


Maidstone Borough Council


Maidstone Borough Local Plan

Statement of Consultation May 2016





Affordable housing,
Armstrong Road, Maidstone



Scania Depot, Brooklyn Yard




Lenham Village Square




Kent Institute of Medicine
and Surgery, Maidstone




Langley Park, Maidstone



Sandling Lane, Penenden
Heath, Maidstone



Captain Nolan Sculpture,
Old Ophthalmic Hospital



Mote Park, Maidstone



Marden



Fremlin Walk

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Introduction

1.1 This Statement of Consultation accompanies the submission of the Maidstone Borough Local Plan and sets out how Maidstone Borough Council has undertaken its consultation process, summarising the results of the public consultations on the Draft Local Plan during its preparation.

1.2 The Maidstone Borough Local Plan was published⁽¹⁾ for consultation on Friday 5 February 2016 for a period of six weeks. The consultation closed on Friday 18 March 2016.

1.3 In preparing the Local Plan a number of previous consultations were held, and these are summarised in later chapters of this document. The Statement of Consultation sets out what consultation was undertaken, when, with whom and how it has influenced the plan. It has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 22) (1) (i)-(iii) which sets out that a Consultation Statement has to be produced to show:

- Which bodies and persons Maidstone Borough Council invited to make representations
- How those bodies and persons were invited to make representations
- A summary of the main issues raised by the representations made
- How any representations made have been taken into account.

1.4 This Consultation Statement will assist the Inspector at the Examination in determining whether the Maidstone Borough Local Plan complies with the minimum requirements for public participation and Government guidance.

1 Regulation 19, of the Town and Country Planning (Local Planning)(England) Regulations 2012

Legal Requirements

2.1 As set out in the regulations⁽²⁾ the Statement of Consultation is a legal requirement to accompany the Submission (Regulation 22) of the Local Plan to The Secretary of State. Any consultation or engagement undertaken must also be in accordance with the council's adopted Statement of Community Involvement (SCI).

2.2 Maidstone Borough Council refreshed and adopted its SCI in 2013 following consultation. All Local Plan consultations have been carried out in accordance with the adopted SCI.

2.3 At the submission stage of the regulations (Regulation 22) the Statement of Consultation is also required to include information relating to:

- The number of representations received during the Publication consultation (Regulation 19), stating none if this was the case; and
- A summary of the main issues raised by the representations if applicable.

2.4 This summary of main issues is appended to the Statement of Consultation in Appendix E.

2.5 The Local Plan is a Development Plan Document that sets out the borough's proposals, allocations and policies for future development in Maidstone over the next 15 years. The Local Plan includes borough wide site allocation and area specific policies.

2.6 Once adopted, the Maidstone Borough Local Plan will replace all of the proposals in the existing local development plan currently made up of the Maidstone Borough Wide Local Plan 2000 (saved policies) and Appendices, the Affordable Housing DPD (2006) and the Open Space DPD (2006).

How the Local Plan has evolved.

2.7 In September 2011 the council consulted the public on its draft Maidstone Borough Core Strategy, which planned for 10,080 dwellings for the period 2006 to 2026. As such, a base date of 2006 was used to assess the council's housing and commercial land supply against its targets for the 20 year period. Housing development was to be focused in the north-west and south-east of the urban area and at five Rural Service Centres: Harrietsham, Lenham, Headcorn, Marden and Staplehurst. This was a locally derived target having regard to the former South East Plan target of 11,080 dwellings, but also to areas of constraint within the borough such as the Kent Downs Area of Outstanding Natural Beauty and the floodplain.

2.8 The draft Core Strategy identified broad strategic locations for housing and employment development rather than allocating specific sites, and detailed development management policies and land allocations were to follow in the form of a Development Delivery Development Plan Document (DPD).

2 Town and Country Planning (Local Planning)(England) 2012

2 . Legal requirements and Local Plan background

2.9 In March 2012 the Government published the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development. In addition, following consultation on the draft Core Strategy, representations from the public illustrated a desire to see specific strategic site allocations within the document in order to give more clarity. In May 2012 the council advertised a 'call for sites' exercise inviting landowners, developers and their agents to submit information about available sites within the strategic housing and employment locations identified on the key diagram of the Core Strategy.

2.10 Following a rigorous assessment of all of the sites submitted, the Core Strategy Strategic Site Allocations document was approved for a six week public consultation in August and September 2012, together with the draft Integrated Transport Strategy. Following this consultation, it was clear that the public wished to see all land allocations included in the Core Strategy, not just those allocated in the strategic locations.

2.11 In November 2012 the council agreed to delay its Core Strategy programme so that further work could be undertaken on the evidence base. The council agreed to update demographic and economic need data, to commission a new Strategic Housing Market Assessment (SHMA), and to produce new Strategic Housing and Economic Development Land Availability Assessments (SHLAA and SEDLAA).

2.12 In March 2013 Councillors agreed to amalgamate the Maidstone Borough Core Strategy and the Development Delivery DPD into a single comprehensive Maidstone Borough Local Plan, an approach supported by the NPPF, and the plan period was rolled forward from 2006-26 to 2011-31. The work undertaken for the Core Strategy was not lost, and many of the policies were appropriately amended and incorporated into the draft Local Plan. The comments received during the public consultations in 2011 and 2012 helped to shape the policies included in the new plan.

2.13 The first draft of the Maidstone Borough Local Plan produced in 2014 provided a comprehensive planning policy framework with both strategic and detailed development management policies and included allocations for development of housing, employment and Gypsies and Travellers based on assessed needs to 2031. The plan was the subject of a detailed 6-week public consultation under Regulation 18 during the period March to May 2014.

2.14 As part of the consultation the council invited written comments and facilitated this with a number of exhibition events and dialogue with Parish Councils which are further explored in chapter 3.

2.15 Throughout its preparation the Local Plan and previous iterations have been required to take account of legislative changes and local interruptions, including a hiatus to undertake work on a major rail/freight interchange proposal for the outskirts of Maidstone, Kent International Gateway, during the period between 2008 and 2010. The stages of consultation undertaken can be summarised in the table below.

Stage of Consultation	Legislative reference.
Issues and Options 2006	Regulation 25 (2004)
Preferred Options 2007	Regulation 25 (2004)
Draft Core Strategy 2011	Regulation 25 (2008)
Core Strategy Strategic Site Allocations 2012	Regulation 25 (2008)
Draft Maidstone Borough Local Plan 2014	Regulation 18 (2012)
Maidstone Borough Local Plan (Partial) Update 2015	Regulation 18 (2012)
Maidstone Borough Local Plan Publication 2016	Regulation 19 (2012)

Table 2.1 Key consultation stages undertaken.

2.16 At each stage, consultation results have been considered by Councillors on the relevant Steering Groups or Committees, and decisions made on the way forward for the plan and its policies.

The Duty to Cooperate

2.17 With the advent of Localism ⁽³⁾ Local Planning Authorities producing Local Plans were obliged to work with neighbouring authorities on strategic cross-border issues, and cooperate in plan making under the Duty to Cooperate. Such cooperation is required to be evidenced before the examination of a Local Plan, and set out in the council's Compliance Statement that accompanies the Submission of the Local Plan.

2.18 The council has taken the opportunity to meet regularly with its neighbours throughout the plan making process since the Duty was introduced, and has undertaken joint work in some areas to support the development of the respective Local Plans. Through the stages of consultation the council has met with each of its neighbouring authorities to discuss pertinent issues and matters and has also ensured open dialogue with statutory consultees.

3 The Localism Act 2012

3 . Who was consulted and how?

Who was consulted and how.

3.1 Throughout the plan making process the council has made use of a number of methods to publicise its consultations. Lessons from previous consultations have been taken on board in planning new events to ensure best use of available resources and at the same time ensuring maximum impact and coverage. In 2011 for example, a leaflet drop to all householders was arranged but this was deemed to be of limited added value, but at significant cost. A similar level of coverage has been achieved through the use of the Borough Update discussed later.

3.2 The council maintains a database of consultees which forms the starting point for notifications of consultation. The database is regularly maintained and updated to take account of requests to be added or removed from the circulation list, and to update any changes of contact details.

3.3 All consultations have been formally notified by way of a Public Notice in the local newspaper which has full coverage of the borough, and on the council's own website. At the Publication (Regulation 19) stage formal notification to all statutory consultees was undertaken by email in addition to the email sent as standard to elected Borough Councillors and Parish Councils for all consultations.

3.4 Hard copies of all documentation were made available for public viewing during every consultation in the council's Gateway as well as in all static public libraries in the borough, and in all Parish Council offices. Comments were invited electronically through the consultation portal or by email, or in writing for each consultation. Officers were also on hand to deal with face to face enquiries from members of the public who visited either the council offices or the Gateway.

3.5 During the earlier preparation stages of consultation, static displays and roadshow-style events were held in a number of locations in the borough, both urban and rural, to allow the public to meet with officers and discuss their issues and concerns and for officers to explain both the plan making process and the proposals being put forward.

3.6 At regular intervals, use has been made of the Borough Update feature produced by the council and included in a free publication the Downs Mail, which is delivered to every household in the borough to update on progress with the Local Plan and also to promote consultation stages. Officers have met regularly with elected Councillors, Parish Councils and other community groups and pressure groups, as well as with Neighbourhood Plan groups to discuss plan proposals.

3.7 Officers have also met with the development industry through Developer Workshops arranged to discuss specific matters relating to housing delivery, a bi-annual Developers Forum, and more specifically with representatives of the House Builders Federation. Developer consultation is also undertaken through specific pre-application discussions on request.

3.8 The business community have been engaged through specific stakeholder events including forums and business breakfasts.

3.9 At all stages in the plan making process, decisions have been taken by the Strategic Planning, Sustainability and Transportation Committee, and before that by the Overview and Scrutiny Committees and Cabinet. All of these meetings have been public meetings, and have been webcast to ensure the decision making has been both transparent and accessible to all.

3.10 A list of consultees by type is presented in Appendix A at the end of this document.

3.11 Appendix B sets out in more detail how each stage of consultation was handled, and the methods used to promote the consultation.

Local Plan Publication consultation 2016.

3.12 The Local Plan Publication version was consulted on between 5 February and 18 March 2016. As in all previous consultations promotional material was circulated to advertise the consultation, including an automatic notification to all registered consultees with an email address. Postal consultees were advised by mail.

3.13 To ensure all consultees were able to fully understand the consultation questions at this regulatory stage, some additional guidance material was prepared and made available at all document deposit points, as well as online. Copies are included at Appendix D of this document. A list of Frequently Asked Questions was also produced, and was attached to the consultation as well as at document deposit points. Elected Councillors were all briefed on these and provided copies to assist in queries from constituents. Statutory consultees as listed in Appendix A were also specifically notified by email in advance of the start of the consultation.

3.14 At the close of the consultation at 17:00 on Friday 18 March, 589 individual responses to the consultation had been received from 505 consultees.

4 . Issues arising from the consultation and how these have been used to develop the plan

Issues arising and how they have been used

4.1 At every stage of plan preparation the representations made by consultees have been considered in detail. Where appropriate, and in accordance with national policy these comments have been used to modify and shape the plan, its policies and its allocations. As set out in the introduction to this document, consultee comments were one of the reasons the council moved toward making allocations in a comprehensive Local Plan .

4.2 The involvement of Councillors has been pivotal and at every stage undertaken, there has been a committee decision in relation to key issues and proposed plan changes as a result. This information is collated in Appendix C.

4.3 In some cases, as the plan has evolved in line with changes in national policy, some of these previously agreed changes and modifications have been superseded. In some other instances national policy or evidence has meant that consultation comments have not been able to be taken forward despite a large volume of support from people in the local area.

4.4 Throughout every stage of consultation the council has received representations from the development industry and their agents relating to omission sites. The majority of these sites are known to the council and have been the subject of detailed consideration for the Strategic Housing Land Availability Assessment documents, but this has not always been the case. Those new sites proposed in the most recent Preparation (Regulation 18) consultation have also been assessed by officers in terms of suitability, but the council has rejected the inclusion of any further sites in the plan beyond those included in the October 2015 consultation document.

4.5 Further site based representations have been made at Regulation 19 Publication consultation, and will be included with the other representations received and submitted along with the plan.

Summary.

5.1 In conclusion, consultation has been an integral part of the development of the Local Plan through all of its iterations. Full details of all consultations, supporting materials and consultee comments are available for inspection in the council's online portal system here: <http://maidstone.objective.co.uk/portal/>

5.2 The views of consultees have been used to shape policies in the plan and to inform the decision making of elected Councillors through the democratic process.

A.1 This Appendix details consultees by type. At every stage of consultation undertaken those registered in the database at that time were notified, unless a specific request not to be contacted had been received.

Statutory Consultees and Partner Agencies:

Environment Agency	BT Openreach
Historic England	Mobile Operators Association
Natural England	Primary Care Trust
Highways England	Clinical Commissioning Group
Southern Water	Homes and Communities Agency
South East Water	SE Local Enterprise Partnership
UK Power Networks	Kent Fire and Rescue
Southern Gas Networks	Kent Police
Network Rail Infrastructure	Sport England
South Eastern Trains	DCLG
Department for Transport	

Neighbouring Authorities:

Medway Council
Swale Borough Council
Ashford Borough Council
Tunbridge Wells Borough Council
Tonbridge & Malling Borough Council
Kent County Council

Parish Councils in Maidstone Borough:

Barming Parish Council	Langley Parish Council
Bearsted Parish Council	Leeds Parish Council
Bicknor Parish Meeting	Lenham Parish Council
Boughton Malherbe Parish Council	Linton Parish Council

Boughton Monchelsea Parish Council	Loose Parish Council
Boxley Parish Council	Marden Parish Council
Bredhurst Parish Council	Nettlestead Parish Council
Broomfield & Kingswood Parish Council	Otham Parish Council
Chart Sutton Parish Council	Otterden Parish Meeting
Collier Street Parish Council	Staplehurst Parish Council
Coxheath Parish Council	Stockbury Parish Council
Detling Parish Council	Sutton Valence Parish Council
Downswood Parish Council	Teston Parish Council
East Farleigh Parish Council	Thurnham Parish Council
East Sutton Parish Council	Tovil Parish Council
Frinstead Parish Meeting	Ulcombe Parish Council
Harrietsham Parish Council	West Farleigh Parish Council
Headcorn Parish Council	Wichling Parish Meeting
Hollingbourne Parish Council	Wormshill Parish Meeting
Hucking Parish Meeting	Yalding Parish Council
Kent Association of Local Councils (Maidstone Branch)	Joint Parishes Group
South Maidstone Parishes Group	

Neighbouring Parish Councils not in Maidstone Borough:

Biddenden Parish Council	Goudhurst Parish Council
Smarden Parish Council	Horsmonden Parish Council
Egerton Parish Council	Capel Parish Council
Charing Parish Council	Paddock Wood Town Council
Hartlip Parish Council	Wateringbury Parish Council
East Peckham Parish Council	Bredgar Parish Council
East Malling and Larkfield Parish Council	Borden Parish Council
Ditton Parish Council	Newington Parish Council

Aylesford Parish Council	Newnham Parish Council
Cranbrook and Sissinghurst Parish Council	Eastling Parish Council
Frittenden Parish Council	Stalisfield Parish Council
Doddington Parish Council	

Members of Parliament:

Rt Hon Helen Grant MP
Rt Hon Hugh Robertson MP
Rt Hon Helen Whatley MP

Agents and Developers:

Tetlow King Planning	WYG Planning and Design
H3G	JCMN Design
Stratus Environmental	Savills
M&G Real Estate	Nathaniel Lichfield & Partners
Courtley Consultants Ltd	Ellis Associates
Ashfold Estates	Persimmon Homes South East
DLA Town Planning	RG&P Ltd
Shire Consulting	DMH Stallard LLP
DHA Planning	Simply Planning
Michael Cox Associates	Bloomfields Ltd
GL Hearn	RPS Planning
Pegasus Planning Group	Bellway Homes Ltd
St Modwen	U and I Group plc
Urbanissta Ltd	Crest Nicholson
Barton Wilmore	David Wilson Homes
Philip Brown Associates	Bidwells

Consilium Town Planning	Redrow Homes
BDB_Design LLP	Fairview Homes
Montagu Evans	Friends Families and Travellers Community Base
Mosaic Town Planning	Gleeson Homes
Evison & Company	National Gypsy Council
Murdoch Planning	Irish Traveller Movement in Britain
Phase 2 Planning and Development	Canterbury Gypsy Support Group
Iceni Projects Ltd	The Emerson Group
Planware Ltd	London & Cambridge Properties Ltd
Golding Homes	McCarthy and Stone
Judith Ashton Associates	Hume Planning Consultancy Ltd
MJB Architecture	Capita
Millmanor plc	Hillreed Developments Ltd
Miller Strategic Land	Knight Frank
ASP Town Planning and Development Consultancy	Wealden Homes
Defence Estates MOD	WS Planning and Architecture
CF Thurlow Town Planning Consultancy	Gladman Developments
Taylor Wimpey	LPDC Ltd
Hobbs Parker Property Consultants Ltd	Maven Plan Ltd
Da Vinci Properties Ltd	Nesslings Chartered Town Planners
Wilmott Dixon	Kent Neurosciences Property Ltd
Graham Nourse Planning	Medway Magna Ltd
Country House Developments Ltd	Sigma Planning Services
King & Johnston Homes Ltd	Clarendon Homes
DAC Architects	John Sharkey & CO
Jones Homes	Gerald Eve

Appendix A . List of consultees

HE Hall and Son Ltd	Lambert Smith Hampton Property Solutions
Countryside Properties (UK) Ltd	Martin Robeson Planning Practice
Maddox and Associates	Shire Consulting
Goddard Planning Consultancy	RPC Land and New Homes Ltd
HLL Humberts Leisure	Alliance Environmental & Planning Ltd
Lee Evans Partnership	DTZ
Batcheller Thacker	Paul Sharpe Associates
Penshurst Planning Ltd	Peter Court Associates
Rapleys LLP	Kitewood Estates Ltd
Robin Levy Property and Planning Consultants	Amec Foster Wheeler E&I UK
Eclipse Construction Co	John Bishop and Associates
Adams Planning and Development Ltd	Howard Sharp & Partners
Heine Planning	Carter Jonas
McGregor & Associates	Brimble Lea & Partners
FFT Planning	Planning and Design Bureau
Thomas Eggar LLP	Anthony Rix Chartered Surveyors
Planning Masters	Catherine Hughes Associates
CB Richard Ellis Ltd	Taylor Woodrow
Judith Norris Ltd	Strutt and Parker
Lander Planning	Firstplan
MDA Planning	Country Land and Business Association
CBRE Ltd	Ethnic Minority Community Advisory Group
UK Association of Gypsy Women	MD Associates
Strand Harbour Ltd	The Gypsy Council
Thornhill Assets Trading Inc	Pentland Homes
St Johns College (Cambridge)	Swan Properties

Towerstile	U+I Group plc
Synergy Planning and Property Consultants	Chailey Homes
Bucks Floating Support	Bovis Homes Ltd
Planning Potential Ltd	Croudace Homes Ltd
Woolf Bond Planning	MHA MacIntyre Hudson
Indigo Planning	EcoBuild Partnership Ltd
Quod	FFT Planning
I-Transport LLP	Esquire Developments Ltd
AZKO Nobel (CPS) Pension Scheme	Fernham Homes
Stiles Harold Williams Partnership LLP	George Wimpey UK Ltd
Boyer Planning	Rydon Homes Ltd
Palm Development	MJ Gleeson
The London Planning Practice	Simon Wright Homes
Wye Agricultural Ltd	The Traveller Movement
Traveller Law Reform Project	Sibley Pares
Hyde Housing Association	TNEI Services Ltd
Showmens Guild	St Davids Commercial
JB Planning Associates	David Lock Associates
D2 Planning Ltd	Stephens Scown LLP
Wates Developments	King Sturge LLP
Home Builders Federation	Godfrey Chapples Ltd
CGMS Consulting	Vision Land and Property
Smiths Gore	Clear View Planning
Cluttons LLP	Berkeley Strategic Land Ltd
Signet Planning	DKLM LLP
Martineau	Plottolders Land Management Group Ltd
Designscape Consultancy Ltd	Lambert and Foster

Keyspan Developments	Ward Homes Ltd
JCN Design	Barratt Strategic
Turley Associates	Prime Construction Consultants Ltd
Howard Hutton & Associates	DPDS Consulting Group
Solar Securities Ltd	Harrow Estates plc
National Federation of Gypsy Liaison Groups	Peveler
Adams Hendry Consulting Ltd	Francis Knight
Halcrow	AS Planning
Fusion Online Limited	

Local and other Businesses:

Burtens	E J Mackelden & Sons (Bobbing) Ltd
Tourism South East	Fridays
Cornwallis Academy (Future Schools Trust)	Page and Wells
Automotive Distributors Ltd (ADL)	Alan Firmin Ltd
Maidstone Studios	Bearsted Golf Club
Freight Transport Association	Claygate Distribution
The Lawn Tennis Association	Knight Asphalte Co Ltd
St Simon Stock Catholic School	Blackthorn Medical Centre
Arriva Southern Counties Ltd	Foster Crouch and Sunnocks
Ferdinand Bilstein UK Ltd	Gallaghers Ltd
Nu Venture	GG Tomkinson Ltd
Notcutts Ltd	Harvestore Systems (Holdings) Ltd
Russell & Russell Roofing	Maidstone Town Centre Management Ltd
Fine and Country	Mid Kent Federation of Small Businesses
Streamline Kent	Kent Invicta Chamber of Commerce

Tassell Bros (Ulcombe) Ltd	Leeds Castle Foundation
Maidstone Library	Hadlow College
Biffa	Haynes Bros Ltd
Turkey Mill Investments Ltd	Euroglass UK
New Line Learning Academy	Rumwood Nurseries & Garden Centre
Sainsbury's Supermarkets	Tesco Stores Ltd
The Mall Limited Partnership	University College for Creative Arts
Whitbread plc	WM Morrison Supermarkets plc

Environmental, Community and Interest Groups:

Weald of Kent Protection Society	Woodland Trust
Blackthorn Trust	Staplehurst Society
The Hollingbourne Society	Maidstone Allotment Management Committee
Bearsted Caravan Club	Vinters Park Residents Association
Valley Conservation Society	Len Valley Action Group
Medway Valley Countryside Partnership	English Nature
Maidstone Cycle Campaign Forum	Fields In Trust
St Andrews Road Action Group	Fant Wildlife Group
Kent Wildlife Trust	Forestry Commission
Diocese of Rochester	Northern Trust
CPRE Kent	Maidstone Baptist Church
North Loose Residents Association	Kent Downs AONB Unit
Countryside Agency	Linton Gospel Hall
Queens Grove Residents Association	Nettlestead and Watringbury Traffic Action Group
Keep Linton Green Community Group	Theatres Trust
British Geological Society	British Horse Society
The Marden Society	Action with Communities in Rural Kent

British Archaeology	Alzheimers Society
Kent RIGS Group	RSPB
Protect Our Weald	St Faiths Church
Kent Nature Partnership	National Trust
Staplehurst Rural Settlement Group	Disabled Persons Liaison Committee
Lenmead Residents Association	Kent County Agricultural Society
Harrietsham Against Reckless Development (H.A.R.D.)	Invicta Gospel Hall Trust
Age Concern Maidstone	Bearsted and Thurnham Society
Canterbury Diocesan	Chapman Avenue Area Residents Association
Fant Community Group	South Maidstone Action on Roads and Transport (SMART)
Lenham Neighbourhood Plan Team	Bearsted Community Church
New Allington Action Group (NAAG)	Bower Mount Residents Association
Bimbury Lane Residents Association	Downswood Community Association
Yalding Almshouses Trust	

Residents:

These are not listed individually for data protection reasons but number approximately 3,930.

B.1 The table below summarises methods employed at each stage of the consultation process throughout the development of the local Plan.

Consultation Method	Issues & Options 2006	Preferred Options 2007	Draft Core Strategy 2011	Core Strategy Strategic Site Allocations 2012	Draft Local Plan 2014	Local Plan (Partial) Update 2015	Local Plan Publication 2016
Public Notice in Newspaper	X	X	X	X	X	X	X
Portal Consultation	X	X	X	X	X	X	X
Questionnaire / Comment Form		X	X	X	X	X	X
Workshops and Meetings	X	X	X	X	X	X	X
Public Exhibition	X	X	X	X	X		
Leaflet			X				
Borough Update			X	X	X	X	X
Consultee Newsletter	X	X	X	X	X	X	X
Social Media					X	X	

Table B.1

C.1 Appendix C summarises the issues arising from preparation consultation stages and how they have been used to develop the plan.

C.2 The first steps towards the preparation of a Core Strategy commenced in 2006 with a series of 'Café Conversations' that were held in February and March 2006. The discussions centred around 4 main themes;

- A: Getting Around,
- B: Your Home/Your Children's Home,
- C: Work and Jobs and
- D: Living Happily.

C.3 Some 304 representations were made and these can be viewed at the following link: <http://maidstone-consult.limehouse.co.uk>

C.4 The outcome of these fed into the publication of the Core Strategy Preferred Options document in January 2007 was subject to an 8 week formal consultation between 26 January 2007 and 23 March 2007, which included stakeholder events. The document can be found here: <http://maidstone-consult.limehouse.co.uk>

C.5 The preferred option focused first on development within the urban area of Maidstone and the larger villages/service centres with a proposed major urban extension to the south east of Maidstone as a later phase of planned delivery.

C.6 A total of 1716 representations were received to the formal consultation process from 27 Parish Councils, 90 groups or organisations and 177 individuals (294 in total). Out of the total 1716 representations, 53% were objections, 37% were in support and 10% were conditional supports. The vast majority of the objections were to Policy CS2 (26% of total objections/236 comments). The Spatial Vision received 59 representations, 54% objections, 39% were in support and 7% conditional support. The Spatial Objectives received 419 representations, 30% objections, 63% were in support, 6% conditional support and 1% were observations.

C.7 The consultation process also extracted responses in the form of a short questionnaire as a reaction to the public exhibition and film. This recorded strong support for the council's preferred option over the rejected options and for the core strategy vision. A further form of response was obtained through stakeholder conference events.

C.8 Two events were organised for a broad range of stakeholders. First, a briefing event for stakeholders was held on 1 February 2007 in the Corn Exchange, Maidstone. Attended by about 70 people, this enabled those participating to hear the messages that had emerged from consultation thus far, and understand the evidence and thinking that had informed the Council's choice of the preferred strategy. Interested stakeholders were invited to submit formally to the consultation written comments both on the preferred strategy and on the rejected strategies, and to suggest variations.

C.9 Second, to follow up the briefing event, a tailored consultation event was held at Lenham Community Centre on 14 March 2007. Some 300 representatives of Parish Councils, campaign groups, business agencies and Statutory Agencies

were invited, with a convincing 60 attending, reflecting the stakeholders' wish for their voices to be heard in this additional format and at this stage of development of the document.

C.10 The key issues can be summarised as follows:

Appendix C . Issues arising and how they have been used to develop the plan

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
'Growth Point Status'	The emerging South East Plan provides housing growth targets and associated employment land targets. Maidstone's 'Growth Point' status is expected to be incorporated when the SE Plan is adopted. The SE Plan has a planning horizon of 20 years.	<ul style="list-style-type: none"> • Explicit recognition of Growth Point status sought in Core Strategy • Greater level of growth sought • Will provide opportunities to better manage growth on a holistic and sustainable level 	<ul style="list-style-type: none"> • The emerging South East Plan does not provide for 'Growth Point Status' • Statistics show population declining • Need for growth not demonstrated • Unsustainable approach
Greenfield Land Development/ Urban Extension	'Major Growth Focused within east/southeast part of the area of search'. Completion of the investigations and studies will assist in providing fully informed responses to these representations. It is anticipated that the refinement and improving the clarity of Policy CS2 and the Key Diagram, as well as the strategy for infrastructure and master planning will address a large number of the issues raised in the representations. In particular the need to further address housing requirements, broad employment locations, public transport; landscape designations,	<ul style="list-style-type: none"> • Opportunities for infrastructure provision and design excellence • Able to fully plan for infrastructure • Bring forward phasing. • Supports the need for greenfield development but requires further work • Important in providing for well planned growth 	<ul style="list-style-type: none"> • Impacts on community well-being, services, character, historic buildings, traffic, green spaces, density, safety, infrastructure provision and implementation, funding • Concerned at the impact of the South East Maidstone Strategic Link road – questions need and feasibility • Questioning the need for the greenfield site development.

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
	<p>character, utility provision, traffic generation, development and integration of infrastructure provision and development.</p>		<ul style="list-style-type: none"> • The focus and interpretation of Policy CS2 and the Key Diagram are confusing. • Questions phasing of development • Questions calculations and evidence which support the provision • Lack of certainty • Questions soundness
<p>Maidstone and Rural Service Centre Growth</p>	<p>The Core Strategy Preferred Option (Option 7C) in the first phase of the Core Strategy seeks to focus development on Maidstone Town. It does, however, provide the potential for some growth at Rural Service Centres to reinforce their role, where it can be demonstrated to bring significant material benefits to the viability of those communities. It is also contingent upon Rural Service Centre sites coming forward which are suitable for development at an average density of 45 Dwellings per</p>	<ul style="list-style-type: none"> • Focus growth on Maidstone Urban Area • Regeneration of Maidstone Town Centre is supported • Consistent with national and regional policies • Provide for Growth in Rural Service Centres 	<ul style="list-style-type: none"> • Questions definitions of minor urban extensions • Concerned that policies will adversely impact on Countryside • Questions implementation and whether environment will be protected • Vague and unclear policies

Appendix C . Issues arising and how they have been used to develop the plan

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
<p>Employment locations/ type</p>	<p>Hectare (DPH) without compromising the distinctive character of the area. The investigations which underpin the Core Strategy Preferred Options document include the Urban Capacity Study 2006, the Sustainability Appraisal Report (Background Document 1), Preferred Location for Future Development (Background Document 2).</p> <p>This is provided for in Policy CS3 – Employment Land Requirements and is contingent upon meeting certain requirements including accessibility to labour supply, integration with new housing developments, to achieve sustainable employment. The spatial distribution of employment is linked with Policy CS2.</p> <p>The overall strategy is to release land for high value/ high quality businesses, which generate well paid jobs and have good access to the strategic road / rail network. Developments should be capable of being provided with good quality multi-modal transport links to the town centre. Support</p>	<ul style="list-style-type: none"> • A number of representations only support brownfield site development/ regeneration only <p>Support but policy requires further flexibility</p> <ul style="list-style-type: none"> • Support high paid jobs and high value businesses • Need to further recognise and support cross boundary employment opportunities • Contingent upon infrastructure developments 	<ul style="list-style-type: none"> • Some representations seek greater growth opportunities in rural villages and the countryside, provided it is sustainable. <ul style="list-style-type: none"> • Concern that policies will not achieve objectives of high paid jobs and high value businesses. • Concern that there is a single focus on 'high tech' business at the expense of other businesses • Ability of the Core Strategy to attract businesses, especially high tech. • Concern over public transport, accessibility regarding potential labour supply • Questions statistics, evidence and need

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
Housing type and land	<p>knowledge and technology sectors and clusters. Also regeneration of existing brownfield sites.</p> <p>Requirements based on the South East Plan. Capacity based on the Urban Capacity Study 2006. Phasing and greenfield/ brownfield split provided for in Policy CS2. Provision required for 5,500 greenfield dwellings in the second part of the Core Strategy. Identification of the general locations for new housing development is set out in Policy CS2. Policy CS14 envisages a wide variety of housing types while meeting the needs for affordable housing.</p>	<ul style="list-style-type: none"> • A large number of representations support brownfield development/ regeneration but are opposed to greenfield development • Other representations seek additional greenfield development and that phasing be brought forward • Support for provision at Maidstone urban area, particularly near the town centre. 	<ul style="list-style-type: none"> • Inadequate delineation between employment and housing land • Specifically provide for a strategic rail freight interchange and associated distribution and other commercial development at east Maidstone, near the motorway • Concern at greenfield development • Concern at lack of linkage between employment and housing provision • Questions evidence base and calculation of need • Concern at timely and effective provision of community services and infrastructure • Concern at impact on existing stretched services

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
			<ul style="list-style-type: none"> • Concern that policies won't achieve affordable housing outcomes
Consultation process	The consultation process has and continues to follow the Statement of Community Involvement.	<ul style="list-style-type: none"> • Concern over lack of consultation 	<ul style="list-style-type: none"> • Consultation process
Specific recognition of education	Acknowledged in specific spatial objectives and spatial policies.	<ul style="list-style-type: none"> • Support for higher and further education 	<ul style="list-style-type: none"> • Minor amendments sought
Definition of sustainable development	Provided for in PPS1, Sustainable Development. The Core Strategy seeks to provide a local perspective in addressing sustainable development issues	<ul style="list-style-type: none"> • Support for general sustainable development concepts in the Core Strategy • Support for reducing impacts from Climate Change, pollution, improving water quality, protecting special landscapes 	<ul style="list-style-type: none"> • Further definition required • Vague and unclear policies • Questions ability to implement

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
		<ul style="list-style-type: none"> Support for reducing car travel – but concerned at the efficiency and effectiveness of the of public transport system 	
Support for Maidstone’s County Town status	This is recognised in the Core Strategy spatial vision.	<ul style="list-style-type: none"> General support Greater recognition sought in objectives and policies 	
Specific recognition of rural economy	Limited recognition is provided for in Policy CS3 – Employment Land Requirements, where rural economic diversification is encouraged subject to criteria.	<ul style="list-style-type: none"> Provides opportunities to enhance the rural economy Some representations seek greater flexibility for rural economic diversification activities 	<ul style="list-style-type: none"> Concerned at the impact on the countryside and landscape Concern about the ability to control through policies Concern that too much flexibility is provided which impact on the countryside character

Appendix C . Issues arising and how they have been used to develop the plan

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
<p>Drafting of objectives and policies / Key Diagram</p>	<p>The Core Strategy Preferred Options policies (CS1 – CS19) comprise issues, aims, rationale, conformity and policy direction. Drafting of the Core Strategy policies to reflect the agreed policy content and direction and to take into account the Core Strategy final studies and research. Amend the format and structure of the Core Strategy document to improve clarity and understanding, and to ensure consistency with national policy guidance and to be in general conformity with the South East Plan.</p>	<ul style="list-style-type: none"> • General support for spatial vision and objectives direction • Support for general policy content 	<ul style="list-style-type: none"> • Concern about the structure of the Core Strategy document and drafting of actual policies and statements • Lack of clarity of key diagram
<p>Evidence base</p>	<p>The preferred policy options are based on the economic, social and environmental needs and opportunities, and constraints on meeting those needs. The preferred options are evidence-based and have been subject to a Sustainability Appraisal and have utilised the Urban Capacity Study 2006, the Draft South East Plan, Planning Policy Statements, Background Document BD2 - Preferred Location for Future Development, Community Strategy for Maidstone - "Maidstone Matters", amongst other relevant documents. Additional</p>	<ul style="list-style-type: none"> • Evidence and studies support development direction 	<ul style="list-style-type: none"> • Questions evidence base • Incomplete studies and investigations before preparation of the Core Strategy preferred options document • Lack of consultation on studies and investigations • Has not followed due process – Core Strategy unsound

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
<p>Purpose of Core Strategy / Site Allocations</p>	<p>studies to further inform and refine the Core Strategy before submission are in the process of being completed.</p> <p>The purpose of a Core Strategy is to set out a spatial vision, strategic policies and framework for sustainable development at the local level. The Core Strategy is the centrepiece of the spatial planning approach and provides the reference point for the preparation of more detailed elements of the Local Development Framework. In relation to individual site developments, these will be considered by the Land Allocations and Implementation Development Plan Document. It is the first priority DPD after the Core Strategy. The Land Allocations and Implementation DPD will address site specific land allocations for new housing, business, retail and infrastructure. It will identify designated areas for employment and retail uses, as well as designations of countryside and environmental protection areas, including a green space network.</p>	<ul style="list-style-type: none"> • General support for spatial vision and objectives direction • Provides a good starting / reference point for on-going strategic planning work 	<ul style="list-style-type: none"> • Questions calculations and statistic, particularly those which underpin CS2 Spatial Form of Development • Greater emphasis on site allocations sought • Identify individual land allocations for specific purposes • Provide increased policy direction and guidance • Questions approach and evidence base, including business, retail capacity and provision

Appendix C . Issues arising and how they have been used to develop the plan

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
<p>Consistency with national policy guidance / Conformity with the South East Plan and other relevant planning considerations</p>	<p>The Maidstone Core Strategy has been assessed against the all the relevant national, regional and local policy guidance and its relationships are contained as a summary in the Core Strategy Preferred Options document.</p>	<ul style="list-style-type: none"> • Supports Core Strategy conforming with the requirements of the South East Plan, including housing targets 	<ul style="list-style-type: none"> • The South East Plan is not yet operative and is open to modification • Concern at the sustainability of the South East Plan requirements • Greater conformity sought with the Kent and Medway Structure Plan • Inconsistencies with the Government's Planning Policy Statements, including PPS1, Delivering Sustainable Development; PPS3 Housing; PPS6 Planning for Town Centres; PPS7 Sustainable Development in Rural Areas; PPS12: Local Development Frameworks
<p>Sustainability issues</p>	<p>The Core Strategy preferred options is based on various studies and documents, including the Sustainability Appraisal Report (Core Strategy Background Document 1). The appraisal process</p>	<ul style="list-style-type: none"> • Support for the Core Strategy addressing economic and social issues, as well as environmental issues 	<ul style="list-style-type: none"> • Questions the results of the sustainability appraisal • Broad-brush – not enough detail

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
Green Spaces / Landscapes / Countryside	<p>essentially involves the review of the Strategy's preferred options against a set of criteria reflecting local issues and addressing those concerns</p> <p>Protection of special landscape designations; Council has an adopted Green Spaces Strategy and is proposing to develop an Urban and Rural Open Spaces Development Plan Document in 2009. This is likely to cover 'green infrastructure'. The Open Space DPD and Policy CS17 - New tourist/ cultural/ recreational facilities also relate.</p>	<ul style="list-style-type: none"> • General support for addressing environmental issues including climate change, sustainable construction, design issues, however, lacks , integration, detail and clarity in some areas • Support general policy direction for the landscape protection, but improved/ refined policies sought • Specific support for the protection of the Kent Downs Area of Outstanding Natural Beauty • Support for green and open spaces protection and enhancement 	<ul style="list-style-type: none"> • Inconsistency between the sustainability appraisal and the Core Strategy • Questions the ability of Council to implement the Core Strategy • Not enough emphasis on reducing car travel, protection of the countryside and climate change issues • Questions the restrictive nature of special landscape protection – some representations suggest a criteria based approach for special landscape areas • Clarity sought over on-going work on green and open space planning • Confusion and concern over green space provision in the Key Diagram • Inadequate protection for the countryside

Appendix C . Issues arising and how they have been used to develop the plan

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
		<ul style="list-style-type: none"> • Need to further recognised the role of sport and the countryside 	
Traffic impacts	<p>Traffic and transportation issues are addressed throughout the Core Strategy, in particular Policy CS7 – Strategic Infrastructure and CS8 Choice of Transport. Central to providing for significant growth in the South East of Maidstone is an integrated transport package, including bus connections to and from the urban area and the provision of the South East Maidstone Strategic Link and timely and sustainable infrastructure. The detailed issues of funding and phasing will be partly addressed through the preparation of the Development Contributions Supplementary Plan Document and the Core Strategy policies. The Maidstone Integrated Transport Strategy will need to be updated and modelling undertaken to assist in refining costs, phasing and implementation.</p>	<ul style="list-style-type: none"> • Support for SEMSL as providing for sustainable growth • Support for reducing dependence on car travel and reducing the need to travel long distances to and from work • Support for improving public transport and its accessibility • Support for developments providing for contributions relating to the demand they create on infrastructure 	<ul style="list-style-type: none"> • Linked with concerns over greenfield site development, particularly impacts on communities • Questions feasibility, funding and fall back position of traffic and transport proposals and solutions, including the SEMSL • Questions content of the Integrated Transport Strategy and evidence base. • Concern regarding inadequate public transport • Concern at inadequate recognition of cross boundary issues

Theme	Core Strategy Preferred Options Direction	General Support Comments and Observations	General Objection Comments
Staging of development	Guidance relating to phasing, thresholds and criteria is providing throughout the Core Strategy, in particular Spatial objective 6, Policies CS1 Sustainable Development, CS2 Spatial Form of Development, CS6 Housing Land Requirements, CS7 Strategic Infrastructure.	<ul style="list-style-type: none"> • Importance of strategic planning recognised and supported 	<ul style="list-style-type: none"> • Need for detailed planning now • Delete phasing requirements

Table C.1

C.11 In July and August 2007 the Council's Cabinet took the decision to delay the submission of the Core Strategy to enable further work:

- to test the case for inclusion of a Strategic Rail Freight Interchange, (SRFI) at Hollingbourne in the Core Strategy, together with responding to a planning application for the same by Kent International Gateway (KIG), anticipated at that time in September 2007;
- masterplanning of an urban extension including refinement of the areas of search, options for creation and delivery of necessary infrastructure, to respond directly to concerns raised about the proposed urban extension strategy;
- an associated sustainable transportation strategy for the town; and
- an strategy for green infrastructure including justification for the multi-functional green network throughout the town and updating the present Landscape Character Assessment and Landscape Guidelines.

C.12 The Council rejected the representation and the Core Strategy programme restarted in June 2009. The planning application was subsequently dismissed at appeal. As a result it was proposed not to make a strategic allocation on the KIG site in the emerging Core Strategy and to proceed with the previously proposed Preferred Option comprising;

- urban regeneration in the first phase of the plan period.
- maintenance of the 'stellar' form of Maidstone urban area, i.e. the protection of a multi-functional network of green and blue spaces (as shown on the key diagram).
- providing for a sustainable urban extension located to the south/south-east of Maidstone, planned to achieve a critical mass to provide an enhanced level of strategic and community infrastructure and services.
- providing for small scale growth at Rural Service Centres and villages consistent with their role and function.
- providing for very limited small scale urban development elsewhere at the edge of Maidstone to ensure flexibility and the maintenance of the 5 year rolling housing supply target.
- The option provided for 10,080 dwellings although the spatial strategy provided flexibility to provide for a range of likely housing targets in the Regional Spatial Strategy – the South East Plan.

C.13 The adoption of the Regional Spatial Strategy (South East Plan) in May 2009 imposed an increase in the housing target from 10,080 to 11,080 for Maidstone borough, and in June 2009 Cabinet agreed to proceed with developing and testing a draft Core Strategy on this basis.

C.14 The Local Development Document Advisory Group considered and agreed the proposed structure of the Core Strategy and a number of Strategic polices relating to Maidstone Town Centre, Designation of Rural Service Centres and Green and Blue Infrastructure in February 2010. On the 6 July 2010 the Secretary of State attempted to revoke Regional Strategies and the imposed housing targets and stated that planning policy guidance would be defined by national and local policies only. Housing targets should be set at the local level to meet local housing need. National policy did not include a methodology for identifying housing targets; consequently there had been an opportunity for local planning authorities

to develop appropriate and professionally sound methodology. The Core Strategy programme was therefore delayed so the Council could develop a methodology for setting a local housing target.

C.15 The action to revoke regional strategies was subsequently challenged and, following a judicial review, the Secretary of State's decision of the 6 July was quashed on the 10 November 2010. The revocation of regional strategies was later being pursued through the Localism Bill.

C.16 The progress of the Core Strategy was further reviewed in 2011 in the light of a number of changes in circumstances since the 2007 Preferred Option document was published:

- the revision of Planning Policy Statement 12 (2008) (creating strong safe and prosperous communities through Local Spatial Planning) and the publication of guidance on the tests of soundness by the Planning Inspectorate placed a greater emphasis on ensuring the Core Strategy is deliverable.
- new plan making regulations were introduced that led to the need for a further round of public consultation on the Core Strategy.
- new national guidance was published. PPS3: Housing (June 2010) deleted references to the national indicative minimum density of 30 dwellings per hectare and removed private residential gardens from the definition of previously developed land.
- since 2007, there had been changes to the economic climate and in particular to the market for residential development which affects the availability of money for capital investment in both the public and private sectors and, in turn, the deliverability of housing and the associated infrastructure needed to support new development. There has already been significant change affecting the housing market as a result of the restructuring of the economy arising from the "credit crunch", and there is significant further change on the horizon for the public sector with a reduction in resources for a considerable period ahead and consequent changes in government policy on how investment for affordable housing and supporting infrastructure will be generated.
- there have also been uncertainties regarding future employment growth, particularly in the light of significant reductions in public sector employment (representing 33.3% of the labour force in Maidstone at 2008). The borough is potentially vulnerable to job losses and/or to shifts in the structure of its employment base, which may affect journey to work patterns as well as the broader issue of economic growth. However, the Local Plan is a long term plan that runs to 2031 so there must be a focus on positive spatial planning policies to support the achievement of the Council's vision and objectives and to ensure that land use planning does not obstruct the accomplishment of targets over the next 15 years.

C.17 Initial survey material emerging from work being undertaken on the Maidstone Landscape Character Assessment and the Kent Habitat Survey indicated that a single large strategic development area to the south east of the urban area would have a negative impact upon the historic and wildlife-rich landscape persisting in this vicinity.

C.18 Cabinet were recommended (and agreed) on 9 February 2011 to adopt a different spatial development strategy which involved development at Rural Service Centres and Strategic Locations on the NW and SE edges of the Maidstone Urban Area.

C.19 Consultation took place on the Core Strategy for 6 weeks between 2 September 2011 and 14 October 2011 and was widely publicised. A total of 585 individuals and organisations responded submitting nearly 2,800 comments. One of the main concerns raised by respondents was the need to allocate strategic development sites in the Core Strategy, as opposed to identifying strategic locations on the key diagram.

C.20 As a result, Cabinet gave consideration to this matter at its meeting on 16 May 2012, and agreed to include strategic site allocations in the draft Core Strategy to give certainty to the public and the development industry about the quantity and location of development. A further public consultation on these strategic sites took place between 17 August 2012 and 1 October 2012.

C.21 On 21 November 2012 Cabinet resolved to further delay the Core Strategy programme so that officers could undertake additional work on the evidence base to ensure the Core Strategy would be found sound at examination. A number of Core Strategy examinations had been suspended because the presiding Inspectors had rejected the local authorities' demographic data. The Inspectors' concerns focused on housing and employment data that was based on the evidence behind regional strategies, which was considered to be out-of-date and did not take account of updated Department for Communities and Local Government (DCLG) household projections; an imbalance between dwellings and jobs targets; and a lack of sufficient evidence demonstrating constraints to development. Cabinet agreed to update demographic and economic demand data, to commission a new Strategic Housing Market Assessment (SHMA), and to produce new Strategic Housing and Economic Development Land Availability Assessments (SHLAA and SEDLAA).

C.22 Cabinet on 13 March 2013 agreed to amalgamate the Core Strategy and Development Delivery Local Plan in to one single Maidstone Borough Local Plan with a plan-period from 2011-2031 rolled forward from 2006-2026. The Interim consultation statement considered by Cabinet on 13 March 2013 can be found here: [Committee Report](#) and summarised issues raised by consultees.

C.23 In addition, Cabinet considered the Interim Approval of Maidstone Borough Local Plan Policies document on 13 March 2013. This can be found at this location: [Committee Report](#) and reflects changes made to the plan in response to consultation comments and updated evidence.

C.24 Cabinet resolved as follows:

1. That a working target of 14,800 dwellings for the Maidstone Borough Local Plan period 2011 to 2031 be approved until such time as the work identifying the borough's housing land supply and the identification of environmental constraints is completed;

2. That Council be recommended that the moratorium on the release of greenfield housing sites allocated in the Maidstone Borough Wide Local Plan 2000 be revoked because the reasons for the moratorium no longer apply;
3. That, subject to the following amendment, the key public consultation issues relating to the policies that are the subject of the report of the Director of Change, Planning and Environment be noted and the recommended changes to policies set out in the schedule attached as Appendix A to the report of the Director of Change, Planning and Environment be agreed:- "Policy CS7, paragraph 6.25 final sentence delete "from 12% to 22.5% of all trips made"."
4. That, subject to the following amendments, amended policies CS5 to CS13 and SS1, SS1a, SS1b, SS1c, SS2, SS2a, SS2b, SS2c and SS4 (attached at Appendix B to the report of the Director of Change, Planning and Environment) be approved for public consultation at the preparation stage of the local plan process (regulation 18) to enable a full sustainability appraisal to be undertaken for all policies and site allocations ahead of the Publication stage of the local plan process (regulation 19):-
 - a. Policy SS1, paragraph 3.11 second sentence: after "nearby" add "open".
 - b. Policy SS1, paragraph 3.11 Add new final sentence: "In particular this will apply to the necessary provision of formal play space for children, which the council will expect to be provided in appropriate locations, the details of which will be agreed in the development briefs."
 - c. Policy SS1a, paragraph 3.12 add to end of paragraph: "The Bridge Nursery site as used historically goes beyond the borough boundary into Tonbridge and Malling, occupying all of the land bounded by the Maidstone East railway line, the A20 London Road, the edge of the existing Allington residential area (at Lamberhurst Way, Blackmanstone Way and Fordwich Close) and the wooded area immediately north of Halstead Walk."
 - d. Policy SS1a, paragraph 3.13 first sentence: after "2000" add "for housing and open space". Second sentence: after "will" add "now be developed primarily for housing and".
 - e. Policy SS1a, paragraph 3.14 first sentence: replace "allocated" with "identified".
 - f. Policy SS1a, paragraph 3.16 first sentence: after "expects the" add "land beyond the borough boundary in". Delete "~~portion of this site~~". After "maintaining" add "the". After "railway line" add "within Maidstone Borough".
 - g. Policy SS1a, paragraph 3.18 final sentence: replace "language" with "approach".
 - h. Policy SS1a(5)(i) replace "section of the site within" with "land beyond the borough boundary (as described in 3.12) in".
 - i. Policy SS1b, paragraph 3.29 add as second and third sentence: "This land is comprised of 5.8 hectares designated in the Maidstone Borough-Wide Local Plan 2000 as public open space (policy ENV24 (xiii)) and 15.4 hectares north west of the borough boundary. The land north west of the borough boundary is comprised of three fields – the northern half of the orchard field which straddles the boundary and the two fields

- immediately east of Hermitage Lane and south of the Maidstone East railway line."
- j. Policy SS1b, paragraph 3.29 split paragraph before "Working with Tonbridge and Malling".
 - k. Policy SS1b, new paragraph 3.30 after "Working with Tonbridge and Malling Borough Council," add "appropriate and necessary ecological mitigation and community open space will be provided on the 21.2 hectares of land described between the footpath/ restricted byway and the Maidstone East railway line. The land within the Maidstone boundary". Delete "~~this land (from the footpath/byway, as far as the railway) will be used to mitigate the ecological impacts of development as well as providing open space for community purposes. Within the Maidstone boundary, the land~~".
 - l. Policy SS1b, new paragraph 3.30 before "designated as strategic gap" add "also"
 - m. Policy SS1b, old paragraph 3.30 renumber as "3.31".
 - n. Policy SS1b(12) replace "section of the site within Tonbridge and Malling" with "15.4 hectares of land north west of the borough boundary, described in 3.29".
 - o. Policy SS2, paragraph 4.7 final sentence: After "new provision" replace comma with full stop. Delete remainder of sentence. Add new final sentence: "In particular this will apply to the necessary provision of formal play space for children, which the council will expect to be provided in appropriate locations, the details of which will be agreed in the development briefs."
 - p. SS2b allocation, Land North of Sutton Road, proposed amendment to site boundary amend the site boundary for Land North of Sutton Road to align with the site boundary for the local plan allocation (2000) as shown on the site plan attached at Appendix B to the report of the Director of Change, Planning and the Environment.
 - q. Policy SS2c, paragraph 4.22 first sentence: Before "Bicknor Wood" add "The ancient woodland at". Second sentence: After "to meet" add "the ancient woodland at". After "which is" add "immediately north of" and delete "adjacent to".
 - r. Policy SS2c, paragraph 4.23 final sentence: At start of sentence, add "It is important to ensure that appropriate open space is provided on site and that". Amend "dwellings will be" to "dwellings are".
 - s. Policy SS2c(ii) after "woodland belt" delete "of at least" and add "ranging from a minimum of 40 metres to"
 - t. Policy SS2c(5) after "woodland belt" add "ranging from" and delete "of". After "metres" add "to 80 metres".
 - u. Policy SS4, paragraph 5.16 delete "~~300m² greater than that which is existing on site (14,300m²)~~" and replace with "300m² greater than the total existing retail floorspace on site of 14,300m²".
 - v. Policy SS4, paragraph 5.16 move sentence "In order to assess the impact of the proposals on the town centre, a retail impact assessment will be required for both comparison and convenience goods" to new paragraph 5.16a and add: "In determining the overall impact of the retail proposals, a measured adverse impact of more than 3% on town centre turnover is unlikely to be acceptable."

- w. Policy SS4, paragraph 5.16 replace "criterion" with "threshold".
 - x. Policy SS4(7) amend to read: "The cumulative quantum of retail floorspace will be restricted to the provision of up to 300m² above that which already exists. Any additional retail floorspace above this limit must be of an out of town format that is complementary to town centre uses and, by means of a sequential sites assessment, demonstrably require an out of town location".
 - y. Policy SS4(8) amend to read: "Submission of a retail impact assessment for both comparison and convenience goods, to be approved by the Borough Council, ~~in order to assess the impact of retail area proposals~~ which clearly demonstrates that the retail development has no significant adverse impact on the town centre".
5. That, subject to the amendments listed in decision (4) above, the strategic site allocation policies SS1, SS1a, SS1b, SS1c, SS2, SS2a, SS2b, SS2c and SS4 (attached at Appendix B to the report of the Director of Change, Planning and Environment) be adopted for development management decisions;
6. That land at Junction 8 of the M20 motorway be retained as a strategic development location for employment (policy SS3) until such time as the work identifying employment land demand and supply is completed;
7. That, subject to the following amendments, the amended targets for affordable housing in policy CS10, seeking 15% provision on previously developed land in the urban area, 30% on greenfield sites in the urban area and at the urban periphery, and 40% at rural settlements and the rural area; together with a policy threshold of ten units and such developments of 10 dwellings and over will contribute on site; and the deletion of the reference to Gypsy and Traveller accommodation contribution within this policy be approved:-
- a. Policy CS10, paragraph 6.42 amend to read: "Viability testing indicates that affordable housing is achievable with a one dwelling threshold. For practical purposes, the threshold will be set at 10 dwellings. Affordable housing will be provided on site. Alternative provision will not be accepted unless there are exceptional circumstances that justify it. Any proposals for off-site or financial provision must be made at the time of the application."
 - b. Delete paragraph 6.43.
 - c. Policy CS10, paragraph 6.44 before "Around the urban periphery" add "On greenfield and private residential garden sites in the urban area and".
 - d. Policy CS10, Policy text first sentence: Amend "one residential unit" to "10 residential units".
 - e. Policy CS10(1)(ii) after "Greenfield" add "and private residential gardens".
 - f. Policy CS10(2) delete criterion.
 - g. Policy CS10(3) Delete "~~Where the development is 10 dwellings or more:~~" After "proven necessary" add "in exceptional circumstances".

8. That the amended targets in policy CS12 for Gypsy and Traveller accommodation of 187 pitches and for Travelling Showpeople accommodation of 11 plots, to reflect the extension of the new local plan period to 2031 be approved; and
9. That, subject to the following amendments, the infrastructure priorities for development set out in paragraph 1.12.5 of the report of the Director of Change, Planning and Environment, be agreed and the amended policy CS14 be approved for re-consultation with the public at the preparation stage of the local plan process (regulation 18):-
 - a. Policy CS14, paragraph 7.7 under "Infrastructure Priorities for Residential Development" move "Public Realm" to position 4 and move the balance of priorities further down the list.
 - b. Policy CS14(3) under "Infrastructure Priorities for Residential Development" move "Public Realm" to position (iv) and move the balance of priorities further down the list.
10. That there should be consultation with the Leader of the Council and the Leader of the Opposition in advance of the Council's Sustainability Appraisal about the precise arrangements for the ecological assessment of the Bridge Nursery site in terms of when, what and who conducts the work.
11. That the policy for Bridge Nursery site should be amended to make reference to the landowners responsibility for the conduct of ecological surveys as part of the preparation for bringing forward development proposals at the planning application stage.
12. That clear information be provided to parish councils concerning the Neighbourhood Planning process viz-a-viz the core strategy timetable especially with respect to the housing need total and its spatial distribution.
13. That the importance of the cumulative impact of development envisaged in the Maidstone Borough Local Plan be noted and taken into account in both the Integrated Transport Strategy and the Infrastructure Development Plan and that the proposals for transport provision for walking and cycling be evaluated before it is completed.'

C.25 On 22 October 2013, Cabinet agreed the first batch of Development Management policies for inclusion in the forthcoming Regulation 18 Consultation draft of the Maidstone Borough Local Plan. The report and appendices can be found here: [Development Management Policies Batch 1](#) The formal decision of Cabinet can be found here: [Formal Decision](#)

C.26 The second group of policies was considered by Cabinet at their meeting on 4 December 2013. The report and appendices can be found here: [Development Management Policies Batch 2](#) The formal record of decision can be found here: [Formal Decision](#)

C.27 The third group of Draft Local Plan policies were considered by Cabinet on 27 January 2014. The report and appendices can be found here: [Development Management Policies Batch 3](#) The formal record of decision can be found here: [Formal Decision](#)

C.28 The Maidstone Borough Local Plan was then compiled using the agreed Development Management Policies and sites brought forward from the 2012 consultations, along with a further suite of site allocations and the revised Strategic Policies of the previous Core Strategy.

C.29 The full Regulation 18 Consultation Draft of the Maidstone Borough Local Plan was considered by cabinet on 24 February 2014. [Local Plan Committee Report](#) The formal record of decision can be found here: [Formal Decision](#)

C.30 Following the agreement of the Cabinet, the Regulation 18 Consultation version of the Maidstone Borough Local Plan was subject to Public Consultation between 21 March 2014 and 7 May 2014.

C.31 A summary of headline issues arising from the March 2014 Regulation 18 Consultation was presented to the Planning Transport, and Development Overview and Scrutiny Committee on Tuesday 19 August 2014. The council received approximately 1,700 representations from individuals and organisations, who submitted comments across a wide range of issues. Additionally, six petitions were presented that contained a total of 10,700 signatures, bringing the total number of respondents to the local plan consultation to 12,400. A summary table can be found here: [Summary of representations](#)

C.32 In terms of the issues these are summarised as follows:

C.33 SS1 Spatial strategy – Respondents challenged the methodology behind the objectively assessed need of 19,600 homes for the borough set out in the Strategic Housing Market Assessment (SHMA), and objectors suggested various figures ranging from 11,000 to 15,500 homes. Respondents also challenged the scale of proposed housing development in the draft local plan and the spatial distribution of development. There were concerns over the provision of adequate infrastructure to support development and the impact of development on the countryside. Further questions were raised over the balance of housing and employment and the need for more employment sites at rural service centres and motorway junctions but, conversely, there were objections to development at junction 7.

C.34 SP3 Rural Service Centres – There was a call for Harrietsham to be designated a larger village due to the lack of services and employment opportunities. There were concerns over the scale of proposed development, poor public transport links, a lack of infrastructure, and highway safety. At Headcorn some respondents felt the village should not be classified as a rural service centre, and the proposed dwelling numbers were too high. It was stated that there is a lack of infrastructure, insufficient employment to support growth, increased flood risk from development, loss of agricultural land; and an adverse impact of development on congestion, village character, the local landscape and ecology. There was some support for Lenham as a rural service centre but also objections to Lenham taking additional development. Concerns included a lack of infrastructure, impact of development on highway capacity and safety, loss

of open space, and impact on village character and built heritage. There were objections to Marden being classified a Rural Service Centre where it was considered the dwelling numbers were too high. Respondents felt Marden had a lack of infrastructure, and that development will have an adverse impact on village character, flood risk, the countryside, traffic and pollution. Again, respondents at Staplehurst felt the village should not be classified a rural service centre. The dwelling numbers were considered too high, there is a lack of infrastructure, and poor public transport. Development would have an adverse impact on congestion, highway and pedestrian safety, pollution and village character. Of further concern was the impact on the Low Weald landscape character area and the countryside in general.

C.35 SP4 Larger villages – In general, there was some support for this tier in the settlement hierarchy. Respondents called for the deletion of Boughton Monchelsea as a larger village or a reduction in the number of dwellings proposed, but there was some support for its status. There were concerns around the impact of development on congestion, and highway and pedestrian safety. Respondents considered that there were poor transport links to the town centre and a lack of infrastructure generally. Respondents were concerned about the loss of landscape, the impact of development on the countryside, and the coalescence of Boughton Monchelsea with surrounding villages. Some respondents called for the deletion of Coxheath as a larger village, whilst others believed the village should be reinstated as a Rural Service Centre. It was contested that the amount of development proposed cannot be considered “limited” which is the criteria for a larger village. Concerns included impact on congestion, highway and pedestrian safety, and air quality. There was a view that there is a lack of infrastructure in the village, and that development will have an adverse impact on greenfield land, Grade 2 agricultural land, wildlife and habitats. Concerns additionally included the impact on quality of life, village character, and coalescence with surrounding villages. There was support for Eythorne Street as a larger village. Respondents called for the deletion of Sutton Valence as a larger village but there was also some support for its status. Concerns included a lack of infrastructure, highway limitations, and pedestrian safety. The village is adjacent to the Greensand Ridge where protective policies apply. Again, there was a call for the deletion of Yalding as a larger village, but also some support for its status. Concerns included a lack of infrastructure, increased traffic congestion, and impact on highway safety, noise and air pollution. It was argued that rail services are remote and bridges are inadequate for growth. Other views included the need for a new cycle route that would benefit commuting to Maidstone and Tonbridge. Respondents considered that development would have an adverse impact on increased flood risk, the countryside and village character.

C.36 Under policy SP4, there was also a call to create a further tier of smaller villages in the settlement hierarchy, in order to address the under provision of housing land, to address rural decline, and to support local facilities. Villages named included Hunton, East Farleigh, Langley, Chart Sutton and Laddingford. There were also suggestions that more development should be redirected towards villages closer to the motorway.

C.37 DM2 Sustainable design standards – Some respondents questioned whether this policy will continue to have any purpose in future iterations of the plan.

C.38 DM3 Renewable and low carbon energy schemes – Respondents objected to the policy on the basis that the use of alternative land to best and most versatile agricultural land was not explored sufficiently. In essence, respondents wanted the policy to more closely follow government guidelines.

C.39 DM13 Sustainable transport – There was a cross section of comments submitted on the transport policy. A variety of respondents suggested alternative congestion solutions: the need for a Leeds-Langley bypass, or a monorail service, or a High Speed railway station, or the need for improved rural bus services or cycle routes. There were challenges to the evidence behind the Integrated Transport Strategy and objection to Linton Crossroads as a new park and ride site (although limited support under policy DM15). There was opposition to bus lanes and bus priority measures and a call for additional parking in the town centre. There was support for the production of a Parking Standards Supplementary Planning Document. Comments included references to the impact of HGVs, and air quality remains a concern (policy DM16).

C.40 DM17 Economic development – There was general support for the policy, but a call for the inclusion of Detling Aerodrome Industrial Estate and land at Junction 8 of the M20 motorway. Respondents felt the policy should allow for the use of sites at motorway junctions as this meets known demand and makes best use of road infrastructure.

C.41 DM18 Retention of employment sites – There was general support for the policy and the inclusion of Eclipse Park. Respondents would have liked to see a number of other sites included in the policy, namely Detling Aerodrome Industrial Estate, Bredhurst Business Park (Westfield Sole Road), Springfield Mill, the Maidstone East Station/Sorting Office, and Brooklyn Park. There was a call to retain Invicta Barracks for employment use.

C.42 DM19 Town centre uses – There was general support for the policy but some respondents felt there was a lack of evidence to support the assertion that the Maidstone East/Sorting office site can deliver retail development. Some felt that there was a failure to carry out an NPPF/NPPG compliant assessment of whether retail needs exceed available sites.

C.43 DM23 Housing Mix – The importance of older persons needs was raised, which the policy should seek to address with specific mention of the provision of bungalows. Respondents thought that the policy did not provide enough guidance for developers, and there were concerns over the housing mix becoming unbalanced.

C.44 DM24 Affordable housing – A number of respondents proposed amendments to the delivery of affordable housing and there were calls to assess requirements on a site specific basis. There was a feeling that the percentage figures are too complex and should be amended, and the policy should adopt a more flexible approach. Respondents suggested that the tenure breakdown should be more even in order to address local needs.

C.45 DM25 Local needs housing – The majority of respondents were supportive of this policy, but general comments sought an extension of the policy to encourage self-build, highlighted the need to recognise the local needs of each age group with consideration for the provision of housing for an ageing population,

and sought due regard to the recommendations of the Integrated Transport Strategy. There was concern that the policy criteria are contradictory to meeting local needs. Respondents felt that it was important for housing mix and tenure to be progressed on a site specific basis, responding to local need and aspirations.

C.46 DM26 Gypsy, Traveller and Travelling Showpeople accommodation – Respondents felt there are enough sites to accommodate the need for pitches and plots at present, and that future proposals should consider existing residents. Concerns included the loss of greenfield sites, and the impact of development on the countryside and the AONB. Respondents considered that the policy needs to be stronger in encouraging sites to be spread more evenly across the borough to avoid a concentration of sites. Respondents also felt the policy should ensure that wastewater infrastructure is provided in parallel with development, and that development is adequately separated from such treatment works and pumping stations. There were concerns as to whether the policy criteria, which will guide the determination of applications, would stand up to scrutiny at appeal.

C.47 Following the completion of the Regulation 18 Consultation period, the representations received were considered by officers and responses reported to the Planning Transport and Development Overview and Scrutiny Committee and Cabinet (both disbanded June 2015) and by the successor Strategic Planning Sustainability & Transportation Committee (SPS&T). The schedule of meetings is set out below in table C2.

Topics	Cabinet	SPS&T	Outcome
Strategic Housing Market Assessment Update	10.09.2014		For the plan period 2011 to 2031, approval of an updated objectively assessed housing need of 18,600 dwellings, and 960 additional care homes places.
Development management and infrastructure delivery policies (excluding transport and affordable housing)	14.01.2015		Approval of policy amendments for Regulation 19 consultation, following the consideration of representations received during Regulation 18 public consultation (2014).
Care Homes policy	14.01.2015		Following the consideration of new evidence, approval of a new care homes policy for Regulation 18 consultation (October 2015).
New and amended housing site allocations	02.02.2015/ 04.02.2015 & 09.03.2015		Following the consideration of representations on housing sites received during Regulation 18 public consultation (2014), approval of amendments for Regulation 19, and deletions/additions for Regulation 18 consultations.
Strategic Housing Market Assessment Update		09.06.2015	For the plan period 2011 to 2031, approval of an updated objectively assessed housing need of 18,560 dwellings, and 980 additional care homes places (following publication of updated CLG household projections in February 2015).
Housing sites update		09.06.2015	Agreement to revisit previously rejected housing sites in the context of meeting objectively assessed housing need in accordance with the NPPF, with the exception of H1(25) Tongs

Topics	Cabinet	SPS&T	Outcome
			Meadow; H1(60) Fant Farm; and H1(48) Heath Road, Boughton Monchelsea.
Open space and recreation (new policy ref DM22)		18.08.2015/ 19.08.2015	Approval of amendments for Regulation 18 consultation (October 2015), including new open space standards, following publication of additional evidence.
Landscapes of Local Value (new policy ref SP17)		18.08.2015/ 19.08.2015 & 08.09.2015 Referral to Policy & Resources Committee 23.09.2015	Following the consideration of representations received during Regulation 18 public consultation (2014), approval of amendments to the Countryside policy focusing on refinement of boundaries for landscapes of local value, and inclusion of the Low Weald as a landscape of local value for further Regulation 18 consultation (October 2015).
Affordable housing (new policy DM13)		14.07.2015/ 23.07.2015 & 18.08.2015/ 19.08.2015	Following the consideration of representations received during Regulation 18 public consultation (2014) and additional evidence, approval of amendments to the affordable housing policy for Regulation 19 consultation.

Topics	Cabinet	SPS&T	Outcome
Retail and mixed use allocations (new policy RMX1)		18.08.2015/ 19.08.2015	Following the consideration of representations received during Regulation 18 public consultation (2014), approval of amendments to retail and mixed use policies for Regulation 19 consultation.
Reconsideration of previously rejected housing sites (new policy H1)		14.07.2015/ 23/07.2015 & 18.08.2015/ 19.08.2015	Reconsideration of previously rejected housing sites in the context of meeting objectively assessed housing need in accordance with the NPPF. Approval of amendments to a number of site allocation policies for Regulation 19 consultation; and deletions/ additions/amendments to a number of site allocation policies for further Regulation 18 consultation (October 2015).
Future locations for housing growth (new policy H2)		18.08.2015/ 19.08.2015	Following the consideration of representations received during Regulation 18 public consultation (2014), approval of amendments to policies for broad locations for housing growth for Regulation 19 consultation.
Results of VISUM Transport modelling		18.08.2015/ 19.08.2015	The results of the transport modelling and the implications for the preparation of the Integrated Transport Strategy were noted. It was agreed that further work on the development of transport policies in the local plan would be required.
Employment land allocations (new policy EMP1)		18.08.2015/ 19.08.2015	Following the consideration of representations received during Regulation 18 public consultation (2014) and additional evidence, approval of amendments to the employment land policies for Regulation 19 consultation; and approval of further Regulation 18 consultation (October 2015) for the proposed

Topics	Cabinet	SPS&T	Outcome
			allocation of land at Woodcut Farm (junction 8 of the M20 motorway) for employment.
Gypsy and Traveller site allocations (new policy GT1)		18.08.2015/ 19.08.2015	Regulation 18 public consultation (2014) and the 2014 call for sites, approval of amendments to policies for Regulation 19 consultation; and approval of further Regulation 18 consultation (October 2015) for proposed new sites.
Transport policies (new policies DM24 to DM26)		08.09.2015	Following the consideration of representations received during Regulation 18 public consultation (2014) and additional evidence, approval of amendments to policies for Regulation 19 consultation; and approval of further Regulation 18 consultation (October 2015) for deleted park and ride sites.
Consideration of responses to the October 2015 Regulation 18 public consultation on selected matters		14.12.2015	Following the consideration of representations received on a selected suite of policies during Regulation 18 public consultation (October 2015), approval of amendments to policies for inclusion in Regulation 19 consultation.
Spatial Strategy and settlement policies		13.01.2016	The balance of issues raised by respondents to the consultation on the Maidstone Borough Local Plan in 2014 relate to the spatial strategy and settlement policies. The vast majority of these issues were addressed through the consideration of site allocations and the more detailed policies of the local plan by the Committee and former Cabinet (as set out in this table) for completeness, they were listed and considered with officer responses on 13 January 2016.

Table C.2

C.48 As indicated in table C2 above, Cabinet commenced their consideration, in much more detail, of the issues from the 2014 Regulation 18 consultation and proposed officer responses in January 2015. At its meeting on 14 January 2015, the main Development Management policies with the exception of policy DM24 (affordable housing) were considered. The officers' report can be found here: [Officer's report](#) and the detailed appendix setting out the issues and recommended responses and any changes here: [Detailed changes](#).

C.49 Where specific policy changes were made in response to the issues raised these are summarised as follows:

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
DM3 Renewable & low carbon energy schemes	Policy should promote solar panels on the roofs of industrial and agricultural buildings.	Partially accept. The role of this policy is not to promote specific types of renewable or low carbon energy development. However, there is a preference built into the policy seeking the use of previously developed land ahead of greenfield sites. This can be amended to specifically reference commercial and industrial premises.	Amend criterion 8 to read: "8. 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."
	Should require that land is returned to agricultural use.	Accept. This is a particular consideration for ground mounted solar farms. The National Planning Practice Guidance (NPPG) states: "that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;" Where it is relevant, such a condition should apply to all renewable and low carbon energy schemes.	Proposed change: Add additional criterion: 9. Make provision for the return of the land to its previous use when the installations have ceased operation
DM4 Principles of good design	There should be a focus on landscape character as a key element of site choice.	Partially accept. The proposed allocation of sites in the draft Maidstone Borough	Proposed change: Amend final paragraph of DM4 to state:

Policy	Issue	Officer Response	Change to policy
<p>DM6 External lighting</p>	<p>Light pollution causes loss of wildlife.</p>	<p>Local Plan was informed by landscape character as one of a number of factors. The council has since undertaken further work on landscape capacity to further determine the impact of all of the proposed site allocations. Policy DM30 – Design principles in the countryside, makes reference to landscape character and the Maidstone Borough Landscape Character Guidelines SPD (yet to be produced). Developers should undoubtedly consider landscape character in proposing new sites and developments.</p> <p>NPPF para 109 requires local planning authorities to minimise impacts on biodiversity where possible, contributing to the Government’s commitments to halt the overall decline in biodiversity. The council recognises that lighting proposals that neighbour or are near enough to significantly affect areas of nature conservation importance, e.g. Sites of Special Scientific Interest, National Nature Reserves and County Wildlife Sites will only be permitted in exceptional circumstances. External artificial lighting can have severe implications for the natural diurnal</p>	<p>Account should be taken of <u>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.</u></p> <p>Proposed change: Subsection to be added to policy to state: <u>2. lighting proposals that neighbour or are near enough to significantly affect areas of nature conservation importance, e.g. Sites of Special Scientific Interest, National Nature Reserves and County Wildlife Sites will only be permitted in exceptional circumstances”.</u></p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
<p>DM10 Historic & Natural Environment</p>	<p>Landscaping should make use of indigenous plants. The policy should require that in landscaping schemes, indigenous plant species are specified.</p>	<p>rhythms in a range of animals and plants and therefore sites, which are deemed important in terms of their provision of wildlife, should not be in anyway affected.</p> <p>Partially accept. Landscaping schemes are developed with consideration to the site in question and will assess appropriate plant species to be included as part of the proposal. In some cases, the use of indigenous species may not be feasible for the location or purpose required. However, exploring the use of indigenous species should be an automatic consideration and be requested more explicitly in the policy.</p>	<p>Proposed change</p> <p>Amend criterion 3(i) to read:</p> <p>i. <u>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.</u></p>
	<p>Policy should reference Kent Downs AONB management plan.</p>	<p>Accept</p>	<p>Proposed change: Amend final paragraph of policy text as follows:</p> <p>Account should be taken of the <u>Landscaping Character Guidelines SPD, the Green and Blue Infrastructure SPD and the most recent revision of the Kent Downs AONB Management Plan.</u></p>

Policy	Issue	Officer Response	Change to policy
<p>DM11 Publicly Accessible open space and recreation</p>	<p>Amendments suggested to open space types. Amendments suggested as follows: · Point 1 ii - Amenity Green Space Add: including cemeteries and churchyards · Point 1 v - Allotments Add: Community Gardens (e.g. Community Orchards) · Point 1 vi Add - Accessible Countryside and Nature Reserves (e.g. Marden Meadow)</p>	<p>Partially accept. · Point 1 ii - Amenity Green Space Add: including cemeteries and churchyards. Agree. Point 1 v - Allotments Add: Community Gardens (e.g. Community Orchards). Agree. · Point 1 vi - Add - Accessible Countryside and Nature Reserves (e.g. Marden Meadow).</p>	<p>Proposed change: Amend Criterion 1 as per agreed proposals: ii. <u>Amenity green space, including cemeteries and churchyards.</u> - v. <u>Allotments and community gardens.</u></p>
	<p>New green space should also seek to reinforce landscape character.</p>	<p>Accept. Where possible and relevant, this should be a stated aim of the policy.</p>	<p>Proposed change: Add new criterion 2: <u>2. Proposals for, and including, new publicly accessible open space and recreation will, where feasible, seek to reinforce existing landscape character, as defined in the Maidstone Landscape Character Assessment.</u></p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
	<p>Community should be able to decide if an alternative provision is of equivalent benefit. The policy states that where there is a net loss of open space, one of the justifications for the net loss could be the provision of an alternative open space with equivalent community benefit. This comment queries who should decide whether the alternative provision is of an equivalent benefit.</p>	<p>Partially accept. Any alternative provision should be judged by the community and professional officers at the council i.e. those in the Planning Department and those in the Parks and Open Spaces team. This collaboration would take advantage of local knowledge and professional skills. Alternatively, where there is a neighbourhood plan adopted, if a relevant open space policy is present, then this would be used to help make a decision</p>	<p>Proposed change: Amend criterion 4(ii) as follows: ii. <u>An alternative provision, determined to be of an equivalent community benefit by officers at the council and community representatives, can be provided to replace the loss.</u></p>
	<p>There should be a specific mention of RSCs (Rural Service Centres)</p>	<p>Accept</p>	<p>Proposed change: Amend criterion 5 to read: <u>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.</u></p>

Policy	Issue	Officer Response	Change to policy
DM18 Retention of Employment Sites	An objection because the policy fails to recognise the established employment site at Detling Aerodrome and including the old Auction site.	<p>Detling Aerodrome is already listed in Policy DM18 as Detling Airfield.</p> <p>The old auction site is not included within the boundary set out in the adopted Local Plan 2000. However the GVA report does include it within the boundary of the Detling Airfield Economic Development Area. It is well screened and forms a cohesive part of the existing estate.</p> <p>Representation 1619 also argues for the significant expansion of the Aerodrome. The allocation of additional employment land is a matter for Policy EMP1.</p>	<p>Proposed change: Amend the boundary of the Economic Development Area at Detling Airfield to include the auction site.</p>
	Employment allocations should make the best use of motorway junctions to meet market demands. As such DM18 should be amended to include Brooklyn Park as a designated Economic Development Area or if not included in Policy EMP 1.	<p>The site is 1.9 hectares located on Junction 6 M20. Consent has previously been granted for B1 offices (MA/09/1210) and B1 light industrial units (MA/03/0399) and B2 (MA/03/0873). An extant permission for B8 storage (MA/11/2023) still exists. A new planning application has also been submitted for B2 uses. The</p>	<p>Proposed change: Include Brooklyn Yard in Policy DM18 (1).</p>

Policy	Issue	Officer Response	Change to policy
<p>DM20 District centres, local centres, and local shops and facilities</p>	<p>Include Church Green, West End, Maidstone Road and Albion Road (Marden). Proposed expansion/addition to the district centre identified in Marden.</p>	<p>identified Economic Development Areas are sites in existing employment use (in whole or in part). Whilst this is not the case for Brooklyn Yard, the site is particularly well connected to the strategic road network and would be suitable for B class uses in principle making a valuable addition to the stock of such business premises. As the intention of Policy DM18 is to retain the best employment sites in such uses, inclusion of Brooklyn Yard in this policy is considered appropriate</p> <p>Partially accept. Detailed research was undertaken in the borough to determine the ongoing status of existing centres and to consider if any new centres needed to be allocated. In Marden it is accepted that Church Green could be added to the district centre as an outlier.</p>	<p>Proposed change: Amend policy to include Church Green as part of the Marden district centre. Rename Marden district centre to: "High Street and Church Green, Marden"</p>
<p>DM22 Mooring Facilities and boatyards</p>	<p>The Environment Agency note this policy and that proposed new moorings will</p>	<p>Noted</p>	<p>Proposed change Criterion 1. ii to be amended to read:</p>

Policy	Issue	Officer Response	Change to policy
	<p>be subject to their views. As has been implied, they are unable to provide any views until such time that detailed proposals have been submitted. They however require the following point to be amended:</p> <p>ii – “Maidstone town centre – subject to an increase in the width of the navigable channel without loss of ecological value”</p> <p>We do not see how this adds value to this point. As with all the other locations listed it will be totally dependent on the details submitted as part of a formal application.</p> <p>Due to the complexities of the Medway Navigation it may be worth considering a more detailed Strategy for the Medway Navigation as a supplementary planning document in consultation</p>		<p>Maidstone town centre subject to an increase in the width of the navigable channel without loss of ecological value</p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
<p>DM23 Housing Mix</p>	<p>with Tonbridge & Malling Borough Council and us (the Environment Agency)</p> <p>Consideration for older person needs to be addressed with specific mention of provision of bungalows</p>	<p>Accept – The Council acknowledges that older persons’ needs should be considered and mentions this at 11.122 of the plan.</p> <p>Specific mention of types of housing, including bungalows, have not been included in this policy and targets have not been set as this could result in inflexibility. The council will seek to implement this policy by seeking a mix of housing types within the Borough that will be able to accommodate the needs of an increasingly diverse population (including older people) and help to encourage the creation of mixed, sustainable communities. Successful implementation of this policy will see individuals or households able to pass through all phases of life, if they so wish, living within one community. This should lead to improved community cohesion and health.</p>	<p>Proposed change</p> <p>Change Criterion 1 to read:</p> <p>1. <u>In considering proposals for new housing development the council will seek a sustainable mix range of dwelling types, sizes and tenures that increases local housing choice and reflects the needs of those living in the Maidstone Borough now and in years to come.</u></p> <p>Add new criterion 4.</p> <p>4. <u>The council will work with partners to facilitate the provision of specialist and supported housing for elderly, disabled and vulnerable people.</u></p>

Policy	Issue	Officer Response	Change to policy
		<p>Specific housing types, including the provision of bungalows, can be addressed in the affordable and local needs housing supplementary document which will be produced. It is recognised however that the wording at 11.122 of the plan could be better, and that Policy DM23 could make reference to older persons and specialist supported housing.</p>	
	<p>Paragraph 11.124 is not carried forward into policy.</p>	<p>Accept – Paragraph 11.124 details the range of data sources developers will need to access in order to help shape their proposals. Paragraph 11.124 states:</p> <p><i>Developers will need to access a range of sources, including the SHMA, to help shape their proposals. Local stakeholders, including parish councils, may often be able to provide targeted information that assists an applicant to submit a locally relevant scheme. Where affordable housing is proposed or required, the housing register may provide additional guidance.</i></p>	<p>Proposed change</p> <p>Insert new criterion 3</p> <p>3. <u>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. 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.</u></p>

Policy	Issue	Officer Response	Change to policy
		<p>Point 2 of Policy DM23 however refers mainly to developers using the accommodation profiles detailed in the Strategic Housing Market Assessment (SHMA) to help inform and determine which house sizes should be delivered in urban and rural areas to meet the objectively assessed needs of the area.</p> <p>2. <i>Accommodation profiles detailed in the Strategic Housing Market Assessment 2013 will be used to help inform developers to determine which house sizes should be delivered in urban and rural areas to meet the objectively assessed needs of the area. In relation to affordable housing, the council will expect the submission of details of how this information has been used to justify the proposed mix.</i></p> <p>It is therefore accepted that Policy DM 23 needs to be revised to make it clear that developers will need to take into</p>	

Policy	Issue	Officer Response	Change to policy
<p>DM25 Local Needs Housing</p>	<p>Policy should be redrafted in accordance with DM26.</p>	<p>account a range of data sources in addition to the SHMA to help shape their proposals.</p> <p>There are some aspects of the criteria in Policy DM26 which could also be used for Policy DM25, due to both local needs housing and gypsy and traveller sites mainly being in rural locations. It is considered that not all of the proposed alternative wording would however be suitable to use. Saying the housing provided will be occupied by those identified in need for housing in the Parish Council area would create inflexibility and to severe an occupancy restriction which in turn could lead to lengthy void periods. All local needs housing will be prioritised in the first instance to local people within the parish, and then neighbouring parishes as part of the allocation cascade and occupancy criteria arrangements agreed within the relevant s106 agreement. There needs to be flexibility built in though to go beyond this point to consider people with a local connection to the borough, if</p>	<p>Proposed change</p> <p>Amend opening paragraph and change criterion 1 to read:</p> <p>The council will work with parish councils and local stakeholders to bring forward sustainably located local needs housing at its rural communities, where this has been proven necessary by a local needs housing survey undertaken by or on behalf of the parish council(s) concerned. <u>The council will consider granting planning permission subject to the following criteria:</u></p> <p>-</p> <p><u>This 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.</u></p> <p><u>In consultation with the parish</u></p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
	<p>there are no qualifying applicants to consider.</p> <p>Criteria around safe access to and from the site is a relevant point though of which should be included as part of the criteria. Sustainability of any site is mentioned as a key consideration as well as national, ecological and heritage designations.</p> <p>It would be helpful to separate out as a listed criteria the requirement for local needs housing to be proven necessary by a local housing need survey undertaken by or on behalf of the parish council. Such survey would need to be approved by the borough council. It's also important that any scheme which may come forward accurately reflects the needs of local residents who would be eligible to be considered for such accommodation.</p>	<p><u>council and registered provider of social housing, the council 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.</u></p> <p>Amend criterion 4 to read;</p> <p>Sustainability of the site and its settlement will be a prime consideration in decision making. The council will give preference to settlements and communities where a range of community facilities and services, including shops, health and education are present. Settlements must be effectively served by public transport. 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 accessed to and from the public highway by all vehicles using the site at all times.</p>	<p><u>council and registered provider of social housing, the council 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.</u></p> <p>Amend criterion 4 to read;</p> <p>Sustainability of the site and its settlement will be a prime consideration in decision making. The council will give preference to settlements and communities where a range of community facilities and services, including shops, health and education are present. Settlements must be effectively served by public transport. 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 accessed to and from the public highway by all vehicles using the site at all times.</p>

Policy	Issue	Officer Response	Change to policy
	<p>Consistency is needed here –</p> <p>4 “The scale of development must be sympathetic to the character of the settlement where it is located.”</p> <p>5. Please amend to reflect paragraph 116 NPPF – where it relates to major developments.</p>	<p>The council recognises that consistency is important in terms of its policy approach. It is accepted that criteria 4 could be better worded as suggested.</p> <p>Criteria 5 in Policy DM25 states: Where national landscape, ecological and heritage designations are affected by the proposed development, the necessity for development must be proven to outweigh the purpose, for which the designation is made.</p> <p>Paragraph 116 is included under section 11 (Conserving and enhancing the natural environment) within the National Planning Policy Framework (NPPF) which states:</p> <p>Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest.</p> <p>Consideration of such applications should include an assessment of:</p>	<p>Proposed change: Amend criterion 5 to read:</p> <p><u>The scale of development must be sympathetic to the character of the settlement where it is located.</u></p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
<p>DM26 Gypsy, Traveller & Travelling Showpeople Accommodation</p>	<p>Question whether criteria will stand up to scrutiny at appeal. The policy states that planning permission for Gypsy and Traveller and Travelling Showpeople accommodation will only be granted if the site is allocated for that use or if certain criteria are met. The policy is welcomed, but the</p>	<ul style="list-style-type: none"> · the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; · the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and · any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. 	
		<p>Partially accept In conjunction with the National Planning Policy Framework, the Government's Planning Policy for Traveller Sites document sets out the Government's planning policy for traveller sites. The Council in preparing this Local Plan and policy DM26 has had regard to the policies in both these documents so far as they are relevant. The guidance in these documents says</p>	<p>Proposed change: Criterion 2 – Change the wording at the beginning of the sentence to add The development would not result in <u>inappropriate</u> harm to the landscape and rural character of the area, in particular the Kent Downs Area of Outstanding Natural Beauty, and the openness of the</p>

Policy	Issue	Officer Response	Change to policy
	<p>criteria is being questioned as to whether it will stand up to scrutiny at appeal.</p> <p>Criteria 1: It is being questioned as to whether the criteria is doing what the council want it to. Paragraph 11.139 states that it is preferable for sites to be located close to existing settlements where there are community facilities such as schools and health services. It is queried that would not any site chosen in the borough be able to meet this pre-requisite? A further comment was made that the criteria does not require sites to be close to facilities as stated at paragraph 11.139. It just merely mentions that local services, in particular school and health facilities, are accessible from the site preferably on foot, by cycle or on public transport.</p>	<p>that local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. The criteria listed within Policy DM26 seek to address these issues to help guide the determination of planning applications and allocation of specific sites.</p> <p>As with any other form of housing, poorly located sites, with no easy access to major roads or public transport services and local services, could compromise the ability of residents to:</p> <ul style="list-style-type: none"> • Seek or retain employment. • Attend school, further education or training. • Obtain access to health services and shopping facilities. <p>Criteria 1: seeks to ensure that local services (in particular school and health facilities) are accessible from the site to ensure that the above sustainability measures are taken into account for the residents benefit. It is the council's view that not all sites brought forward may be able to meet this pre-requisite due to</p>	<p>Metropolitan Green Belt. Impact on these aspects will be assessed with particular regard to:...</p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
	<p>Criteria 2: Comment regarding this is that it is a charter for refusal. It will be relied upon by objectors to refuse every application in the countryside. It has been suggested that the criteria needs to be qualified and tightened in the wording, for example, would not cause unacceptable harm.</p> <p>Criteria 3: A question was raised as to why safe access to a site is only a concern for vehicles that use the site on a regular basis? They did not see the need for the words 'using the site on a regular basis'. It was suggested that this is important for all vehicles regardless of whether they use the site on a regular basis or not, particularly those who may be unfamiliar with the area.</p> <p>Criteria 5: Comment questioned the need for ecological surveys, which</p>	<p>some sites potentially being in more remote rural locations. It is therefore important that this criteria is in place to determine the suitability of each site which may come forward.</p> <p>Criteria 2: As Gypsy accommodation is frequently proposed in countryside locations, impact on rural/ landscape character, in particular Green Belt and the Kent Downs Area of Outstanding Natural Beauty, are important considerations. It is therefore important that the impact on these aspects are considered and assessed with particular regard to the additional issues listed within Criteria 2. It is acknowledged that the wording however could be tightened to state 'would not result in inappropriate harm to the landscape and rural character of the area'.</p> <p>Criteria 3: The inclusion of the caveat 'on a regular basis' is considered worthwhile. It would be unreasonable to refuse permission for an otherwise acceptable site on the basis that it had a compromised access for vehicles which would visit only infrequently (eg large delivery van) whereas vehicles associated with an occupant's business,</p>	

Policy	Issue	Officer Response	Change to policy
	<p>was thought to be an unnecessary expense on most sites. Suggested that it should only be required on sites known to be of special ecological interest.</p>	<p>for example, could fall within the terms of this criterion. KCC Highways has not objected to the current wording of this criterion</p> <p>Criteria 5: In terms of ecological assessments the appropriate advice would be given during the planning application process as to what ecological assessments maybe required to assess the impact of the development on the ecology of the area. This is an extremely important aspect to help guide the determination of any site allocations and planning applications as the majority of proposed sites are greenfield and as such needs to be included in the criteria.</p>	
<p>DM30 Design Principles in the Countryside</p>	<p>Criterion 2 is questionable/unenforceable</p>	<p>Partially accept. Design is ultimately subjective and in the case of this policy it is expected that the development management process would be used to guide the design of a development proposal, through pre-application discussions and potentially through any necessary discussions once the application has been submitted. Where the policy needs to be tightened is in regard to the definition “landscape of</p>	<p>Proposed change: Amend criterion 2 to read:</p> <p><u>2. Outside of the Kent Downs AONB, not result in harm to the identified landscapes of local value, landscapes which have been shown to have a low capacity to accommodate</u></p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
<p>DM31 New Agricultural Buildings and Structures</p>	<p>More detail needed on polytunnels, question if criteria can be adjusted for seasonal use. Polytunnels are used by farmers to aide growing their crops. However, they are also considered by some to be a blight on the landscape and potentially damaging to the environment and biodiversity.</p>	<p>the highest value.” The council has undertaken work on landscape character assessment and on the capacity of landscape to accommodate change. This will inform the application of this policy, as does the identification of “landscapes of local value” in policy SP5 – Countryside.</p> <p>Polytunnels tend to require a planning application on the basis of how they are fixed to the ground. Where there is a permanent structure , these require permission. Where the structure is driven into the ground, these tend not to require permission. So only those that can be considered to have some form of permanence are subject to planning control. On that basis, only a given proportion will be subject to the policy. The policy as currently written requires a rotation programme for the covering/uncovering of frames. It is reasonable to ask the applicants to explore the possibility of this being determined on a seasonal basis, however, other factors will undoubtedly play their part in what is ultimately</p>	<p><u>change, and in all other locations respect the landscape character of the locality.</u></p> <p>Proposed change: Amend criterion 4(ii) to read:</p> <p>4. In the case of polytunnel development in addition to the above, the council will expect proposals to address the following issues:</p> <p>i. How surface water run-off will be dealt with and controlled;</p> <p>ii. The inclusion of a rotation programme for the covering/uncovering of the structures/frames, <u>which explores the possibility of following the seasons;</u> and</p>

Policy	Issue	Officer Response	Change to policy
<p>DM32 Conversion of Rural Buildings</p>	<p>Permission should be granted where the schemes form an integral part of the rural scene. Conversion of rural buildings, such as barns & oast houses into dwellings should be permitted where these form an integral part of the rural scene no matter what state of decay that they are in.</p>	<p>agreed.</p> <p>New permitted development rights came into force for agricultural buildings in England from 30th May 2013 (Class MA). Agricultural buildings under 500 square metres can change to a number of other uses (A1, A2, A3, B1, B8, C1 and D2). For buildings between 150 square metres and 500 square metres, prior approval (covering flooding, highways and transport impacts, and noise) is required.</p> <p>In addition new regulations came into force on 6th April 2014 (Class MB) which allows up to</p> <p>450 square metres of agricultural building and land within a defined curtilage will be able to</p>	<p>iii. The inclusion of a programme for the maintenance and enhancement of existing field margins in the interests of encouraging biodiversity.</p> <p>Proposed change: Policy to be amended to take account of new permitted development legislation as follows Outside of the settlement boundaries as defined on the policies map, proposals for the re-use and adaptation of existing rural buildings which meet the following criteria will be permitted: <u>1. The building is of a form, bulk, scale and design which takes account of and reinforces landscape character;</u> 2. The building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction;</p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
	<p>change to residential use for up to three dwellings, and carry out limited associated building works. To meet the criteria the buildings will need to have been user for agriculture on the 20th March 2013, or last used for agriculture before that date if unused on this date. NPPF para 55 states that Local Planning Authorities should avoid new isolated homes in the countryside. NPPF para 28 states that Local Planning Authorities should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.</p> <p>In order to support the objectives of the NPPF, for developments that full outside of the new permitted development class MA and MB, the council will seek to secure business and recreation uses for rural buildings.</p>	<p>3. <u>Any alterations proposed as part of the conversion are in keeping with the landscape and building character in terms of materials used, design and form;</u></p> <p>4. There is sufficient room in the curtilage of the building to park the vehicles of those who will live there without detriment to the visual amenity of the countryside; and</p> <p>5. No fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it are erected which would <u>harm landscape character and visual amenity.</u></p> <p>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</p>	

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
			<p>following criteria will be permitted:</p> <p>6. The traffic generated by the new use would not result in the erosion of roadside verges, and is not detrimental to the character of the <u>landscape</u>;</p> <p>7. In the case of a tourist use, the amenity of future users would not be harmed by the proximity of farm uses or buildings; and</p> <p>8. In the case of self-catering accommodation a holiday occupancy condition will be attached, preventing their use as a sole or main residence.</p> <p>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:</p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
			<p>9. Every reasonable attempt has been made to secure a suitable business re-use for the building;</p> <p>10. Residential conversion is the only means of providing a suitable re-use for a listed building, an unlisted building of quality and traditional construction which is grouped with one or more listed buildings in such a way as to contribute towards the setting of the listed building(s), <u>or other buildings which contribute to landscape character or which exemplify the historical development of the Kentish landscape;</u> and</p> <p>11. There is sufficient land around the building to provide a reasonable level of outdoor space for the occupants, and the outdoor space provided is in harmony with the character of its setting.</p>
	Policy does not accurately reflect NPPF.	(See above)	(See above)

Policy	Issue	Officer Response	Change to policy
	Policy not consistent with the NPPF, doesn't reflect recent changes to the GPDO.	(See above)	(See above)
	This is too restrictive where there is a need for housing.	Accept - NPPF Para 55 states that housing should be located where it will enhance or maintain the vitality of rural communities. Local Planning authorities should avoid new isolated homes in the countryside unless there are special circumstances: Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.	Proposed Change: Policy to be reworded to take in to account new permitted development regulations and NPPF Para 55.
	Policy should reference Kent Downs AONB landscape design handbook, KCC farmstead guidance and AONB farmstead guidance – Kent County Council	Policy to be amended	Proposed Change: Account should be taken of the Kent Farmsteads Guidance and the Kent Downs AONB Farmstead Guidance.
	Language needs to be more consistent. Detail: 1 "The building is of a form, scale and design which takes account of and reinforces landscape character".	Partially Accept - policy to be amended to be more consistent.	Proposed Change: Amend policy to be more consistent.

Policy	Issue	Officer Response	Change to policy
	<p>Reason: there's no evidence upon which to judge 'rural surroundings'.</p> <p>3 "Any alterations proposed as part of the conversion are in keeping with the landscape and building character in terms of materials used, design and form".</p> <p>Reason: Landscape character includes buildings, their scale, materials and style.</p> <p>5" ...would harm landscape character and visual amenity".</p> <p>Reason: curtilage, particularly in farmsteads where this policy is likely to be applied the most, is incredibly important to building/settlement character – see Farmsteads Guidance.</p>		

Policy	Issue	Officer Response	Change to policy
	<p>6 "...character of the landscape"</p> <p>Reason: in the interests of consistency of language.</p> <p>10 or other buildings which contribute to landscape character or which exemplify the historical development of the Kentish landscape;</p> <p>Reason: The evidence base used to judge this policy is landscape character – landscape understanding requires an understanding of its historical development, so much more suitable to use landscape rather than countryside. Additionally, in the interests of consistency of language.</p> <p>12 "...in harmony with landscape character."</p>		

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
	<p>Reason: in the interests of consistency of language.</p> <p>The impact of paragraph 2 of Policy DM 32, as drafted, means that some unused agricultural buildings, which would otherwise be suitable for conversion (for example because of their location), would not be granted planning permission because of the need for reconstruction. This risks creating a perverse situation, where buildings that are in good condition (and so could be used for their original use) are converted in preference to buildings that are in a bad condition, which instead will be left to rot, marred the countryside. In addition, given the pressure on housing numbers, the restrictions on converting</p>	<p>New permitted development rights came into force for agricultural buildings in England from 30th May 2013 (Class MA). Agricultural buildings under 500 square metres can change to a number of other uses (A1, A2, A3, B1, B8, C1 and D2). For buildings between 150 square metres and 500 square metres, prior approval (covering flooding, highways and transport impacts, and noise) is required.</p> <p>In addition new regulations came into force on 6th April 2014 (Class MB) which allows up to 450 square metres of agricultural building and land within a defined curtilage will be able to change to residential use for up to three dwellings, and carry out limited associated building works. To meet the criteria the buildings will need to have been user for agriculture on the 20th March 2013, or last used for agriculture before that date if unused on this date.</p>	<p>Proposed change:</p> <p>Policy to be amended to take account of new permitted development legislation as follows.</p> <p>Outside of the settlement boundaries as defined on the policies map, proposals for the re-use and adaptation of existing rural buildings which meet the following criteria will be permitted:</p> <ol style="list-style-type: none"> 1. <u>The building is of a form, bulk, scale and design which takes account of and reinforces landscape character;</u> 2. The building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction;

Policy	Issue	Officer Response	Change to policy
	<p>buildings to residential use seem unduly restrictive. Some growth of housing in the wider countryside is desirable, in order to preserve more balanced rural communities and reduce the risk that relative scarcity means that the price of rural properties increases significantly compared to properties elsewhere, putting them out of reach of local residents. In the case of Headcorn residents, only 36% opposed development in the wider countryside around Headcorn.</p>	<p>NPPF para 55 states that Local Planning Authorities should avoid new isolated homes in the countryside. NPPF para 28 states that Local Planning Authorities should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. In order to support the objectives of the NPPF, for developments that full outside of the new permitted development class MA and MB, the council will seek to secure business and recreation uses for rural buildings.</p>	<p>3. Any <u>alterations proposed as part of the conversion are in keeping with the landscape and building character in terms of materials used, design and form.</u></p> <p>4. There is sufficient room in the curtilage of the building to park the vehicles of those who will live there without detriment to the visual amenity of the countryside; and</p> <p>5. No fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it are erected which <u>would harm landscape character and visual amenity.</u></p> <p>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:</p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
			<p>6. The traffic generated by the new use would not result in the erosion of roadside verges, and is not detrimental to the character of the <u>landscape</u>;</p> <p>7. In the case of a tourist use, the amenity of future users would not be harmed by the proximity of farm uses or buildings; and</p> <p>8. In the case of self-catering accommodation a holiday occupancy condition will be attached, preventing their use as a sole or main residence.</p> <p>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:</p> <p>9. Every reasonable attempt has been made to secure a suitable business re-use for the building;</p>

Policy	Issue	Officer Response	Change to policy
			<p>10. Residential conversion is the only means of providing a suitable re-use for a listed building, an unlisted building of quality and traditional construction which is grouped with one or more listed buildings in such a way as to contribute towards the setting of the listed building(s), or other buildings which contribute to <u>landscape character or which exemplify the historical development of the Kentish landscape;</u> and</p> <p>11. There is sufficient land around the building to provide a reasonable level of outdoor space for the occupants, and the outdoor space provided is in harmony with the character of its setting.</p>
<p>DM35 Accommodation for agricultural and Forestry Workers</p>	<p>Dwelling should reflect landscape character. The dwelling is in a location and style which respects landscape character</p>	<p>Agree: The council will ensure that all development within the borough enhances the natural environment by requiring all development, where appropriate, to protect landscape character</p>	<p>No change required to Policy DM35 as Policy DM10 already requires all development to protect landscape character.</p>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
	<p>Suggest Kent farmsteads guidance is referenced. Temporary and new dwellings can impact upon landscape character when sited within a farmstead. If allowing temporary permission for development within a farmstead MBC must ensure this is not giving a green light to a permanent dwelling. KCC suggest Kent Farmsteads Guidance is referenced here.</p>	<p>Policy DM 35 to be amended and include information on Kent Farmstead Guidance.</p>	<p>Proposed change: Add the following <u>In addition to the above criteria, account should be taken of the Kent Farmsteads Guidance and the Kent Downs AONB Farmstead Guidance.</u></p>
<p>DM39 Caravan Storage in the Countryside</p>	<p>Specify planting of indigenous species.</p>	<p>Accept</p>	<p>Proposed change: Amend criterion 2 as follows: <u>2. Prior to use of the site commencing, it is comprehensively screened, where possible with indigenous species, on a year round basis. The screening may include bunds, tree and shrub planting and fencing in appropriate locations, and there will be no unacceptable impact on the landscape or environment;</u></p>

Policy	Issue	Officer Response	Change to policy
	Lighting only if there is a demonstrable need and be restricted to an absolute minimum. In countryside locations lighting is more likely to be inappropriate and pollute the dark night sky.	Accept	Proposed change: Amend criterion 3 as follows: <u>3. 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;</u>
DM40 Retail units in the Countryside	These should be restricted to buildings already existing on farm holding. Support but needs additional criterion that any such retail outlets will only be acceptable where they are use an existing building in the farm holding	Partially accept, proposals for farm shops should re-use or adapt appropriate farm buildings which are available, new buildings will only be considered exceptionally.	Proposed Change: Add criterion – <u>iv. Re-use or adapt appropriate farm buildings where they are available, new buildings will only be considered exceptionally.</u>
DM41 Equestrian development	Policy should make clear distinction between domestic and commercial use. The concern relating to this comment is that often stables are accompanied by lighting, which can be inappropriate in countryside locations. Consultee	Partially accept. The concern relating to lighting is applicable to domestic and commercial premises	Proposed change: Add new criterion: <u>5. Proposals will include lighting only where it can be proven to be necessary;</u>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
	requests that lighting should only be allowed where there is a demonstrable need		
	Should also reference cumulative impact of equestrian development. Comment supports policy in general but requires an additional criterion referencing the cumulative impact of equestrian development.	Accept	Proposed change: Add new criterion, after 2: 3. <u>The cumulative impact of the proposed equestrian development has been shown to be considered, and where appropriate this has been mitigated.</u>
ID1 Infrastructure Delivery	Adequate drainage should be in place for surface water and foul water, ahead of development. Drainage has been a particular issue in the southern villages of Marden, Staplehurst and Headcorn. As well as these there are drainage issues across other areas of the borough, often in close proximity to the flood plain.	Partially accept. This is a key issue to be addressed and the council is currently in dialogue with Southern Water and Kent County Council about drainage issues. The lack of an effective drainage system, for whatever reason, can lead to public health issues and these must be addressed as part of any new development proposals. For a recent development proposal, the council made it a condition that drainage issues were addressed and rectified prior to the occupation of any of the new homes. Apart from the prioritisation of infrastructure types,	Proposed change Amend Criterion 1 to read: 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. <u>In certain</u>

Appendix C . Issues arising and how they have been used to develop the plan

Policy	Issue	Officer Response	Change to policy
		<p>policy ID1 does not deal with topic based infrastructure requirements. Infrastructure requirements are more adequately dealt with on a site by site basis, where the individual requirements of each site are known.</p>	<p>circumstances where proven necessary, the council may require that infrastructure is delivered ahead of the development being occupied.</p>
	<p>Considers list of priorities inappropriate, this is not one size fits all. It is inflexible</p>	<p>Partially accept. There may be on site issues that mean the priority list cannot be followed as set out at criterion 4. However, the priority list is included as a guide to indicate what types of infrastructure the council considers important and the likely priority that the council will give in circumstances where a choice needs to be made about funding.</p>	<p>Proposed change: Add to the end of criterion 4: <u>This list serves as a guide to the council's prioritisation process, however, it is recognised that each site and development proposal will bring with it its own issues that could mean an alternate prioritisation is used.</u></p>
	<p>Flood defence should be primary infrastructure. Flood defence is an important part of development in areas prone to flooding. New development can exacerbate flood problems so there is also a design issue to be considered, potentially benefiting from the inclusion of SuDS.</p>	<p>Accept. While the Environment Agency have not specifically requested funding, they have requested that flood defences are considered on the list of infrastructure requirements and priorities. Given funding issues, it may be wise to include this.</p>	<p>Proposed change: Amend paragraph 14.7, with "Flood defences" included at the bottom of the residential list and the bottom of the business and retail development list. Amend criterion 4, Where there are competing demands for developer contributions towards</p>

Policy	Issue	Officer Response	Change to policy
			<p>the delivery of infrastructure for new development proposals, the council will prioritise these demands in the manner listed below, which ranks infrastructure types in order of importance:</p> <p>Infrastructure priorities for residential development:</p> <ol style="list-style-type: none"> i. Affordable housing ii. Transport iii. Open space iv. Public realm v. Health vi. Education vii. Social services viii. Utilities ix. Libraries x. Emergency services xi. <u>Flood defences</u>

Policy	Issue	Officer Response	Change to policy
			Infrastructure priorities for business and retail development: <ul style="list-style-type: none"> i. Transport ii. Public realm iii. Open space iv. Education v. Utilities vi. <u>Flood defences</u>

Table C.3

C.50 Cabinet also agreed a new Care Homes policy at the meeting on 14 January 2015 following an assessment of need. Discussion was included in the main report on Development Management and Infrastructure Delivery policies. The policy was agreed for Regulation 18 Consultation. The full list of decisions made by Cabinet on the 14th January 2015 can be found here: [Decisions made](#)

C.51 Cabinet met again on 2nd and 4th February 2015 (following consideration by Overview and Scrutiny Committee on 20th , 22nd and 28th January) to consider representations on the allocated housing sites in the March 2014 Regulation draft of the Local Plan and newly proposed sites following the call for sites exercise undertaken during March and April 2014. A full list of their decisions can be found here: [Decisions made](#)

C.52 Policy H1 of the draft (Regulation 18) Local Plan identified 50 sites for housing development. The draft Local Plan document set out the specific development criteria and includes a site plan for each of the allocated sites. In addition to the issues raised in respect of individual sites ([Issues in relation to sites](#)) a significant number of objections to Policy H1 raised wider, overarching issues relating to the Local Plan's overall approach to the number and location of new homes. Such issues relate to the overall strategy of the Local Plan and the overall distribution of development (Policy SS1 and Policies SP1 – SP5).As summarised earlier, the issues were presented and summarised for the Planning, Transport & Development Overview & Scrutiny Committee at its meeting on 19th August 2014. It is nonetheless appropriate to highlight the specific key issues which were of particular significance to the allocation of housing sites.

C.53 It is the case that residents in particular felt that the overall number of houses allocated in Policy H1 was too high and would result in the loss of greenfield land, including productive agricultural land, which would have an adverse effect on the borough's and individual settlements' character. In contrast, others noted that there were insufficient allocations to meet the objectively assessed need figure and that more sites should be identified. In response, Cabinet had previously agreed the objectively assessed need of some 18,600 new homes. A rigorous approach had been taken to identify the most suitable housing sites through the comprehensive assessment in the Strategic Housing Land Availability Assessment, drawing on evidence and the expert inputs from statutory agencies. Further, the site allocation policies identified specific mitigation measures to address the impacts of development where possible. The sustainability appraisal (SA) provides a valuable cross check for the site selection process undertaken when relevant sustainability factors are weighed together.

C.54 There were strongly expressed concerns about the impacts of development on local infrastructure linked to the overall scale of development proposed in a given location. This concern was widespread and was explicitly raised in objections for every settlement where development has been proposed and by other communities which will be impacted by development. Concerns related to transport infrastructure, including public transport, schools and pre-schools, health facilities, water supply, sewerage capacity, refuse collections and the adequacy of local shops. Respondents were concerned that infrastructure and facilities were insufficient to cope with current demand and that they would fail under the pressure of the proposed additional development. There was also the view that infrastructure improvements should be implemented before development

takes place. In respect of transport infrastructure specifically, it was expressed that traffic congestion, noise, road safety including for pedestrians, cyclists and horse riders, and air quality would worsen without new road schemes. This concern was raised both for settlements where development is proposed and by communities who were concerned about the highway impacts of development elsewhere on their local roads. The sufficiency of existing transport evidence was questioned as was how the cumulative impacts of development inside and outside the borough would be assessed. The value of any future revised Integrated Transport Strategy which does not have the support of Kent County Council as highways authority was questioned. There were general and specific concerns that there would be an increase in rat running on unsuitable routes.

C.55 In response to these concerns, there has been concerted and on-going dialogue with infrastructure providers as the Local Plan has progressed as part of the development of the Infrastructure Delivery Plan. Infrastructure providers have been provided with information on the development proposals set out in the draft Local Plan (Regulation 18) and potential additional sites and have been asked to advise on the implications for infrastructure provision. This is inevitably an iterative process; decisions need to be made on sites before the infrastructure providers can give a firm response on the implications.

C.56 Representations also made specific reference to neighbourhood plans and how proposals in the draft Local Plan do not match emerging proposals in emerging neighbourhood plans. In response, it was noted that neighbourhood plans in the borough are at varying stages of preparation, whilst some communities were making good progress, no plans had yet been adopted or submitted for examination. In some cases the selection of sites and/or their capacity in emerging neighbourhood plans do not match those in the emerging Local Plan. Neighbourhood plans do not have to include the same sites as the Local Plan and vice versa. Crucial to the success of the emerging Local Plan will be the robustness of the evidence base and, more particularly, how this extensive evidence has been used to determine the plan's strategy and detailed policies. This is the same for neighbourhood plans which must have regard to national policy (NPPF), being based on evidence, and deliver sustainable development. Local communities should make use of the Local Plan's evidence base as well as their own evidence to substantiate the content of their neighbourhood plans and thereby to give the plans the best chance of succeeding at examination. The Local Plan evidence includes the objectively assessed need figure which the council must work assiduously to meet, taking a borough-wide perspective of the most sustainable locations and sites for growth. This is resulting in some settlements being proposed for more housing than the neighbourhood plan groups consider appropriate. This being the case it is likely that some neighbourhood plans and the Local Plan may continue not to align in all respects. Ultimately, differences which remain will be tested at the plans' respective examinations.

C.57 Site-specific issues were raised and considered. Policy H1 allocates 50 sites for housing development. Objections were received to each of these sites as referred to earlier. The changes to the sites allocated under Policy H1 recommended to Cabinet can be found here: [Proposed changes](#)

C.58 Cabinet took the decision to not carry forward some sites allocated in the Regulation 18 draft to the Regulation 19 (Publication) Draft and also did not allocate all of the additional sites that had been assessed and recommended following the 2014 call for sites exercise. This led to the total number of proposed dwellings being in excess of 2000 units below the Objectively Assessed Need (OAN) that they had agreed in September 2014. A report was therefore requested into the risks of this for the Local Plan going forward.

C.59 Following the Municipal elections in 2015 the Council reverted to a Committee-based system for decision making with the Cabinet and executive disbanded as well as the associated Overview and Scrutiny Committees. As a result, the risk report requested by Cabinet was presented to the successor Strategic Planning, Sustainability and Transportation (SPS&T) Committee on 9 June 2015. At this meeting an updated OAN was agreed of 18,560 and 980 care home places as a result of the consideration of updated CLG household projections that had been published in February 2015. In addition, Members resolved to request officers to reconsider the additional sites considered and excluded from the Local Plan during the January/February/March 2015 cycle of Cabinet meetings (the sites deleted from the Regulation 18 version of the Plan (7 sites and 1 part site) and the allocation of more of the additional sites (15) resulting from the 2014 call for sites). Sites put forward by Ward Members with community support in Neighbourhood Plans during the further call for sites process and sites which were borderline rejections from the SHLAA were also to be re-considered. The following sites were instructed not to be re-considered: H1 (25) Tongs Meadow, West Street, Harrietsham, H1 (60) Fant Farm, Maidstone and H1 (48) Heath Road, Boughton Monchelsea since members felt that the previously agreed reasons for rejection should stand.

C.60 At the SPS&T committee on 14 July 2015 (adjourned to 23 July 2015), Members considered a revised Affordable Housing policy, following consideration of additional evidence and the March 2014 Regulation 18 representations and also the reconsidered previously rejected housing sites, requested at the meeting held on 9 June 2015.

C.61 In terms of the reconsidered housing sites, three previously rejected sites were reinstated for inclusion in the Regulation 19 draft as planning permission had been given for development, with the Planning Committee being satisfied that concerns regarding infrastructure which had led to their not being allocated had been addressed through the planning application process. These sites were namely Land at Ulcombe Road, Headcorn, Land north of Lenham Road, Headcorn and Land at Cross Keys, Roundwell, Bearsted. In addition, sites at Bentletts Yard, Claygate Road, Laddingford, Land at Hubbards Lane, Loose/Boughton Monchelsea, Land north of Heath Road, (Older's Field), Coxheath, Land to the north of Henhurst Farm, Staplehurst, Land south of The Parsonage, Goudhurst Road, Marden be included within the plan and subject to Regulation 18 Consultation. Three further Headcorn sites, Land at Knaves Acre, Land south of Grigg Lane and Land at Grigg Lane and Lenham Road that had been recommended for deletion by Cabinet were approved for inclusion in the draft Local Plan (Regulation 19). The proposed re-allocation of the site H1(10) Land south of Sutton Road, Langley was deferred to the meeting on 18 August 2015 for further consideration to be given to the site boundaries and the inclusion of an anti-coalescence belt.

C.62 SPS&T Committee considered the further evidence and also the representations received during the March 2014 Regulation 18 Consultation in respect of policy DM24 Affordable Housing. The summary of representations and issues raised and the recommended changes can be found here: [Summary of issues and changes recommended](#). Representations can be summarised as follows:

- A 40% requirement in the countryside, at Rural Service Centres and larger villages being too high,
- That a 15% affordable housing requirement should apply to all previously developed land sites not just those in the urban area,
- 30% should apply to all greenfield sites not just urban and urban periphery
- There should be an 80% requirement or higher on all housing sites.
- In addition, it was considered that the new requirements were too complicated
- Requirements should be determined on a site-by-site basis.
- The policy should highlight a reasonable and flexible approach in order that varying costs and issues for development projects can be addressed
- Bungalows should be an integral part of any affordable housing provision.
- Local needs housing should be on all developments
- The proposed tenure split should be more even.

C.63 In response, changes to the Regulation 18 draft (2014) policy were proposed on the back of these representations and a refreshed evidence base as to need and also viability. The revised policy was also changed after it was confirmed that the Haynes site on Ashford Road, Maidstone (previously H1(12)), was no longer available for development.

C.64 The next major stage in the consideration of the representations and changes to the draft Local Plan moving forward was at the meeting of the SPS&T Committee that took place on the 18th and 19th August 2015 . As can be seen from the table set out earlier in this Appendix, the Committee considered the following.

- A new Open Space and Recreation policy for Regulation 18 consultation: Following publication of additional evidence.
- A new Landscapes of Local Value policy: Following consideration of representations received at Regulation 18 consultation in March 2014.
- Retail and mixed use applications: Following consideration of the representations from the March 2014 Reg 18 consultation.
- Future locations for housing growth: Following consideration of the representations from the March 2014 Reg 18 consultation.
- Employment land allocations: Following consideration of the representations from the March 2014 Reg 18 consultation.
- Gypsy and Traveller site allocations: Following consideration of the representations from the March 2014 Reg 18 consultation.
- New site allocation policies (for Regulation 18 consultation) for three additional sites accepted at the adjourned meeting on 23 July 2015.
- Further changes and amendments to affordable housing (Policy DM24).

Affordable Housing

C.65 In terms of affordable housing, following a High Court judgement and subsequent amendment of guidance in the NPPG, the threshold for seeking affordable contributions was lowered to schemes of 5 units or more and reference to vacant building credit removed. In addition officers were instructed to provide additional policy wording to recognise zero affordable housing yield for fully serviced car and nursing homes. These changes would be published in the forthcoming Regulation 19 publication draft of the Local Plan.

Gypsy & Travellers

C.66 Gypsy and Traveller policies had been considered in the light of the representations received which are summarised here: [Summary of representations](#) and as a consequence a number of changes to the site specific criteria were recommended and are detailed here: [Changes proposed](#). In addition, Members agreed to the allocation of a further 9 sites and that these should be subject to Regulation 18 consultation.

C.67 In summary the representations showed that specific parish councils (Headcorn, Ulcombe, Stockbury) were of the strong opinion that their parishes have an existing high number of Gypsy sites and that a more numerically even distribution of sites across the borough should be achieved. In response, it is the case that existing pitches are not distributed evenly across the borough. To an extent, this reflects historic patterns when Gypsy families were involved in local agriculture but also it reflects the fact that the distribution of key planning constraints such as Green Belt and AONB are themselves not equally distributed across the borough. National planning policy in Planning for Traveller Sites does refer to councils ensuring 'sites in rural areas respect the scale of, and do not dominate, the nearest settled community'. Whilst some local residents strongly believe that the threshold of 'domination' has already been met in some parts of the borough, in practice, Inspectors frequently test this against the capacity of local infrastructure (schools, medical facilities, for example) and are not supporting it as an argument at appeal, particularly when they must also give weight to the overall shortfall in the supply of Gypsy sites. Also, the achievement of some alternative distribution of Gypsy sites is crucially dependant on there being alternative suitable sites which are demonstrably available for Gypsy and Traveller accommodation. Despite concerted efforts, a choice of such sites has not come forward. Some residents expressed their frustration at an apparent lack of control over unauthorised Gypsy sites. In response, the role of the Local Plan is to positively identify suitable sites. By having an adopted Local Plan in place which successfully does this, the council's position will be significantly strengthened in trying to resist development on unsuitable sites.

C.68 Parish councils and residents were also concerned that previous appeal decisions were being overturned by including three specific sites in Policy GT1, namely GT1(2) – Little Boarden, Headcorn, GT1(3) – The Chances, Hunton and GT1(4) Hawthorn Farm, Ulcombe. The officer responses in the schedule referred to above include the planning history of these sites and reaffirmed why these allocations were judged appropriate. A general point in response is that sites have had to be assessed in the face of the challenging need to identify additional pitches as well as a more recent assessment of the impacts of development based on the current conditions on site to determine whether or not the issues identified in earlier appeals still apply to an over-riding extent.

C.69 The Kent Downs AONB Unit objected in that three sites (GT1(5) - Cherry Tree Farm, GT1(6) – Flips Hole and GT1(7) - The Ash) will not preserve or enhance the AONB. These are all established sites which benefit from established screening such that, it is judged, the impact on the AONB will be low. Further, the policy criteria for these sites specify the additional landscaping which will further mitigate the visual impact on the AONB.

Retail and mixed-use

C.70 In relation to the mixed use site allocations (RMX) the summary of issues and responses to the Regulation 18 consultation can be found here: [Summary of issues](#) and the subsequently proposed changes here: [Proposed changes](#). In summary, the report addressed issues that had been raised regarding Newnham Court, Maidstone East and former Royal Mail sorting office, Clockhouse Farm Coxheath, Syngenta at Yalding, Baltic Wharf St Peters Street Maidstone, Eclipse Business Park Maidstone, Springfield Royal Engineers Road Maidstone and Haynes, Ashford Road Maidstone.

Newnham Court.

C.71 Concerns were raised about the visual and landscape impact of the proposals for Newnham Court, stating that this would equate to over development of the site, that the foreground of the Kent Downs AONB should be protected, and objecting to the loss of countryside.

C.72 In response, Policy RMX1(1) specifically seeks to control and limit the amount of additional development across the site. The policy also clearly requires extensive structural and internal landscaping and landscape buffers to help mitigate the visual impact of development. The redevelopment of Newnham Court shopping village is limited to only a marginal increase on the existing development footprint. Regarding the loss of the countryside, some greenfield loss will be required to accommodate growth needs over the timescale of the Local Plan. Junction 7 is a location where there is already significant, existing development and where the principle of further development is already established through planning consents. Policy RMX1(1) seeks to mitigate impacts on the setting of the AONB through, for example, explicit landscaping requirements and the control of building heights and siting and lighting. The policy also specifically requires a landscape buffer to Horish Wood Local Nature Reserve. In summary, it was considered that the policy as drafted provides adequate safeguards against the impacts cited in these representations. A detailed change to the policy was recommended in order to clarify that compensatory planting will be required where loss of existing planting is unavoidable.

C.73 Concerns were also raised about highway impacts (congestion) and, conversely, that the list of transport requirements in the policy may not be appropriate for the scale of retail development proposed in the policy. The transport measures specified in the policy have been agreed with KCC Highways as the highway authority. Further, the highways measures associated with the medical campus have been confirmed through the determination of the outline application (MA/13/1163). For clarity, the policy specifies the list of highways improvements expected to be required. The policy is also clear that a Transport

Assessment will be required which will be used to confirm the detailed extent of measures to be delivered. An additional requirement for a car parking management plan is recommended in addition to the policy.

C.74 It was also argued in the representations that the increased retail capacity at Newnham Court in addition to Next on the adjacent site will be to the detriment of the town centre. The landowner states that redevelopment is not feasible on the existing footprint whilst maintaining continuity of trade and will not be viable or deliverable with the restriction of additional floorspace to 700sqm.

C.75 In response, Newnham Court is an existing, established retail destination. The policy specifies that a Retail Impact Assessment will be required to quantify the development's impact on town centre trade. It provides for the re-provision of the existing floorspace with a modest amount of additional floorspace (700sqm) to enable redevelopment. A redevelopment scheme could enable the existing permitted retail floorspace to be set out in a more efficient way, better suited to modern retailers' needs. The council could aim to enable continuity of trade through its consideration of applications for temporary buildings to be used during construction.

Maidstone East and Royal Mail Sorting Office

C.76 In response to the representations, detailed changes were recommended to the policy criteria to clarify that a Phase 1 Ecology Study will be required and that compensatory planting will be required if the loss of landscape features is unavoidable.

C.77 Additionally, the Inspector for the Baltic Wharf Inquiry was critical that the draft Local Plan is not explicit that the Maidstone East/Sorting Office site should include a large food store. The Inquiry, which was held in May 2014, related to a proposal for a foodstore (A1 use class), offices (A2, B1), café/restaurant (A3) and assembly/leisure (D2) uses at the Baltic Wharf site on St Peters Street , which is an 'out of town centre' site in retail planning terms. The Inspector allowed the appeal in July 2014. The draft policy RMX1(2) states that the site is allocated for up to 10,000sqm of comparison and convenience retailing. The policy was drafted in this way to allow for some flexibility in the exact balance of retail uses on the site in response to market changes. This is still considered a reasonable approach. The nature of retail needs is changing, evidenced recently by the main supermarket operators' focus on smaller convenience stores and away from the largest scale superstores. To respond to the Baltic Wharf Inspector's concern, and to avoid further doubt, it is recommended that the supporting text be amended to clarify that the site would be suitable for a foodstore. As stated in the Regulation 18 Plan, the Maidstone East/Sorting Office site is the priority location for additional retail floorspace in the town centre. The site is in a key gateway location and benefits from direct links via Week Street to the heart of the town centre, enabling linked shopping trips and giving the best opportunity for access by sustainable transport modes. It is recommended that retail-led redevelopment remain the priority for this site, as expressed in Policy RMX1(2), with residential as a secondary use. Offices are an identified town centre use and an element of office floorspace would also be appropriate as a further secondary use on this site. To provide clarity, it is recommended that the supporting text of the Local Plan be amended to confirm

that a subsidiary element of office floorspace would also be acceptable where this would support or, at the least, not compromise the retail-led requirements for the site set out in the Policy.

Clockhouse Farm Coxheath

C.78 Given that this site now had a resolution to grant planning permission (subject to completion of a s106 agreement) for 72 dwellings up to 43 extra care apartments and land for open space (14/0566) it was recommended that the site be omitted as a mixed use site.

Syngenta, Yalding

C.79 The Environment Agency (EA) had now objected to the proposed 200 dwellings on this site. Following the floods of December 2013, the EA was expecting to publish its revised flood modelling maps by October 2015. The site's potential developers are expected to want to agree a flood mitigation approach in response to the EA's concerns and the latest published information. Pending this further work, it was proposed that the site be retained as a mixed use allocation in the Local Plan. The position on this site will be monitored as new information from the EA and the site's potential developers becomes available. At the time of writing, the revised flood modelling maps have been completed, but are under further review following the revisions to required climate change allowances in the updated Practice Guidance of February 2016.

Baltic Wharf (Powerhub), St Peters Street

C.80 A representation was received from the owners of Baltic Wharf, St Peters Street in Maidstone stating that their site should be allocated in the Local Plan for a large food store as part of a mixed use development. This representation to the Reg 18 Plan was made before the Public Inquiry into the Council's refusal of permission for a foodstore (A1 use class), offices (A2, B1), café/restaurant (A3) and assembly/leisure (D2) uses on the Baltic Wharf site was held in May 2014. The appeal Inspector concluded that a foodstore use was the only primary use which would secure the future of this Grade II listed building, provided a retailer would commit to the scheme and allowed the appeal in July 2014. The appeal Inspector highlighted what he regarded as an imbalance between the draft Local Plan's inclusion of a specific allocation for the Maidstone East/Sorting Office site and the lack of a policy for the Baltic Wharf building, a substantial listed building in the town centre. He stated this was not necessarily an incorrect approach, but the net result was that he gave little weight to the draft Local Plan at the point he was considering the appeal. Clearly the site now has planning consent; there is no need to allocate the site for the uses for which it has permission. Further, whilst other uses such as residential would be appropriate for the building, an allocation policy citing it as an alternative main use would not be deliverable based on the viability information so recently tested at the appeal. That said, there is merit in making reference to the site in the Local Plan as a substantial and underused listed building in the town centre, should the position on viability change over the lifetime of the Plan. It is recommended that the supporting text to Policy SP1 – Maidstone Town Centre be amended to confirm that, should the consented scheme not come forward, the council will consider

positively alternative schemes that achieve the retention and restoration of the listed building. Appropriate uses would include housing, offices, leisure uses, cafes and restaurants.

Eclipse Business Park, Maidstone

C.81 The landowners proposed that Eclipse Business Park should be allocated in Policy RMX1 to enable a more flexible approach to the site's development.

C.82 In response, this is an established, modern employment location which provides good quality office space with good levels of associated car parking close to the M20 motorway Junction 7. There are further extant consents for additional office development on the site. It is identified in the Local Plan as an established Economic Development Area under Policy DM18; it constitutes an important element of the borough's employment land portfolio and the site is recommended for retention as an employment site in the evidential 'Qualitative Employment Sites Assessment', GVA (2014). It is considered that the best policy approach to secure the future use of this site is to retain it in draft Local Plan Policy DM18 (retention of employment sites). Accordingly, Cabinet agreed this policy, with the inclusion of Eclipse Park, for incorporation into the Regulation 19 version of the Plan when it considered the Development Management policies at its meeting on 14th January 2015. Policy DM18 sets out the considerations that would be applied if a mixed use scheme incorporating some non B-class elements was proposed within one of the identified Economic Development Areas, such as Eclipse Park. Criterion 4 of the policy indicates that such a proposal may be exceptionally permitted if this would help to demonstrably regenerate the site to better meet modern business needs and would secure the same or improved levels of employment. In this respect the policy provides for an appropriate degree of flexibility, as an exception, as sought by the site's owners.

Springfield, Maidstone

C.83 Representations were received that the Springfield site should be allocated for mixed use under Policy RMX1 rather than for 100% housing.

C.84 In response, Springfield can deliver a significant amount of housing on an urban brownfield site and thereby make a significant contribution towards the challenging 'objectively assessed need' for new homes (Policy H1). A revised yield of 500 dwellings was agreed by Cabinet for inclusion in the Regulation 19 Plan on 2nd February 2015. A recent application for a supermarket, supporting retail and a doctors' surgery was refused permission in May 2014 (MA/13/2099) based on concerns about the impact on the town centre trade, amongst others. Faced with alternative ways to meet the borough employment land needs, it was not proposed to further change the allocation policy for this site.

Haynes, Ashford Road, Maidstone

C.85 Representations were received stating that the allocations in Policy RMX1 did not identify sufficient land to accommodate Maidstone's identified need for retail floorspace. It was argued that a further site should be identified for convenience needs and the Haynes site on Ashford Road, Maidstone could contribute to 5,000sqm retail needs in the short to medium term plus up to 150

dwellings. As already stated at C.63 above, the landowner's agent subsequently confirmed that the site was not available and it was therefore not allocated in the Local Plan Publication (Regulation 19) Draft.

Employment allocations

C.86 Members considered the representations relating to policy EMP1 relating to employment allocations. The schedule of issues and responses can be found here: [Issues and responses](#) and the schedule of recommended policy changes here: [proposed changes](#)

C.87 The main area of representations related to the need for additional employment floorspace in both qualitative and quantitative terms. The response was the recommendation to the Committee that a further employment site be allocated at Woodcut Farm, Hollingbourne in preference to another promoted site at Waterside Park, Hollingbourne for a mix of employment uses, seeking to address the qualitative and quantitative concerns raised. Members agreed this proposed allocation and that it should be subject to Regulation 18 consultation. A number of other representations were made regarding existing employment sites. The majority of these were already safeguarded under policy DM18 and considered by Cabinet in January 2015. No changes were made to the policies as a result of the representations. The only recommended change to policy EMP1 (which was also agreed by Members) was to revise the capacity for the site at Mote Road Maidstone to achieve up to 8000m², this was as a direct result of updated evidence regarding market demand for smaller office units.

Future Locations for Housing Growth

C.88 This policy considers future 'Broad Locations' for development in the latter stages of the plan-period, post 2026, at three locations, Lenham, Invicta Park Barracks, Maidstone and Maidstone Town Centre. A summary of the issues raised in the representations at Regulation 18 consultation stage in 2014 and the recommended changes to the policy can be found here: [recommended changes](#).

C.89 The representations mainly indicated that the council was placing too much reliance on these broad locations and that there was no certainty that the sites, particularly Invicta Park Barracks could ultimately be delivered. In response it was indicated that the NPPF specifically allows for broad locations to be identified beyond the first five years of the Plan. To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged. There was no evidence to suggest otherwise in respect of the three identified broad locations.

C.90 Detailed changes to the policy criteria for Invicta Park Barracks and Lenham relating to issues such as requiring appropriate and necessary pre-development surveys e.g. ecology, arboriculture and identification of mitigation as required, masterplanning work and the need to ensure appropriate physical infrastructure and connectivity with the wider area were recommended to and agreed by Members. Members also confirmed their decision taken at the 23 July 2015 meeting to increase the yield of the Town Centre Broad Location to 700 dwellings.

Landscapes of Local Value

C.91 Members considered a report deferred from the meeting held on 14 July 2015 ([report](#)) regarding the designation of Landscapes of Local Value and the representations received at Regulation 18 consultation in March 2014.

C.92 The 14th July report considered the potential recommended designation of 6 areas, The Greensand Ridge, Loose Valley, Medway Valley, Len Valley, Setting of the Kent Downs AONB and the Low Weald as Landscapes of Local Value. It recommended that 5 areas be designated (excluding the Low Weald). The decision was deferred for further consideration with specific regard to the Low Weald to provide appropriate protection for locally valued landscapes.

C.93 The report to the 18 August Committee which can be found at the following link [report](#) again recommended 5 areas for designation with the exception of the Low Weald. At the meeting, the March 2014 Regulation 18 consultation issues and responses and officer consideration of these were agreed. These are set out here: [Issues and responses](#)

C.94 Members also resolved as follows:

- That the amendments to the draft policy SP5(6) and the supporting text for Landscapes of Local Value, as set out under Section 4 of the report dated 18 August 2015 "Preferred Option", be approved for further public consultation (Regulation 18 consultation).
- That the Greensand Ridge, Len Valley and Medway Valley areas as identified on the Landscapes of Local Value Map in Appendix C of the report dated 18 August 2015 be approved for further public consultation (Regulation 18 consultation).
- That the area shown as the Loose Valley, on the Landscapes of Local Value map in Appendix C of the report dated 18 August 2015, be extended to include the two fields off Cripple Street, Loose on the grounds that their location and high quality form an integral part of the topography of the Loose Valley.
- That further work be undertaken on the setting of the Area of Outstanding Natural Beauty (AONB), shown on the Landscapes of Local Value map in Appendix C of the report dated 18 August 2015, in particular in relation to the inclusion of the Lenham Vale, Court Lodge Road Harrietsham, Land North of Cuckoo Wood, Sandling Lane Maidstone and fields at Barty Farm, north of Barty House Bearsted.
- That a re-examination of the area of the Low Weald, excluding SSSIs, be carried out to establish if areas within the Low Weald should be included in the Landscapes of Local Value policy.

Open Space Allocations

C.95 On 14 July 2015 the Committee approved revisions to Policy DM11 Publicly Accessible Open Space and Recreation for further public consultation (Regulation 18). Policy DM11 set quantitative, qualitative and accessibility standards for five types of open space provision: amenity green space; provision for children and young people; publicly accessible outdoor sports; allotments and community gardens; and natural/semi-natural areas of open space.

C.96 Due to the extent of land required to deliver natural and semi-natural open space as part of new housing development (6.5ha/1,000 population), it can often be difficult to provide such strategic open space on site, which is the Council's preferred approach, without compromising the dwelling yield from development.

C.97 Members were therefore recommended to approve a new draft policy OS1 for land allocations for strategic natural and semi-natural open space provision, predominantly associated with strategic locations for housing development in the expectation that future development will be expected to provide for all types of open space in accordance with draft policy DM11, not just those sites recommended for allocation. The strategic open space allocations in the new draft policy OS1 would subsequently be included in a draft policy in the local plan for public consultation (Regulation 18). In addition, as a result of the assessment of strategic open space site allocations, further revisions to policy DM11 Publicly Accessible Open Space and Recreation were proposed, to make clear the sequential approach to the delivery of all open space as part of future development. These recommendations were agreed by Members. The formal decision record can be found here: [Decision](#)

C.98 The meeting of the council's SPS&T committee held on 8 September 2015 considered further Landscapes of Local value and also the Maidstone Borough Local Plan Transport policies (consideration of which were deferred by Cabinet at their meeting on 14 January 2015).

Transport Policies

C.99 Members considered a report assessing the representations received relating to DM13 (Sustainable Transport), DM14 (Public Transport and DM15 (Park and Ride) and also Park and Ride allocations (PKR1). The issues raised and responses can be found here: [DM Policies](#) and here: [Park & Ride](#)

C.100 In respect of policies DM15 and PKR1, Members noted the fact that the proposed Sittingbourne Road site (PKR1(2)) was not available for the intended use (as confirmed by the landowner) and that following consideration of the representations regarding the proposed park & ride car park at the A229/B2163 Linton Crossroads (PKR1(1)), it was considered that on balance the negative impact on the character and appearance of the surrounding area would be so great as to outweigh the transport benefits and that the allocation should not proceed. Policy DM15 was therefore agreed for amendment by deleting reference to the Linton Crossroads and Sittingbourne Road sites and for policy PKR1 to be deleted in its entirety (this element to be subject to Regulation 18 Consultation).

C.101 The amendments to the policies and supporting text for policies DM13 and DM14 including revised wording in the supporting text as to why the Council consider it not appropriate to include as a formal mitigation scheme in the Local Plan, the potential Leeds-Langley Relief Road (connecting the A274 Sutton Road and the A20 Ashford Road) are set out here: [Revised policy wording](#). Changes to policy DM15 deleting reference to the two Park & Ride sites mentioned earlier were also agreed.

Landscapes of Local Value

C.102 This element of policy SP5 was again considered following the resolution of the meeting held on 18 August 2015. Members agreed following advice that the setting of the Kent Downs AONB was adequately covered under existing national and proposed local policies and taking into account the Kent Downs AONB Management Plan, that a Landscape of Local Value (LLV) for the setting of the Kent Downs AONB was not appropriate. Therefore only four Landscapes of Local Value were agreed to go forward for further Regulation 18 consultation. It was not agreed that any part of the Low Weald be included as a LLV. As a consequence the following changes to the supporting text and the criteria of Policy SP5 were also agreed.

C.103 *'That the amendments to draft policy SP5 and its supporting text set out at Appendix Two to the [urgent update report](#) of the Head of Planning and Development be approved for further public consultation (Regulation 18 consultation) subject to the following further amendments: Paragraph 5.72 first sentence to read: '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.' Paragraph 5.78 to read: '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 which are medieval in character, hedgerows, stands of trees, ponds and streams and buildings of character should be protected, maintained and enhanced where appropriate. The necessary protection for the area of the Low Weald outside the boundaries of the rural service centres as defined on the policies map is provided under the criteria of policy SP5.' Criterion 5 sentence to read: 'The distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting, the setting of the High Weald Area of Outstanding Natural Beauty and the extent and openness of the Metropolitan Green Belt will be rigorously protected, maintained and enhanced where appropriate;' Criterion 6 sentence to read: 'The Greensand Ridge, Medway Valley, Len Valley and Loose Valley, as defined on the policies map, will be protected, maintained and enhanced where appropriate as landscapes of local value;'*

C.104 Following the decision by Members not to include the Low Weald as an LLV, the matter was formally referred to the council's Policy and Resources Committee which met on 23 September 2015. At that meeting it was resolved that the existing area of the Low Weald designated as a Special Landscape Area in the adopted Maidstone Borough-wide Local Plan 2000 be included as a LLV and that this be subject to further Regulation 18 consultation with the other changes to policy SP5.

C.105 The various changes to policy wording, new policies and additional housing, Gypsy and Traveller, employment and strategic open space sites as well as sites recommended for deletion following consideration by Cabinet and the successor SPS&T Committee between January and September 2015 were subject to Regulation 18 consultation between 2 October and 30 October 2015. The representations received as a result of the consultation were considered by officers and reported to the SPS&T Committee at its meeting on 14 December 2015.

C.106 Some 935 representations were received to the consultation document from some 426 different respondents. These figures include approximately 11 late representations which were received within 4 days of the consultation closing.

C.107 A general matter raised during the latest public consultation by KALC (Kent Association of Local Councils), parish councils and private individuals was the 4-week duration of the consultation period which they considered to be too short to be meaningful and contrary to the Town and Country Planning (Local Planning) (England) Regulations and the Parish Charter. In response, the Regulations do not specify a minimum consultation during preparation of the Local Plan at Regulation 18 stage. The breadth and length of the consultation should be proportionate to the size and complexity of the document. The 4 week timeframe was agreed as part of the wider programme for the delivery of the Local Plan by SPS&T Committee on 9th June 2015 given it was a partial update to the comprehensive consultation at Regulation 18 undertaken in the spring of 2014 on the whole plan. The proportionately shorter timescale ensured expediency in progressing the plan to the next stage. All planning related consultation must be undertaken with regard to and in compliance with the councils adopted Statement of Community Involvement, a legal requirement, which this Regulation 18 consultation was. Finally in regard to the Parish Charter, this is clear that planning consultations are exempted from the six-week requirement, and that parishes should 'respond to all consultations in relation to the Local Plan within the Borough Council's deadlines in accordance with the adopted Statement of Community Involvement and Constitution.' This understood, comments received after the consultation close owing to the timing of parish council meetings were considered with those received on time.

C.108 The main issues and officer responses are set out here: [Issues and responses](#) and the proposed changes to policies as published in the 2015 Regulation 18 consultation document as a result set-out here: [Proposed changes](#)

C.109 Members resolved not to allocate two additional sites on land either side of Dean Street, Tovil at Bydews Place (housing) and Land East of Dean Street (a mixed housing and open air sports/community use site) following consideration of the report and also taking into account public representations received.

C.110 Other main issues in the representations received as addressed in the overarching report can be summarised as follows:

Policy SP5 (Countryside):

C.111 Representations for and against the designation and calls for more LLV areas to be included, as well as the principle of such making such a designation in the first place. Much discussion had taken place at Committee including a referral to the Policy & Resources Committee in preceding months on the issue of LLVs and the council has a resolved position on the issue.

C.112 Development on brownfield sites in the countryside. The 2014 consultation highlighted that greater clarity is needed about the Plan's approach to the development of brownfield sites in the countryside, in particular for housing. Such sites are frequently in unsustainable locations for conventional housing. As a result an amendment is proposed to Policy DM1 – Development on brownfield

land to set out the very limited circumstances when the residential redevelopment of a brownfield sites in the countryside would be appropriate. The amendment requires such sites to be in close proximity to one the settlements in the Plan's settlement hierarchy, to be accessible by sustainable modes and for the redevelopment to secure a significant environmental improvement.

C.113 The policy was also considered by some to be too permissive. A number of respondents for both the 2014 and 2015 Regulation 18 consultations were concerned that the policy appears too much in favour of development in the countryside, and should be more prescriptive akin to the adopted policy ENV28. In response, the Local Plan is to be read as a whole and sets out where significant development is acceptable (and conversely where it is not) with consideration given to conserving and enhancing the natural, historic, and local landscapes. The policy wording in Policy SP5 – Countryside is stated in the positive in line with the NPPF's presumption in favour of sustainable development and, whilst not precluding development in the countryside, it greatly restricts the type and scale that would be permitted. In addition heritage, landscape and ecology considerations are given specific policy expression in Policy DM10 – Historic and natural environment. Specific wording changes to reflect compliance with the NPPF and the CROW Act 2000 as advocated by the Kent Downs AONB Unit were also incorporated.

Housing sites:

C.114 Twenty additional sites were proposed and following consideration of the representations and taking into account recommended changes all were considered suitable for incorporation into the Regulation 19 version of the Local Plan. Many representations were made in respect of site H1(10) Land South of Sutton Road, Maidstone and in particular concerns were raised about the transport implications of development. KCC, the highway authority, objected to the proposal on the grounds of the cumulative impacts on the southern highway approaches to Maidstone and the severe impact on the highway network. No detailed evidence had been put forward and this issue was considered previously. The Integrated Transport Strategy, will set out the overall framework for transport planning in the borough. It will provide a programme of specific schemes to support the growth proposed in the Local Plan. The aim is to deliver a package of highway improvements throughout the borough which support the housing allocations by adding capacity at key junctions to the benefit of both public transport and car users. Specific improvements are planned for the A274/A229 corridor and significant financial contributions have already been secured through legal agreements associated with planning consents at Langley Park, north of Sutton Road, and the sites at the Police HQ and the Police Training Centre. It was not considered that the highway authority has provided sufficient, transparent information to evidence its position that the residual, cumulative transport impacts of the development of this site would be 'severe' as defined in the NPPF (para.32). Other changes to site criteria for Policy H1(10) as a result of a representations and consultee responses were also proposed.

C.115 The deletion of four housing allocations was proposed in the consultation document namely Land at Tongs Meadow, Harrietsham; Haynes, Ashford Road, Maidstone; Ham Lane, Harrietsham and Heath Road, Boughton Monchelsea. There was particularly strong support from local residents to the deletion of the

Tongs Meadow site. Whilst KCC's submission additionally seeks the identification of some of this land adjacent to Harrietsham primary school for a potential future extension to the school, the land is not demonstrably available for this use and therefore not 'deliverable'. Such development could nonetheless come forward through a planning application (which would be a county council matter to determine) in the event the landowner and education authority, reach an agreement about the transfer of the land. It was agreed that their deletion be taken forward into the Regulation 19 draft.

Employment Land/Woodcut Farm:

C.116 There were objections to this proposed employment land allocation from KCC, Natural England, the AONB Unit in addition to parish councils and residents. There was also support for the allocation from a more limited number of respondents. Reasons for objection included landscape impacts on the setting of the AONB and adverse impacts on the attractive rural character of the wider countryside. Respondents highlighted that the Waterside Park appeal Inspector weighed environmental harm above economic benefits of that specific proposal.

C.117 In response, it was considered that the economic case for continuing to include the allocation in the Local Plan continued to be strong based on the council's own evidence and supported by its approved Economic Development Strategy. This justification had not altered since this Committee took the decision to include the allocation in the Regulation 18 Local Plan in August. Whilst development of this site will have an adverse impact on the setting of the AONB, on the wider landscape and on the rural character of the area, this site gives the best opportunity at Junction 8 for mitigation measures to help ameliorate these adverse impacts of development. Policy EMP1(5) is considered to provide appropriate safeguards through its detailed criteria for landscaping, building coverage, building heights and building orientation to help mitigate the adverse environmental impacts of development. A further issue raised was the lack of sustainable transport options serving the site; there would be a high probability of employees travelling to and from the site by car. Policy EMP1(5) addresses this point by specifically requiring a significant package of transport measures to improve sustainable access to the site. Respondents considered that there are alternative sites within and outside the borough where this type of development could be more appropriately accommodated. In response the National Planning Policy Framework states that local planning authorities should aim to meet the needs of the economy in their Local Plans (paragraph 21) and that they should plan positively for the development required in the area (paragraph 157). The clear expectation is that authorities should aim to meet needs within their own area first. It is considered that Policy EMP1(5) provides the appropriate criteria to deliver an acceptable form of development in this sensitive location and thereby help ensure that the forecast economic growth can be delivered in the borough.

C.118 Detling Aerodrome is a site which was cited by respondents as an alternative to the Woodcut Farm site. The site's owner has also promoted the site and adjacent greenfield land for mixed use development to include employment land (24ha) and housing (1,200 dwellings) as well as a country park and a Park & Ride facility. Previous assessment of this site has concluded that it is unsuitable for development in this manner; development and the

associated highways infrastructure would have an unacceptable impact on the Kent Downs AONB and the latest reconsideration of the site has reached the same conclusion. The site is in an unsustainable location where there would be a high reliance on the private car.

C.119 There was some support from respondents for allocating the Waterside Park site south of the M20 J8 in addition to Woodcut Farm. There is challenge to the assumptions underpinning the council's quantitative assessment of employment land requirements whilst some respondents highlight that the unit size criteria included Policy EMP1(5) would exclude local firms such as ADL and Scarab who have had explicit interest in relocating to a site at Junction 8. Development of Waterside Park, even at a reduced scale, would necessitate significant alteration to the landform, and the introduction of features such as bunding and retaining walls which the appeal Inspector considered to be alien features. The Woodcut Farm site is considered to provide better opportunities for mitigation and that it provides for the quantitative and qualitative gaps in the borough's portfolio of employment sites identified in the council's employment land evidence. Having considered the issues raised in the representations received on this matter it was considered that overall balance of considerations continued to weigh in favour of retaining the allocation in the Local Plan. Specific amendments to Policy EMP1(5) were proposed to clarify that 'hi-tech' and research & development would also be acceptable uses for the site, that off-site environmental improvements would be secured by means of financial contributions and to clarify that the north western field should be planned and managed as open woodland.

Gypsy and traveller site allocations:

C.120 The Regulation 18 consultation document proposed the allocation of 9 Gypsy and Traveller sites which collectively could provide some 18 additional pitches. Following revised Planning Guidance (which included a change in the definition of Gypsy and Travellers to exclude those who have ceased to travel permanently) issued by the Government in August 2015, respondents to the Regulation 18 consultation stated that allocations should not be made until the implications of the revised definition are known. The change did result some uncertainty as to how needs can be assessed. What can be deduced is that the revised definition is likely to have the effect of reducing the overall number of households that are 'Gypsies and Travellers' for the purposes of planning but, as the original 2012 Accommodation Assessment did account for travelling habits, the reduction was considered likely to be relatively modest. Members agreed to the recommended approach and not undertaking a further assessment and having considered the representations and proposed changes to policy criteria resolved to take the additional 9 allocated sites forward to the Regulation 19 plan.

Open Space allocations (OS1) and Open space and recreation policy (DM11):

C.121 With regards to DM11 There is general support for the inclusion of quantitative open space standards as set out in proposed Policy DM11, however some respondents criticised the policy as being unjustified and not based upon robust evidence. Whilst this was not accepted, it was acknowledged that the

evidence base which justifies the approach was not made available alongside the Regulation 18 consultation document. This was rectified for publication of the Regulation 19 Local Plan.

C.122 One parish council commented that the broad typologies of open space should be supplemented by the identification of relevant features or types of provision. This amendment would be a helpful addition to the policy and the text was revised to reflect this. There was also concern that the policy lacks detail in respect of how it will be applied to individual developments and, in particular, how the policy will be interpreted in the context of existing local provision. Given that open space provision will generally be secured through Section 106 Legal Agreements associated with new housing developments, it is critical that the application of the standards results in a requirement which is necessary to make development acceptable in planning terms, and which is proportionate to the level of need generated by the development. However, the draft policy already establishes at criterion (3) of Policy DM11 that the council will take account of existing provision in accordance with the quantitative and accessibility standards and, where this may wholly or partially mitigate the impacts of development, may seek a reduced contribution. Technical details on exactly how the standards will be applied will be most appropriately set out within the Open Space Supplementary Planning Document (SPD) however a minor amendment was suggested to more clearly show that this measure relates to provision as well as contributions. To supplement this, a further amendment was recommended at criterion (3) to require developers to take full account of open space requirements at an early stage of the development management process, and to encourage early engagement with the Parks and Open Space team, to determine the most appropriate type, quantum and location of open space provision. Additionally, the introduction of a new criterion (4) establishes that the council will operate the policy flexibly to secure the provision of the typologies of open space which are most needed in any given area. Sport England commented that there is insufficient evidence to justify the outdoor sports standards, and that there is no evidence base for indoor sports. This is acknowledged and a study will be commissioned to address this gap in the evidence base by the time the Local Plan is at examination.

C.123 With regard to policy OS1, a variety of concerns were raised in respect of this policy; some of which were very site specific but many respondents raised significant concerns regarding the overall approach adopted in the policy's formulation. Many of the developers affected by the OS1 allocations, and also the Home Builders Federation, have commented that the policy is unjustified as there is no clear rationale for the levels of open space sought through each allocation. One respondent points out that the allocations range from 14% of the overall development site to as high as 50%, whilst others state that the allocations depart from the level of provision already approved through the development management process. In addition, many of the developers affected by draft Policy OS1 commented that the identification of specific areas of open space, as shown on the draft policies maps, will prejudice the proper delivery of their sites before they have been subject to detailed appraisal and master planning work. Again, some respondents commented that the extent or location of the sites identified in OS1 actually conflicts with approved planning permissions. A number of respondents are therefore seeking a more flexible approach to the accommodation of on-site open space.

C.124 As a result of the objections and their strength a full review of the policy and its supporting evidence was undertaken and resultant proposed changes recommended to the Committee. In addition, the review went beyond those sites identified in OS1 and examined the potential of each development site to accommodate open space provision, and also considered the full range of typologies. The outcomes were incorporated into the recommended changes brought to Members.

Nursing and care homes policy:

C.125 Comments proposed that the policy should also apply to brownfield sites and existing care homes in the rural parts of the borough. Refinements to the supporting text were proposed in response to clarify that proposals to extend an existing care or nursing home located in the rural area would be considered under the terms of Policy DM37 – Expansion of existing business in rural areas and that Policy DM32 – Conversion of rural buildings would apply to a proposal to convert an existing rural building to a care or nursing home.

Park & Ride allocations (Policy PKR1) and Park & Ride (Policy DM15):

C.126 There was more support than objection to the deletion of the proposed Park & Ride facility at Linton crossroads (11 support; 3 objections) whereas the position was reversed for the deletion of the existing Sittingbourne Road Park & Ride site (11 object; 1 support). Objectors noted that the consultation document did not propose any alternative measures to improve sustainable access into Maidstone. In response, the draft Integrated Transport Study is the document which will set out the overall framework for transport planning in the borough. It will provide a programme of specific schemes to support the growth proposed in the Local Plan. The aim is to deliver a package of highway improvements throughout the borough which will add capacity at key junctions to the benefit of both public transport and car users. With respect to access from the south, a package of highway capacity improvements on A274/A229 has been developed to mitigate the impacts of increased traffic flows. To complement these capacity improvements for general traffic, bus priority proposals have been developed which will protect buses from residual queues and delays, contributing to quick and reliable bus services toward Maidstone town centre, with largely continuous bus priority between Wallis Avenue and Armstrong Road. Increases in the quality and frequency of bus services are also proposed as part of the comprehensive measures, including on the A249 corridor currently served by the Sittingbourne Road Park & Ride service. KCC objected to Policy DM15, which sets criteria for the provision of new or replacement Park & Ride facilities, stating that there is no support for the provision of bus measures, including bus lanes, as the benefits they achieve do not represent good value when compared with highway capacity schemes that will deliver overall improvements in traffic flow.

C.127 The October 2015 Regulation 18 consultation focused on the select aspects of the Local Plan set out above. Some respondents took the opportunity nonetheless to raise other issues related to wider aspects of the Local Plan. The wider points made were collated by officers and taken into account as the Regulation 19 version of the Local Plan was prepared, recognising that many of the same points have been raised at earlier consultations in the Local Plan process. The main points made by respondents were as follows:

- Housing requirement is too high; housing requirement is too low
- Brownfield sites should be developed before greenfield
- Insufficient employment land to match housing; employment allocations are in the wrong places
- Transport: lack of an Integrated Transport Strategy; impact of the overall scale of development on the highways network; lack of the Leeds/Langley bypass
- Infrastructure: lack of an Infrastructure Delivery Plan; infrastructure should be delivered before development
- Object to the overall distribution of development; distribution should include a garden town centred on Otham; object to proposed scale of development at north west Maidstone, at south east Maidstone and/or at specific Rural Service Centres and Larger Villages; object to Lenham Broad Location
- Objections and support for specific allocations included in the Local Plan Regulation 18 (2014).
- The Local Plan will supersede more specific neighbourhood plans approved before the Local Plan's adoption.

C.128 Following a referral from Planning Committee, SPS&T Committee agreed to consider the issue of active frontages particularly in rural and rural edge areas and any policy initiatives which may be required. The Planning Committee was concerned about the urbanising effect of active frontages in these areas and also about the potential for highway safety issues. The emerging Local Plan contains a Policy DM4 – Principles of good design which sets out key design considerations which all development should meet. To address the issue identified by the Planning Committee, the following addition to criterion (vi) of Policy DM4 was proposed for incorporation into the Regulation 19 version of the Local Plan. (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 along the site frontage 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.***

C.129 Prior to the commencement of the Publication stage consultation on the Local plan, policies were re-ordered and re-numbered following the consolidation of previously agreed and amended iterations of sites and policies as set out in the summary above into a more logical and ordered manner for publication.

PUBLIC NOTICE

**MAIDSTONE BOROUGH LOCAL PLAN PUBLICATION
SUSTAINABILITY APPRAISAL
HABITAT REGULATIONS ASSESSMENT**

**Planning and Compulsory Purchase Act 2004
The Town and Country Planning (Local Planning) (England) Regulations 2012:
Publication of the Maidstone Borough Local Plan (Regulation 19)**

Maidstone Borough Council is inviting members of the public to view and comment on these documents between **5 February and 18 March 2016**. The Local Plan, Sustainability Appraisal and Habitat Regulations Assessment, together with the Policies Map and all supporting documents including the Infrastructure Delivery Plan, can be viewed and downloaded from the council's website at www.maidstone.gov.uk/localplan

The Maidstone Borough Local Plan is the council's principal planning document which sets the framework to guide the future development of the borough to 2031. The Local Plan:

- Sets out the scale and distribution of development;
- Identifies, by site, where development will be located;
- Identifies where development will be constrained; and
- Explains how the council and its partners will deliver the plan.

A paper copy of the Local Plan can be inspected at the following locations.

Location	Address	Opening times
Maidstone Gateway	King Street, Maidstone ME15 6JQ	Monday to Friday 09.00 to 16.30 (17:30 Monday)
Allington Library	Castle Road, Maidstone ME16 0PR	Tuesday to Friday 09.00 to 18.00; Sat 10.00 to 14.00
Bearsted Library	The Green, Bearsted ME14 4DN	Tuesday & Friday 9.30 to 13.00 & 14.00 to 17.00; Thursday 14.00 to 18.00; Saturday 09.30 to 12.30
Coxheath Library	Heath Road, Coxheath ME17 4EH	Monday, Tuesday, Thursday & Friday 09.00 to 18.00; Sat 10.00 to 14.00
Headcorn Library	Kings Road, Headcorn TN27 9QT	Tuesday & Thursday 13.15 to 18.00; Friday 09.00 to 13.30; Saturday 10.00 to 14.00
Kent History and Library Centre	James Whatman Way, Maidstone ME14 1LQ	Monday to Friday 9.00 to 18.00 (20.00 Thursday); Saturday 09.00 to 17.00
Lenham Library	11 The Square, Lenham ME17 2PQ	Monday & Thursday 13.15 to 18.00; Tuesday 09.00 to 13.30pm; Saturday 10.00 to 14.00
Madginford Library	Egremont Road, Bearsted ME15 8LH	Monday, Tuesday, Wednesday & Friday 09.00 to 18.00; Saturday 10.00 to 14.00
Marden Library	High Street, Marden TN12 9DP	Tuesday & Thursday 13.15 to 18.00; Friday 09.00 to 13.30; Saturday 10.00 to 14.00
Shepway Library	17 Northumberland Court, Northumberland Road, Maidstone ME15 7LW	Monday 14.00 to 17.00; Tuesday & Thursday 09.00 to 17.00; Saturday 10.00 to 14.00
Staplehurst Library	The Parade, High Street, Staplehurst TN12 0LA	Tuesday to Friday 09.00 to 18.00; Saturday 09.00 to 15.00
Yalding Library	Adin Coates House, High Street, Yalding ME18 6HU	Monday & Thursday 14.00 to 17.00; Wednesday 09.30 to 12.00 noon; Saturday 10.00 to 14.00

Copies of the Local Plan can be purchased from Maidstone Gateway, or arrangements for purchase and postage can be made by emailing ldf@maidstone.gov.uk

Written representations on the Maidstone Borough Local Plan should be made on the **Comments Form**. **A Guide to Making Online Comments** and **Notes to Accompany the Comments Form** are available with the form on the consultation portal, on the website, or on request from the council offices. Representations can be submitted:

- (1) Online using the council's web based consultation portal at: <http://maidstone-consult.limehouse.co.uk/portal>
- (2) By email using the council's comments form to: ldf@maidstone.gov.uk
- (3) By post using the council's comments form to: Spatial Policy, Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent ME15 6JQ.

Representations will be considered alongside the Local Plan when it is submitted to the Secretary of State for Communities and Local Government, to be independently examined by a Planning Inspector. The purpose of the examination is to consider whether the Plan is sound (positively prepared, justified, effective and consistent with national policy) and whether it meets legal requirements and the Duty to Cooperate. Consequently, comments on the Local Plan at this stage should focus on these matters.

Representations must be made in writing (including electronically) to the addresses specified in (1), (2) or (3) above by **5.00pm on Friday 18 March 2016**. **Late representations cannot be considered.**

MAIDSTONE BOROUGH COUNCIL INTEGRATED TRANSPORT STRATEGY 2011-2031

The council is also inviting comments between **5 February and 18 March 2016** on its draft Integrated Transport Strategy, which:

- Provides a framework for transport planning and decision making in the borough;
- Addresses transport issues through a range of policies and actions for the Borough Council and its partners; and
- Sets out a programme of schemes and interventions to support the emerging Maidstone Borough Local Plan.

The Integrated Transport Strategy can be viewed and downloaded from the council's website at www.maidstone.gov.uk/localplan and a paper copy of the document can be inspected at the Gateway and libraries listed above. Copies of the Integrated Transport Strategy can be purchased from Maidstone Gateway, or arrangements for purchase and postage can be made by emailing ldf@maidstone.gov.uk

A comments form, specifically available for the Integrated Transport Strategy consultation, should be used to make representations. Representations must be made in writing (including electronically) to the addresses specified in (1), (2) or (3) above by **5.00pm on Friday 18 March 2016**.

Rob Jarman
Head of Planning and Development
5 February 2016

Maidstone Borough Council

Local Plan Publication Guide to Making Online Comments

The instructions below will help guide you to make comments online. If you need more help, then please contact us using the contact details at the bottom of the page.

- 1 Open the Consultation Portal: Go to maidstone-consult.limehouse.co.uk/portal
- 2 Register and/or Log-in

You can read the document without logging-in but as we are unable to accept anonymous comments you will need to register with your details and log-in before submitting comments:

- Click Login/Register at the top of the page
- If you already have a username and password, login using these¹. If you do not already have a username and password you will need to register. The information box below will help you.
- If you have made comments on a previous local plan consultation (written or online), you will already have a user name and password. If you need help, please contact us (details below) and we will be able to provide them for you.

How to Register on the Consultation Portal

- Click "Login/Register" near the top-right of the page. Now select 'Register'
 - Click 'Register as Consultee'. Click 'OK' to continue.
 - You will receive an activation email. Click on the link in this email and log-in using the password you chose. Please complete your address details and click 'OK'.
 - The consultation portal should take you back to the list of consultations.
3. Make and submit your comments.
 - Once successfully logged in, click 'Read and comment on document'.
 - You can then begin to read the Local Plan. You can skip straight to the part of the plan you are interested in by using the contents list on the left hand side of the page, or read straight through the document using the 'next page' button.
 - You can comment on the document by clicking the 'Add Comments' button; click this button by the paragraph or policy you wish to comment on.
 - Indicate whether you wish to support or object; add your comments and any supporting documents and press 'submit'.
 - You can then continue to read through the document and make as many comments as you wish.

For assistance on submitting your responses online, please contact Planning Policy:

Telephone: 01622 602000 or **Email:** ldf@maidstone.gov.uk

¹ Click 'Forgotten username? Or 'Forgotton password' if necessary.



Maidstone Borough Council

Local Plan Publication Guidance Notes to Accompany Publication Consultation (Regulation 19)

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1. Introduction

- 1.1 The Local Plan ('The Plan') is published in order for representations to be made prior to submission to the Secretary of State for Communities and Local Government. The representations will be considered alongside the published Plan when submitted, which will be examined by a Planning Inspector at independent examination. The Planning and Compulsory Purchase Act 2004 (PCPA) states that the purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is considered sound.

2. Legal Compliance and Duty to Co-operate

- 2.1 The Inspector will first check that the Plan meets the legal requirements under section 20(5) of the PCPA, which includes whether the Local Planning Authority (LPA) has complied with the Duty to Co-operate (section 33A of the PCPA) when preparing the Plan, before moving on to test the Plan for soundness.
- 2.2 You should consider the following before making a representation on legal compliance:
- The Plan in question should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the Local Development Documents (LDDs) it proposes to produce. It will set out the key stages in the production of any Local Plans which the LPA proposes to bring forward for independent examination. If the Plan is not in the current LDS it should not have been published for consultation. The LDS should be on the LPA's website and available at its main offices.
 - The process of community involvement for the Plan in question should be in general accordance with the LPA's Statement of Community Involvement (SCI). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including Local Plans) and the consideration of planning applications.
 - The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must

publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The LPA must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.

- The LPA is required to provide a Sustainability Appraisal Report when it publishes a Plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. The Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.
- The Plan must have regard to any Sustainable Community Strategy (SCS) for its area. The SCS is usually prepared by the Local Strategic Partnership which is representative of a range of interests in the LPA's area. The SCS is subject to consultation but not to an independent examination.

2.3 You should consider the following before making a representation on compliance with the Duty to Co-operate:

- The Duty to Co-operate (the 'Duty') came into force on 15 November 2011 and any plan submitted for examination on or after this date will be examined for compliance. LPAs will be expected to provide evidence of how they have complied with any requirements arising from the Duty.
- The PCPA establishes that non-compliance with the Duty cannot be rectified after the submission of the Plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the Duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

3. Soundness

3.1 Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector has to be satisfied that the Plan is positively prepared, justified, effective, and consistent with national policy.

3.2

- **Positively prepared**

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

- **Justified**

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.

- **Effective**

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

- **Consistent with national policy**

The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

3.3 If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations, or in any other Plan?
- If the policy is not covered elsewhere, in what way is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

4. General advice

- 4.1 If you wish to make a representation seeking a modification to a Plan or part of a Plan you should make clear in what way the Plan or part of the Plan is not sound, having regard to the legal compliance, the Duty and the four requirements of soundness set out above.
- 4.2 You should try to support your representation by evidence showing why the Plan should be modified.
- 4.3 It will be helpful if you also say precisely how you think the Plan should be modified. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication.
- 4.4 After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.
- 4.5 Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group

should indicate how many people it is representing and how the representation has been authorised.

Maidstone Borough Council

Local Plan Publication - 5 February to 18 March 2016 Downloadable Comment Form

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Spatial Policy
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Introduction

Maidstone Borough Council has produced this local plan to guide the future development of the borough. Various previous iterations have been the subject of public consultation and the council is now satisfied that it has a sound plan and wishes to submit this version to the Secretary of State for Communities and Local Government after the close of this consultation.

The Local Plan will then be examined by an independent Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound" – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

This consultation seeks views on legal compliance, compliance with the Duty to Cooperate, and the four tests of soundness. Consideration should be given to the advice on making a representation attached to this consultation.

The council is also seeking to understand at this stage whether representors wish to take part in the independent examination of the plan.



Personal details:

Name

Address

.....

Postcode

Email address

Would you like to be contacted about the Maidstone Local Plan

Yes No

Question 1



Do you consider that the Local Plan is legally compliant?
(Please select one answer)

Yes No

Please give reasons for your answer to Question 1.
(Continue on a separate sheet if required)

Question 2



Do you consider the Local Plan is compliant with the Duty to Cooperate?
(Please select one answer)

Yes No

Please give reasons for your answer to Question 2.
(Continue on a separate sheet if required)

Question 3



In your opinion, is the Local Plan positively prepared?
(Please select one answer)

Yes No

Please give reasons for your answer to Question 3.
(Continue on a separate sheet if required)

Question 4



In your opinion, is the Local Plan justified?

(Please select one answer)

Yes No

Please give reasons for your answer to Question 4.

(Continue on a separate sheet if required)

Question 5



In your opinion, is the Local Plan effective?
(Please select one answer)

Yes No

Please give reasons for your answer to Question 5.
(Continue on a separate sheet if required)

Question 6



In your opinion, is the Local Plan consistent with national policy?
(Please select one answer)

Yes No

Please give reasons for your answer to Question 6.
(Continue on a separate sheet if required)

Modifications to the Local Plan.



Please note that:

- Any non-compliance with the Duty to Co-operate is incapable of modification at examination.
- You will need to say why your modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.
- Your representation should cover all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representation based on the original representation at publication stage.
- After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues she/he identifies for examination.

Late representations cannot be considered.

Question 7



Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound.

(Continue on a separate sheet if required)

Independent Examination



Would you like to take part in the Independent Examination?

Please note that written and oral representations carry the same weight and will be given equal consideration by the Inspector.

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate.

Question 7

If your representation is seeking a modification to the Local Plan, do you consider it necessary to speak at the Independent Examination?

(Please select one answer)

Yes No

If you have answered 'Yes' to Question 7, above, please outline why you consider this to be necessary.

(Continue on a separate sheet if required)

[Empty rectangular box for providing an answer to Question 7]



E.1 As set out in the regulations⁽⁴⁾ the Statement of Consultation is a legal requirement to accompany the Submission (Regulation 22) of the Local Plan to The Secretary of State. The Local Planning Authority must also specify the number of representations received. By the close of the consultation period on 18 March 2016 589 individual responses to the consultation had been received from 505 consultees.

E.2 A number of issues were raised by respondents to the Publication of the Local Plan during February and March 2016. These are summarised in this Appendix, in tabular form for ease of reading.

E.3 Issues were raised in respect of the Duty to Cooperate and Legal Compliance as well as in relation to Local Plan policies. Responses to these issues have been dealt with through the Topic Papers accompanying submission of the Local Plan, and in many instances through amendments made to the plan historically (where these issues are repeats of previous concerns raised during preparation stages) or through the schedule of proposed minor modifications submitted with the plan following the agreement of the SPS&T Committee on 18 April 2016. [Committee agenda](#)

Issue type	Issue detail
Duty to Cooperate	<ul style="list-style-type: none"> • Assertion that there was no evidence to illustrate the Duty had been met • Assertion that insufficient dialogue and consultation had been undertaken with Parish Councils and residents
Legal Compliance	<ul style="list-style-type: none"> • Assertion that the SCI has not been complied with in respect of a shorter consultation period in October 2015 and that the consultation comment form did not encourage participation • Concern over the use of a masterplan to add detail to the Lenham broad location policy H2(3)
Sustainability Appraisal	<ul style="list-style-type: none"> • Criticism of methodology used by Aecom • Suggestion that further options should have been tested

Table E.1

4 Town and Country Planning (Local Planning)(England) 2012

Policy Type	Policy Reference	Issues Raised
Spatial Strategy	SS1	<ul style="list-style-type: none"> • The end date of the plan period should be extended • Assertions regarding the soundness of the SHMA and housing numbers. Respondents felt that the housing need figure was both too high, and conversely, too low • Housing delivery against the SHMA Objectively Assessed Need is insufficient. A larger 'buffer' should be applied. • The five year supply figure is challenged as is the non-inclusion of a windfall allowance i the first five years • The housing strategy and employment strategy are not considered to be the most appropriate. • Concerns are expressed regarding infrastructure provision • Assertion that the GTTSAA uses unsound methodology
Spatial Policies	SP1	<ul style="list-style-type: none"> • Clarity and amendments to the urban boundary are sought • Concerns over viability and deliverability • Objection to allocation of greenfield sites
	SP2	<ul style="list-style-type: none"> • Objections to the quantum of development proposed and impacts on congestion, air quality, local area character • Concerns regarding coalescence • Concerns regarding viability and deliverability
	SP3	<ul style="list-style-type: none"> • Objections to the quantum of development proposed and impacts on congestion, air quality, local area character, road safety and loss of agricultural land • Concerns regarding coalescence • Concerns regarding viability and deliverability • Concerns regarding infrastructure provision, including a relief road • Promotion of an alternate 'Garden Suburb' proposal that has been previously rejected

Policy Type	Policy Reference	Issues Raised
	SP4	<ul style="list-style-type: none"> • Need for greater improvements to public transport • Additional residential use should be pursued
	SP5	<ul style="list-style-type: none"> • The broad location should be referenced more clearly
	SP6	<ul style="list-style-type: none"> • Request for safeguarding of land for educational use in future years
	SP7	<ul style="list-style-type: none"> • Lack of synergy with the emerging Neighbourhood Plan for Headcorn • Developer requests for increased housing target
	SP8	<ul style="list-style-type: none"> • Concern regarding impacts on setting of the AONB • Sites should be allocated rather than leaving the broad location policy to meet housing need
	SP9	<ul style="list-style-type: none"> • Changes to allocations requested on grounds of infrastructure; loss of agricultural land, habitats and biodiversity • Developer requests for increased housing target
	SP10	<ul style="list-style-type: none"> • Concerns regarding infrastructure • Developer requests for increased housing target
	SP11	<ul style="list-style-type: none"> • Allocations in larger villages are proportionately higher than some of those in Rural Service Centres • Additional Larger Village proposed - Kingswood • Changes proposed to hierarchy status of some of the identified villages • Concerns regarding public transport connections to some villages
	SP12	<ul style="list-style-type: none"> • Arguments for both increasing and decreasing the housing proposed for the village • Concern regarding local bus services and sustainability

Policy Type	Policy Reference	Issues Raised
	SP13	<ul style="list-style-type: none"> • Arguments for both increasing and decreasing the housing proposed for the village • Concern regarding local infrastructure and services and sustainability • Imbalance of housing and open space provision • Lack of synergy with the emerging Neighbourhood Plan
	SP14	<ul style="list-style-type: none"> • Concern regarding local infrastructure and services and sustainability • Specific objection regarding the boundary of an allocated site H1(65)
	SP15	<ul style="list-style-type: none"> • Support for, and objection to the classification of Sutton Valence as a Larger Village • Concern regarding local infrastructure and services and sustainability
	SP16	<ul style="list-style-type: none"> • Support for, and objection to the classification of Yalding as a Larger Village • Specific objections to allocations • Concern regarding local infrastructure and services and sustainability
	SP17	<ul style="list-style-type: none"> • Greater protection required for the AONB, valued landscapes, hedgerows and ecology • Extensions and additions to identified Landscapes of Local Value requested • Concerns that the policy is too restrictive and not flexible enough • Assertion that the policy ignores the evidence base and is insufficiently robust • Assertion that the policy conflicts with other policies in the plan
Housing Allocation Policies	H1; H1(1) - (68)	<ul style="list-style-type: none"> • Objection to the quantum of housing proposed • Specific concerns for local landscape and ecology including agricultural land and ancient woodland and impact on heritage assets and listed buildings • Issues regarding policy wording relating to sewerage infrastructure provision • The Minerals and Waste Plan should have been given greater consideration

Policy Type	Policy Reference	Issues Raised
		<ul style="list-style-type: none"> • Concerns relating to infrastructure provision and the impacts of development on the current infrastructure systems including the local transport network, air quality, public transport, health, and education • Deliverability concerns including the specific quantum proposed on certain sites and in some case flood risk • In the SE of Maidstone concerns over coalescence • Lack of synergy with emerging Neighbourhood Plans • Promotion of a number of omission sites as alternatives / additions to those allocated in the plan
Open Space Allocation Policies	OS1	<ul style="list-style-type: none"> • Both support for and objection to a number of allocations • Assertion that certain allocations conflict with requirements of Policy DM22
Broad Location Policies	H2; H2(1) - (3)	<ul style="list-style-type: none"> • Concerns over certainty / deliverability and assertions additional allocations should be made instead • Objections to the locations identified at Lenham and Invicta Barracks • Concerns regarding provision of infrastructure • Lack of synergy with emerging Neighbourhood Plan for Lenham • Assertion the approach taken is contrary to the NPPF • Assertion there is no evidence to support the inclusion of the broad locations in the plan
Gypsy & Traveller Allocation Policies	GT1; GT1(1) - (16)	<ul style="list-style-type: none"> • Assertion that the GTTSAA uses unsound methodology • Objection to specific sites - GT1(5); GT1(7); GT1(12) - (14); GT1(15) - (16) • Dis-proportionate balance of allocations across the borough
Retail & Mixed Use Allocation Policies	RMX1; RMX1(1) - (4)	<ul style="list-style-type: none"> • Specific additional allocations proposed as well as deletion of the Syngenta site RMX1(4)

Policy Type	Policy Reference	Issues Raised
Employment Site Allocation Policies	EMP1; EMP1(1) - (5)	<ul style="list-style-type: none"> • Clarification sought / greater detail requested to certain policy criteria • Challenges to the validity of the evidence base • Minor changes proposed to specific policy criteria • Additional sites proposed to give flexibility • Objection to the inclusion of Woodcut Farm EMP1(5) • Assertion there is a mis-match between jobs and housing
Development Management Policies for Maidstone Borough	DM1 - DM30	<ul style="list-style-type: none"> • Neighbourhood Plans should be referenced • Concern regarding a lack of an agreed transport strategy • Assertions regarding conflicts with NPPF • Lack of evidence to support certain aspects of policies • Challenge to densities prescribed in Policy DM12 and affordable housing percentages in DM13 • Repeated objections relating to Gypsy and Traveller site provision as set out at GT1 above • Concerns regarding transport polices considering the lack of an agreed Integrated Transport Strategy; support for a Leeds-Langley relief road; congestion and air quality concerns; objection to and conversely support for the loss of Park and Ride provisions.
Development Management Policies for the town centre	DM31 - DM33	<ul style="list-style-type: none"> • Challenge to the definition and extent of Primary and Secondary frontages
Development Management Policies for the countryside	DM34 - DM45	<ul style="list-style-type: none"> • Greater account should be taken of the Kent Downs AONB Management Plan and other relevant published guidance • Concerns over losses of agricultural land

Policy Type	Policy Reference	Issues Raised
Delivery Framework Policy	ID1	<ul style="list-style-type: none"> • Challenges relating to conformity with the NPPF • Concerns over timing of delivery of infrastructure and its funding • Neighbourhood Plan priorities should be included • Many references to the inadequacy of existing infrastructure (transport, sewerage, broadband, community facilities)

Table E.2