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BY EMAIL ONLY

25 July 2019

Dear Ms Houghton

Re: Marden Neighbourhood Plan - Regulation 16

Thank you for consulting Kent County Council (KCC) on the Marden Neighbourhood Plan, in accordance with the Neighbourhood Planning (General) Regulations 2012.

The County Council has reviewed the Neighbourhood Plan and for ease of reference, has provided comments structured under the chapter headings and policies used within the Neighbourhood Plan.

Natural Environment

Policy NE1 – Surface Water Management

The Neighbourhood Plan sets out that surface water features create new habitat, encourage biodiversity and amenity uses. This is in accordance with Maidstone Borough Council green and blue infrastructure aspirations and is further supported by NPPF paragraph 165, which requires that major development should incorporate sustainable drainage systems and, where possible, provide multifunctional benefits. The County Council welcomes the inclusion of a policy that addresses the need to encourage drainage schemes within new developments (which includes the provision of open channel surface water drainage and the requirement for schemes to incorporate and connect to existing ditches and streams) as an integral part of the local environment.

KCC recommends that the drainage policies within Chapter 5 should refer to the County Council's Drainage and Planning Policy Statement¹. It is also recommended that the natural

¹ https://www.kent.gov.uk/_data/assets/pdf_file/0003/49665/Drainage-and-Planning-policy-statement.pdf

drainage flow paths are maintained and that the incorporation of any existing natural drainage features within future developments is encouraged.

Policy NE4 – Biodiversity and Habitats

The County Council supports the inclusion of a policy that requires developments to meet the aims of the Kent Biodiversity Strategy, whilst contributing to the Biodiversity Opportunity Areas and implementing Net Gain. KCC recommends that the policy reconsiders the use of the phrasing “where possible” and “should”, replacing these words with more proactive language, to ensure that the aims of the policy are met by development.

The County Council recommends that the policy refers to the need for ecological surveys. Such surveys ensure that there is a clear understanding of the ecological interest of the development site and the areas of the site which must be retained, as well as providing details of mitigation, net gain proposals and what enhancements are required on the site.

Built Environment

Policy BE2 – Residential Amenity

Policy BE2 currently requires the provision of through routes for vehicles. The County Council recommends that the Parish Council reviews this policy to ensure that development is not prevented from being arranged in a cul-de-sac arrangement where appropriate (in line with the Kent Design Guide² (section 2.3), which does not preclude a ‘minor access way’ from being designed as a cul-de-sac).

The County Council does nevertheless support the policy requirement for new developments to include through routes for pedestrians and cyclists, and it is advised that consideration should be given to Secured by Design principles.

KCC recommends that the Neighbourhood Plan should make reference to the County Council’s Rights of Way Improvement Plan (ROWIP)³. This will enable successful partnership working to continue, delivering improvements to Public Rights of Way (PRoW) in Marden and the surrounding area. The joint delivery of this strategic plan could ensure significant benefits for the local community, including access to additional funding opportunities.

Amenities

Community Facilities

It is crucial that a community is supported by adequate community facilities, as they can help foster a local sense of community, whilst reducing loneliness and isolation. KCC is therefore

² <https://www.kent.gov.uk/about-the-council/strategies-and-policies/regeneration-policies/kent-design-guide>

³ https://www.kent.gov.uk/_data/assets/pdf_file/0005/90491/Rights-of-Way-Improvement-Plan-2018-2028.pdf

supportive, in principle, of the references made within the document to community facilities as an integral part of development.

Policy A2 - Open Space

Research for the ROWIP identified a correlation between deprivation, access to greenspace and good health (with people in less deprived areas having good access to green space and better health). Local populations with a relatively high level of physical inactivity were found to have limited access to natural greenspace that is 'close to home'.

Studies have also shown that green spaces provide considerable health and well-being benefits for the public. Appropriate steps should be put in place to protect the sites and manage access, to ensure that their qualities do not deteriorate as they face pressures from new developments. The Neighbourhood Plan should aim to increase the provision of accessible green and open spaces and improve opportunities to access this resource in relatively deprived areas.

It is important that open spaces can be accessed via sustainable modes of transport. To encourage active travel, the wording of this policy should be strengthened to ensure that visitors can walk or cycle to open spaces. Alternatively, good public transport links with open spaces should be made available, so that the public is not dependent on private vehicle use in visiting these sites.

The County Council considers that it is important that development takes account of Sport England guidance⁴. KCC recommends that the Parish Council reviews the guidance with consideration of the Sport England's Facilities Planning Model, as well as Active Design Guidance. Sport England's strategies for sport are very much focussed on tackling inactivity and supporting/encouraging under-represented groups to be active. The national Active Lives Survey indicates that approximately 25% of people nationally (24% now in Kent - 26% two years ago) are inactive and this is having knock on effects on physical and mental health, as well as individual and social/community development. Development should consider a mix of formal and informal areas/spaces (indoor and out), where people can be active. This can include walking and cycling routes and open spaces.

Education

KCC is supportive of the objective of policy A3 on primary education. In respect of the action for "KCC to ensure that existing S106/future CIL developer contributions are used proportionately to support the provision of secondary school education for Marden children", the County Council would note that it has a legal duty to ensure a place for every child, and any developer contributions are supported by a legal framework governing their use.

⁴ <https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/>
<https://www.sportengland.org/facilities-planning/active-design/>

Infrastructure

The County Council is responsible for minerals and waste safeguarding in Kent, to ensure that mineral resources are not needlessly sterilised by other forms of development and that the continued lawful operation of permitted waste management capacity of the county is not compromised by new development.

Policy CSM5 of the adopted Kent Minerals and Waste Local Plan 2013-30 (KMWLP) sets out Mineral Safeguarding Areas (MSA) where economically important minerals exist within Kent. The Marden Parish area incorporates three minerals of economic importance, which are coincident with the Maidstone MSA. These safeguarded minerals are:

- Sub - Alluvial River Terrace Deposits
- River Terrace Deposits
- Limestone - Pauldina Limestone, Weald Clay Formation

The County Council notes that the Marden Neighbourhood Development Plan makes reference to mineral safeguarding, though it does not identify the safeguarded minerals that are present or the policy provisions within the adopted KMWLP to ensure their safeguarding. The adopted KMWLP policies specifically relating to land-won mineral safeguarding are Policies CSM5 “Landwon Mineral Safeguarding” and DM7 “Safeguarding Mineral Resources”. Therefore, any development which is within the MSA and outside the identified urban boundaries/village confines that has the potential to sterilise economic minerals will be required to be assessed against these policy provisions. The mineral safeguarding constraints need to be recognised in the Neighbourhood Plan to ensure that a full understanding of the wider planning constraints for the Neighbourhood Plan area is reflected. This will ensure it is compliant with the NPPF and the relevant policies set out in the adopted KMWLP.

It should also be noted that all waste management facilities are safeguarded and any proposed development within 250m of the safeguarded facilities should take into account Policy CSW16 “Safeguarding of Existing Waste Management Facilities” and the potential safeguarding exemption criteria, as set out in Policy DM8.

The County Council would like to refer the Parish Council to further guidance on minerals safeguarding and minerals assessments⁵. KCC would be happy to provide the Parish Council with any further information as may be required and can be contacted on 03000 422370 or mwlp@kent.gov.uk.

Transport

Any park and ride would need to operate as a frequent and direct service, with minimal calling points in order to minimise the journey time. It is uncertain whether the ‘dual-purpose’ form of park and ride being described could provide a sufficiently attractive or viable service.

⁵ https://www.kent.gov.uk/data/assets/pdf_file/0019/69310/Supplementary-Planning-Documents-SPD-on-Minerals-and-Waste-Safeguarding.pdf

Policy In2 – Sustainable Travel

The Neighbourhood Plan does not include a policy on parking. KCC recommends that this is given consideration, given the concerns expressed throughout the Plan around on-street parking pressures and the need to ensure these are not exacerbated by new development. The absence of a parking policy could result in a lack of opportunity to secure the provision of new cycle parking facilities, which are important in supporting the aims of Policy In2 regarding sustainable travel.

From a PRow perspective, KCC is generally supportive of this policy, as it aims to ensure that new developments provide opportunities for walking and cycling, enabling active lifestyles. However, it is requested that additional text is inserted into the policy, stipulating that applicants for new developments engage with the KCC PRow and Access Service at the earliest opportunity. This would allow the County Council to review proposals for access improvements and consider appropriate developer contributions for PRow network enhancements. This could ensure there are sustainable transport choices available that provide realistic alternatives to short distance car journeys.

The PRow network is a valuable component of the movement network, providing significant opportunities for walking and cycling across the region. KCC recommends there should be a requirement for planning applications to show recorded PRow on their plans. Where PRow would be directly affected by development proposals, plans should clarify intentions for accommodating, diverting or enhancing paths.

KCC is supportive of the statement that sustainable travel, including non-vehicular travel, will help improve the air quality and physical activity levels of the population of Marden.

Policy In3 – Additional Traffic

Rural lanes provide useful connections for Non-Motorised Users (NMUs) travelling between off-road PRow. The potential for additional vehicle traffic along these country lanes could introduce safety concerns for NMUs and potentially deter public use of the PRow network. KCC therefore recommends that this policy should be strengthened and suggests that developers should submit traffic impact studies in support of their applications. Where negative impacts on NMUs are identified, developers should provide or contribute towards appropriate mitigation measures.

Policy In6 – Housing for Older People

The County Council suggests that this policy should also include reference to less mobile people, and consideration of accessible and adaptable wheelchair housing in accordance with the current social care need.

The Future

The County Council notes that the Neighbourhood Plan is supportive of the links to the countryside and the surrounding open space, however there is no reference to the

enhancement of the PRoW to serve these connections within the consideration of developer contributions. The County Council considers that the increased population as a result of local development will add to the pressure and importance of the surrounding PRoW network – it is recommended therefore that general wording is included within the Plan to secure funding to maintain these PRoW links. New developments provide opportunity through contributions to upgrade existing PRoW routes, or create new paths that could address existing network fragmentation issues. The County Council would welcome engagement with the Parish Council to consider the local aspirations for access improvements, the delivery of these projects and potential funding for these works.

KCC would welcome continued engagement as the Neighbourhood Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours sincerely



Barbara Cooper

Corporate Director – Growth, Environment and Transport