

### Session 8 – Employment policies & allocations

#### Inspector's Question 8.1

How does the assessment of employment needs address the cross-border commuting flows into and out of Maidstone borough and especially between the borough and Tonbridge & Malling and Medway?

#### Council's response

8.1.1 The approach to the identification of employment needs within the Borough over the Plan Period is based upon the "Economic Sensitivity Testing & Employment Land Forecast Study" prepared by GVA and completed in February 2014 (ECON 001).

8.1.2 At the time of preparation the study reviewed current available data that set out the commuting patterns both in to and out of Maidstone. Despite being published some 3 years after the completion of the 2011 Census travel to work data was not available, the study therefore drew upon information from the 2001 Census (the most comprehensive data available at the time) and, recognising the age of the data, checked this against sample based estimates provided through the Annual Population Survey.

8.1.3 Based on these sources the study concluded that the strongest inter-relationships between Maidstone and its neighbouring authorities in terms of both inward and outward labour flows. In light of this sector based forecasts we considered in terms of the competitive position Maidstone provided against its neighbouring authorities. This recognised where sectors are less likely to come to Maidstone or where there may be regional opportunities to grow and strengthen existing sectors within the borough.

8.1.4 As such the employment growth scenario tests were developed in the light of growth aspirations in neighbouring areas (as known at the time) to avoid region-wide competition for occupiers.

8.1.5 All forecasts within the Study have used projections provided by Experian Business Strategies (September 2013) as the starting point, with scenarios adjusting specific sector growth rates within the model. The only adjustments made by GVA related to these growth rates, none of the underlying assumptions within the Experian model were changed. As such the relationship between Maidstone and its neighbours in labour force (and hence commuting) terms has been reflected through the Experian approach to employment forecasting.

8.1.6 The key indicator used from the Experian model to estimate employment growth within Maidstone is Workforce Jobs, a measure of the number of employment positions that will be created within the borough. Workforce Jobs are comprised of both residents who live and work within Maidstone and jobs that will be filled by people who live outside of the borough. Experian use ONS estimates of commuting to establish workforce jobs, these draw directly on the most recent Census data release. Therefore the 2013 forecasts would draw on the 2001 Census commuting rates.

8.1.7 It is important to note that the Experian forecasts are developed at the regional level and then reconciled to local areas, as such inter-district relationships and labour flows are considered together.

8.1.8 In essence the Experian model assumes that all workforce jobs will be filled, either from the resident workforce or through in commuting, in its simplest form this assumes that in both the borough and the wider region labour supply increases through:

- Population increase
- Increased participation rates

8.1.9 Workforce jobs within Maidstone are therefore a function of the labour supply within the wider region given that population forecasts form one of the core foundation of the Experian model.

8.1.10 Further to the general methodological approach employed by Experian specific adjustments have been made in the preparation of Scenario 2, which considers the impact of delivery of KIMS/MMS during the plan period. This scenario considers both the direct and indirect impacts on jobs within the borough.

8.1.11 In developing this scenario a simple 'impact' assessment has been prepared to identify the potential jobs the development will create in the wider economy both through increased employee spending and supply chain interactions. In doing so a 'leakage' factor has been included, this provides an estimate of the proportion of activity that would occur outside of the borough. Multipliers are then applied to this net figure, ensuring the model does not inflate employment growth by capturing activity that is likely to occur elsewhere.

8.1.12 With regard to the 2011 Census data, the nature of the relationship does not change. Medway and Tonbridge & Malling are both the largest contributors to the Maidstone workforce and the largest single authority destinations for Maidstone residents to work in. Overall around 51% of jobs in Maidstone are filled by Maidstone residents and a similar proportion of Maidstone residents (in work) work in Maidstone.

## **Inspector's Question 8.2**

Would MBC please explain the proposed change to Table 4.4?

### **Council's response**

8.2.1 Table 4.4 in the submission version of the Local Plan unfortunately contained an error; the figures for the gross employment land requirement shown in the table stemmed from an earlier employment land forecast and should have been updated using the findings of the Economic Sensitivity Testing and Employment Land Forecast (ECON 001) and Qualitative Sites Assessment (ECON 002). Proposed change PC/2 rectifies this oversight. The net requirement in the revised table is derived once existing sources of employment land supply are taken into account as explained at paragraph 17 of the Employment and Retail Topic Paper (SUB 003). The net requirement represents the amount of land for the Local Plan to allocate.

8.2.2 Consequential changes to rectify the same oversight are also needed to Policy SS1 and Key Monitoring Indicator 7 (paragraph 21.18 of the submission Local Plan) as follows;

PC/89	Amend Policy SS1 1(iii-v) as follows (iii) <del>39,830sqm</del> <u>24,000sqm</u> floorspace for office use (iv) <del>20,290sqm</del> floorspace for industrial use (v) <del>49,911sqm</del> <u>6,500sqm</u> floorspace for warehousing use	To rectify a drafting error																																																
PC/90	Amend Key Monitoring Indicator 7 as follows  Targets  <table border="1" data-bbox="217 427 1098 573"> <thead> <tr> <th colspan="4">Office (sqm)</th> </tr> <tr> <th>2011-16</th> <th>2017-21</th> <th>2022-2026</th> <th>2027-31</th> </tr> </thead> <tbody> <tr> <td>9,957</td> <td><u>6,000</u></td> <td>9,957</td> <td><u>6,000</u></td> </tr> <tr> <td></td> <td></td> <td>9,957</td> <td><u>6,000</u></td> </tr> </tbody> </table> <table border="1" data-bbox="217 645 1098 763"> <thead> <tr> <th colspan="4">Industry (sqm)</th> </tr> <tr> <th>2011-16</th> <th>2017-21</th> <th>2022-2026</th> <th>2027-31</th> </tr> </thead> <tbody> <tr> <td>5,073</td> <td>5,073</td> <td>5,073</td> <td>5,073</td> </tr> </tbody> </table> <table border="1" data-bbox="217 790 1098 976"> <thead> <tr> <th colspan="4">Warehouse (sqm)</th> </tr> <tr> <th>2011-16</th> <th>2017-21</th> <th>2022-2026</th> <th>2027-31</th> </tr> </thead> <tbody> <tr> <td>12,478</td> <td>12,478</td> <td>12,478</td> <td>12,478</td> </tr> <tr> <td><u>1,625</u></td> <td><u>1,625</u></td> <td><u>1,625</u></td> <td><u>1,625</u></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Office (sqm)				2011-16	2017-21	2022-2026	2027-31	9,957	<u>6,000</u>	9,957	<u>6,000</u>			9,957	<u>6,000</u>	Industry (sqm)				2011-16	2017-21	2022-2026	2027-31	5,073	5,073	5,073	5,073	Warehouse (sqm)				2011-16	2017-21	2022-2026	2027-31	12,478	12,478	12,478	12,478	<u>1,625</u>	<u>1,625</u>	<u>1,625</u>	<u>1,625</u>					To rectify a drafting error.
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### Inspector's Question 8.3

What account has been taken of employment land potential in neighbouring districts?

### Council's response

8.3.1 The Local Plan aims to ensure the economy's needs for additional employment land will be met on sites within the borough and not beyond it. This positive approach is considered to properly reflect the Framework's Core planning principle with respect to meeting development needs, namely that planning should;

*"Pro-actively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities."* (paragraph 17; emphasis added)

8.3.2 This position is reiterated at paragraph 21 of the Framework which, amongst other things, requires Local Plans to;

*"set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period". (emphasis added)*

8.3.3 The onus of the Framework is that, wherever possible, development needs should be met within the borough. If needs can be accommodated, with acceptable mitigation for any adverse impacts, this should be the first choice above any potential alternatives which would rely on delivery on land outside the borough for which the Council is not the local planning authority and therefore has no influence or control.

8.3.4 The Duty to Co-operate statement (SUB 008) confirms that MBC initially explored co-operation on employment land matters with adjoining authorities in mid-2013. Subsequent to this, the Council commissioned up to date evidence of both its quantitative and qualitative needs for employment land (ECON 001 and 002) and it is this economic evidence upon which the Local Plan is based. All the neighbouring authorities have undertaken single borough/district employment land studies (see SUB 008, paragraph 3.2.2).

8.3.5 Commentary on the adjoining authorities planning strategies for employment is provided in Economic Sensitivity Testing and Employment Land Forecast (ECON 001) (pages 3-9).

8.3.6 None of the neighbouring authorities has asked the Council accommodate any of their employment land needs within Maidstone borough. Equally, none of the adjoining authorities has raised concerns about the Local Plan's employment land strategy, either through Duty to Co-operate discussions or through their consultation responses to the Local Plan (Regulation 18 October 2015 and Regulation 19 February 2016).

8.3.7 Representors contend that two sites in particular could constitute additional capacity which would negate the need to make additional site allocations in Maidstone borough, and at Woodcut Farm in particular. These sites are a) Aylesford Paper Mill in Tonbridge & Malling Borough and b) Sevington in Ashford Borough.

a) The Aylesford newsprint site was submitted in response to TMBC's Call for Sites (site 431), although this submission was not on behalf of the landowner of the site. The site was assessed in Tonbridge & Malling BC's SHLAA as 'suitable but undeliverable' for employment uses with site availability recorded as uncertain. Since the Call for Sites, the administrators for the site have held two public exhibitions (March and July) and publically signalled their intention to submit a planning application for the site for 450 homes and 120,000sqm employment floorspace. An EIA Scoping Opinion has been submitted (16/00746).

T&MBC's Employment Land Review (December 2014) identifies the New Hythe area, within which the Aylesford Newsprint site is situated, as a well-functioning employment area which should be retained so it can continue to provide for the borough's employment needs. Further, this study identifies that there is a need to identify

between 3 and 33ha of additional employment land (Classes B1c/B2/B8) to meet the borough's own forecast needs for the period up to 2031. The evidence does not identify there is an oversupply of suitable employment land. The Tonbridge & Malling Local Plan 'Issues & Options' document which was agreed by TMBC's Cabinet for public consultation on 6<sup>th</sup> September<sup>1</sup> has identified some potential additional sites. Public consultation on this document commenced on 30th September.

The exact future of the Aylesford Newsprint site will be determined through a forthcoming planning application and/or the Local Plan. The information currently available indicates a continuing role for the site in supporting Tonbridge & Malling's economy and does not point to the site representing 'spare' capacity which could or should be used to accommodate Maidstone borough's needs.

b) Sevington is the largest single opportunity within Ashford and is the permitted (subject to Section 106) B class development. It will benefit from a new access to the M20 (10a) as well as a less direct route to the existing junction 10. The focus of the permission is to provide capacity within Ashford for large-scale activities, particularly large scale distribution, that the wider portfolio cannot accommodate, the permission allows for a mix of use types which could include up to 140,000sqm of B8 space, almost 90% of the permitted development capacity.

Ashford BC published the Ashford Local Plan 2030 for Regulation 19 consultation in June 2016. The consultation period closed on 10<sup>th</sup> August. The Local Plan carries forward employment land allocations from previous Plans, including Sevington. This overall strategy is that these allocations will be sufficient to meet the borough's overall requirements to 2030. In allocating this package of sites, the Local Plan seeks to provide a choice of locations across the borough to provide for a range of different business needs and to support competition and choice within the market.

8.3.8 With respect to the other adjoining boroughs, the position is as follows;

8.3.9 Swale: The Swale Borough Local Plan is at Examination. Public consultation on a schedule of proposed Main Modifications closed on 8<sup>th</sup> August. The Local Plan allocates sites to meet both quantitative needs for some 60 ha of additional land and also specific allocations to meet identified qualitative needs. SBC's position is that these allocations meet evidential requirements and provide a sufficient range and choice of sites to meet different sector and occupier needs and give a balance of supply across different locations in the borough. SBC considers that the approach provides an appropriate degree flexibility and contingency to respond to changing market demand, including that associated with a higher economic growth scenario. In her interim findings (March 2016)<sup>2</sup> the Swale Local Plan Inspector has

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<sup>1</sup> <https://democracy.tmbc.gov.uk/ieListDocuments.aspx?CId=146&MId=3119&Ver=4>

<sup>2</sup> <http://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Evidence-Base/Interim-Findings-2016/ID-9d-Inspectors-Interim-Findings-Part-3-1.pdf>

endorsed the overall approach, confirming that the borough has sufficient employment land supply.

8.3.10 Medway: Medway completed an Employment Land Needs Assessment (December 2015) as part of its Strategic Housing and Economic Needs Assessment. This study considered the existing employment land portfolio as well as future needs and identifies a future demand for additional employment floorspace across all the Class B sectors. Medway is at an early stage of the plan preparation. An Issues and Options consultation document was published in January 2016 which set out high level issues. Medway has not as yet set out what the employment land strategy for Medway would be, including the role for existing employment land in meeting future needs however it is expected to require the allocation of new capacity to meet qualitative needs.

8.3.11 Tunbridge Wells: An Employment Land Review was completed for Tunbridge Wells Borough in 2010. This found that there was no requirement for significant additional employment land to be identified during the Plan period (to 2026) as there was still sufficient capacity within existing employment areas to accommodate forecast requirements. The study concludes that the borough had a generally balanced provision for employment land at the time with no requirement for significant additional land and, equally, no demonstrable over supply.

8.3.12 TWBC is currently undertaking a new Economic Needs Study which will cover the period to 2033/35.

8.3.13 It is apparent that that adjoining authorities are at different stages in the plan preparation process. Tunbridge Wells is at the stage of gathering evidence and has not yet concluded on future employment land needs. The Local Plan documents which Swale, Ashford, and Tonbridge & Malling BCs have prepared all identify the need to retain existing allocated employment land and to allocate additional land to better meet their own identified needs over their respective plan periods. Medway is determining what its approach should be and its evidence indicates that additional land will be needed. Taken as a whole, adjoining authorities are taking positive steps to ensure sufficient land to meet their own identified needs and this does not support the contention that there is a surfeit of employment land in adjoining authority areas which could or should be used for some of Maidstone's needs.

#### **Inspector's Question 8.4**

Would such provision exceed the need to provide employment for residents of those districts?

#### **Council's response**

8.4.1 As stated in response to Q8.3, the adjoining authorities are at different stages in the plan preparation process but taken as whole they are seeking to identify sufficient land of the right type to meet the needs of their own residents and economy. For Swale, Ashford and Tonbridge & Malling this has meant the allocation of additional land. The current evidence points to Medway needing to do the same.

## **Inspector's Question 8.5**

What implications may the history of office allocations adjacent to M20 and current viability assessments have for any new office allocations?

### **Council's response**

8.5.1 Respondents have referred to Eclipse Park in their representations. The site was allocated in the adopted Maidstone Borough Local Plan (2000) for B2 and B1 uses under Policy ED4 (which is no longer a saved policy) and Policy ED1 which specifies B2 uses only.

8.5.2 The supporting text to Policy ED4 identifies that, at that time, the borough's economy was under represented by technology-driven firms (B1(b), B1(c) and B2). The allocation of the site was seen as a way to potentially attract such firms to the borough where they did not have an established base and policy required the majority of the site to be developed for such uses. In fact, the site attracted more conventional office based-employers (B1a uses) and four office blocks have since been built and occupied. Consent was subsequently granted in July 2010 for a hotel in the north western corner of the site, a use regarded as complementary to the wider business uses on the site. In 2013, consent was granted for a Next store at the south eastern corner of the site which opened the following year.

8.5.3 The submission Local Plan is underpinned by evidence in the form of a specific economic forecast (ECON 001). The starting point for this forecast is the current composition of the borough economy and the forecast goes on to identify existing sectors which may further strengthen over the timeframe of the Local Plan. This is in contrast to the adopted Local Plan where the objective was to attract a new sector/s to the borough where they had no particular history or links. Office based employment is a strong component of the Maidstone economy and the economic forecast identifies the prospects for its further expansion in terms of additional jobs over the timeframe of the Local Plan. Over the Plan period, the expectation is that this jobs growth will translate into demand for additional office floorspace.

8.5.4 The assessment of market demand in ECON 002 draws a distinction between firms which will gravitate towards town centre locations and those which will favour a location close to a motorway junction (SUB003, paragraph 49). There are therefore distinct markets for which the Local Plan aims to provide. The Employment and Retail Topic Paper (SUB003) highlights that the town centre office stock is going through a period of rationalisation. Notwithstanding that there are different types of occupier which demand different types of floorspace, the oversupply of poorer quality stock in the town centre will serve to suppress the current value of office development in the shorter term until the market is fully rebalanced.

8.5.5 The demand for offices has changed in Maidstone, moving away from large regional (public sector) or back office functions to smaller professional and business services. Demand and take up has therefore been focussed in the borough on smaller units and as such the large floorplate, out of town market has not catered for the predominant form of growth in the way originally imagined and future provision is more likely to be focussed towards these smaller units and/or firm-specific development. The 2015 Viability Assessment (DEL 002) identifies that the viability of speculative office development may improve in the future with improvements in the economy (paragraph 7.5.7). The report goes on to highlight the expectation that there will be bespoke development to accommodate specific end users.

### **Inspector's Question 8.6**

How much residential development would MBC accept on this site?

#### **Council's response**

8.6.1 The Council is proposing a change to the policy for this site to allocate the site for a residential-led mixed use development. The SHEDLAA identified that this town centre site is potentially suitable for the mix of uses including offices, residential and leisure uses (site reference MX-15, pages B204-207 of HOU 007(E)). The proposed changes to the policy are included in Appendix A (PC/91 to PC/93).

8.6.2 The site has the potential to contribute to the identified need for additional office floorspace (24,000sqm by 2031). This is only likely to be achieved if the scheme includes other, higher value uses, most specifically residential. It is therefore proposed to change the policy to allocate the site for residential-led mixed use development which will include a significant component of office floorspace. Residential development is an appropriate town centre use and allowing residential development could help to catalyse the redevelopment of an under-utilised town centre site. The policy also allows for leisure uses as part of the potential mix of uses on the site.

8.6.3 Whilst the site has previously had a planning consent for a 9 storey office block, an acceptable design solution for the site could also comprise a small number of lower-rise development blocks. As the overall development capacity of the site will be highly dependent on the specific scheme which comes forward, the policy does not prescribe amounts of floorspace of different uses. This will be tested through the development management process. In respect of residential capacity, Policy DM12 sets out the density range acceptable on a town centre site.

### **Inspector's Question 8.7**

How much development is needed for a viable mixed use development?

#### **Council's response**

8.7.1 The Council does not have sufficient, specific evidence to specify a viable balance between office and residential uses in the site allocation policy or to justify a total quantum of development for the site. Further, viability will be dependent on the respective market conditions and developer expectations at the time of a planning application and so could vary over the timeframe of the Local Plan.

### **Inspector's Question 8.8**

What would be the implications for the amount of office floorspace?

#### **Council's response**

8.8.1 The proposed changes to the policy set out in response to Q8.6 clarify that the development is expected to be residential led.



### **Inspector's Question 8.9**

If office development would be dependent on cross-subsidy from residential development, would that justify a reduced affordable housing target for development on this site and, if so, what should that target be?

### **Council's response**

8.9.1 There is insufficient information to confirm that the full affordable housing requirement for the residential element on this site cannot be achieved. The affordable housing Policy DM13 criterion 6 sets out the sequence of considerations that should be followed if it is demonstrated through a viability assessment at the time of a planning application that the full affordable housing requirement cannot be achieved on a site.

### **Inspector's Question 8.10**

Does the policy require modification to be certain and effective and, if so, what wording would achieve that?

### **Council's response**

8.10.1 Proposed changes to the policy are set out in response to Q8.6.

### **Inspector's Question 8.11**

Does MBC remain of the view that the development is necessary to meet an objectively assessed need for employment and, if not, why not?

### **Council's response**

8.11.1 The Council does consider that the development at Woodcut Farm is necessary to meet the objectively assessed need for employment land. The position is set out in the Employment and Retail Topic Paper (SUB 003) paragraphs 36-41.

8.11.2 The EMP1(5) allocation in conjunction with the other employment land policies in the Local Plan positively provides for sufficient employment land of an appropriate type to ensure that the needs of the local economy can be met over the timeframe of the Local Plan.

8.11.3 The Council considers that the allocation of this site is fully justified. There is a requirement for additional office and warehousing floorspace (ECON 001). The Qualitative Employment Sites Assessment (ECON 002) forms part of the evidence base of the Local Plan and identifies that there is a gap in the borough's portfolio of employment land for a mixed business park form of development, well connected to the strategic highways network. Direct road access to other parts of Kent and, potentially, further afield is a key requirement for businesses relying on the supply, distribution and manufacture of goods and services. A site close to a motorway junction enables this efficiency, and means that HGV movements in particular are directed away from the local road network.

8.11.4 Through the SHEDLAA (HOU 007), potential alternative employment sites were assessed with the conclusion that Woodcut Farm is the best site to address this identified requirement (see SUB 003, paragraphs 40-41).

8.11.5 The Council also considers that the policy is effective. The current, active developer interest in the site gives surety that the site is deliverable.

8.11.6 Finally, the Council considers that the allocation is consistent with the Framework, in particular paragraphs 17 (bullet point 3) and 21 (bullet point 2). The Council accepts that environmental harm will result from the development of this site. Alternative site options have been explored through the SHEDLAA process as required by paragraph 152 of the Framework to test whether land of less environmental value can meet the same needs (paragraph 110 of the Framework). The conclusion of this assessment is that Woodcut Farm is the best available site to enable needs to be met and Policy EMP1(5) provides for appropriate mitigation to moderate the environmental harm.

### **Inspector's Question 8.12**

What mix of floorspace in each use class is anticipated by MBC and the landowner and how much site area would each use be likely to occupy?

### **Council's response**

8.12.1 The allocation of the Woodcut Farm site is underpinned by the evidential need to diversify the portfolio of employment sites and the need for additional warehousing (6,500sqm) and office floorspace (24,000sqm) (see SUB 003, Table 3, page 6). The site allocation is therefore driven by both a 'qualitative' need and a 'quantitative' need.

8.12.2 The policy as currently drafted does not prescribe the relative proportions of the different types of uses. This was with the intention of providing a degree of flexibility to enable land supply in the borough to respond to changing occupier demands. The Framework indicates that Local Plan policies should allow some flexibility to address unanticipated needs (paragraph 21, bullet point 3).

8.12.3 The Council does however recognise the importance of controlling the visual and landscape impact of development on the site in respect to its physical and visual relationship with the Kent Downs AONB and the character and visual impacts of the development in this countryside location. The policy as presented in the submission Local Plan aims to do this by placing a limitation on building floorplates and building heights rather than prescribing amounts of floorspace to different types of use (see criterion 4 and 5).

8.12.4 Additional prescription could be added to the policy to further control impacts although this would inevitably curtail its overall flexibility. Some form of balance needs to be struck. Further, as the allocation is, in part, to meet a qualitative demand, there has to be an element of judgement about the point at which this need can be said to be satisfied in terms of the overall site size, the amount of additional floorspace above the level of pure quantitative needs and the characteristics of the development.

8.12.5 As highlighted, there is a quantitative need for some 24,000sqm of additional office space (B1a/b). The Woodcut Farm site could therefore secure a significant contribution

towards this identified need. A specific change to the allocation policy to this effect is proposed which will help to ensure that the site is developed as a genuine mixed use business park that provides for a range of business needs over the lifetime of the Local Plan. The demand for office space is much more likely to transpire over a longer timeframe for the reasons set out in the Topic Paper (SUB 003). The development at Woodcut Farm may therefore come forward in phases, with the office uses coming forward later in the Plan period as demand transpires. The Qualitative Sites Assessment (ECON 002) identifies a particular demand for smaller office units and those suitable for multiple tenants (paragraph 3.8).

8.12.6 Similarly, there is an identified need for 6,500sqm of new warehousing which would be met by this site. Demand for warehousing space is expected to be local or sub-regional in nature, linked to retailing and logistics (paragraph 3.15) with demand likely to be for units of up to 5,000sqm in size.

8.12.7 The land to the east of the stream is generally flatter and considered more suitable for larger footprint buildings more suited to warehousing/distribution and industrial uses. The policy as submitted sets a unit size of 10,000sqm on this part of the site and the indicative masterplan submitted with the outline application for this site (15/503288) included in Appendix B shows two B8 units of 6,225sqm and 9,615sqm on this part of the site. There is a case to reduce this maximum limit to 5,000sqm in view of the analysis of likely demand referred to above with the aim of further limiting the adverse landscape impacts of the development, although this will inevitably limit the flexibility of the site to accommodate larger scale needs if required. A change to limit the unit size to 5,000sqm is therefore proposed. A revised version of Policy EMP1(5) is included in Appendix C (PC/94; PC/95).

8.12.8 To the west of the stream, the land rises gently with the incline becoming steeper at the north/north western corner of the site. Development on this side of the stream, to the north and east of Woodcut Farmhouse (Grade II) will more directly impact on its setting. Any development (above a minor scale) in this location will disrupt the farmhouse's relationship with its setting and the policy as submitted requires that development be designed to have regard to this issue (criterion 6). The Council considers however that the policy could be more tightly specified to moderate this impact in addition to further controlling the overall landscape impact of the development. Currently the policy does not set a floorspace limit for buildings to the west of the stream. Again turning to the evidence in ECON 002, demand for manufacturing space is expected to be for medium sized units (1,000 – 1,500sqm) and, possibly, small scale units (200sqm) (paragraph 3.11) and smaller scale design and build office space.

8.12.9 A change to criterion 6 is proposed to set a building footprint limit of 2,000sqm on this part of the site. This would be approximately equivalent in size to unit A1 (2,137sqm) as shown on the illustrative site layout for application 15/503288 in Appendix B. The north western part of the site is the highest part of the site and it is proposed that building footprints be further limited to 500sqm in this location. The building height limitation of 8m is retained which mitigates against multi-storey development, including for office uses, and coupled with the controls over building footprint will ensure that overall visual and landscape impacts are satisfactorily controlled.

8.12.10 In conjunction with these changes, the Council considers that the careful use of structural and internal landscaping has an important role in mitigating the overall landscape and visual impact of development in this location. Criterion 1 already requires that

substantial internal landscaping be used to break up the visual impact of development. The illustrative layout in Appendix B shows however that buildings grouped tightly together, and in conjunction with parking areas, can give the appearance of a single block of development. Changes to criterion 1 are proposed to emphasise that internal landscaping should be used to mitigate this effect. A further change is proposed to direct that such landscaping should be 'naturalistic' in form. Criterion 3 is made more specific with respect to both the depth of the landscaping buffers required at the site's boundaries and the extent of the tracts of internal landscaping.

8.12.11 A further additional criterion is proposed which sets out the further design measures which will be required to limit the overall visual impact of the development including through the use of curved roofs, sensitive materials and lighting and green roofs on the smaller buildings. To improve the visual appearance of the development from A20 and M20, the criterion requires 'active frontages' on these elevations.

8.12.12 A clarifying change is also proposed to criterion 6 to confirm that regard should be had to the conservation of the listed Woodcut Farm and its setting.

### **Inspector's Question 8.13**

Should the policy further define the type of development proposed in order to better assess its likely landscape and visual impact and scope for mitigation?

### **Council's response**

8.12.12 The proposed changes outlined in response to Q8.13 will help to further control the landscape and visual impact of the development.

### **Inspector's Question 8.14**

How viable would each class of development be at this location?

### **Council's response**

8.14.1 The viability of any form of development at Woodcut Farm would be dependent upon a wide range of factors, the majority (if not all of which) are beyond the control of the Council and planning system more generally. Whilst there are some generic principles the actual deliverability of any use will be dependent upon a number of assumptions made by the land owner/developer, not least of which would be their own expectations of land value and profit, and the investment model they are seeking to deploy. It would also be a function of how they may seek to support different elements of a scheme through development phasing and how infrastructure costs are borne within their model.

8.14.2 As such, it is difficult to suggest the true viability or deliverability of any individual component without understanding more about the specifics of the scheme and its delivery approach. That being said there are some indicators to suggest which may be more or less deliverable at the present time and how this may change over the plan period.

8.14.3 The Council have been clear that, for a number of years, the ability to deliver viable office development within the borough has been challenged, with a number of proposals being stalled for this reason within the town centre. As established under Question 8.5 in part this is linked to the shift in the nature of demand by office occupiers away from previously permitted schemes and in part this is due to the wider dynamics of the office development market outside of the South East's core markets.

8.14.4 Office values in Maidstone have been relatively weak for the past decade, with the market suppressed by an over-supply of poor quality, large buildings within the town centre. However, rental data provided by CoStar suggests that values have begun to climb within the borough, with asking rents now at the highest level for a decade at over£13/sqft.



8.14.5 Whilst achieved and effective rents are likely to be lower than this level, these average asking rents provide an indication of a strengthening market. This is likely to have been led by a rebalancing of the borough's stock, which has reduced in recent years as blocks are converted to residential use. This has decreased available space and hence reduced vacancy and availability rates.



8.14.6 Whilst this data provides positive signs of a strengthening market given prevailing rent levels it is likely that office development, based on a standard development model, would not be viable at the present time. However, with a strengthening market and the potential for alternate viability and investment models to be deployed if the office is designed for multi-occupation (requiring a long term investment model) rather than a single long lease/freehold disposal there may be opportunities to bring development forward in the medium term at least.

8.14.7 Under current market conditions it is likely that both industrial and warehouse development would provide a more positive return, given the current market performance of each use class. At present asking rents for industrial premises are c.£11.50/sqft with little or no space available within the borough, rents appear to have increased significantly in the past 12-18 months, however this may reflect a low number of deals which can skew the data. Warehouse/distribution rents are c.£7/sqft, again with low vacancy rates, however rents have only increased marginally over the past 2 years more likely reflecting a lack of stock in the market rather than low demand.

8.14.8 It is also worth noting that industrial space is more likely to be delivered as a 'build to suit' model for an identified occupier, this would alter the development viability model and may present a more attractive proposition that current rental levels suggest.

8.14.9 Overall, it is likely that in the short term industrial and warehouse uses would prove most viable within the site. However, there is also a good prospect that an improving market, and alternate forms of investment models, would enable the office component to be delivered viably within the plan period.

### Inspector's Question 8.x

Has the (town centre first) sequential test in national policy need to be satisfied in respect of the office component of the development?

## **Council's response**

8.x.1 The town centre boundary is set out on page 34 of the submitted Local Plan.

8.x.2 Within the town centre, the new office floorspace will be provided on the Mote Road site (Policy EMP1(1) as proposed to be amended). It also identifies at paragraph 13.12 that office uses may be an appropriate supporting use on the Maidstone East/Sorting Office site (RMX1(2)). Insufficient specific sites were identified through the SHEDLAA for office needs to be fully met within the town centre or at its edge.

8.x.3 Further, the economic evidence which has been prepared in support of the Local Plan identifies that there are two distinct markets for office floorspace operating in the borough. Town centre locations are particularly suited to the types of businesses which rely on a degree of passing trade and/or which clients need to visit whereas outside town centre locations may be favoured by businesses where wider strategic road links are important or which favour a business park environment. The evidence underpinning the Local Plan states that it would be undesirable to direct all future new office development to the town centre as such an approach is unlikely to provide the necessary choice and flexibility to respond to the needs of the market. It can be expected that occupiers favouring an out of centre location would be more likely to consider locations beyond the borough rather than to look towards the town centre as an alternative. In these circumstances, a strictly sequential approach to site identification would fail to adequately address the distinct types of need which have been identified. In terms of impact, the site could be expected to have a complementary role, rather than a competing one, to that of the town centre.

## **Inspector's Question 8.15**

Why is B1(b) research and development proposed to be limited to 'an element'?

- How much development would that represent?
- Does the wording require modification for clarity and certainty as to what may be permitted?

## **Council's response**

8.15.1 The specific, separate reference to B1(b) uses is misleading and it is proposed that it should be omitted (see Appendix C; PC/95).

8.15.2 Research and Development uses are considered to be an appropriate use as part of the mix of uses on this site. Indeed the requirement for additional 'office' floorspace measured in the Employment Land Forecast (ECON 001) is a combined figure for B1a and B1b uses together (see Table 23, page 81). The numerical requirement for additional offices (24,000sqm in total) will therefore be met by development falling within both these use classes.

8.15.3 Clarifying changes are proposed to the introductory paragraph of Policy EMP1(5) (see Appendix C; PC/95).

### **Inspector's Question 8.16**

What use class would 'hi-tech' development fall within and why does it also require separate treatment?

#### **Council's response**

8.16.1 This wording is superfluous; the Council proposes a change to omit this wording from the policy (see Appendix C; PC/95).

### **Inspector's Question 8.17**

Having regard to the conclusions of the Secretary of State in relation to the heritage impacts of the larger KIG proposal and to the Planning Committee's conclusion of less than substantial adverse impact on the setting of one Grade II listed building, would heritage impacts alone be capable of being outweighed by the public benefits of the proposal?

#### **Council's response**

8.17.1 The KIG application was for a significantly larger proposal (112.3ha) than the Woodcut Farm allocation (25.8ha including 9ha undeveloped landscape area). The KIG appeal Inspector concluded (paragraph 18.258)

"On Heritage features, I conclude that the proposal would not result in harm to the setting of Thurnham Castle [18.107], but that there would be modest harm to the settings of two listed buildings – Barty Barn and Woodcut Farmhouse [18.101]." (emphasis added)

8.17.2 Whilst development on the site as proposed in Policy EMP1(5) would result in some adverse impact on the setting of Woodcut Farmhouse, criteria 6 and 3 of the allocation policy make specific provision to ensure development is designed, orientated and landscaped to control the scale of the impact. The proposed changes outlined in response to Q8.12 would further help to moderate the impact on the listed building.

8.17.3 The Planning Committee report on application 15/503288 concluded that the public benefits of the development proposed outweighed the identified harm, including to the setting of Woodcut Farmhouse (paragraph 7.10)<sup>3</sup>. Planning Committee itself weighed matters differently and came to the opposite conclusion. It is nonetheless apparent that the public benefits are capable of outweighing the identified harm. This is affirmed by the site's inclusion in the submitted Local Plan, as agreed by Full Council, which mirrors the support for development at Junction 8 in the Council's Economic Development Strategy which was also agreed by Full Council.

8.17.4 The Council considers that the public benefits of the development planned for through the allocation, specifically the site's contribution to meeting the economic needs of the borough, do outweigh the potential impacts on the listed Woodcut Farmhouse (Grade II). The benefits include;

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<sup>3</sup> <https://services.maidstone.gov.uk/meetings/documents/s49308/15503288%20-%20Committee%20Report.pdf>



- Providing for new business premises in the borough to help match the requirements of the Maidstone economy up to 2031
- Provide for new jobs which can be taken up by existing and future residents
- Provide new premises which could be used by expanding existing businesses and could help support additional inward investment

8.17.5 Together these serve to achieve the economic and social aspects of sustainable development set out in the Framework.

### **Inspector’s Question 8.18**

Would there be scope for mitigation in the scale, design or mix of the development to reduce its landscape and visual or heritage impacts to an acceptable degree when weighed with the economic or other public benefits of the scheme?

### **Council’s response**

8.18.1 Policy EMP1(5) contains specific measures to mitigate the landscape, visual and heritage impacts of the proposed development. Changes to the policy proposed in response to Q8.12 will provide additional controls and limitations further mitigate against adverse impacts.

### **Inspector’s Question 8.19**

What are the reasonable alternatives for a development of a similar strategic scale [which] may have a less adverse landscape or visual impact, including in their effect on the AONB and its setting?

### **Council’s response**

8.19.1 The Council went through a process of site assessment through the SHEDLAA. The Council concluded that Woodcut Farm, with the mitigation proposed in Policy EMP1(5) is the only acceptable site for development of this strategic scale.

### **Inspector’s Question 8.20**

In the alternative, could equivalent floorspace be achieved by dividing provision between 2 or more smaller sites and would that have less impact?

### **Council’s response**

8.20.1 Good connection to the strategic road network is an important requirement as summarised in SUB 003 (see paragraph 20). As revealed through the SHEDLAA sites assessment process, this limits potential sites to those close to J8 of M20. The SHEDLAA confirmed that there is a range of smaller sites elsewhere in the borough where additional floorspace can be provided and appropriate sites have been allocated (EMP1(2), (3), (4), RMX1((4)). These sites will be able to meet more localised business needs in the rural parts

of the borough for whom direct and quick access to the motorway is less of a determining factor. They do not represent an alternative to the allocation at Woodcut Farm.

8.20.1 It is noted that in the promoters of Waterside Park's written statement to Examination Session 3B there is an illustrative plan showing development of some 27,870sqm on the Waterside Park site in addition to a reduced scale proposal on the Woodcut Farm site (27,870sqm). The reduced scale proposal on Woodcut Farm did not form part of their original representation to the Regulation 19 consultation (R19225). That original representation proposes Waterside Park as an allocation (or a reserve site) which would be additional to the Woodcut Farm development as proposed in EMP1(5). The Session 3B statement reaffirms that the promoters of Waterside Park do not object to the allocation of Woodcut Farm.

8.20.2 The variant of spreading the development over two sites rather than one would generally serve to spread the impacts of development over a wider area. Two sites will require proportionately more servicing infrastructure (internal roads, lighting, parking, access arrangements) which will spread and compound the visual and landscape impact of the proposals compared with a single allocation. Further, the Waterside Park appeal inspector placed importance on contribution that the gaps between the scattered development in this area made to its wider landscape character (see paragraph 25 of ORD 011) and that this would be diminished by the appeal proposals. Spreading development across two sites would amplify this effect.

### **Inspector's Question 8.21**

Do participants agree or disagree with the SA assessment and how might the reduced scale of the development now proposed by the Representor affect those conclusions?

### **Council's response**

8.21.1 The Council agrees with the SA assessment of this site (SA site reference ED-6 in SUB 002(G)).

8.21.2 An SA of the proposal for a reduced scale development on this site has been undertaken by the Council's sustainability consultants using the same criteria as for the original SA and this is included in Appendix D. This assessment shows that the reduced proposal does not result in any changes to the site's categorisation against the SA factors. This is because the appraisal is based on specific threshold measures so that the assessment of all sites is objective and consistent. This understood, the SA highlights that the reduced scale proposal is likely to reduce the scale of the effect on agricultural land loss and potentially on archaeological features and impact on the AONB compared with the full-size ED-6 site. The smaller scale development is also likely to lie outside flood risk zones.

### **Inspector's Questions 8.22, 8.23, 8.24 and 8.25**

How might the suggested relief road be incorporated and where might it continue to the south?

Where would the proposed development take access from the A20?

If the relief road were not incorporated would the access to the proposed site compromise any future connection of the relief road to the M20 and junction 9 at this roundabout?

What account has been taken of the appeal Inspector's conclusions concerning heritage impacts and how have these been addressed?

**Council's response to 8.22, 8.23, 8.24 and 8.25**

8.22.1 The Council understands that these questions are directed to the promoters of Waterside Park.

**Inspector's Question 8.26**

Has MBC's opposition to the allocation of this site been affected by the Planning Committee's decision concerning Woodcut Farm?

**Council's response**

8.26.1 In short, no. The Woodcut Farm site remains an allocation in the Local Plan.

**Inspector's Question 8.27**

What is the reason for the Policy?

**Council's Response:**

8.27.1 In response to the Programme Officer's letter of 21 September 2016 (Reference ED 011) requesting that the Borough Council reviews how the strategic policies of the Local Plan are defined and presented, the Council's response of 30 September 2016 (Reference ED 012) has made clear that that it considers Policy ED20 Economic Development to be a strategic policy. It is proposed that this policy is moved from the development management policies section of the Local Plan to its strategic policies section.

**Inspector's Question 8.28**

If national policy is silent on the matter can the policy be regarded as inconsistent with national policy?

**Council's Response:**

8.28.1 Where a planning permission is required, Policy DM20(vii) seeks the prioritisation of the commercial re-use of existing rural buildings in the countryside over their conversion to residential use. Given the considerable quantity and quality of agricultural buildings located throughout the borough's countryside, the criterion responds to increasing pressures for their re-use. Commercial uses generally have a lesser impact on the countryside and rural character than residential uses because (a) a commercial use typically requires fewer physical changes than a residential use, and (b) a residential use can be detrimental to the fabric and

simple form of a building. The prioritisation of commercial uses for the conversion of rural buildings also supports the national policy which seeks to support economic growth in rural areas (NPPF, paragraph 28).

8.28.2 A Local Plan policy cannot be regarded as being inconsistent with national policy if national policy is silent on the matter. The Council considers Policy DM20 is not inconsistent with national policy.

**Inspector’s Question 8.29**

What does ‘priority’ mean in this context and is the policy wording clear enough to be effective?

**Council’s Response:**

8.29.1 The priority for a commercial re-use of rural buildings over a residential use is set out in greater detail in Policy DM35, criteria (9), (10) and (11). For clarity, the following change to Policy DM30(vii) is proposed (PC/96):

Policy/paragraph number/site reference	Proposed change	Reason for proposed change
Policy DM20 Economic Development Proposed change to re-number Policy DM20 to Policy SP20 to reflect strategic policy status (ED 012)	Amend Policy DM20 (vii) to read:  vii. Prioritising the commercial re-use of existing rural buildings in the countryside over conversion to residential use, <i>in accordance with Policy DM35;</i> and	To add clarity. Policy DM35 explains the circumstances under which a residential conversion would be acceptable.

**Inspector’s Question 8.30**

How would it be determined that relocation ‘cannot be achieved’ and should additional criteria be included in the policy?

**Council’s Response:**

8.30.1 To determine that relocation cannot be achieved for large-scale development proposals, the Council would expect the applicant to demonstrate that the availability and reasonableness of alternative sites in sustainable locations had been fully explored (see proposed change under paragraph 8.33.1).

**Inspector’s Question 8.31**

What would be the ‘significant adverse impacts’ that are not addressed in any event by the policy criteria?

**Council’s Response:**

8.31.1 The ‘significant adverse impacts’ resulting from inappropriate development are addressed by the criteria of policy DM40 (see proposed change under paragraph 8.33.1).

**Inspector’s Question 8.32**

Is the policy as worded consistent with national policy?

**Council’s Response:**

8.32.1 Policy DM40, as re-worded (see proposed change under paragraph 8.33.1), is consistent with national policy, which seeks to support sustainable economic growth in rural areas (NPPF, paragraph 28) whilst recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it (NPPF, paragraph 17).

**Inspector’s Question 8.33**

What are MBC’s comments on the suggested R19258 modification?

**Council’s Response:**

8.33.1 To address the points raised in questions 8.30, 8.31 and 8.32, the Council is proposing amendments to Policy DM41 which also incorporate the modifications proposed by Representation R19258 (PC/97).

Policy/ paragraph number/ site reference	Proposed change	Reason for proposed change
Policy DM41 Expansion of existing business in rural areas	Amend Policy DM41 to read:  <b>Expansion of existing businesses in rural areas</b>  <del>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 DM21 or to a site within Maidstone urban area or one of the rural service centres. Where it is demonstrated that there would be no significant adverse impacts on the rural environment or amenity or that relocation cannot be achieved, the expansion of existing industrial or business enterprises which are currently located outside of the settlement boundaries as defined on the policies map will be permitted where:</del>	To add clarity and to ensure the policy is NPPF compliant.

	<p><u>1. Planning permission will be granted for the sustainable growth and expansion of rural businesses in the rural area where:</u></p> <p>1. There is no significant increase in the site area of the enterprise. Minor increases and rounding off the existing site will be acceptable;</p> <p>2. There is no significant addition of new buildings. (i) New buildings may be permitted, provided they are small in scale and provided the resultant development as a whole is appropriate in scale for the location and can be satisfactorily integrated into the local landscape;</p> <p>3. (ii) The increase in floorspace would not result in unacceptable traffic levels on nearby roads or a significant increase in use of an existing substandard access;</p> <p>4. (iii) The new development, together with the existing facilities, will not result in an unacceptable loss in the amenity of the area. In particular the impact on nearby properties and the appearance of the development from public roads will be of importance; and</p> <p>5. (iv) The <u>No</u> open storage of materials <u>will be permitted unless</u> can be adequately screened from public view throughout the year.</p> <p><u>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 DM21 or to a site within Maidstone urban area or one of the rural service centres. The Council would expect the applicant to demonstrate that the availability and viability of alternative sites in sustainable locations has been fully explored and that relocation cannot be achieved.</u></p>	
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### Inspector's Question 8.34

Does Policy DM29(viii) require modification for consistency with Policy DM41, including with any modifications to the latter policy?

### Council's Response:

8.34.1 This question refers to Policy DM20(viii). Policy DM20 has been identified as a strategic policy by the Council (ED 012). To be consistent with the changes to Policy DM41 proposed in paragraph 8.33.1, the following amendment is proposed (PC/98):

Policy/paragraph number/site reference	Proposed change	Reason for proposed change
Policy DM20	Amend Policy DM20 (viii) to read:	To add clarity.

<p>Economic Development  Proposed change to re-number Policy DM20 to Policy SP20 to reflect strategic policy status (reference ED 012)</p>	<p>viii. Supporting proposals for the expansion of existing economic development premises in the countryside, including tourism related development, provided the scale and impact of the development is appropriate for its countryside location, <i>in accordance with Policy <u>DM41</u></i>.</p>	<p>Policy DM41 explains the circumstances under which the expansion of rural businesses would be acceptable.</p>
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**Appendix A – Proposed changes to the allocation policy for Mote Road, Maidstone.**

<p>[additional supporting text]</p> <p><u>13.a This site comprises a 0.4ha site which lies within a wider parcel of land bounded by Romney Place, Lower Stone Street and Mote Road/Wat Tyler Way. The site is currently used for surface level car parking for nearby business uses and redevelopment represents an opportunity to make better use of this site. As it is located within the town centre, it is potentially suitable for a mix of uses including offices, residential and leisure uses.</u></p> <p><u>13.b The site has the potential to contribute to the identified need for additional office floorspace (24,000sqm by 2031). This is only likely to be achieved if the scheme includes other, higher value uses, most specifically residential. The site is therefore allocated for residential-led mixed use development which will include a significant component of office floorspace. Substantial new retail development on this site is unlikely to be acceptable as it is at some distance from the primary shopping area and lacks easy, direct walking links.</u></p> <p><u>13.c Whilst the site has previously had a planning consent for a 9 storey office block, an acceptable design solution for the site could also comprise a small number of lower-rise development blocks. Development of the site will need to bring townscape improvements to this part of the town centre, including by establishing an improved frontage to Wat Tyler Way. The scale, siting and design of the development will have particular regard to the setting of the Grade II listed Romney Terrace to the north of the site.</u></p> <p><u>13.d The policy does not prescribe amounts of floorspace of different uses as the overall development capacity of the site will be highly dependent on the specific scheme which comes forward. In respect of residential capacity, Policy DM12 sets out the density range acceptable on a town centre site.</u></p>	<p>PC/91</p>
<p><b>Policy <del>EMP1(1)</del>RMX1(x)</b> <b>Mote Road, Maidstone</b></p> <p>Mote Road, as shown on the policies map, is allocated for <u>residential-led mixed use development to include a significant element of office floorspace (B1a).</u> <del>redevelopment of up to 8,000 sqm office floorspace (B1 use class). An element of additional residential development would also be appropriate as a supporting, secondary use [PC/46].</del> <u>Leisure uses (D2) would also be appropriate as part of the mix of uses on this site.</u> Planning permission will be granted if the following criteria are met.</p> <p>Design and layout</p> <ol style="list-style-type: none"> <li>1. Where possible development should be sited to create frontage blocks to Mote Road/Wat Tyler Way and to Romney Place.</li> <li>2. The development preserves the setting of the listed properties in Romney Place.</li> <li><del>3. Development does not exceed 9 storeys in height.</del></li> </ol> <p>Noise</p> <ol style="list-style-type: none"> <li>4. The submission of a noise assessment and the delivery of appropriate noise attenuation measures as part of the development.</li> </ol>	<p>PC/92</p> <p>PC/93</p>



**Air quality**

5. The submission of an air quality assessment and appropriate air quality mitigation measures to be agreed with the council will be implemented as part of the development.

**Land contamination**

6. The submission of a land contamination report and appropriate mitigation measures to be implemented prior to development commencing.



**AMENDED**

Rec'd 15.01.16

Client:  
ROXHILL



Project:  
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Drawing Title:  
MASTERPLAN

Scale @ A1: 1:2000  
Project Co-Ordinator: HD  
Date: 18.12.15

Job No: 9325  
Stage: PL 102  
Drawing No: \*  
Rev: \*

Issue Status:  
Construction  Preliminary   
Information  Approval   
Tender

Architecture  
Master Planning  
Urban Design  
Interiors

Offices  
Woking  
London  
Milton Keynes

## APPENDIX C – Proposed changes to Policy EMP1(5) and supporting text

<p><b>Supporting text: proposed change to paragraph 15.9</b></p> <p>15.9 The flatter area of the site, to the east of the stream, is better able to accommodate larger footprint buildings up to <del>10,000sqm</del> <u>5,000sqm</u> with heights restricted to a maximum of 12m. To the west of the stream the land rises and is suited to smaller footprint buildings <u>of up to 2,000sqm and</u> 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). <u>On the highest part of the site to the east of the Woodcut Farm complex, building footprints will be limited to 500sqm.</u></p>	<p>PC/94</p>
<p><b>Policy EMP1(5) Woodcut Farm, Ashford Road, Bearsted: proposed changes</b></p> <p>Woodcut Farm, as shown on the policies map, is allocated for development for up to 49,000m<sup>2</sup> mixed employment floorspace (B1c; B2; B1a; <u>B1b</u>; B8) . <u>Office uses (B1a &amp; b) will be a substantial component of the mix of uses with the site expected to make a significant contribution to the borough need for some 24,000sqm of new office floorspace by 2031. In the event of a demand arising, an element of hi-tech and/or research and development (B1(b)) would be appropriate as part of the overall mix of B class uses on the site.</u> The employment, landscaping and infrastructure elements will be delivered in an integrated and co-ordinated manner that respect the site’s visual and physical relationship with the Kent Downs AONB.</p> <p>Planning permission will be granted if the following criteria are met.</p> <p><b>Design &amp; layout</b></p> <p>1. The proposals create a spacious parkland setting for development through the addition of substantial internal landscaping which <u>will be sympathetic to the site’s countryside context and</u> which will help to break up the visual appearance of the development <u>including parking areas</u> in particular in views from the AONB <u>including through the use of substantial tracts of planting extending into the body of the development to achieve clear visual separation between individual buildings and between parking areas;</u> buildings will cover not more than 40% of the developed site area.</p> <p>2. The development proposals will respect the topography of the site by minimising the need for site excavation.</p>	<p>PC/95</p>

~~3. Landscape buffers of at least 15m in width are established along the site's boundaries, to M20 and to Musket Lane, which will also to help secure the setting to Woodcut Farmhouse (Grade II listed) and the amenity of residential properties at Chestnuts and White Heath. Development will have a landscaped frontage to A20.~~

3. Landscape buffers of at least 35m in depth are established along the site's boundary to the M20 including a new native woodland shaw, at least 15m to Musket Lane, at least 25m to the A20 including a planted bund, and at least 30m along the western boundary, which will also to help secure the setting to Woodcut Farmhouse (Grade II listed) and the amenity of residential properties at Chestnuts and White Heath. Tracts of structural landscaping will extend into development areas of at least 15m in width..

4. An area of 9ha to the north and north west of Woodcut Farm is secured as an undeveloped landscape area in the form of open woodland including the addition of a landscape buffer of at least 30m along the eastern boundary. Future management of this area will be secured by means of legal agreement and maintained in perpetuity.

5. Larger footprint buildings ~~will be~~ are accommodated in the field to the east of the stream up to a maximum unit size of ~~10,000sqm~~ 5,000sqm with building ridge heights not to exceed 12m. Units should be orientated end-on to predominant views to and from the AONB.

6. Development on the field to the west of the stream comprises smaller units of up to 2,000sqm footprint with g. Graded building heights that will take account of the site's topography with building ridge heights not to exceed 8m. On the highest part of the site to the east of the Woodcut Farm complex, building footprints will be limited to 500sqm. The siting, scale and detailed design of development must have regard to the conservation of Woodcut Farmhouse (Grade II) and its setting.

[additional criterion]

X. The development proposals are designed to limit their visual impact including through the use of curved roofs on buildings, non-reflective materials, sensitive colouring, green roofs and walls on smaller footprint buildings (500sqm and below), and sensitive lighting proposals. Buildings should include active frontage elements incorporating glazing, and address both the A20 and M20.

Landscape and ecology

7. The development proposals are designed to take into account the results of a landscape and visual impact assessment (LVIA) undertaken in accordance with the principles of current guidance. The assessment will specifically address the impact of development on views to and from the Kent Downs AONB escarpment. This will include environmental enhancements of the wider landscape beyond the allocation boundaries through financial contributions using the mechanism of a S106 agreement.

8. The development proposals are designed to take account of the results of a phase 1 habitat survey and any species specific surveys that may as a result be necessary, together with any necessary mitigation and significant enhancement measures.

Archaeology

**9. The proposals are designed to take account of the archaeological interest on the site as revealed through appropriate survey.**

**Access**

**10. Vehicular access to the site will be from A20 Ashford Road.**

**Highways and transportation**

**11. Improvements to capacity at the A20/Willington Street junction.**

**12. Package of measures to provide bus stops, pedestrian refuges and improvements to the footway on the northern side of the A20 Ashford Road.**

**13. Development will contribute, as proven necessary through a Transport Assessment, to improvements at the following junctions:**

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

**14. Development will deliver a significant package of sustainable transport measures to secure access to the site by a range of sustainable modes, including the provision of a subsidised bus route, and must be supported by the implementation of a Travel Plan.**

1. Site Information		
Number (linked to GIS database)	ED-6 (revised boundary)	
Site name/address	Waterside Park, land south of M20 junction 8 and east of Old Mill Lane, Hollingbourne	
Site area (ha)	5.8ha	
Proposed Use	The creation of up to 25,000m <sup>2</sup> of employment floorspace in use classes B1, B2 and B8.	
Site Description	<p>The site is situated to the south of A20 at the point the A20 connects to J8 of the M20. It comprises the eastern part of an agricultural field. It is bordered to the north by a tree and shrub covered bank, which slopes steeply down to the A20, and by a wooden fence. There is a gated agricultural access to the site off the A20 to the east of the A20 roundabout.</p> <p>To the north west is a depot for Biffa Bins. To the east and south is the River Len Millpond and Carr, Leeds Local wildlife site and further to the east the Mecure Hotel.</p>	
Current use	The site is in agricultural use.	
Adjacent uses	To the north is A20 and its intersection with M20. The north west corner of the site abuts the Biffa Bins site which is accessed from Old Mill Lane, though there is some separation between the site given the new boundary. To the north west/west of Old Mill Lane is agricultural land. The farm complex of Old Mill Farm is to the south west of the site alongside the 2 residential properties of Old Mill House and Old Mill Oast. The revised site boundary maintains a larger gap between the site and these properties. Beyond the woodland and mill pond to the south are agricultural fields and to the east, beyond a tree belt, is the Mercure Hotel. North of the site on the northern side of A20 is Old England Cottage (listed).	
2. Sustainability Appraisal		
SA Topic: Community wellbeing		
Accessibility to existing centres and services:		
Appraisal Question	Criteria	Answer/Evidence
How far is the site from the Maidstone Urban Area or a Rural Service Centre?	<p><b>R</b> = Not adjacent to the Maidstone Urban Area, or a rural service centre and would not be more accessible to services even if other sites were allocated</p> <p><b>A</b> = Adjacent to the Maidstone Urban Area or a rural service centre, or could be more accessible to services if other sites allocated as well</p> <p><b>G</b> = Within the Maidstone Urban Area or a rural service centre</p>	<p><b>R</b> = Not adjacent to the Maidstone Urban Area, or a rural service centre and would not be more accessible to services even if other sites were allocated</p> <p>No change to category.</p>
How far is the site from the nearest medical hub or GP service?	<p><b>R</b> = &gt;800m</p> <p><b>A</b> = 400m – 800m</p> <p><b>G</b> = &lt;400m</p>	<p><b>R</b> = 2,469m from a medical/GP service</p> <p>Not relevant for employment sites. Would not change categorisation anyway.</p>

How far is the site from the nearest secondary school?	<b>R</b> = >3900m <b>A</b> = 1600-3900m <b>G</b> = <1600m;	<b>R</b> = 4,855m from secondary school Not relevant for employment sites. Would not change categorisation anyway.
How far is the site from the nearest primary school?	<b>R</b> = >1200m <b>A</b> = 800-1200m <b>G</b> = <800m;	<b>A</b> = 819m from primary school Not relevant for employment sites. Would not change categorisation anyway.
How far is the site from the nearest post office?	<b>R</b> = >800m <b>A</b> = 400m – 800m <b>G</b> = <400m	<b>R</b> = 913m from post office Not relevant for employment sites. Would not change categorisation anyway.

### Accessibility to outdoor facilities and greenspace:

Appraisal Question	Criteria	Answer/Evidence
How far is the site from the nearest outdoor sports facilities (i.e. playing pitch, tennis courts)?	<b>A</b> = >1.2km <b>G</b> = <1.2km	<b>G</b> = 883m from outdoor sports facility  Not relevant for employment sites. Would not change categorisation anyway.
How far is the site from the nearest children's play space?	<b>A</b> = >300m from 'neighbourhood' children's play space <b>G</b> = <300m	<b>A</b> = 1,184m from 'neighbourhood' children's play space  Not relevant for employment sites
How far is site from the nearest area of publicly accessible greenspace (>2ha in size)?	<b>A</b> = >300m (ANGST) <b>G</b> = <300m	<b>G</b> = 18m from the accessible greenspace  Not relevant for employment sites. Would not change categorisation anyway.

### SA Topic: Economy

Appraisal Question	Criteria	Answer/Evidence
How accessible is the site to local employment provision (i.e. employment sites or the nearest local service centre?)	<b>R</b> = >2400m <b>A</b> = 1600-2400m <b>G</b> = <1600m	<b>R</b> = 3,286m from employment site <b>A</b> = 2,257m from local service centre Not relevant for employment sites. Would not change categorisation anyway.
Will allocation of the site result in loss of employment	<b>R</b> = Allocation will lead to significant loss of employment	<b>G</b> = Allocation will not lead to the loss of employment

land/space?	land/space <b>A</b> = Allocation will lead to some loss of employment land/space <b>G</b> = Allocation will not lead to the loss of employment land/space	land/space <b>Not relevant for employment sites</b>
Will allocation of the site result in employment-generating development in or close to (<2400m) deprived areas?	<b>A</b> = Not within or close to the 40% most deprived Super Output Areas within the country, according to the Index of Multiple Deprivation, 2010. <b>G</b> = Within or close to the 40% most deprived Super Output Areas within the country.	<b>A</b> = Not within or close to the 40% most deprived Super Output Areas within the country, according to the Index of Multiple Deprivation, 2010. <b>No change.</b>

### SA Topic: Transport and Accessibility

Appraisal Question	Criteria	Answer/Evidence
How far is the site from the nearest bus stop?	<b>R</b> = >800m <b>A</b> = 400 - 800m <b>G</b> = <400m	<b>A</b> = 400 - 800m <b>No change to categorisation</b>
How far is the site from the nearest train station?	<b>R</b> = >800m <b>A</b> = 400 - 800m <b>G</b> = <400m	<b>R</b> = 1,086m from train station <b>No change to categorisation.</b>
How far is the site from the nearest cycle route?	<b>R</b> = >800m <b>A</b> = 400 - 800m <b>G</b> = <400m	<b>R</b> = 1,921m from cycle route <b>No change to categorisation.</b>

### SA Topic: Air quality and causes of climate change

Appraisal Question	Criteria	Answer/Evidence
Are there potential noise problems with the site – either for future occupiers or for adjacent/nearby occupiers arising from allocation of the site?	<b>A</b> = Potential adverse impact <b>G</b> = Unlikely adverse impact <b>N</b> = No information available at this stage	<b>G</b> = Unlikely adverse impact <b>No change to categorisation.</b>
Is the site within or near to an AQMA?	<b>R</b> = Within or adjacent to an AQMA <b>A</b> = <1km of an AQMA <b>G</b> = >1km of an AQMA	<b>A</b> = <1km of an AQMA <b>No change to categorisation.</b>



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## SA Topic: Water resources and quality

Not addressed by the Pro Forma. Development management policies will address this issue.

## SA Topic: Land use, landscape and the historic environment

### Land Use:

Appraisal Question	Criteria	Answer/Evidence
Will allocation of the site lead to loss of the best and most versatile agricultural land?	<b>A</b> = Includes Grade 1, 2 or 3 agricultural land <b>G</b> = Does not include 1, 2 or 3 agricultural land	<b>A</b> = Includes Grade 2 & 3 agricultural land <b>No change to categorisation, though a smaller area of agricultural land Grade 2 land would be affected.</b>
Will allocation of the site make use of previously developed land?	<b>R</b> = Does not include previously developed land <b>A</b> = Partially within previously developed land <b>G</b> = Entirely within previously developed land	<b>R</b> = Does not include previously developed land <b>No change</b>

### Landscape, townscape and the historic environment:

SA Objective 7. To create and sustain vibrant, attractive and clean communities

SA Objective 14: To protect, enhance and make accessible for enjoyment, the Borough's countryside, open space and historic environment

Appraisal Question	Criteria	Answer/Evidence
Is the allocation of the site likely to impact upon a Scheduled Ancient Monument (SAM)?	<b>A</b> = On a SAM OR Allocation will lead to development adjacent to a SAM with the potential for negative impacts <b>G</b> = Not on or adjacent to a SAM and is unlikely to have an adverse impact on a nearby SAM.	<b>G</b> = Not on or adjacent to a SAM and is unlikely to have an adverse impact on a nearby SAM. <b>No change</b>
Is the allocation of the site likely to impact upon a listed building?	<b>A</b> = Contains or is adjacent to a listed building and there is the potential for negative impacts. <b>G</b> = Not on or adjacent to a listed building and is unlikely to have an impact on a nearby listed building.	<b>A</b> = Contains or is adjacent to a listed building and there is the potential for negative impacts. <b>No change to categorisation. Site is smaller, but still remains adjacent to listed building.</b>
Is the allocation of the site likely to impact upon a	<b>A</b> = Within or adjacent to a Conservation Area and there	<b>G</b> = Not within or adjacent to a Conservation Area and is unlikely to have an impact on a nearby listed building.

Conservation Area?	is the potential for negative impacts. <b>G</b> = Not within or adjacent to a Conservation Area and is unlikely to have an impact on a nearby listed building.	<b>No change.</b>
Does the site lie within an area with significant archaeological features/finds or where potential exists for archaeological features to be discovered in the future?	<b>A</b> = Within an area where significant archaeological features are present, or it is predicted that such features could be found in the future. <b>G</b> = Not within an area where significant archaeological features have been found, or are likely to be found in the future. <b>N</b> = No information available at this stage	<b>A</b> = Within an area where significant archaeological features are present, or it is predicted that such features could be found in the future.  <b>No change to categorisation, though smaller amount of land will be affected.</b>
Is the site located within or in proximity to and/or likely to impact on the Kent Downs AONB?	<b>A</b> = In close proximity to the Kent Downs AONB and/or there is the potential for negative impacts. <b>G</b> = Not in close proximity to the Kent Downs AONB and/or negative impacts on the AONB are unlikely.	<b>A</b> = In close proximity to the Kent Downs AONB and/or there is the potential for negative impacts.  <b>No change to categorisation. However, the potential for negative effects would be lower due to the smaller scale and retained landscape.</b>
Is the site in the Green Belt? If so, is the allocation of the site likely to cause harm to the objectives of the Green Belt designation?	<b>A</b> = Within or adjacent to the Green Belt and development could potentially cause harm to the purposes of the Green Belt designation and/or its openness <b>G</b> = Not within or adjacent to the Green Belt	<b>G</b> = Not within or adjacent to the Green Belt  <b>No change to categorisation.</b>
Would development of the site lead to any potential adverse impacts on local landscape character for which mitigation measures appropriate to the scale and nature of the impacts is unlikely to be achieved?  <i>*Based upon 2012 Landscape Character Assessment and officer comments</i>	<b>R</b> = Likely adverse impact (taking into account scale, condition and sensitivity issues), which is unlikely to be appropriately mitigated <b>A</b> = Likely adverse impact (taking into account scale, condition and sensitivity issues), which is likely to be appropriately mitigated <b>G</b> = Opportunity to enhance landscape character or there is unlikely to be an adverse impact	A detailed assessment of ' <i>landscape capacity to accommodate change</i> ' was undertaken for this site in 2014 ( <i>see row below for the findings relating to this site</i> ). Therefore, it is not considered necessary or useful to undertake a separate assessment of ' <i>potential landscape effects</i> ' using this particular criteria.
Capacity of the Landscape to accommodate change  <i>*Based upon Landscape Character Assessment 2014</i>	<b>R</b> = Low <b>A</b> = Moderate <b>G</b> = High	<b>Low</b>  <b>Site remains in an area with low capacity to accommodate change.</b>

## SA Topic: Flood Risk

Appraisal Question	Criteria	Answer/Evidence
Is allocation of the site within a flood zone?	<p><b>R</b> = Flood risk zone 3b</p> <p><b>A</b> = Flood risk zone 2 or 3a</p> <p><b>G</b> = Flood risk zone 1</p>	<p><b>G</b> = FZ1 Overlap - 91.84%</p> <p><b>R</b> = FZ2 Overlap - 8.16%</p> <p><b>A</b> = FZ3 Overlap - 7.542%</p> <p>No change to category overall (Red) as areas of FZ2 and 3, still remain. However, flood risk zones are right on the boundary and could be avoided.</p>
Is the proposed use of the site appropriate in terms of guidance set out in the 'Technical Guidance to the NPPF' relating to flood risk? See table 3 (page 8) of the technical guidance.	<p><b>R</b> = Development should not be permitted</p> <p><b>A</b> = Exception test is required</p> <p><b>G</b> = Development is appropriate</p>	<p><b>G</b> = Development may be appropriate although not on 100% of the site.</p> <p>No change.</p>

## SA Topic: Biodiversity and Green Infrastructure

Appraisal Question	Criteria	Answer/Evidence
Is the allocation of the site likely to impact upon an Ancient Woodland (AW) or Ancient Semi-Natural Woodland (ASNW)?	<p><b>R</b> = Includes AW/ASNW</p> <p><b>A</b> = &lt;400m from an AW/ASNW</p> <p><b>G</b> = &gt;400m</p>	<p><b>A</b> = 99.5m from an AW/ASNW</p> <p>Site adjacent to Ancient Woodland. The original distance was 99m, but this was based upon older GIS data. It does not change the classification anyway.</p>
Is the allocation of the site likely to impact upon a Site of Special Scientific Interest (SSSI)?	<p><b>A</b> = Potential impacts identified by County Council Ecologist</p> <p><b>G</b> = No likely impacts identified at this stage</p>	<p><b>G</b> = No likely impacts identified at this stage</p> <p>No change</p>
Is the allocation of the site likely to impact upon a Local Wildlife Site (LWS) or Local Nature Reserve (LNR)?	<p><b>A</b> = Potential impacts identified by County Council Ecologist</p> <p><b>G</b> = No likely impacts identified at this stage</p>	<p><b>A</b> = Potential impacts identified by County Council Ecologist; 0m from LWS- No change. Site may be smaller but still adjacent to River Len Millpond and Carr, Leeds Local wildlife site.</p>

		<b>G</b> = No likely impacts identified at this stage; 4,358m from LNR
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