of Kent; we will continue to grow our local economy with high employment, good local</li></ul>

Information source	Relevant information summary
	<p>jobs and thriving local business. A vibrant leisure and culture offer, enjoyed by residents and attractive to visitors. Reviewing and delivering leisure and cultural services that meet future needs e.g. sports facilities.</p>
<p><b>Policy and Legislation</b></p>	<ul style="list-style-type: none"> <li>• <b>Planning and Compulsory Purchase Act 2004</b> – basis for making local plans and relevant requirements for producing plans; duty to cooperate requirements; and requirements for sustainability appraisals</li> <li>• <b>Localism Act 2011</b> – introduced the duty to Cooperate</li> <li>• <b>Town and Country Planning (Local Planning) (England) Regulations 2012</b> – prescribes the general form and content of local plans, policies maps, monitoring reports, the process for preparing local plans, the requirement to review local plans, consultation/notification, public participation, and examination.</li> <li>• <b>Environmental Assessment of Plans and Programmes Regulations 2004</b> – sustainability appraisals incorporate the requirements of these regulations</li> <li>• <b>NPPF</b> – defines ‘main town centre uses’. This definition includes offices, for which the evidence base suggests floorspace is required in the borough. States that policies should: set criteria, or identify strategic sites, for local inward investment to match the strategy and meet anticipated needs; be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.</li> <li>• In supporting a prosperous rural economy, policies should enable: the sustainable growth and expansion of all types of business in rural areas – through conversion and well-designed new buildings; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside; and the retention and development of accessible local services and community facilities.</li> <li>• Recognise that sites to meet local business needs in rural areas might be located adjacent to or beyond existing settlements.</li> <li>• <b>PPG</b> – Promote a positive vision for town centres; wide range of complementary uses can help to support the vitality of town centres; define the extent of the primary shopping area; may also wish to define primary and secondary retail frontages where their use can be justified in supporting the vitality and viability of the town centre; sequential testing can be used to support town centre viability and vitality by making town centres a priority.</li> <li>• <b>GPDO</b> – Permitted Development rights allow</li> <li>• <b>Use Class Order</b> – This was updated in September 2020, removing Use Classes ‘A’ (retail) and ‘D’ (community and leisure), as well as B1 (offices). These are now grouped under new Use Classes ‘E’ and ‘F’.</li> </ul>
<p><b>Evidence Base</b></p>	<ul style="list-style-type: none"> <li>• <b>South East LEP</b> – Economic Strategy Statement (2018)</li> <li>• The <b>Economic Development Needs Study (EDNS) 2020</b> provides the quantum of employment (B Use Classes) and retail (A Use Classes) floorspace likely to be required over the plan period to 2037. It also reviews existing employment/mixed use allocations and Economic</li> </ul>

Information source	Relevant information summary
	<p>Development Areas in the borough and proposes a lower floorspace threshold for applying the Impact Assessment. This was completed by April 2020 and will need to be refreshed in light of the impacts of Covid-19 and updated to reflect the changes to the Use Class Order, effective September 2020.</p> <ul style="list-style-type: none"> <li>• <b>Maidstone Economic Development Strategy (2015)</b> sets out the economic vision for the borough to 2031 and identifies five priorities to capitalise on the borough’s economic assets and to create the right conditions for growth. This is currently being reviewed; the updates of which will need to feed into the Regulation 19 draft LPR.</li> <li>• <b>Town Centre Article 4 Directions (SPI 10.09.2019)</b> - Non-Immediate Article 4 Directions were made on 14 town centre sites to remove permitted development rights on office to residential development.</li> <li>• <b>Settlement hierarchy matrix</b></li> </ul>
<p><b>Regulation 18a feedback summary</b></p>	<ul style="list-style-type: none"> <li>• Support for a holistic approach to housing, infrastructure and community facilities, with mixed residential, commercial and leisure buildings supported as a priority in the town centre</li> <li>• Support allocation of sustainable sites, not only within settlement boundaries, but adjacent or close to town centres</li> <li>• Ensure community facilities/ infrastructure is provided in conjunction/before new developments are built</li> <li>• More local facilities to reduce the need to travel to larger towns</li> <li>• Support for community and retail facilities for all ages and within walking distance</li> <li>• Ensure sufficient commercial land is retained in the town centre</li> <li>• Recognise that leisure and tourism are increasingly key to supporting socio-economic well-being of rural areas</li> <li>• Invest more in the town centre to combat their decline</li> <li>• Make Town Centre sites more accessible by main roads, public transport and cycle routes</li> <li>• By protecting and enhancing Maidstone Town Centre, which should be the focus for new development. This will ensure that local economic growth benefits everyone</li> <li>• Suggestion that retail developments should not be located to out of town sites, due to increase in private vehicle use to access them. Therefore, supports town centre first approach</li> <li>• Support for flexible tourism policies to meet the changing demands of tourism industry</li> <li>• Encourage mixed use developments in the town centres and edge of centres</li> <li>• Reduce traffic and improve public transport will help sustain our town and local centres</li> <li>• Make sure new developments have resilient infrastructure to deal with population growth, climate change</li> </ul>
<p><b>Development Management feedback summary</b></p>	<ul style="list-style-type: none"> <li>• <b>DM7</b> – policy repeats other policies in the plan.</li> <li>• <b>DM16</b> – Overlap between DM16, DM20 and DM29 – look to avoid repetition.</li> </ul>

Information source	Relevant information summary
	<ul style="list-style-type: none"> <li>• <b>DM17</b> – Policy should focus on vibrancy and community focus in centre.</li> <li>• <b>DM26</b> – Actual mooring is controlled by the Environment Agency. it is only the ancillary riverbank development that may require planning permission.</li> <li>• <b>DM29</b> – ‘active frontage’ – should be defined or explained. Overlap between DM16, DM20 and DM29 – look to avoid repetition. Policy should address leisure and community uses across borough, not just town centre and should ensure sites are accessible by sustainable modes to the relevant communities or catchment area.</li> <li>• <b>DM34</b> – helpful to set out what evidence is required by the policy, for example a business plan. The policy needs to be more general and cover ‘rural’ workers rather than just agricultural workers.</li> <li>• <b>DM35</b> – Policy rarely used.</li> <li>• <b>DM36</b> – Minor wording amendments proposed. Expand reference to polytunnels to include other structures such as Cravo greenhouses.</li> <li>• <b>DM37</b> – Minor wording amendments proposed.</li> <li>• <b>DM38</b> –Expand to include holiday lets. Minor wording amendments proposed. Should investigate setting out the need for a register of lettings to be kept and submission of a business plan to demonstrate long term viability.</li> <li>• <b>DM40</b> – Suggest the title should refer to farm shops. Minor wording amendments proposed. Further clarification/definition of some of the policy criteria would be useful.</li> </ul>
<b>Authority’s Monitoring Report indicators</b>	<ul style="list-style-type: none"> <li>• <b>M8:</b> Prior notification office to residential conversions in the town centre</li> <li>• <b>M18:</b> Total amount of B class employment floorspace consented/completed by type per annum</li> <li>• <b>M19:</b> Amount of B class floorspace by type consented/completed within Economic Development Areas per annum</li> <li>• <b>M20:</b> Amount of B class floorspace by type consented/completed on allocated sites per annum</li> <li>• <b>M21:</b> Amount of land/floorspace within Economic Development Areas and allocated sites and elsewhere lost to non B class uses</li> <li>• <b>M22:</b> Percentage unemployment rate</li> <li>• <b>M23:</b> Number of jobs in the Borough</li> <li>• <b>M24:</b> Amount of additional comparison and convenience retail floorspace consented/completed per annum</li> <li>• <b>M25:</b> Amount of convenience and comparison retail floorspace consented/completed on allocated sites per annum</li> <li>• <b>M26:</b> Proportion of non-A1 uses in primary shopping frontages</li> <li>• <b>SA9:</b> Difference in levels of deprivation between the most and least deprived areas</li> <li>• <b>SA19:</b> Number of visits to the Borough</li> <li>• <b>SA40:</b> Total amount of additional floorspace by type</li> </ul>
<b>Duty to Cooperate</b>	Employment and retail and leisure are strategic cross-boundary issues as defined by the NPPF. The issues of quantity, type and location of commercial development in the borough are considered through the strategic, spatial

Information source	Relevant information summary
	policies section of this LPR. The non-spatial elements of employment, retail and leisure are not strategic and whilst we will engage with key stakeholders under the duty to cooperate it is not expected that the issues dealt with under this section are cross-boundary in nature.

## Sustainable transport

### Introduction

9.64 The promotion of sustainable transport is a key part of national policy and guidance. NPPF section 9 ‘Promoting sustainable transport’ sets out that transport issues should be considered ‘from the earliest stages of plan-making’. This consultation has considered the strategic level drivers for the sustainable transport in Policy SP12. This policy adds further detail to SP12 through specifically looking at the following areas:

- Air quality;
- Transport assessment;
- Park & ride; and;
- Parking standards.

### Preferred approaches

#### TRA1: Air Quality

9.65 Pollution due to dust and poor air quality, resulting from either existing sites or proposed developments, has the potential to adversely affect human health and the environment in Maidstone Borough. It is recognised that planning can play an important role in improving air quality and reducing individuals’ exposure to air pollutants. Whilst planning cannot solve existing air quality issues, it can ensure that any likely impacts are effectively mitigated. It is therefore essential that these issues are adequately assessed through the development management process.

#### Policy TRA1: Air Quality

1. ~~Proposals that have an impact~~ Impact **of new development** on air quality will be permitted ~~subject to the following criteria being met:~~ **assessed against the**
  - i. Proposals for development which have the potential, by virtue of their scale, nature and/or location, to have a negative impact on air quality at identified exceedance areas, as defined through the Local Air Quality Management process, will be required to submit an Air Quality Impact Assessment (AQIA) to consider the potential impacts of pollution from individual and cumulative development, and to demonstrate how the air quality impacts of the development will be mitigated to acceptable levels;
  - ii. Proposals for development which have the potential, by virtue of their scale, nature and/or location, to have a significant negative impact on air quality within identified Air Quality Management Areas will be required to submit an AQIA to consider the potential impacts of pollution from individual and cumulative development, and to

<p>demonstrate how the air quality impacts of the development will be <b>effectively</b> mitigated to acceptable levels, even where there will be no negative impact at identified exceedance areas;</p> <p>iii. Other development proposals, where criteria 1 and 2 do not apply, but which by virtue of their scale, nature and/or location have the potential to generate a negative impact on air quality within identified Air Quality Management Areas will not be required to submit an AQIA, but should demonstrate how the air quality impacts of the development will be minimised; and</p> <p>iv. Development proposals which have the potential, by virtue of their scale, nature and/or location, to have a significant negative impact on air quality outside of identified Air Quality Management Areas will submit an AQIA to consider the potential impacts of pollution from individual and cumulative development, and to demonstrate how the air quality impacts of the development will be mitigated to acceptable levels.</p> <p>2. <del>The council will prepare an Air Quality Development Plan Document which will take account of the AQMA Action Plan, the Low Emission Strategy and national requirements to address air quality.</del></p>
<p><b>Reason for change</b></p>
<p>This policy updates DM6, incorporating feedback from Development Management.</p>
<p><b>Further work to do</b></p>
<p>None identified at this stage.</p>

TRA2: Assessing the transport impacts of development

9.66 New developments have the potential to generate a considerable number of vehicular and pedestrian trips which in turn can have both direct and cumulative impacts on the transport network. Improvements to public transport, walking, cycling and highway infrastructure may be required to mitigate identified impacts to ensure the increase in trips generated will not lead to severe residual transport impacts.

<p><b>Policy TRA2: Assessing the transport impacts of development</b></p>
<p>1. Development proposals must:</p> <p>i. Demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent <b>severe</b> residual impacts, including exploration of delivering mitigation measures ahead of the development being occupied <b>provided such measures are not detrimental to appearance or character of the area</b>, particularly those measures which seek to encourage an increased utilisation of sustainable transport modes;</p> <p>ii. <b>Not have a detrimental impact on highway safety;</b></p> <p>iii. Provide a satisfactory Transport Assessment for proposals that reach the required threshold and a satisfactory Travel Plan in accordance with the threshold levels set by <b>the Borough Council's Local Validation Checklist</b>, Kent County Council's Guidance on Transport Assessments and Travel Plans and in Highways England guidance; and</p>

- iv. Demonstrate that development complies with the requirements of policy DM6 [TRA1](#) for air quality;
  - v. **Prioritise walking and cycling; and;**
  - vi. Demonstrate that development complies with standards set out in the Kent Design Guide
2. Proposals for major development will be permitted if adequate provision is made, where necessary and appropriate, within the overall design and site layout for the following facilities for public transport secured through legal agreements:
- i. Priority or exclusive provision for public service vehicle access to or through the proposed development area;
  - ii. Safe and convenient passenger waiting facilities, information systems and signed pedestrian access routes;
  - iii. Suitable provision for disabled access to the waiting facilities from all parts of the development area; and
  - iv. Suitable provision for disabled access onto buses from the waiting facilities.
3. Proposals for major development will be permitted if adequate provision is made, where necessary and appropriate, within the overall design and site layout for the following facilities for active travel secured through legal agreements:
- i. Priority given first to pedestrian and cycle movements both within the development and with neighbouring areas
  - ii. Suitable connections made from the development into local cycle routes.

**Reason for change**

Feedback from the Public Health Team and Transport Planner....

**Further work to do**

None identified at this stage.

TRA3: Park and Ride

**Policy TRA3: Park & Ride Sites**

The following sites, as defined on the policies map, are designated bus Park and Ride sites:

- i. London Road (to serve the A20 west corridor); and
- ii. Willington Street (to serve the A20 east corridor).

**Reason for change**

No changes made to this policy.

**Further work to do**

Investigate the potential for further P&R sites to be delivered as part of the LPR ITS. Bluebell Hill, specifically, is a potential viable scheme

#### TRA4: Parking Standards

9.67 The NPPF gives local planning authorities an option to develop their own vehicle parking standards. The council adopts a flexible approach to minimum and maximum parking standards to reflect local circumstances and the availability of alternative modes of transport to the private car. It also seeks to encourage innovative designs that can sufficiently demonstrate that a provision lower than the minimum standard is feasible and would not have an unacceptable adverse impact on the surrounding locality.

9.68 The below policy sets criteria for vehicle parking standards including the incorporation of electric vehicle charging infrastructure, to ensure that new development provides adequate off-street parking to accommodate the need generated by the development and to protect the surrounding area from inappropriate vehicle parking.

9.69 Electric vehicle infrastructure has been included for two reasons. The emerging growth in this vehicle market.<sup>20</sup> Secondly new national Government policy towards electric vehicles.<sup>21</sup>

9.70 For clarification of the below policy Electric Vehicle charging infrastructure can take the form of either active or passive provision. Active provision is the installation of fully wired and connected charging points which meets the immediate and short term need for Electric Vehicle infrastructure. Passive provision provides the necessary underlying infrastructure, for example the capacity to be connected to the electricity network on a space by space basis through the provision of ducting. Such passive provision allows for the futureproofing of new development so that it will be able to meet the need for emerging demand, and also allows for a flexible approach to account for future changes to technology.

#### Policy TRA4: Parking Standards

1. Car parking standards for residential development (as set out in Appendix B) will:
  - i. Take into account the type, size and mix of dwellings and the need for visitor parking; and
  - ii. Secure an efficient and attractive layout of development whilst ensuring that appropriate provision for vehicle parking **and manoeuvring** is integrated within it.
2. Vehicle parking for non-residential uses (**as set out in SPG4**) will take into account:
  - i. The accessibility of the development and availability of public transport;
  - ii. The type, mix and use of the development proposed;
  - iii. The need to maintain an adequate level of car parking within town centres to ensure that viability of the centres is not compromised; and

<sup>20</sup> Department for Transport (2020) Vehicle Licensing Statistics: Annual 2019

<sup>21</sup> Joint Air Quality Unit (2017) UK plan for tackling roadside nitrogen dioxide concentrations

- iv. Whether development proposals exacerbate on street car parking to an unacceptable degree.
3. Cycle parking facilities on new developments will be of an appropriate design and sited in a convenient, safe, secure and sheltered location, in line with SPG4 requirements.
  4. New developments should ensure that proposals incorporate electric vehicle charging infrastructure as follows:
    - i. New residential dwellings with off street parking provision shall provide active Electric Vehicle charging points at a minimum of 1 per dwelling.
    - ii. Proposals for residential development which includes the provision of communal parking shall provide electric vehicle infrastructure at a rate of 10% active Electric Vehicle charging points, and 90% passive Electric Vehicle charging points.
    - iii. Proposals for non-residential development which includes the provision of parking shall provide electric vehicle charging points at a minimum rate of 10% active Electric Vehicle charging points and 10% passive Electric Vehicle charging points.

A Parking Standards Supplementary Planning Document will be produced to expand on how the policy will be implemented.

**APPENDIX B**

Location	Town centre	Edge of centre	Suburban	Suburban edge/ village/ rural
On-street controls	On-street controls preventing all (or all long stay) parking	On-street controls, resident's scheme and/or existing saturation (Note 3)	No, or very limited, on-street controls	No on-street controls, but possibly a tight street layout
Nature of guidance	Maximum (Note 1)	Maximum	Minimum (Note 6)	Minimum (Note 6)
1 & 2 bed flats	1 space per unit	1 space per unit	1 space per unit	1 space per unit
Form	Controlled (Note 2)	Not allocated	Not allocated	Not allocated
1 & 2 bed houses	1 space per unit	1 space per unit	1 space per unit	1.5 spaces per unit
Form	Controlled (Note 2)	Allocation possible	Allocation possible	Allocation of one space per unit possible

3 bed houses	1 space per unit	1 space per unit	1.5 spaces per unit	2 independently accessible spaces per unit
Form	Controlled (Note 2)	Allocation possible	Allocation of one space per unit possible	Allocation of one or both spaces possible
4+ bed houses	1 space per unit	1.5 spaces per unit	2 independently accessible spaces per unit	2 independently accessible spaces per unit

Notes:

1. Reduced, or even nil provision is encouraged in support of demand management and the most efficient use of land.
2. Parking/garage courts, probably with controlled entry.
3. Reduced, or even nil provision acceptable for rented properties, subject to effective tenancy controls.
4. Open car ports or car barns acceptable at all locations, subject to good design.
5. May be reduced where main provision is not allocated. Not always needed for flats.
6. Lower provision may be considered if vehicular trip rate constraints are to be applied in connection with a binding and enforceable Travel Plan.
7. Best provided side by side, or in another independently accessible form. Tandem parking arrangements are often under-utilised.

**Reason for change**

This policy updates DM23 and incorporates feedback from KCC highways and now includes criteria relating to the provision of electric vehicle charging infrastructure.

**Further work to do**

Investigate the potential to define different location typologies, similar to the London Plan, as follows:

**Central** – areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.

**Urban** – areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two

to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes

**Suburban** – areas with predominantly lower density development such as, for example, detached and semi-detached houses, predominantly residential, small building footprints and typically buildings of two to three storeys

### Reasoned justification

9.71 The following section outlines the reasoned justification for the four sustainable transport policies. The reasoned justification is evidence to show what evidence and policy has been considered in drawing together the preferred approaches outlined in each policy.

Information source	Relevant information summary
<p><b>Maidstone Strategic Plan</b></p> <p><b>Policy &amp; Legislation</b></p>	<ul style="list-style-type: none"> <li>• <b>Safe, Clean and Green:</b> Improving air quality</li> <li>• Environmental Assessment of Plans and Programmes Regulations 2004 – sustainability appraisals incorporate the requirements of these regulations</li> <li>• Climate Change Act 2008 – target to reduce the UK’s greenhouse gas emissions by at least 100% by 2050 from 1990 levels (34% by 2020)</li> <li>• Environment Bill 2020 – provide a framework for setting legally binding targets in four priority areas of air quality; waste and resource efficiency; water; and nature.</li> <li>• NPPF – planning policies should support appropriate mixes of land use types, particularly within larger scale development sites to minimise the number and length of vehicle trips; work closely with local highways authorities and other stakeholders to align strategies and investments in relation to transport infrastructure; identify and protect sites and routes which have evidenced potential to play a critical role in the development of enhanced travel options and in unlocking the potential of large-scale developments through the provision of transport infrastructure; providing high quality walking and cycling infrastructure; have consideration for transport issues early in the plan making process; plans and decisions to contribute positively towards relevant objectives for pollutants, taking into account the presence of AQMA and Clean Air Zones as well as cumulative impacts of individuals sites</li> <li>• NPPG – that consideration of air quality issues at the plan-making stage can ensure a strategic approach to air quality and help secure net improvements in overall air quality where</li> </ul>

	possible; looks at air quality impacts of new developments and the mitigation that might be appropriate
<b>Evidence Base</b>	<ul style="list-style-type: none"> <li>• MBC Low Emission Strategy (December 2017)</li> <li>• Air Quality Assessment: Technical Note</li> <li>• Transport Modelling Draft Technical Note</li> <li>• Jacobs air quality modelling Technical Note and existing AQMA...</li> <li>• Kent &amp; Medway Energy &amp; Low Emissions Strategy (KMELES – June 2020)</li> <li>• Kent Active Travel Strategy (2017)</li> <li>• Climate Change and Biodiversity Strategy</li> <li>• Joint Air Quality Unit (2017) UK plan for tackling roadside nitrogen dioxide concentrations</li> </ul>
<b>Regulation 18a feedback summary</b>	<ul style="list-style-type: none"> <li>• Ensure roads, infrastructure and public transport are delivered in conjunction with new developments</li> <li>• Investment in public transport and road infrastructure to reduce traffic and meet demands of various locations.</li> <li>• Have regard to the Maidstone AQMA by not developing in certain areas</li> <li>• Ensure new developments are located near public transport</li> <li>• Focus on transport, highways, and parking.</li> <li>• Public transport needs to be more environmentally sustainable, cheaper and have a more frequent service.</li> <li>• Minimise vehicular transport requirements and maximise access to public transport.</li> <li>• Encourage the use of electric vehicles in both public transport and private car use (green transport)</li> <li>• Promote and improve sustainable modes of transport (walking/cycling/public transport)</li> <li>• Address housing targets i.e. improving air quality and housing growth are incompatible objectives</li> </ul>
<b>Development Management feedback summary</b>	<ul style="list-style-type: none"> <li>• <b>DM6</b> – Minor amendments to policy wording proposed.</li> <li>• <b>DM21</b> – Minor amendments to policy wording proposed.</li> <li>• <b>DM23</b> – Minor amendments to policy wording proposed.</li> </ul>
<b>Authority's Monitoring Report indicators</b>	<ul style="list-style-type: none"> <li>• <b>M41:</b> Progress in achieving compliance with EU Directive/national regulatory requirements for air quality within the Air Quality Management Area (AQMA)</li> <li>• <b>M42:</b> Applications accompanied by an Air Quality Impact Assessment (AQIA) which demonstrate that the air quality impacts of development will be mitigated to acceptable levels</li> <li>• <b>M47:</b> Identified transport improvements associated with Local Plan site allocations</li> <li>• <b>M48:</b> Sustainable transport measures to support the growth identified in the Local Plan and as set out in the Integrated Transport Strategy and the Walking and Cycling Strategy</li> <li>• <b>M49:</b> Provision of Travel Plans for appropriate development</li> <li>• <b>M50:</b> Achievement of modal shift</li> <li>• <b>SA8:</b> Distance travelled to services</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>SA17:</b> Percentage of trips to work, school, leisure using public transport, walking and cycling</li> <li>• <b>SA25:</b> Investment in road infrastructure</li> <li>• <b>SA26:</b> CO2 emissions per capita</li> </ul>
<b>Duty to Cooperate</b>	The highways and air quality modelling work were commissioned using KCC's Kent-wide model. This has also involved input from Highways England. MBC will continue to engage with neighbouring authorities through on-going duty to cooperate meetings – both within and outside of the public consultation.

## Infrastructure

### Introduction

9.72 The timely delivery of infrastructure is critical in ensuring truly sustainable growth. This consultation has considered the strategic level drivers for the infrastructure delivery in Policy SP13. This section adds further detail to SP13 through specifically looking at the following areas:

- Publicly accessible open space;
- Community facilities;
- Digital communications; and
- Utilities, specifically renewable and low carbon energy schemes

9.73 Matters relating to other infrastructure provision such as public realm and transport are detailed under their separate relevant thematic sections.

### Preferred approaches

#### INF1: Publicly accessible open space and recreation

9.74 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 wellbeing 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 NPPF encourages the provision and retention of high-quality open spaces, a stance that the council supports.

9.75 The council will seek to secure publicly accessible open space provision for new housing and mixed use development sites, in accordance with quantity, quality and accessibility standards set out in the below policy.

#### Policy INF1: Publicly accessible open space and recreation

1. For new housing or mixed-use development sites, the council will seek to deliver the following quantum of each category of publicly accessible open space provision in accordance with the specified standards [below](#):

#### Quantity standards

Open space type	Standard (ha/1000 population)	Minimum size of facility (ha)
Amenity green space (e.g. informal recreation spaces, recreation grounds, village greens, urban parks, formal gardens and playing fields)	0.7	0.1
Provision for children and young people (e.g. equipped play areas, ball courts, outdoor basketball hoop areas, skateboard parks, teenage shelters and "hangouts")	0.25	0.25 excluding a buffer zone <sup>(*)</sup>

Publicly accessible outdoor sports (e.g. outdoor sports pitches, tennis, bowls, athletics and other sports)	1.6	To meet the technical standards produced by Sport England or the relevant governing bodies of sport.
Allotments and community gardens (e.g. land used for the growing of own produce, including urban farms. Does not include private gardens)	0.2	0.66
Natural/semi-natural areas of open space (e.g. woodlands, urban forestry, scrub, grasslands, wetlands, open and running water, banks to rivers, land and ponds, wastelands, closed cemeteries and graveyards)	<u>6.5-0.2 Make a contribution towards maintaining the borough-wide target of 6.5 Ha of natural/ semi-natural open space per 1,000 head of population.</u>	

\* but in cases where accessibility to children's and young people's provision is poor, for example outside a reasonable walking distance or where the crossing of major roads is necessary, smaller areas of open space may be justified on-site.

### Quality Standards

2. All new open spaces should meet the following general standards:

- a. Be designed as part of the green infrastructure network in a locality, contributing to local landscape character, connecting with local routes and green corridors for people and wildlife as well as providing multi-functional benefits such as addressing surface water management priorities;
- b. Be designed to encourage physical activity to improve mental well-being & health inequalities;
- c. Provide a location and shape for the space which allows for meaningful and safe recreation and be sufficiently overlooked by active building frontages;
- d. Be easily found and accessible by road, cycleway, footpaths and public transport including by those with disabilities, with pedestrian crossings on roads where appropriate;
- e. Make the entrances accessible for all users, of appropriate size and inviting with a welcoming sign and directions/map where appropriate;
- f. Provide clearly defined boundaries with fences or hedges where needed to ensure safety of users;
- g. Where appropriate provide interest and activities for a wide range of users in particular meeting the needs of elderly and less able users as well as children, young people and families;
- h. Where appropriate provide seats, cycle furniture, litter bins and appropriate lighting to ensure safety of users without adversely affecting wildlife;
- i. Provide a range of planting, with appropriate mix of predominantly indigenous species, maintained to a good standard;
- j. Promote biodiversity on-site through design, choice of species and management practices;
- k. Submit an Open Space Layout and Design statement, to incorporate ecological management measures for approval by the council; and

- I Provide a Management Plan with adequate resources identified for on-going management and maintenance.

In improving existing open space provision, the council will have regard to these standards.

### Accessibility Standards

3. If open space cannot be provided in full on development sites, due to site constraints, housing delivery expectations on allocated sites, or location, then provision should be provided off-site where it is within the distance from the development site identified in the accessibility standard.

Open space type	Accessibility standard (radius from open space)
Amenity green space (e.g. informal recreation spaces, recreation grounds, village greens, urban parks, formal gardens and playing fields)	400m
Provision for children and young people (e.g. equipped play areas, ball courts, outdoor basketball hoop areas, skateboard parks, teenage shelters and "hangouts")	600m
Publicly accessible outdoor sports (e.g. outdoor sports pitches, tennis, bowls, athletics and other sports)	1000m
Allotments and community gardens (e.g. land used for the growing of own produce, including urban farms. Does not include private gardens)	1000m
Natural/semi-natural areas of open space (e.g. woodlands, urban forestry, scrub, grasslands, wetlands, open and running water, banks to rivers, land and ponds, wastelands, closed cemeteries and graveyards)	300m (2ha site) 2km (20ha site) 5km (100ha site) 10km (500ha site)

4. A financial contribution in lieu of open space provision will be acceptable, provided:

- i. The proposed development site would be of insufficient size in itself to make an appropriate new provision of one or more types of open space; or
- ii. The open space cannot be accommodated on-site due to site constraints, housing delivery expectations on allocated sites or location, and alternative appropriate off-site provision cannot be identified.

5. Where it can be demonstrated that existing open space provision can either wholly or partially mitigate the impacts of development in accordance with the above standards, the council may seek a reduced level of provision or financial contribution. Developers should take full account of open space requirements at an early stage of the development management process and are encouraged to engage with the council to determine the most appropriate quantum, type and location of open space provision.

6. The council will operate the policy flexibly to secure the provision of the typologies of open

space which are most needed in the relevant area, taking account of the above standards and the suitability of the site to accommodate the identified needs.

7. Proposals for, and including, new publicly accessible open space and recreation provision will, where feasible, seek to reinforce existing landscape character, as defined in the Maidstone Landscape Character Assessment.

8. 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.

9. Proposals for new development which would result in the net loss of existing 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 when assessed against the quantity and quality standards of this policy; or
- ii. An alternative provision, determined to be of an equivalent community benefit by the Borough Council and community representatives can be provided to replace the loss.

10. In dealing with applications to develop existing open areas within the urban area, rural service centres, larger villages and other locations, 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.

The Open Space Supplementary Planning Document will contain further detail on how the policy will be implemented.

#### Reason for change

This updates policy DM19 based on DM feedback.

#### Further work to do

Potential production of open space SPD.

### INF2: Community Facilities

9.76 In order to build well functioning, sustainable communities, it is essential that adequate community facilities are provided. The NPPF emphasises the importance of creating healthy, inclusive communities, with appropriate facilities, to create attractive residential environments. 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.

#### Policy INF2: Community facilities

1. Adequate accessibility to community facilities, including social, education and other

facilities, is an essential component of new residential development.

2. 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 as appropriate by planning conditions, through legal agreements, or through the Community Infrastructure Levy.
3. Proposals which would lead to a loss of community facilities will not be permitted unless a need within the locality no longer exists or a replacement facility acceptable to the council is provided or secured.
4. 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.

#### Reason for change

This updates policy DM20. Minor amendments are based on DM feedback.

#### Further work to do

None identified at this stage

### INF3: Renewable and low carbon energy schemes

9.77 In Maidstone Borough, parts of the natural landscape features and resources mean that there is a technical suitability for the construction of renewable and low carbon energy schemes, such as solar farms, wind farms and biomass. In the longer term, opportunities for such developments may also present themselves in urban areas particularly in relation to larger development schemes.

9.78 These schemes help to reduce regional and national carbon emissions and the council considers that, in the correct locations, such proposals are a benefit to the borough as a whole. Nevertheless, they need to be appropriately sited and not conflict with landscape character or existing uses. The council is keen that, while it contributes to bringing about a low carbon future, the process of doing so should not affect the existing amenity of residents and businesses in a harmful way. Living environments should remain appropriate as such and the operation of businesses should not be impeded.

9.79 In 2020 Maidstone Borough Council adopted its Climate Change and Biodiversity Strategy. In this strategy, the council committed to exploring the potential to support partners in the delivery of Combined Heat and Power and District Heating Scheme developments across the borough. In response to this strategy MBC will support the development of Combined heat and Power and District Heating Schemes where they accord with policies elsewhere in the plan.

#### Policy INF3: Renewable and low carbon energy schemes

1. Applications for larger scale renewable (as defined by the Planning Policy Advice Note (2014): Domestic and medium scale solar PV arrays (up to 50kW) and solar thermal; and Planning Policy Advice Note: Large scale (>50kW) solar PV arrays) or low carbon energy projects will be required to demonstrate that the following have been taken into account in the design and development of the proposals:

- i. The cumulative impact of such proposals in the local area;
- ii. The landscape and visual impact of development;
- iii. The impact on heritage assets and their setting;
- iv. The impact of proposals on the amenities of local residents, e.g. noise generated;
- v. The impact on the local transport network; and
- vi. The impact on ecology and biodiversity including the identification of measures to mitigate impact and provide ecological or biodiversity enhancement.

2. Preference will be given to existing commercial and industrial premises, previously developed land, or agricultural land that is not classified as the best and most versatile.

3. Provision for the return of the land to its previous use must be made when the installations have ceased operation.

4. Proposals for district heating schemes and Combined Heat and Power and District Heating Schemes will be supported where any above ground infrastructure is acceptable on amenity and design grounds, and where such developments accord with policies elsewhere in the plan.

**Reason for change**

This updates policy DM24. New criterion to incorporate adopted Climate Change and Biodiversity Strategy (2020).

**Further work to do**

None identified at this stage

INF4: Digital Communications

9.80 Advanced, high quality communications infrastructure plays a key role in sustainable economic growth, and digital technologies have been a major driving force in influencing and shaping commerce and society in recent years. The development of high speed communication networks, including broadband, are also significant in enhancing the provision of local community facilities and services. The NPPF strongly promotes the expansion of such electronic communication networks, including telecommunications, high speed broadband, and digital services.

9.81 Whilst certain telecommunications works are not required to obtain planning permission from the local authority, it is important that where permission is required, applications can be assessed against a suitable policy.

**Policy INF4: Digital Communications and Fibre to the Premises (FTTP)**

- 1. Proposals to improve the digital communications network in Maidstone borough, including through the provision of mobile data networks (such as 5G mobile data), will be supported, subject to compliance with relevant policies in this Plan, and with national policy.

**Fibre to the premise (FTTP)**

2. All residential and employment developments within Maidstone Urban Area, RSCs, LVs and Garden Settlements, including site allocations promoted in this Plan, will enable FTTP. In other areas, all residential developments over five dwellings and employment proposals of 500sqm or more (including through conversion) will enable FTTP.
3. For schemes under these thresholds, the Council's expectation is that provision for FTTP will be achieved, where practical.

#### **Non-Next Generation Access technologies**

4. For sites of less than five dwellings or less than 500sqm of employment space, or where it can be demonstrated that FTTP is not practical due to special circumstances, (such as issues of viability, the inability to provide the appropriate physical trench, and proximity to the nearest breakout point on the fibre network), then other non-Next Generation Access technologies, including wired and wireless infrastructure, providing all-inclusive internet access speeds in excess of 24Mbps, should be delivered wherever practical.

#### **Masts and antennae**

5. ~~The Council supports the expansion of electronic communications networks, including the provision of high speed broadband.~~ Where permission is required, proposals for new masts and antennae by telecommunications and code systems operators will be ~~permitted~~ supported provided:
  - i. 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;
  - ii. It has been demonstrated that an alternative, less environmentally harmful means of providing the same service is not feasible;
  - iii. Every effort has been made to minimise the visual impact of the proposal;
  - iv. Proposals adhere to current Government advice on the health effects of exposure to radio waves; and
  - v. Consideration has been given to the future demands of network development, including that of other operators.

#### **Reason for change**

This updated DM25 to include reference to FTTP in light of latest advances in technology and investment in technology at a national level.

#### **Further work to do**

Whole plan viability work

Reasoned justification

9.82 Below is the reasoned justification for the four infrastructure policies. The reasoned justification is evidence to show what evidence and policy has been considered in drawing together the preferred approaches outlined in each policy.

Information source	Relevant information summary
<p><b>Maidstone Strategic Plan</b></p>	<p><b>Embracing Growth and Enabling Infrastructure</b></p> <ul style="list-style-type: none"> <li>- Sufficient infrastructure is planned to meet the demands of growth</li> <li>- Working with partners to get infrastructure planned, funded and delivered</li> </ul> <p><b>Safe, Clean and Green</b></p> <ul style="list-style-type: none"> <li>- Everyone has access to high quality parks and green spaces</li> <li>- Taking action against those who do not respect our public spaces, streets, green spaces and parks</li> </ul>
<p><b>Policy &amp; Legislation</b></p>	<ul style="list-style-type: none"> <li>• Planning and Compulsory Purchase Act 2004 – basis for making local plans and relevant requirements for producing plans; duty to cooperate requirements; and requirements for sustainability appraisals</li> <li>• Climate Change Act 2008 – target to reduce the UK’s greenhouse gas emissions by at least 100% by 2050 from 1990 levels (34% by 2020)</li> <li>• Town and Country Planning (Local Planning) (England) Regulations 2012 – prescribes the general form and content of local plans, policies maps, monitoring reports, the process for preparing local plans, the requirement to review local plans, consultation/notification, public participation, and examination.</li> <li>• NPPF – social objective to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being</li> <li>• NPPG – planning and health need to be considered together; open space should be taken into account in planning for new development and considering proposals that may affect existing open space; multiple benefits for people and the environment can be achievable through good design and mitigation -e.g. flood risk can be reduced, and biodiversity and amenity improved, by designing development that include permeable surfaces and other sustainable drainage systems, removing artificial physical modifications (for example, weirs and concrete channels)</li> </ul>

	and recreating natural features; good design and mitigation measures can be secured through non site-specific policies on water infrastructure and protecting the water environment
<b>Evidence Base</b>	<ul style="list-style-type: none"> <li>• IDP 2020 - <b>Complete</b></li> <li>• Infrastructure Capacity (Initial Infrastructure Feedback – LPR Growth Locations).</li> <li>• Maidstone Borough Council Playing Pitch Strategy - <b>Complete</b></li> <li>• Maidstone’s Parks &amp; Open Spaces 10 Year Strategic Plan <b>Complete</b></li> <li>• Maidstone Borough Council Draft climate change strategy/action plan</li> <li>• Landscape character assessment (2013)</li> <li>• Maidstone Borough Council Metropolitan Green Belt Review 2016</li> </ul>
<b>Regulation 18a feedback summary</b>	<p>SUMMARY:</p> <ol style="list-style-type: none"> <li>1. Meet current and future infrastructure needs through delivery before/or at time of development.</li> <li>2. Make sure new housing developments pay for the services and infrastructure needed to create a sustainable community</li> <li>3. Infrastructure component such as Broadband, EV power points, water supply, solar farms etc should be continually upgraded to ensure sustainability.</li> <li>4. Infrastructure must be spread across.</li> <li>5. Investment in public transport and road infrastructure and existing services in the borough to reduce traffic.</li> <li>6. Improvements to rural transport infrastructure spatial direction of travel must determine plan.</li> </ol>
<b>Development Management feedback summary</b>	<ul style="list-style-type: none"> <li>• Should State that equipment will be resisted in sensitive locations.</li> <li>• Considering roll out if 5G and new base stations policy could recommend innovative solutions to minimising impact of equipment.</li> <li>• Infrastructure is considered under policy ID1 without mention of community facilities.</li> <li>• Review to reflect the latest position on infrastructure delivery and the additional infrastructure requirements for future spatial strategy.</li> <li>• Existing communities that lack facilities are not addressed only new developments.</li> <li>• link with assets of community value</li> </ul>

	<ul style="list-style-type: none"> <li>• Adequate accessibility to community facility</li> <li>• a need within the locality no longer exists or a replacement facility acceptable to the council is provided or secured.</li> </ul>
<p><b>Authority's Monitoring Report indicators</b></p>	<ul style="list-style-type: none"> <li>• <b>M3:</b> Successful delivery of the schemes in the Infrastructure Delivery Plan</li> <li>• <b>M38:</b> Loss of designated open space as a result of development (hectares)</li> <li>• <b>M39:</b> Delivery of open space allocations</li> <li>• <b>M40:</b> Delivery of new or improvements to existing designated open space in association with housing and mixed use developments</li> <li>• <b>M43:</b> Planning obligations – contributions prioritisation (Policy ID1(4))</li> <li>• <b>M44:</b> Planning obligations – number of relevant developments with planning obligations</li> <li>• <b>M45:</b> Delivery of infrastructure through planning obligations/conditions</li> <li>• <b>M46:</b> Introduction of Community Infrastructure Levy</li> <li>• <b>SA11:</b> Number of schools that are at capacity/surplus</li> <li>• <b>SA15:</b> Loss/gain of community facilities</li> <li>• <b>SA18:</b> Develop indicators to look at access issues in rural areas</li> <li>• <b>SA22:</b> Number of new allotment pitches provided through development contributions</li> <li>• <b>SA35:</b> Waste generated per capita</li> <li>• <b>SA36:</b> Water availability/consumption ratios</li> <li>• <b>SA38:</b> New installed renewable energy capacity</li> <li>• <b>SA39:</b> Total energy consumption</li> </ul>
<p><b>Duty to Cooperate</b></p>	<p>TWBC – Focus on Paddock Wood and a master planned approach (especially for infrastructure provision). It is anticipated that it will move to an SPD</p> <p>TMBC – New development requires a contribution to a secondary school and the location means it may serve Maidstone Borough</p> <p>MBC will continue to engage with neighbouring authorities and key infrastructure stakeholders through on-going duty to cooperate meetings – both within and outside of the public consultation.</p>

## Environment

### Introduction

9.83 National Government planning policy recognises that a key purpose of the planning system is to contribute to the conservation and enhancement of the natural and historic environment.<sup>22</sup> The council's vision place a 'safe, clean and green' environment at the heart of its ambitions for Maidstone to 2045. Outlined in this section are policies relating to:

- Historic environment;
- Agricultural land; and;
- Landscape.

### Preferred approaches

#### Env 1: Historic Environment

9.84 As stated in Policy SP14(b) Maidstone Borough has a diverse and varied range of heritage assets. These are given protection via the NPPF and various other forms of legislation. The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest.

9.85 When making a decision concerning a listed building or its setting, the council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Act also places the duty on the council in making its decisions to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas in the borough.

9.86 In the determination of planning applications this preferred approach sets out the approach to development affecting a heritage asset.

#### **Policy Env 1: Development affecting heritage assets**

1. Applicants will be expected to ensure that new development affecting a heritage asset incorporates measures to conserve, and where possible enhance, the significance of the heritage asset and, where appropriate, its setting.
2. Where appropriate, development proposals will be expected to respond to the value of the historic environment by the means of a proportionate Heritage Assessment which assesses and takes full account of:
  - i. Any heritage assets, and their settings, which could reasonably be impacted by the proposals;
  - ii. The significance of the assets; and
  - iii. The scale of the impact of development on the identified significance.
3. Where development is proposed for a site which includes or has the potential to include heritage assets with archaeological interest, applicants must submit an appropriate desk-based assessment and, where necessary, a field evaluation.
4. ~~The council will apply the relevant tests and assessment factors specified in the National Planning Policy Framework when determining applications for development which would result in the loss of, or harm to, the significance of a heritage asset and/or its setting.~~

<sup>22</sup> Ministry of Housing, Communities and Local Government, National Planning Policy Framework (2019), sections 15 & 16, paragraphs 170-20, pp.49.57

5. In the circumstances where the loss of a heritage asset is robustly justified, developers must make the information about the asset and its significance available for incorporation into the Historic Environment Record.

#### Reason for change, retention, or new policy

The policy has been changed for the following reason:

- Development management feedback
- Duplicates NPPF

#### Further work to do

- Heritage Asset Review and Heritage Strategy

### Env 2: Change of use of agricultural land to domestic garden land

9.87 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.

9.88 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 NPPF 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.

9.89 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 NPPF. 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 will safeguard against inappropriate and excessive extensions to domestic gardens.

9.90 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 Env 2: Change of use of agricultural land to domestic garden land

Change of use of agricultural land to domestic garden land is generally unacceptable unless all of the following criteria are met: ~~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
- There is no loss of the best and most versatile agricultural land
- The change of use would not result in the remainder of the agricultural holding becoming unviable

#### Reason for change, retention, or new policy

The policy has been changed for the following reason:

- Development Management feedback

**Further work to do**

None identified at this stage.

Env 3: Caravan Storage

9.91 It is often impractical to store private caravans within the curtilage of dwellings due to their size. However, open storage of caravans can be an intrusive feature of rural landscapes. Within Maidstone Borough, there are some highly sensitive landscape areas such as the Kent Downs Area of Outstanding Natural Beauty and as such the Council feels it is appropriate to have a policy to manage this scenario.

9.92 For the purpose of this preferred approach a caravan is defined as “... any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed or being transported on a motor vehicle or trailer) ....” As defined by section 29 of the Caravan sites and Control of Development Act 1960.

**Policy Env 3: 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:

- i. The site lies outside the Kent Downs Area of Outstanding Natural Beauty and its setting;
- ii. The site is already well screened year round by buildings and/or planting and that screening is to be reinforced as necessary with planting by indigenous species;
- iii. Security arrangements would not be intrusive. In the case of lighting this will be used only where demonstrably required and will be directional so as to minimise light pollution;
- iv. The proposal would not result in a concentration of sites; and
- v. The proposal is situated close to existing built development, including residential accommodation.

**Reason for change, retention, or new policy**

Policy can be retained as it presently stands as no comments have been received or relevant changes to evidence, legislation and national policy or guidance.

**Further work to do**

None identified at this stage.

Reasoned justification

9.93 The section below outlines the reasoned justification for the three environment policies outlined above. The reasoned justification is evidence to show what evidence and policy has been considered in drawing together the preferred approaches outlined in each policy.

Information source	Relevant information summary
Maidstone Strategic Plan	<ul style="list-style-type: none"> <li>• <b>Safe, Clean and Green</b> - Implementing the “Go Green Go Wild” project to embrace and encourage biodiversity and protect and enhance our green spaces</li> <li>• <b>Cross cutting objective</b> -Biodiversity and Environmental sustainability is</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>A Thriving Place</b> - Working with parishes and community groups on neighbourhood plans</li> <li>• <b>Cross cutting Objectives</b> - Heritage is respected</li> </ul>
<b>Policy &amp; Legislation</b>	<ul style="list-style-type: none"> <li>• <b>Climate Change Act 2008</b> – target to reduce the UK’s greenhouse gas emissions by at least 100% by 2050 from 1990 levels (34% by 2020)</li> <li>• <b>Natural Environment and Rural Communities Act 2006</b> – embed consideration of biodiversity as an integral part of policy and decision making</li> <li>• <b>Countryside and Rights of Way Act 2000</b> – authorities to have regard to the purpose of AONBs</li> <li>• <b>Wildlife and Countryside Act 1981</b></li> <li>• <b>Environment Bill 2020</b> – provide a framework for setting legally binding targets in four priority areas of air quality; waste and resource efficiency; water; and nature.</li> <li>• <b>Conservation of Habitats and Species Regulations 2017</b> – HRA sets out the requirements that Planning Authorities must meet in order to ensure that a plan or project does not have a significant effect on European sites</li> <li>• <b>NPPF</b> – take a proactive approach to mitigating and adapting to climate change; new development should be planned in ways to avoid increased vulnerability to the range of impacts arising from climate change and can help to reduce greenhouse gas emissions; plans should apply a sequential approach to location of development and take account of impact of climate change; isolated homes in the countryside should avoided; policies should be sympathetic to local character and history; development in the Green Belt should only take place under exceptional circumstances; benefit of undeveloped land for wildlife and flood mitigation should be acknowledged; inappropriate development in areas at risk of flooding should be avoided and strategic policies should be informed by a SFRA</li> <li>• <b>NPPG</b> – provides examples of climate change mitigation and adaptation; biodiversity and geodiversity value of the land and its environmental sensitivity will need to be taken into account so that any harm can be avoided, mitigated or compensated for in a way which is appropriate given the site’s identified value; identify specific opportunities for the conservation and enhancement of heritage assets, including setting; recognise intrinsic character and beauty of the countryside; development should be limited within AONBs; in regard to flood risk and coastal change a sequential approach to site selection should be applied; reduce the overall level of flood risk in the area and beyond</li> </ul>
<b>Evidence Base</b>	<ul style="list-style-type: none"> <li>• Agricultural land assessment (ongoing)</li> <li>• Green and Blue Infrastructure Assessment (ongoing)</li> </ul>

	<ul style="list-style-type: none"> <li>• Strategic Flood Risk Assessment -Level 1 &amp; 2 (2020)</li> <li>• Heritage Assessment &amp; Strategy (ongoing)</li> <li>• Kent Downs AONB Management Plan (2014)</li> <li>• Landscape character assessment (2013)</li> </ul>
<b>Regulation 18a feedback summary</b>	<ul style="list-style-type: none"> <li>• The plan should optimise sustainability through renewable energy, water usage, open spaces, low/zero carbon – things like the protection of farmland and green spaces can help cope with heavy pollution levels. Open space and tree planning can reduce carbon and flooding in existing and new developments (tree preservation orders)</li> <li>• Growth should protect and enhance key landscapes and the natural environment (AONB, Greenbelt, Landscapes of Local Value) but also heritage assets</li> <li>• Developments need to be located in sustainable areas (good public transport, footpaths/cycle paths) and sustainable modes of transport should be promoted</li> <li>• Brownfield before greenfield</li> </ul>
<b>Development Management feedback summary</b>	<p><b>DM4 – Development affecting designated and non-designated heritage assets</b></p> <ul style="list-style-type: none"> <li>• Principle of policy unlikely to change but it could be amended to reflect the NPPF.</li> </ul> <p><b>DM33 - Change of use of agricultural land to domestic garden land</b></p> <ul style="list-style-type: none"> <li>• Minor amendments to make policy work better</li> </ul>
<b>Authority monitoring report indicators</b>	<p>Listed below are the key monitoring indicators for the Local Plan 2017 used in the Authority Monitoring Report relevant to the environment theme:</p> <ul style="list-style-type: none"> <li>• M31: Number of and nature of cases resulting in a loss of designated heritage assets as a result of development</li> <li>• M32: Change in the number of entries on Historic England’s Heritage at Risk Register</li> <li>• M33: Loss of designated wildlife sites as a result of development (hectares)</li> <li>• M34: Loss of Ancient Woodland as a result of development (hectares)</li> <li>• M35: Loss of the best and most versatile agricultural land as result of development (hectares)</li> </ul>
<b>Duty to Cooperate</b>	<p><i>Discussions are ongoing with neighbouring LPAs and strategic bodies on issues impacting the environment. Work is progressing in regard to the Heritage Asset Review and Strategy that will involve duty to cooperate discussions.</i></p>

## Quality & design

### Introduction

9.94 The quality and design of places is key to national policy and guidance. The social objective of the sustainable development principle core to the NPPF outlines the need for a ‘well-designed and

safe built environment'. This is supported by section 12 of the NPPF 'Achieving well-designed places. Maidstone Borough Council strives to improve design build quality and has done work to support this through the production and use of design documents such as Maidstone Building for Life 12 and the Kent Design Guide (2005).

9.95 This section will focus on design relating to the following areas:

- Principles of good design;
- Sustainable design;
- Signage and frontage;
- Lighting;
- Design in the countryside;
- Technical standards; and;
- Private amenity space.

### Preferred approaches

#### Q&D 1: Sustainable design

9.96 Recognition of climate change and its contributing factors will be an important consideration in the future of development across the borough. In 2019 the Council declared a climate emergency and new developments should wherever possible incorporate mitigating measures, while still achieving the high-quality designs that make the borough a desirable place to live and work.

9.97 Sustainable design refers to the way in which buildings of all uses will be developed across the Borough to have longevity and mitigate the impacts of their development. This looks over the long-term life of the development as well and the short-term construction phase.

9.98 The Building Research Establishment Environmental Assessment Method (BREEAM) is the most appropriate/recognisable assessment methods by which to judge and require increased sustainability standards in new non-residential developments.

9.99 In terms of energy efficiency and carbon emissions for residential development, this will be achieved through a strengthening of the energy performance requirements in Part L of the Building Regulations (incorporating carbon compliance, energy efficient fabric and services). For non-residential uses, proposals should achieve a minimum of the Very Good BREEAM standard.

#### Policy Q&D 1: Sustainable design

Applications for new development should demonstrate how sustainability has been incorporated into the design, construction, and operation of the development.

1. Proposals for new development shall demonstrate how the scheme has adopted a 'fabric first' approach to sustainable design, by incorporating energy efficiency measures into new buildings.
2. ~~New dwellings, where technically feasible and viable, should meet the Building Regulations optional requirement for tighter water efficiency.~~
3. Non-residential development, where **appropriate and** technically feasible and viable, should meet BREEAM Technical Standard (2018) Very Good rating including addressing maximum water efficiencies under the mandatory water credits.

4. ~~In order to maximise carbon efficiency, all homes will be required to meet the strengthened on-site energy performance standards of Building Regulations.~~
5. Proposals for new non-domestic buildings should achieve BREEAM Very Good for energy credits where appropriate and technically and financially viable.
6. Should BREEAM be replaced, or any national standards increased, then this requirement will also be replaced by any tighter standard appropriate to the borough.
7. Applications should demonstrate how consideration has been given to the incorporation of on-site renewable or low carbon energy production.
8. Where possible new development should be designed and laid out so as to ensure that it responds to or allows for future adaptation to the impacts of climate change over its lifetime.

#### Reason for change, retention, or new policy

The policy has been amended due to operational feedback from colleagues in Development Management and changes such as the Council's declaration of a climate emergency and so additions have been made to help address this situation.

#### Further work to do

- Viability testing

#### Q&D 2: External lighting

9.100 Lighting can be an important factor of good design. Appropriate types and levels of lighting can contribute positively towards a sense of place, whilst poorly designed lighting schemes can damage local amenity and biodiversity interests. The NPPF seeks to limit light pollution in locations which are particularly sensitive to light, such as intrinsically dark landscapes.

9.101 This preferred approach will be referred to any proposals for external lighting schemes within the Borough that are either individual or part of a larger more comprehensive scheme.

#### Policy Q&D 2: External lighting

1. Proposals for external lighting will only be permitted if they meet the following criteria will be permitted:
  - I. It is demonstrated by illuminance contour diagrams that the minimum amount ~~amount~~ number, intensity and height and timing of lighting necessary to achieve its locationally appropriate purpose is proposed;
  - II. The design and specification of the lighting would minimise glare and light spillage and would not dazzle or distract drivers or pedestrians using nearby highways;
  - III. The lighting scheme would not be visually detrimental to its immediate or wider setting, particularly intrinsically dark landscapes and would be of appropriate colour temperature for its location and ecological impact;
  - IV. The impact on wildlife and biodiversity is minimised through appropriate mitigations; Any development affecting protected species follows relevant specific guidance on lighting
2. Lighting proposals that are within or are near enough to significantly affect areas of nature conservation importance, e.g. Special Areas of Conservation, Sites of Special

Scientific Interest, National Nature Reserves, County Wildlife Sites and Local nature Sites will only be permitted in exceptional circumstances and need to take account of any specific guidance on lighting that is relevant to these identified sites.

**Reason for change, retention, or new policy**

- Development management feedback

**Further work to do**

None identified at this stage.

Q&D 3: Signage and building frontages

9.102 Signage and shop fronts have a significant impact upon the attractiveness and vitality of shopping and other commercial areas. The NPPF requires that new development integrates well into the built environment. Advertisements which are poorly placed can result in visual clutter which both detracts from the quality of the built environment and leads to a more confused and less coherent visual presentation. Unsympathetic shop fronts and fascia’s can also damage the character of their locality, especially in conservation areas.

9.103 The preferred approach will cover all development either independent or part of a comprehensive scheme adjustments to or new signage or building frontages of specific building types that would require planning permission.

**Policy Q&D 3: Signage and ~~shop fronts~~ building frontages**

Proposals for new signage and for commercial, business and service users (class E), learning & non-residential institutions (class F.1) local community uses (class F.2) and pubs and drinking establishments and takeaways (sui generis) ~~shop (A1) or other commercial (A2-A5)~~ fronts which meet the following criteria will be permitted:

- i. The number, size, design, positioning, materials, colour and method and level of illumination of signage would not be detrimental to the character and appearance of the building or the surrounding area;
- ii. The proposal would not result in the loss of a traditional shop front or features and details of architectural or historic interest;
- iii. The proposal would be in sympathy with the architectural style, materials and form of the building(s) of which it would form part and the character of the neighbouring properties; and
- iv. Where a fascia is to be applied, it would be of an appropriate height which would be in scale with the overall height of the shop front and other elements of the building.

In identified centres, signage will also be restricted to the ground floor level unless there is justification for them above this level.

**Reason for change, retention, or new policy**

- Legislation updates
- Development management feedback

**Further work to do**

- Viability testing

#### Q&D 4: Design principles in the countryside

9.104 The achievement of high-quality design in all developments is important. In addition to the requirements of policy SP9, where development is proposed in the countryside the design principles set out in policy Q&D 5 must be met.

Policy Q&D 4: Design principles in the countryside
<p>Outside of the settlement boundaries as defined on the policies map, proposals which would create high quality design, satisfy the requirements of other policies in this plan and meet the following criteria will be permitted:</p> <ol style="list-style-type: none"><li>i. The type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features;</li><li>ii. Impacts on the appearance and character of the landscape would be appropriately mitigated. Suitability and required mitigation will be assessed through the submission of Landscape and Visual Impact Assessments to support development proposals in appropriate circumstances;</li><li>iii. Proposals would 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;</li><li>iv. 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</li><li>v. 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.</li><li>vi. <u>Where design, layout and landscaping has considered the need to respond and adapt to climate change.</u></li><li>vii. <u>Where possible the design should include local and sustainable materials.</u></li><li>viii. <u>Where possible in consideration of other elements of this policy renewable energy generation methods should be included.</u></li></ol> <p>Account should be taken of the Kent Downs AONB Management Plan and the Maidstone Borough Landscape Character Guidelines SPD.</p>
Reason for change, retention, or new policy
<ul style="list-style-type: none"><li>• Climate change and biodiversity Action Plan 2020</li><li>• Development Management feedback</li></ul>
Further work to do
<ul style="list-style-type: none"><li>• Viability testing</li></ul>

#### Q&D 5: Conversion of rural buildings

9.105 Maidstone Borough has a large and varied rural area, with many buildings and structures having been constructed over the centuries to support the rural economy. Government advice in the NPPF 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.

9.106 The rural area and buildings within it and made up of two parts. The geographical location is that outside of the defined urban areas that fall within the boundaries of Policy SP9 – ‘The Countryside’. While rural buildings are those used in support of the rural economy and capture not just those used by agricultural industries, but also those for the purposes of tourism and leisure.

9.107 The preferred approach covers all forms of development not already permitted through permitted development rights and would require planning permission.

#### Policy Q&D 5: Conversion of rural buildings

1. In addition to the requirements of the national policy Maidstone Borough Council will expect the conversion of rural buildings to fulfil the following requirements:
  - i. The building is of a form, bulk, scale and design which takes account of and reinforces landscape character;
  - ii. The building is of **demonstrable** 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~~ **compliments** the landscape and building character in terms of materials used, design and form;
  - 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; and
  - 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 landscape character and visual amenity.

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:

- i. 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 landscape;
  - ii. 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
  - iii. In the case of self-catering accommodation, a holiday occupancy condition will be attached, preventing their use as a sole or main residence.
3. 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:
    - i. Every reasonable attempt has been made to secure a suitable business re-use for the building;
    - ii. 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 to landscape character or which exemplify the historical development of the Kentish landscape; and
    - iii. 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.

#### Reason for change, retention, or new policy

- Development Management comments
- Changes to national planning policy and guidance

#### Further work to do

None identified at this stage

#### Q&D 6: Technical standards

9.108 In March 2015, the Government introduced new technical standards covering water usage, internal space requirements, accessibility, and adaptability.<sup>23</sup>

9.109 Paragraph 127 of the NPPF states that local planning authorities should ‘create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users’. The National Planning Practice Guidance further qualifies this by recommending that where a local planning authority wishes to require technical standards they should do so by reference in their local plan.<sup>24</sup>

#### Policy Q&D 6: Technical Standards

All new development will be expected where possible to meet the new technical standards as follows:

1) internal space standards as set out in Table 4

<u>Number of bedrooms</u>	<u>Number of bed spaces (persons)</u>	<u>1 storey dwellings</u>	<u>2 storey dwellings</u>	<u>3 storey dwellings</u>	<u>Built-in storage</u>
<u>1b</u>	<u>1p</u>	<u>39 (37)*</u>	<u>-</u>	<u>-</u>	<u>1.0</u>
	<u>2p</u>	<u>50</u>	<u>58</u>	<u>-</u>	<u>1.5</u>
<u>2b</u>	<u>3p</u>	<u>61</u>	<u>70</u>	<u>-</u>	<u>2.0</u>
	<u>4p</u>	<u>70</u>	<u>79</u>	<u>-</u>	
<u>3b</u>	<u>4p</u>	<u>74</u>	<u>84</u>	<u>90</u>	<u>2.5</u>
	<u>5p</u>	<u>86</u>	<u>93</u>	<u>99</u>	
	<u>6p</u>	<u>95</u>	<u>102</u>	<u>108</u>	
<u>4b</u>	<u>5p</u>	<u>90</u>	<u>97</u>	<u>103</u>	<u>3.0</u>
	<u>6p</u>	<u>99</u>	<u>106</u>	<u>112</u>	
	<u>7p</u>	<u>108</u>	<u>115</u>	<u>121</u>	
	<u>8p</u>	<u>117</u>	<u>124</u>	<u>130</u>	
<u>5b</u>	<u>6p</u>	<u>103</u>	<u>110</u>	<u>116</u>	<u>3.5</u>
	<u>7p</u>	<u>112</u>	<u>119</u>	<u>125</u>	
	<u>8p</u>	<u>121</u>	<u>128</u>	<u>134</u>	
<u>6b</u>	<u>7p</u>	<u>116</u>	<u>123</u>	<u>129</u>	<u>4.0</u>
	<u>8p</u>	<u>125</u>	<u>132</u>	<u>138</u>	

Table 4. Nationally described space standards (m2)

2) Accessibility and adaptable dwellings standard M4 (2) or superseded standards in line with evidence of the SHMA, national planning policy and guidance.

#### Reason for change, retention, or new policy

<sup>23</sup> MHCLG, National Planning Practice Guidance, Paragraphs: Paragraph: 005 Reference ID: 56-005-20150327 to 019 Reference ID: 56-019-20150327 (2015)

<sup>24</sup> MHCLG, National Planning practice Guidance, Paragraph: 002 Reference ID: 56-002-20160519 (2016)

As this policy is a new the Council felt it appropriate to the test it against other reasonable alternatives. These are out below:

Approach 1 – No policy

No new policy is brought forward

Approach 2 – Amalgamate with other policies

To bring forward the issue of technical standards as part of another broader design policy or amend an existing policy to allow for this.

Approach 3 – have a separate independent policy

To develop a separate preferred approach to deal with the issue independently of other design policies.

Due to the specific nature of the topic area approach 3 was selected and the preferred approach outlined above was selected. it was felt that an independent policy on technical standards is more appropriate than options 1 or 2. Having no policy would lead housing in Maidstone Borough to be below the national minimum and perhaps lead to the authority developing a poor housing stock and living conditions that would go against the aims and objectives of the Council's Strategic Plan and emerging Local Plan. While approach two would present efficiency in terms an update to the document , it would lead to a watering down of the strength of such a policy and lead perhaps to the same conclusions as those outlined for approach 1.

**Further work to do**

- Viability testing
- Need space standards based on existing homes coming forward in the areas and;
- Timing from when the delivery of the national standards would be appropriate.

#### Q&D 7: Private amenity space standards

9.110 A private outdoor space is one which is not overlooked from the street or other public place. For a house or ground floor flat a garden with direct access is the best solution. For other forms of flats this refers to a balcony, roof garden or patio. Privacy is important in design being raised local planning guidance. Both the Kent Design Guide (2005) and Maidstone Building for Life 12 (2018) raise it as an important issue.

9.111 The quality of such spaces and their scale is also important as well as just their existence. In 2018 Maidstone Borough Council adopted the Maidstone Building for Life 12 standard as planning guidance to the help decision making and designers to improve design quality in the Borough. It sets out 12 areas to review when a development is being formed. One of the 12 recommendations is around external storage and amenity space. Due to the success of this document the Council is minded to formalise the recommendations from it in policy.

9.112 For houses the space must be sufficient to provide the following: outdoor seating area, small shed, clothes drying area, area of play, planting space (for trees and shrubs). This can be accommodated in a garden with a 10m depth and the width of the dwelling.

9.113 For a flatted scheme the outdoor space must be of a scale to support the following: a clothes drying area and a small table and chairs to allow inhabitants and visitors to site outside. This space should grow depending on the occupants of the flat, but a minimum of 5m<sup>2</sup> should be provided as standard

## Policy Q&D 7: Private open space standards

All new dwellings created through subdivision, conversion or new build should have private amenity space that meets the following:

- be located adjacent to the dwelling unless exceptional circumstances are stated;
- Have an external access to the private space;
- For houses, the rear garden is equal to the ground floor footprint and not triangular in shape; and;
- For flats, have a space (balcony or terrace) large enough for two persons to use.

## Reason for change, retention, or new policy

As this policy is a new the Council felt it appropriate to the test it against other reasonable alternatives. These are out below:

### Approach 1 – No policy

No new policy is brought forward to provide a standard for private residential amenity space

### Approach 2 – Amalgamate with other policies

To bring forward the issue of private residential amenity space as part of another broader design policy or amend an existing policy to allow for this.

### Approach 3 – have a separate independent policy

To develop a separate preferred approach to deal with the issue independently of other design policies.

The Council's preferred approach is in line with the Maidstone Building for Life 12 (2018) guidance on private amenity space. This has been developed by the Council and adopted for use when assessing planning applications. It is appropriate and a workable and deliverable document that is felt appropriate to adopt into planning policy to give it great weight. If the Council were to not have a policy, it would reduce the enforceability of the standards in Maidstone Building for Life 12 (2018). If these standards were to be within another policy, there is a chance that they would be less effective due to conflict with other elements of a mixed policy.

## Further work to do

- Viability testing

## Reasoned justification

9.114 The section below outlines the reasoned justification for the seven quality and design policies outlined above. The reasoned justification is evidence to show what evidence and policy has been considered in drawing together the preferred approaches outlined in each policy.

## Information source

## Relevant information summary

Maidstone Strategic Plan	Embracing Growth and Enabling Infrastructure - bring about high-quality housing
Policy & Legislation	<ul style="list-style-type: none"> <li>• <b>Planning and Compulsory Purchase Act 2004</b> – basis for making local plans and relevant requirements for producing plans; duty to cooperate requirements; and requirements for sustainability appraisals</li>   <li>• <b>Town and Country Planning (Local Planning) (England) Regulations 2012</b> – prescribes the general form and content of local plans, policies maps, monitoring reports, the process for preparing local plans, the requirement to review local plans, consultation/notification, public participation, and examination.</li>   <li>• <b>Building for Life 12 Maidstone Edition 2018</b> – material consideration in planning decisions; vernacular materials and architectural detailing either used in an authentic manner or in a modern idiom; landscaping being integral to design; streets which are not dominated in design terms in order to cater for the car; the application of sustainable design principles; features to promote bio-diversity being integral to the design of a scheme</li>   <li>• <b>NPPF</b> – good design is a key aspect of sustainable development, created better places in which to live and work and helps make development acceptable to communities; plans should at the most appropriate level set out a design vision and expectations so that applicants have as much certainty as possible about what is likely to be acceptable; developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); developments should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; development should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do</li> </ul>

	<p>not undermine the quality of life or community cohesion and resilience</p> <ul style="list-style-type: none"> <li>• <b>NPPG</b> – proactive and collaborative approach at all stages of the planning process; permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents; National Design Guide can be used by all those involved in shaping places including in plan-making and decision making; a plan’s vision and objectives can be used to set out the types of place(s) which the plan aims to achieve, how this will contribute to the sustainable development of the area and how this translates into the expectations for development and investment, including design; non-strategic policies can be used to establish more local and/or detailed design principles for an area, including design requirements for site specific allocations</li> </ul>
<b>Evidence Base</b>	<ul style="list-style-type: none"> <li>• Maidstone Building for Life 12 (2018)</li> <li>• Kent Design Guide (2005)</li> </ul>
<b>Regulation 18a feedback summary</b>	<ul style="list-style-type: none"> <li>• New developments should match the design of existing buildings</li> <li>• Ensure there is enough open space with trees and shrubs to reduce the effects of climate change</li> <li>• Renewables should be incorporated into new developments (including phasing out fossil fuels)</li> <li>• National space standards should be incorporated to ensure effective designs of new homes and improve housing standards in new developments</li> <li>• Car dependent sprawl should be avoided to improve health and wellbeing</li> <li>• Ensure sustainable design of new developments</li> <li>• Promote sustainable modes of transport (walking/cycling/public transport)</li> </ul>
<b>Development Management feedback summary</b>	<p><b>DM2 – Sustainable Design</b></p> <ul style="list-style-type: none"> <li>• Policy requires review in the context of any subsequent changes to BREEAM and Building Regulation standards.</li> </ul> <p><b>DM8 – External Lighting</b></p> <ul style="list-style-type: none"> <li>• Reference should be made to the impact on biodiversity and night skies. But also refer to the AONB guidelines on lighting</li> </ul> <p><b>DM18 – Signage and shop fronts</b></p> <ul style="list-style-type: none"> <li>• Principle of the unlikely to change, minor amendments may be justified</li> </ul> <p><b>DM30 – Design principles in the countryside</b></p>

	<ul style="list-style-type: none"> <li>• Minor amendments to clarify policy and include other elements such as renewable energy, and Local and sustainable materials</li> </ul> <p><b>DM31 – Conversion of rural buildings</b></p> <ul style="list-style-type: none"> <li>• Principle of policy unlikely to change, minor amendments may be justified to reflect NPPF</li> </ul> <p><b>DM32 – Rebuilding and extending dwellings in the countryside</b></p> <ul style="list-style-type: none"> <li>• Minor amendments</li> </ul>
<b>Authority monitoring report indicators</b>	<ul style="list-style-type: none"> <li>• M36: Number of qualifying developments to provide BREEAM very good standards for water and energy credits</li> <li>• M37: Completed developments performing well in design reviews</li> </ul>
<b>Duty to Cooperate</b>	<i>Discussions are ongoing with neighbouring LPAs and strategic bodies on issues impacting the design and quality. To date no specific issues relating to design and quality have been raised.</i>