

From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
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To: Environment, Highways & Waste Cabinet Committee

Date: 20 September 2012

Subject: KCC response to the consultation by Maidstone Borough on Strategic Sites Allocations

Classification: Unrestricted

Summary:

This report proposes a response by KCC to Maidstone Borough Council's public consultations on *Strategic Site Allocations*. The main strategic developments proposed by the Borough Council are employment land at Junction 8 of the M20, retail and employment uses at Junction 7 of M20, and residential land at Allington and on the Sutton Road. This is a decision in the Forward Plan for the Cabinet Member for Environment, Highways and Waste. The Committee is asked to consider KCC's response and to agree that the Cabinet Member should approve the response.

Recommendation:

That the Cabinet Committee agree to the Cabinet Member's approval of KCC's response to the consultation as set out in Part 5 of this report, and summarised in the conclusions at Part 6.

1. Introduction

1.1 Maidstone Borough Council consulted on their draft local plan Core Strategy in September 2011. The County Council supported the proposed number and distribution of dwellings, but objected to the proposal for a new site for warehousing and other employment uses near to Junction 8 of the M20.

1.2 The Borough Council's consultation in 2011 gave rise to requests that new strategic development sites, such as Junction 8, should be clearly identified. The Council therefore invited proposals for development sites (a 'call for sites') in June of this year. The call for sites asked for information about sites specifically at three strategic development locations: housing sites in North West and South East Maidstone, and employment sites at Junction 8 of the M20.

1.3 The Borough Council is now consulting on the sites and policies that it proposes to allocate in the Core Strategy. The consultation is taking place for 6 weeks from 17th August 2012, and closes on 1st October. KCC's response to the

consultation is a decision in the Forward Plan to be taken by the Cabinet Member for Environment, Highways and Waste.

1.4 The allocations will become part of the Maidstone local plan Core Strategy which the Borough Council intends to publish in December 2012 before it is submitted to the Secretary of State for independent examination in 2013 (the Examination in Public). KCC's comments on the draft Core Strategy of October 2011 therefore remain relevant.

1.5 The Borough Council are also consulting on an *Integrated Transport Strategy* for Maidstone (ITS) prepared jointly with KCC as the highways authority. The draft ITS has been agreed for consultation by an informal group of Members from both authorities. It will then be referred to the *Joint Transport Board* for Maidstone in October, and will be considered by this Committee in November for subsequent adoption by both authorities. This report does not therefore propose a KCC response to the *Integrated Transport Strategy*, but clearly such views will need to be consistent with those made on the strategic sites.

1.6 Local KCC Members have been asked for their views on KCC's response to the consultation, and Councillor Ian Chittenden has made the points summarised in Appendix 1.

2. Financial Implications

2.1 The decisions to be taken by the Borough Council may have long term financial implications for KCC as the provider of infrastructure and services to support development.

3 Bold Steps for Kent and Policy Framework

3.1 The proposed response by KCC to the consultation supports the County Council's ambition to grow the economy, and the following priorities of *Bold Steps for Kent*:

- Priority 5: Deliver the Kent Environment Strategy
- Priority 8: Respond to key regeneration challenges, working with partners
- Priority 9: Support new housing growth that is affordable, sustainable and with the appropriate infrastructure
- Priority 10: Deliver 'Growth without Gridlock'

4 KCC Response to the Core Strategy Consultation in 2011

4.1 In summary, KCC's views on the main proposals in the draft Core Strategy were as follows:

Housing

4.2 KCC supported the total of 10,080 new dwellings proposed by Maidstone Borough Council - to meet this total new sites would need to be released to provide 3,105 dwellings. KCC also supported a broadly equal distribution of new dwellings

between North West Maidstone, South East Maidstone and the 'Rural Service Centres', i.e. the larger villages.

Town Centre

4.3 Demand for an additional 29,950 sq m of comparison retail floorspace was forecast, and there was capacity for up to 34,500 sq m in the town centre. KCC supported the regeneration of the town centre, subject to satisfactory transport and parking strategies, and clarification of the quantity of office development that is planned there.

Employment

4.4 The draft Core Strategy confirmed the Borough Council's objective to provide "...10,000 new jobs with an emphasis on increasing skilled job and learning opportunities". The need for an additional 15.2 ha of land for warehousing, distribution and logistics was identified, and the draft plan proposed strategic locations for employment development including industry and warehousing at Junction 8 of the M20, and medical research and development at Junction 7 of M20.

4.5 KCC objected to the proposed employment allocation near M20 Junction 8 for a number of reasons. In particular, KCC felt that a significant new site near Junction 8 would be contrary to the conclusions of the *Kent International Gateway* (KIG) inquiry on the importance of protecting the setting of the AONB, the site could lead to pressure for larger scale development, and would be out of character with the countryside surrounding Junction 8.

5 KCC Response to the current Strategic Sites Allocations Consultation

5.1 The current consultation proposes major development at four strategic locations on the edge of the Maidstone urban area. In considering its response to the consultation KCC should have regard to any significant changes in the Borough Council's proposals since 2011, and to the circumstances that apply. The proposed KCC response to the development proposed at the four locations is as follows:

Housing

5.2 Strategic housing sites are defined in the consultation as those individually or in combination that could accommodate at least one year of housing supply towards the target of 10,080 dwellings over 20 years i.e. 504 dwellings (para. 1.8). Strategic sites to the north west and south east of the urban area are defined that would provide 1,995 dwellings.

5.3 These allocations will help the Borough Council to meet the requirements of the *National Planning Policy Framework* (NPPF March 2012 para. 47) to identify key sites, and deliverable sites to provide five years of housing. The Borough Council is testing the viability of all the sites proposed in its consultation to comply with the requirement of the NPPF that housing land and the plan as a whole should be capable of being delivered (para. 182).

5.4 KCC is assessing more precisely the need for additional school capacity and other community services to support the proposed residential development. The location of new primary schools is subject to confirmation. Current modelling suggests the need for additional secondary school places could be accommodated by expansion of the existing schools. KCC will closely monitor the implications of new housing for schools in rural areas. Developer contributions will also be sought towards library stock, community learning, youth services and adult social care.

5.5 It is **Recommended** that KCC continues to support the Borough Council's target of 10,080 new dwellings by 2026, and supports the allocation of the strategic housing sites to meet this target.

Housing land in North West Maidstone

5.6 Policy SS1 proposes that in the north west strategic location, as shown on the policies map, the council will allocate land for residential development at three sites. These will contribute, as proven necessary, to the improvement of six road junctions. Separate policies apply to each site (Policies SS1a-c) and provide for 880 dwellings as follows (sites 1-3 on the Site Location Map which accompanies this report):

a. Bridge Nursery	165
b. East of Hermitage Lane	415
c. West of Hermitage Lane	300

5.7 Although the sites allocated will lead to the loss of greenfield land, this will be on the edge of the urban area in a location accessible to schools and public transport. Detailed transport assessments submitted with forthcoming planning applications will identify the specific improvements required at the six junctions (para. 3.3).

5.8 It is **Recommended** that KCC supports the allocation of the three strategic housing sites identified in Policy SS1, and welcomes the provision for junction improvements.

5.9 KCC seeks a one FE primary school to serve this area (para. 3.7), and subject to confirmation by KCC the consultation assumes that this will be located East of Hermitage Lane. It is **Recommended** that KCC welcomes the recognition of the need for a new primary school in this area and notes the provision in Policy SS1b (4) for the transfer of land for primary education at the site East of Hermitage Lane. KCC will confirm the location of the school with the Borough Council, and welcomes the provision for financial contributions to education and other community facilities in Policies SS1a-c for each site.

Housing land in South East Maidstone

5.10 The south east of Maidstone has been identified as a strategic location for housing development, and three sites are proposed for allocation at the edge of the urban area on the A274 Sutton Road.

5.11 In this location, improvements to local transport are required to accommodate further housing including a bus lane for traffic approaching the town centre from Willington Street to the junction of the A274 with the A229 (para.4.1). This will have the important benefit of managing congestion and improving sustainable access to the town centre for employment and other services.

5.12 KCC is also seeking the provision of a two form entry primary school in this location. The site and the exact requirement are subject to confirmation, but the largest of the three sites (Langley Park) is the preferred location (para.4.3).

5.13 The *National Planning Policy Framework* requires that the policies of the Core Strategy and any financial obligations do not undermine viability, and the plan can be delivered (NPPF para. 173). The Borough Council therefore wishes to ensure that the sites allocated in south east Maidstone can contribute to the cost of transport and school capacity etc. and remain viable (para.4.4).

5.14 Policy SS2 proposes that in the south east strategic location, the council will allocate land for residential development at three sites, as shown on the policies map. These will contribute, as proven necessary, to the proposed bus lane, other highway works and the provision of land or funding for a two form entry primary school, or suitable enhancements to existing primary schools subject to justification of need. Sites will not be released for development until an agreement has been signed with regard to these improvements.

5.15 Separate policies apply to each site (Policies SS2a-c) and provide for 1,075 dwellings as follows (sites 4-6 on the Site Location Map):

- | | |
|---------------------------|---------------|
| a. Langley Park Farm West | 600 dwellings |
| b. North of Sutton Road | 285 dwellings |
| c. North of Bicknor Wood | 190 dwellings |

5.16 Each of the policies provides for landscaping between neighbouring development and/or the countryside. It will be important for this landscape protection to have lasting benefit by establishing a clear limit to the development on the south east edge of Maidstone, and maintaining a permanent gap between the urban area and the villages of Langley and Langley Heath. This would also contain the cumulative impact of additional traffic generation in this sector which is relatively remote from the town centre and has no direct access to the M20 junctions, adding to pressure on the A274 Sutton Road, and on minor roads unsuited to heavy traffic.

5.17 Although the sites allocated will lead to the loss of greenfield land, this will be on the edge of the urban area, and will be supported by the provision of improved public transport to the town centre, increased local school capacity and community facilities. There will be substantial landscaping of the sites.

5.18 It is therefore **Recommended** that KCC supports the allocation of the three strategic housing sites identified in Policy SS2, and welcomes the provision for transport improvements. However, KCC should request that the green wedge, shown on the Key Diagram in the consultation of September 2011, should be extended to contain development in the south east sector of Maidstone to that now proposed.

5.19 KCC seeks a two FE primary school to serve this area and, subject to confirmation, the consultation indicates that the preferred location is Langley Park. Unlike Policy SS1b (4), which includes provision for the transfer of land for primary education at the site East of Hermitage Lane, Policy SS2a for Langley Park includes no specific provision for a primary school.

5.20 Policies SS2a and SS2c provide for “*Appropriate contributions to ... education.*” However Policy SS2b for land North of Sutton Road does not refer to contributions for education.

5.21 It is **Recommended** that KCC welcomes the provision for financial contributions to education in Policies SS2a and SS2c but, subject to the confirmation of education needs and their location, requests amendments to Policy SS2a (Langley Park) to provide for the transfer of land for primary education, and to Policy SS2b (North of Sutton Road) to provide for contributions to education.

Housing at Rural Service Centres

5.22 The draft Core Strategy set a single housing target for greenfield development of 1,130 dwellings to be distributed among the five rural service centres. To provide clarity for the public and the development industry, and to assist with the preparation of neighbourhood plans, the greenfield dwelling targets are included in the consultation document as proposed additional text within Policy CS1 as follows:

- Harrietsham 315
- Headcorn 190
- Lenham 110
- Marden 320
- Staplehurst 195

5.23 It is **Recommended** that KCC welcomes the clarification of the distribution of dwellings among the rural service centres provided by the additional text to Policy CS1.

Strategic employment locations

5.24 The County Council’s priority ambition is to grow the economy, which includes supporting businesses to be more successful. The Borough Council’s ‘call for sites’ in June asked for information about employment sites specifically at Junction 8 of the M20, and not generally in the Borough as a whole.

5.25 In the current consultation the Borough Council invites further views on three sites at Junction 8 only. Confining the call for sites to Junction 8 may overlook the floorspace needs of existing businesses wishing to expand or improve their accommodation within the Borough.

5.26 It is therefore **Recommended** that KCC propose to the Borough Council that a policy be included in the Core Strategy that recognises the need for a positive response to development proposals from existing businesses for their own expansion and occupation.

Strategic employment location at Junction 8 of M20

The proposed allocation

5.27 Junction 8 of the M20 was identified as a strategic location for employment including in the Core Strategy published for public consultation in September 2011. The current consultation document states that in July 2012 the Borough Council “*re-confirmed that it regards Junction 8 is a strategic location for employment development to address qualitative and quantitative employment needs and the aspirations of the Council for economic growth. Junction 8 is the best location for a critical mass of employment uses including premier office development, industry and warehousing*”.

5.28 Accordingly the consultation document states that “*Land will be allocated in this location for a mix of light industry (B1c), general industry (B2), premium offices (B1a) with limited distribution/warehousing (B8)*”. This will be identified as policy SS3.

5.29 However the Council has decided not to identify a specific site for allocation in the current consultation, but to invite further information and views on three sites put forward in response to the *Request for Sites* in May 2012, to enable a more informed decision to be made on the allocation of sites in this location. The site options are as follows:

1. 3.5ha east of M20 J8 (EMP-01-J8)
2. 16.2ha south of M20 J8 (EMP-02-J8)
3. 25.3ha at Woodcut Farm, formerly part of the KIG proposal, of which some 7ha would be an undeveloped landscape buffer (EMP-03-J8)

These are shown on the Site Location Map as sites 7.1, 7.2 and 7.3.

5.30 The consultation document refers to information on these sites obtained from the *Request for Sites* submissions, the *Interim Sustainability Appraisal of the Strategic Site Allocations*, and the Council’s own assessment. The Borough Council invites views on these sites and any other potential sites for employment in this strategic location.

Proposed KCC response

5.31 KCC’s primary concern at this stage is the principle of a new employment site in this location. The Borough Council has confirmed that it regards Junction 8 as a

strategic location for employment development. It considers that Junction 8 is the best location for a 'critical mass' of employment uses, and now proposes that land will be allocated there for a mix of light industry (B1c), general industry (B2), and premium offices (B1a), with 'limited' distribution/warehousing (B8).

5.32 Maidstone Borough Council consulted on their draft local plan Core Strategy in September 2011 and this proposed "*employment development including industry and warehousing at Junction 8 of the M20...*" (Policy CS1). The consultation refers to the advice commissioned by the Borough Council from GVA¹ which "*identifies the need for additional warehousing growth (15.2 ha) above that already permitted.*" (para. 7.20).

5.33 The proposal in the current consultation for a "*critical mass of employment uses*" at Junction 8, including premium offices with "*limited distribution/warehousing*" appears to change the character of the development proposed from that envisaged in the 2011 consultation. The mix of uses and employment to be provided at Junction 8 are not given in the current consultation but a site of about 15ha site developed mainly with premium offices and light industry would accommodate a greater number of jobs than the warehousing and logistics envisaged by GVA.

5.34 The report by GVA for the Borough Council concluded there is very little requirement for a greater quantity of land supply for offices and industry (1.6ha, Table 14), but that there is a need for a qualitative improvement in the supply of Grade A office space, to a maximum of 26,000 sq m. Given the potential sites within the town centre "*it would be reasonable to aspire to meeting 70% of future high quality office demand within the town centre*" (para.5.21). Their advice therefore is for a modest additional provision for out of centre premium offices of 7,800 sq m, accommodated on 0.54 ha (para. 5.21). At a lower out of centre density, KCC officers believe this floorspace could occupy about 2ha.

5.35 There is therefore no clear justification for seeking a new strategic employment site for premium offices and light industry given the opportunities in Maidstone town centre and within the urban area. A new site at J8 would compete with the town centre as a location for new office occupiers, which is the preferred location both in the draft Core Strategy (Policy CS2) and the NPPF (para. 24).

5.36 Moreover, there are other sites near junctions of the M20 that have been slow to develop (e.g. Kings Hill near Junction 4, and the Eureka site at Junction 9, Ashford) and this suggests there is no market need for a new site at Junction 8.

5.37 The Maidstone *Economic Development Strategy* sets a target for an additional 10,000 jobs in the Borough and this is adopted in draft Core Strategy Policy CS1. KCC provided forecasts² for the Borough Council as evidence for the local plan. The labour supply was forecast to increase by 5,200 from 2006 to 2026 based on the planned 10,080 new dwellings. The labour supply employed in Maidstone could be increased by changes in the journey to work flows in this major labour market, for example by increasing the flows from Tonbridge and Malling and

¹ GVA 'Employment Land Review Partial Update' July 2011

² KCC 'Demographic and labour supply forecasts : Maidstone Borough Council' October 2011

Medway, which in 2001 supplied 19% of the workforce employed in Maidstone Borough (Table 14). More recent forecasts by KCC suggest a smaller increase in Maidstone's resident workforce.

5.38 However, Maidstone Borough Council aims to provide more jobs than the increase in workforce, and thus to reduce net out commuting, but cannot rely on neighbouring authorities to make under provision for employment and thus to release labour. On the contrary some neighbouring authorities such as Medway also wish to reduce reliance on other areas for employment. It would not be a sustainable strategy for Maidstone to rely on increased journey to work movements from its neighbours. Nor is it realistic to assume a reduction in out commuting to London, especially if peak hour rail services to central London are to be improved as both the County and Borough Councils wish.

5.39 The Borough Council considers that Junction 8 is the best location for a 'critical mass' of employment uses. However, this would be a new workplace destination well to the east of the urban area, poorly served by public transport and remote from the main workforce. It would create new movements within the urban area, or require workforce from the Medway Gap and Medway to travel greater distances, predominantly by car, beyond the main employment locations in Maidstone town centre and the urban area.

5.40 The landscape and countryside objections that KCC raised to the concept of a new employment site at Junction 8 of M20 still apply, and are restated in the light of the current proposal. KCC supported the Borough Council and the local community in opposing the *Kent International Gateway KIG* proposal at Junction 8, and gave evidence at the Planning Inquiry in 2009. In dismissing the applicant's appeal the Secretary of State concluded:

"Given the importance and value of the open countryside which currently forms the appeal site and of the AONB which adjoins it, and given the harm the proposal would cause to them, the Secretary of State agrees (with the Inspector) that substantial weight should be given to these matters in the determination of the appeal" (para 20).

5.41 The Borough Council's consultation seeks views on alternative sites at Junction 8, but provides no policy for a site, or the mitigation that would be required. Although the current site options are smaller than the KIG development, they are in the foreground of the AONB, and development would be visible in views from the AONB.

5.42 The development of a significant new site for employment uses near Junction 8 would be contrary to the conclusion of the KIG Inquiry on the importance of protecting the setting of the AONB. All three sites are largely green-field and outside the urban area. A major mixed use employment site would be out of character with the surrounding countryside, the neighbouring residential areas, and nearby Leeds Castle.

5.43 A new employment site at Junction 8 would create a precedent for the location of substantial new commercial activity and lead to pressure for further

development and associated land uses. Measures to landscape and 'buffer' the site could not be relied on to conceal the development or to prevent its expansion.

5.44 The harm caused by the development would not be justified given there are alternative locations such as the town centre to provide employment in Maidstone. There is no imperative to match the 10,000 job target of the Maidstone *Economic Development Strategy* given that the resident workforce was forecast to increase by half that number, and no justification to do so through a site allocation that causes harm to the AONB and countryside.

5.45 In view of the harm that a new site at Junction 8 would cause, the opportunities for new employment provision should be assessed with neighbouring authorities in the context the "duty to cooperate", having regard to accessibility within the local labour market and the overall provision of employment land.

5.46 Given KCC's objection in principle to development at Junction 8 it is not appropriate for KCC to express a preference among the three sites which have come forward in response to the 'call for sites'. However, Maidstone Borough Council officers reached the following conclusions in a report to their Cabinet of 25th July:

- The site to the east of M20 J8 is too small to make a significant contribution to the identified requirements. Further developable area would be likely to be lost to retain an adequate landscaped buffer (for ecology and to protect Old England Cottage which is Grade II listed) and to create a development platform. Highway access to the site will require extensive improvements to the A20.
- The site to the south of A20 has defined boundaries created by watercourses to the south and east and by roadside banks to the north west and north east. It could provide 11.6ha of employment land (approx 52,100 sq m) based on the developer's estimates. Views from the AONB of the site to the south of A20 are limited. In views from the south it is seen as part of the foreground to the AONB. It would require substantial landscape change to accommodate development, and could have an impact on an adjacent Local Wildlife Site.
- The developer's submission for the Woodcut Farm site proposes that 18ha (48,750sqm) be developed with the balance retained in agricultural use. The site forms part of the setting of the Kent Downs AONB and represents a continuation of the landform of the Downs. It is also visible, at a distance, from points in the AONB. Given the size of the Woodcut Farm site and its capacity to provide for extensive structural and internal landscaping, as well as its capability to accommodate development within a parkland setting, the site was recommended by officers to Maidstone Cabinet for allocation for employment development.

5.47 Action 1 of the Integrated Transport Strategy (para. 7.7) is to implement highway improvements to enable development at strategic locations, including Junction 8. The maximum cost of improving the roundabout between the A20 and

M20 link road would be £182,000 with minor works, or £4,032,000 if a fourth arm were required to accommodate development south of the A20 on site 2 above.

5.48 It is **Recommended** that KCC objects to the principle of a strategic location for employment at Junction 8 of M20, and that KCC does not express a preference among the three sites described but would require any highway improvements to be fully funded by a developer. It is **Recommended** that KCC's objection applies to all sites, and would not be overcome by the allocation of a small site such as site EMP-01-J8.

Strategic employment site at Junction 7 of M20

5.49 The strategic site at Junction 7 is understood to reflect a response to the call for employment sites. The employment on the site would contribute to the Borough Council's target for 10,000 additional jobs.

5.50 The consultation document states that "*Newnham Park is a 28.5ha site located to the north of the urban area adjacent to Junction 7 of the M20 motorway. It is approximately 2.5km from the town centre and is one of the prime gateways into Maidstone*" (para. 6.1). Site 8 on the Site Location Map shows the proposed land allocation which includes *Newnham Court Shopping Village* and the *Kent Institute of Medicine and Surgery (KIMS)*, and is adjacent to the Eclipse business park, a park and ride site, and the Hilton hotel.

5.51 The existing shopping village is predominately a garden centre with comparison shopping at the western side of the allocation site, where the land owners wish to make improvements. It occupies about 4ha.

5.52 The *Kent Institute of Medicine and Surgery (KIMS)* is under construction on the northern tip of the allocation site, with a new access road, and is due to open in 2014. It is described by its promoters as an *Independent Tertiary Centre Hospital* at which consultants drawn from Kent, London and further afield will provide services such as neurosurgery and cardiothoracic surgery to Kent residents. It occupies a 3ha site and will initially provide 15,000 sq m of hospital and other facilities in four buildings, with space for two future buildings to accommodate a neurological rehabilitation centre and an oncology centre.

5.53 The consultation document states that "*Newnham Park is located in the countryside and lies within the setting of the nationally designated Kent Downs Area of Outstanding Natural Beauty (AONB), where particular attention needs to be paid to protecting and conserving the distinctive character of the landscape*" (para. 6.3). It is envisaged as a development in a high quality environment, with a woodland and parkland setting and appropriate provision of open space.

5.54 Policy SS4 makes provision for development as follows :

"Newnham Park is allocated for a medical campus, retail park and nature reserve, as identified on the policies map. The development brief will address the following (among other matters):

1 *Provision of a maximum 150,000m² of specialist medical facilities set within an enhanced landscape structure*

6 *Medical facilities on land to the south of the hospital and west of the stream will be delivered in advance of medical facilities on land to the east of the stream*

2 *Replacement retail facilities at Newnham Court Shopping Village, confined to the immediate vicinity of the existing footprint of the current retail park*

7 *The cumulative quantum of retail floorspace will be restricted to the provision of up to 500m² above that which already exists, and any additional retail floorspace above this limit must be complementary to town centre uses and, by means of a sequential sites assessment, demonstrably require an out of town location*

8 *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 park proposals on the town centre.*

5.55 Policy SS4 also makes provision for landscaping and an area of 3.03 hectares for new woodland planting, to be developed as a parkland nature reserve. The policy provides for access and a bus interchange as part of the retail redevelopment, and for off site highway improvements.

5.56 This is a major site allocation in a prime location, and its future use as set out in Policy SS4 has two important planning implications:

Retail policy

5.57 The consultation document states “*As confirmed in Core Strategy policies CS1 and CS2, the regeneration and revitalisation of Maidstone’s town centre is a priority, and the town centre will continue to be the primary retail and office location in the Borough*” (para. 6.15). The draft Core Strategy (page 97) makes provision for expansion of the town centre, and it is capable of accommodating town centre uses in full as envisaged by the NPPF (para. 23).

5.58 The consultation document does not give the quantity of retail space to be built at Junction 7 of M20 but states that “*Replacement facilities at Newnham Court Shopping Village will be provided in the vicinity of the existing footprint*”.

5.59 The consultation document does not set out clearly the nature of the retail centre proposed. It states that “*...retail premises that have a unique and recognised ‘out of town’ format are likely to be acceptable ... because conflict with the town centre would be unlikely.*” It proposes that additional retail space that is more than 500m² greater than that existing will be acceptable only if it complements the town centre. Uses such as cafés, restaurants and public houses, banks and estate agents, and leisure uses are not likely to be acceptable (para. 6.16).

5.60 It is proposed that a retail impact assessment will be required for both comparison and convenience goods, and a reasoned justification for any departure from the criterion for more than an additional 500 sq m must be submitted with any planning application. However, the absence of any retail quantity in the policy, and the absence of policy guidance for the use of the replacement floorspace, are cause

for concern that the impact of the centre could be significant, and contrary to the NPPF.

5.61 As drafted the policy would allow comparison goods such as clothing and household goods to be sold in direct competition with the town centre.

Medical campus and employment uses

5.62 Policy SS4 provides for a maximum 150,000m² of '*specialist medical facilities*'. Appropriate uses will include hospital or healthcare facilities, specialist rehabilitation services, medical related research and development, central laboratory facilities, and medical training. Development will be planned in a comprehensive manner by means of the development brief (para. 6.15).

5.63 The KIMS is under construction on part of the site and will provide 15,000 sq m of hospital and other facilities with space for expansion. Therefore a further 135,000 sq m of medical space is envisaged by the allocation. The consultation document provides no explanation for reserving the whole of the remainder of this large, prime site for these specialised uses.

5.64 The consultation document describes the allocation as "*located in the countryside and...within the setting of the nationally designated Kent Downs Area of Outstanding Natural Beauty*". However, the allocation includes the *Newnham Court Shopping Village* and the *Kent Institute of Medicine and Surgery*, the access for which crosses the site, and is adjacent to the incomplete Eclipse business park, the park and ride site, and the Hilton hotel. There is therefore a clear commitment to development at this location, which is close to the town centre with a dedicated public transport link. It is well located in relation to the workforce of the urban area and local journey to work movements.

5.65 There is a strong case for accommodating prime office and similar business uses alongside the KIMS together with additional medical and science uses. The site has many advantages over those suggested for allocation at Junction 8 of M20.

5.66 It is proposed that KCC support this site as the location in Maidstone for business uses to complement the town centre, and to provide for the wider variety of land uses that would constitute a medial hub, including light manufacture and office accommodation.

5.67 It is **Recommended** that KCC supports the allocation of an employment site at Junction 7 of M20 (as defined on the map accompanying Policy SS4) subject to the provisions for highway, public transport and cycle/pedestrian access set out in the policy, and welcomes the attention to be paid to the design and landscape of the site.

5.68 It is **Recommended** that KCC seeks the allocation of part of the site at Junction 7 for prime office and similar business uses in place of a new site at Junction 8 of M20, and that it be promoted by Policy SS4 as the location in Maidstone for business uses to complement the town centre, together with a medical hub.

5.69 It is **Recommended** that KCC request that Policy SS4 should specify the area of land and the amount of retail and related floorspace that will be provided at Junction 7 of M20, and that this should be limited to the replacement of the existing retail and service floorspace (excluding the open area of the garden centre). The policy should state the nature of the retail centre proposed and clearly prevent future encroachment of retail uses into the remainder of this large allocation.

Presumption in favour of sustainable development

5.70 The National Planning Policy Framework (NPPF) introduces a 'presumption in favour of sustainable development' that should be reflected in local plans. The Planning Inspectorate has published a 'model policy' to show how local plans can comply with this requirement. Maidstone Borough Council propose to incorporate this as Policy NPPF1 'Presumption in favour of sustainable development'.

5.71 It is **Recommended** that KCC support the incorporation of text into Policy NPPF1 in favour of sustainable development.

6 Conclusions

6.1 Maidstone Borough Council is now consulting on the sites and policies that it proposes to allocate in the Core Strategy. KCC's response to the consultation is a decision in the Forward Plan to be taken by the Cabinet Member for Environment, Highways and Waste. This report recommends that KCC:

1. continues to support the Borough Council's target of 10,080 new dwellings by 2026, and supports the allocation of the strategic housing sites to meet this target.
2. supports the allocation of the three strategic housing sites identified in Policy SS1, and welcomes the provision for junction improvements.
3. welcomes the recognition of the need for a new primary school in this area and notes the provision in Policy SS1b (4) for the transfer of land for primary education at the site East of Hermitage Lane. KCC will confirm the location of the school with the Borough Council, and welcomes the provision for financial contributions to education and other community facilities in Policies SS1a-c for each site.
4. supports the allocation of the three strategic housing sites identified in Policy SS2, and welcomes the provision for transport improvements, and land or funding for a two form entry primary school. However, KCC should request that the green wedge, shown on the Key Diagram in the consultation of September 2011, should be extended to contain development in the south east sector of Maidstone to that now proposed.
5. welcomes the provision for financial contributions to education in Policies SS2a and SS2c but, subject the confirmation of education needs, requests amendments to Policy SS2a (Langley Park) to provide for the transfer of land for primary education, and to Policy SS2b (North of Sutton Road) to provide for contributions to education.
6. welcomes the clarification of the distribution of dwellings among the rural service centres provided by the additional text to Policy CS1.

7. propose to the Borough Council that a policy be included in the Core Strategy that recognises the need for a positive response to development proposals from existing businesses for their own expansion and occupation.
8. objects to the principle of a strategic location for employment at Junction 8 of M20 for the reasons expressed in this report, and that KCC does not express a preference among the three sites described but would require any highway improvements to be fully funded by a developer. KCC's objection applies to all sites, and would not be overcome by the allocation of a small site such as site EMP-01-J8.
9. supports the allocation of an employment site at Junction 7 of M20 as defined on the map accompanying Policy SS4, subject to the provisions for highway, public transport and cycle/pedestrian access set out in the policy, and welcomes the attention to be paid to the design and landscape of the site.
10. seeks the allocation of part of the site at Junction 7 for prime office and similar business uses, in place of a new site at Junction 8 of M20, and that it be promoted by Policy SS4 as the location in Maidstone for business uses to complement the town centre, together with a medical hub.
11. request that Policy SS4 should specify the area of land and the amount of retail and related floorspace that will be provided at Junction 7 of M20, and that this should be limited to the replacement of the existing retail and service floorspace (excluding the open area of the garden centre). The policy should state the nature of the retail centre proposed and clearly prevent future encroachment of retail uses into the remainder of this large allocation.
12. support the incorporation of text into Policy NPPF1 in favour of sustainable development.

7 Recommendation

That the Cabinet Committee agree to the Cabinet Member's approval of KCC's response to the consultation as set out in Part 5 of this report, and summarised in the conclusions at Part 6.

8 Background Documents

- GVA 'Employment Land Review Partial Update' July 2011
- KCC 'Demographic and labour supply forecasts : Maidstone Borough Council' October 2011
- Maidstone Borough Council - "Core Strategy 2011" Regulation 25 Public Participation Consultation – September 2011
- Maidstone Borough Council - Core Strategy Strategic Sites Allocations Public Consultation 2012
- Maidstone Borough Council - Integrated Transport Strategy Consultation 2012

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Appendix 1

Local KCC Members have been asked for their views on KCC's response to the consultation, and Councillor Ian Chittenden has made the following main points:

The primary area for commercial regeneration must be Maidstone town centre, and new housing needs to be provided where there is infrastructure to support it. Maidstone Council has not looked for cross boundary solutions to the strategic planning and transportation problems of mid Kent.

Policy SS1 - North West of Maidstone

The proposals are too big, not well related to existing communities and funding for necessary infrastructure is uncertain. The Bridge Nursery site is unacceptable because it separates Maidstone and Tonbridge and Malling and supports protected flora and wildlife.

Policy SS2 - South East of Maidstone.

Councillor Chittenden does not object to the proposed development at Langley Park (SS2a) but is concerned that a new park and ride site has been dropped. The land north of Sutton Road and at Bicknor Wood (SS2b and c) are important for their wildlife and landscape. Until there is evidence that air quality, congestion and rat-running have been addressed, Councillor Chittenden cannot support Policy SS2.

Policy SS4 - M20 junction 7 Newnham Park.

The proposal is for a massive extension of the medical campus, and expansion of "out-of-town" shopping in competition with the town centre. The site would have a significant impact on the setting sits of the Area of Outstanding Natural Beauty, and Councillor Chittenden totally opposes this policy.

Junction 8 of M20 Motorway

Councillor Chittenden opposes the site south of the Ashford Road because major cut and fill would be needed with profoundly negative visual and ecological impact. It is in the foreground of the AONB, much closer to Leeds Castle, and could open up further areas south of the Ashford Road.