

Policy/Paragraph	Commentary
<b>SECTION 1: INTRODUCTION</b>	
	<p>The County Council recognises the importance of the Local Plan review process to develop a place-making approach that puts infrastructure first. This will ensure that planned residential and commercial growth will deliver high quality and sustainable developments and provide opportunities for local people. An “Infrastructure First” approach is embedded in the Kent and Medway Infrastructure Proposition, a deal with Government for new infrastructure investment that will enable accelerated housing delivery, which is focussed on building the right homes in the right places and providing the public services, transport infrastructure, jobs and homes that residents will need now and in the future. To deliver sustainable development, close working and a collaborative approach with all key stakeholders will be crucial – taking in to account all necessary infrastructure and services required to deliver robust and resilient communities during the plan period and beyond.</p> <p>The County Council continues to be supportive, in principle, of the proposed growth strategy. The incorporation of garden settlements can provide the opportunity for self-contained communities where the need to travel can be minimised, and there is usually a better prospect of securing upgrades to transport infrastructure and delivering the range of services and infrastructure that the new communities will need.</p> <p>However, it is evident from the jointly commissioned modelling work that the garden settlements are likely to place further strain on the local highway network and KCC, as the Local Highway Authority, considers it is essential that the Local Plan policies are more robust in addressing the delivery of the required road and public transport improvements. This will be vital in ensuring the longer-term delivery of a sustainable, well connected garden communities, which are intended to extend beyond the Local Plan Review period. Moreover, further modelling work is required to identify how the garden settlements once completed (beyond the Local Plan period) will impact on the local highway network and to establish whether suitable mitigation interventions can be delivered. The completion of this work and the findings that emerge from it are of utmost importance.</p> <p>At present, KCC also raises concern that some of the proposed policies are not adequately robust to ensure the deliverability of the necessary infrastructure and mitigation measures. The commitment to infrastructure delivery is critical and, in its comments below, the County Council sets out key matters that will need fully addressing. County Council Officers will welcome continued working with the Borough Council, and other relevant government departments and agencies, to ensure that all County Council services and infrastructure will be captured in the planning, phasing and delivery of all growth, to ensure that the necessary infrastructure to support development is adequately funded and delivered in a timely manner. County Council responsibilities extend beyond health and transportation infrastructure – KCC has vital roles as Lead Local Flood Authority, Education Planning Authority and Minerals and Waste Planning Authority. As a key infrastructure and service provider for local residents, the County Council would welcome ongoing engagement with the Borough Council – as the resolution of these matters is essential to ensure that KCC is satisfied that all the allocated sites put forward as part of the Local Plan Review will deliver sustainable communities during the Local Plan Period and beyond.</p> <p>KCC would also encourage early engagement with partners to ensure that Design Codes are developed to enable the long-term delivery and maintenance of high-quality design.</p> <p>As the Local Plan Review progresses, the County Council would value timely engagement in the shaping and inputting, as appropriate, into the draft Statement of Common Ground for Examination, to ensure that all cross-boundary and strategic matters are properly and clearly addressed.</p>
<b>SECTION 2: INTRODUCTION TO THE MAIDSTONE BOROUGH LOCAL PLAN REVIEW</b>	
General Commentary	<p><u>Minerals and Waste</u>: The proposed Borough Council Local Plan strategy directly impacts upon the County Council’s Mineral Strategy and its responsibility as Minerals and Waste Local Planning Authority, particularly with regard to the proposed Heathlands Garden allocation. In progressing the Borough Council’s strategy to examination, the following key matters are identified.</p> <p>The County Council notes that the main Local Plan document does not discuss how it has evolved with any consideration of the safeguarded landwon minerals and mineral handling/processing/ and waste management infrastructure, or the fact that the adopted Development Plan for the area includes the Kent Minerals and Waste Local Plan 2013-30. Clarity must be provided to state that the Maidstone Local Plan and the Kent Minerals and Waste Local Plan form the Development Plan, particularly given the mineral and waste safeguarding impacts within the borough.</p> <p>The Borough Council has however produced a number of supplementary planning papers in support of the Plan, called ‘Mineral Safeguarding and Waste Infrastructure Assessments’, which are welcomed. This sets out the adopted policy background to this area of planning and the allocations which were subject to assessment and found to be exempt from further safeguarding consideration. However, the document does not detail which exemption criterion of Policy DM 7 and DM 8 of the Kent Minerals and Waste Local Plan are being invoked for each allocation site. The individual assessments are listed as:</p> <ol style="list-style-type: none"> <li>1. LPRSA078 Haven Farm</li> <li>2. LPRSA172 Land at Sutton Road</li> <li>3. LPRSA265 Land at Abbey Farm</li> <li>4. LPRSA266 Land at Ware Street</li> <li>5. LPRSA270 Land at Pested Bars Road</li> <li>6. LPRSA310 Land North of Moat Road</li> <li>7. LPRSA312 Land North of Heath Road</li> <li>8. LPRSA362 Police HQ</li> <li>9. LPRSP4(a)(b)(c) Heathlands Garden Settlement</li> </ol> <p>The online evidence base to support the Plan has the assessments for public viewing. KCC has reviewed these assessments and provides its comments in the relevant paragraphs within this</p>

	<p>response.</p> <p><u>Public Health:</u> KCC is supportive of the priorities, objectives and policies within the consultation regarding health and wellbeing and the promotion of active travel, air quality and climate change. KCC would suggest that the Local Plan should include specific policies on health and wellbeing in consideration of the cross-cutting objectives within the Maidstone Borough Council Strategic Plan (which include that ‘health inequalities are addressed and reduced’ and that ‘deprivation is reduced and social mobility improved’). Sustainable developments should encourage healthy behaviour to promote good health and wellbeing, whilst reducing health inequalities between social groups. Aligning County and Borough Council objectives with the Borough Council’s Local Plan will help strengthen the ability to address health inequalities in the borough. In relation to new development schemes, it is important to consider whether all housing tenures have the same access to community facilities, green spaces and amenities to promote a reduction in health inequalities and to understand the impact of new development on surrounding existing communities, as it can widen existing inequalities.</p> <p><u>Public Rights of Way (PRoW):</u> KCC looks to ensure its interests are represented with respect to its statutory duty to protect and improve PRoW in the County. KCC is committed to collaborative working to achieve the aims contained within the KCC <u>Rights of Way Improvement Plan (ROWIP)</u>. Communities must enjoy a high quality of life with opportunities for an active and healthy lifestyle, with improved environments for people and wildlife, and the availability of sustainable transport choices. KCC would welcome reference to the ROWIP as a statutory document for PRoW management.</p>
<p><b>SECTION 4: SPATIAL VISION AND OBJECTIVES</b></p>	
<p>General Commentary</p>	<p>The County Council welcomes Objective 4, which looks to ensure that development supports the Council’s ambition of becoming a carbon neutral borough by 2030 by delivering sustainable and, where possible, low carbon growth. KCC supports the inclusion of Policy LPRSP14(C) “Climate Change”, that looks to ensure that there is a reduction of CO2 emissions in new development. The Heathlands policy (SP4(A)) looks to include climate change adaptations and mitigation aimed at ensuring the new settlement is operationally new zero in terms of carbon emissions, which is particularly welcomed and the County Council would question whether this approach could be widened out to apply to a larger range of settlements, which would also help further support the Borough Council ambition in becoming a carbon neutral borough by 2030.</p> <p><u>Highways and Transportation:</u> The County Council welcomes the opportunity to work closely with the Borough Council on its Local Plan Review and is generally supportive of the spatial vision, objectives and policies now presented within the Regulation 19 document.</p> <p><u>PRoW:</u> In relation to Spatial Objective 6 (paragraph 4.10), the County Council would request that the PRoW network is considered as a key infrastructure provision and engagement is forthcoming to ensure Active Travel opportunities form part of the coordinated delivery of infrastructure.</p>
<p><b>SECTION 5: THE BOROUGH SPATIAL STRATEGY</b></p>	
<p>Garden Settlements</p>	<p><u>Highways and Transportation:</u> KCC supports this strategy to deliver garden settlements, as garden settlements can provide the opportunity for self-contained communities where the need to travel can be minimised, and there is usually a better prospect of securing upgrades to transport infrastructure. However, it is evident from the jointly commissioned modelling work that the garden settlements are likely to place further strain on the local highway network. This is most pronounced at Lenham (Heathlands).</p> <p>KCC, as the Local Highway Authority, considers it is essential that the Local Plan policies are enhanced to be more robust in addressing the delivery of the required road and public transport improvements in a timely fashion, in alignment with the infrastructure first approach advocated by the County Council. KCC also highlights the importance of ensuring that the garden settlements are supported by Supplementary Planning Documents that place a significant emphasis on encouraging sustainable forms of travel, as this can help to reduce the scale and extent of any off-site mitigations. As a key infrastructure provider, the County Council would welcome engagement on the development of Supplementary Planning Documents to ensure that infrastructure is planned for, funded and delivered in a timely manner to support new and existing communities.</p>
<p><b>SECTION 6: SPATIAL STRATEGIC POLICIES</b></p>	
<p>General Commentary</p>	<p>Ongoing collaboration between the County Council, Borough Council and other key infrastructure providers at an early stage is essential in ensuring that the necessary infrastructure associated with these emerging sites can be made available to support growth – with necessary services and facilities in sustainable and accessible locations. Any infrastructure improvements or new facilities and services required as a result of growth within the borough must be wholly funded through developer contributions. The County Council would welcome continued involvement in the planning and delivery of all sites within the Local Plan to ensure that all KCC services and infrastructure considerations are factored in at the early stages of site assessment and development.</p> <p><u>Secondary School Provision:</u> In total, an additional 8FE of provision would be required to accommodate growth within the Plan period and 13FE of provision to accommodate all growth identified in the proposed Local Plan (i.e. to plan for the garden settlement capacities of 7,000 that will be delivered across and beyond the Plan period, rather than 2,700 homes to be delivered during the Plan period). In particular, the growth identified for Maidstone Town will be challenging to mitigate. Approximately 4FE of provision would be required to meet the growth in Maidstone Town; providing this through expansions of existing schools is likely to be very challenging given the limited scope for existing schools to expand, nor does it represent a level of demand that would sustain the establishment of a new secondary school within the town.</p> <p>Within the plan period, an additional 4FE of secondary demand would be generated by development outside of Maidstone Town and excluding Heathlands. There is likely some scope for The Lenham School to expand by up to 2FE, but a significant element of growth outside of Maidstone Town would place demand on Maidstone Town schools.</p> <p>The establishment of a new secondary school to support growth at Heathlands will be necessary, as well as the establishment of a new secondary school within the Maidstone area. It is noted that the Infrastructure Delivery Plan (IDP) supports this at Invicta Barracks, although the wording of Policy LPRSP5(B) is not definitive regarding the need for a school (see comments below on policy LPRSP5(B)). The County Council holds concern that, without security that the site for establishment of this school is available at the time that it is needed, there could be insufficient school places for secondary aged children in the borough.</p>

	<p><u>Special Needs Provision:</u> Demand created by new housing increases the need for places at primary, secondary and special schools. Forecasting the demand for special schools is challenging, but KCC uses a trend-based forecast system. KCC would welcome a dialogue with the Borough Council to explore how much additional special provision is needed following the planned housing development.</p> <p><u>0-5 Early Years Provision:</u> KCC would highlight the need for the Local Plan to set out requirements to enhance 0-5 early years provision. KCC would again welcome a dialogue with the Borough Council on this provision.</p> <p><u>Biodiversity:</u> The County Council supports the aspiration for the delivery of 20% biodiversity net gain. It is recommended that reference is made to the measurement of biodiversity net gain using the Natural England/Defra biodiversity metric. It should also make clearer that 20% biodiversity net gain is required, and it is expected that this will be achieved <b>on</b> site. Ecological corridors need to be sufficiently sized, managed, restrict recreational pressure and be subject to limited light pollution. To maintain the ecological integrity of the surrounding countryside, the site-wide landscaping scheme must consist of native species only (and not include any herbicide use) and the site's lighting will need to be designed to significantly limit any light pollution.</p>
<p>Policy LPRSP1 – Maidstone Town Centre</p>	<p>The County Council welcomes the consideration of how the town centre can evolve and would encourage consideration of a diverse range of uses – including community provision, sport and recreation facilities and cultural infrastructure to support the vitality of the town centre. The County Council remains supportive of the use of Article 4 Directions to protect key employment locations within the town centre.</p> <p><u>Primary School Education:</u> The proposed 882 units in Maidstone Town (TC Regeneration &amp; Maidstone Urban Area) would likely place additional pressure for primary school places in the order of 1FE or 210 places. Whilst Maidstone Town has many existing primary schools, the scope for existing schools to expand is typically limited due to site constraints; this is particularly true for those schools in the most urban of areas. It is noted that the IDP recognises this need, and for clarity, the County Council wishes to again make clear that this additional provision may need to be provided outside the Town Centre due to existing constraints. Both LPRSP1 and LPRSP2 are not supported by additional school provision in the identified areas and this may have sustainability impacts as a result.</p>
<p>Policy LPRSP2 – Maidstone Urban Area</p>	<p><u>Primary School Education:</u> The proposed 882 units in Maidstone Town (TC Regeneration &amp; Maidstone Urban Area) would likely place additional pressure for primary school places in the order of 1FE or 210 places. Whilst Maidstone Town is home to many existing primary schools, the scope for existing schools to expand is typically limited due to site constraints; this is particularly true for those schools in the most urban of areas. It is noted that the IDP recognises this need, for clarity the County Council wishes to again make clear that this additional provision may need to be provided outside of the Town Centre due to existing constraints. Both LPRSP1 and LPRSP2 are not supported by additional school provision in the identified areas and this may have sustainability impacts as a result.</p> <p><u>Public Health:</u> KCC is supportive of statement 6.48 that addresses urban regeneration and the intention to focus on areas with the highest levels of deprivation – although would welcome further details on how the Borough Council intends to address the matter, and the contributions which may be sought to support health and wellbeing provisions.</p>
<p>Policy LPRSP3 – Edge of The Maidstone Urban Area</p>	<p><u>Highways and Transportation:</u> Although the Local Plan seeks to restrict additional growth at edges of the Maidstone, the County Council, as Local Highway Authority, is concerned with the inclusion of new housing allocations to the south east of the urban area. These allocations are at odds with the County Council's previous advice that the Sutton Road corridor cannot accommodate more growth and will have to rely on junction improvement schemes overcoming constraints to release further capacity. It is important that those allocations which will have an impact on this corridor are removed from the Local Plan to avoid a further deterioration in conditions along this key route – the County Council, as Local Highway Authority, would welcome engagement on this point.</p> <p>Policy LPRSP3 identifies the south east of the urban area as a strategic development location and reiterates the requirement for an extended bus lane on Sutton Road, alongside bus prioritisation measures. KCC notes that this approach has previously lacked political support and a high degree of uncertainty remains as to whether a bus lane can be physically accommodated without compromising footway widths. KCC is unaware of any new evidence that has increased confidence in the deliverability of this measure and therefore would raise a question as to the reason for it to remain in the Local Plan.</p> <p>KCC recommends that the infrastructure requirements identified for the north west urban area should refer to the Coldharbour Roundabout, as this forms part of the current Integrated Transport Package for Maidstone.</p> <p><u>Primary School Education:</u> The total proposed growth of 1,076 units in the Edge of Maidstone allocations will generate a cumulative demand of approximately 1.5FE of primary provision. Given the wide geographic spread of these allocations, the additional primary provision would also likely need to be distributed, in proportion to the growth. This is likely to require 1FE of additional provision in the south areas of Maidstone through the expansion of an existing school; the additional provision needed to support the north and north east allocations (0.5FE) may need to be considered alongside proposed growth within the town area. It is noted that this is reflected in the Borough Council's IDP.</p>
<p>LPRSP4: Garden Settlement Scale Developments</p>	<p>KCC supports the importance for both Heathlands and Lidsing to be master-planned and developed in accordance with garden community principles, to ensure that they are sustainable locations, which provide not only the new homes, but also the jobs and services needed. This will be critical to their success. All County Council services and infrastructure will need to be captured in the planning, phasing and delivery of the proposed new settlements, to ensure that services are funded, delivered to a high standard and well maintained in the long term. In recognition of both the scale and complexity of these projects, the County Council would look to contribute effectively to detailed negotiations and would expect to be a signatory to a section 106 agreement as part of any future planning applications.</p> <p>The policy requirement for a bespoke infrastructure funding agreement at the garden settlements is supported by the County Council, who has encouraged such an approach in previous consultation responses. It is of noted that the bespoke infrastructure funding agreement will be based on the value captured by the development, which is expected to be higher than that which would ordinarily be captured using a borough CIL approach. The approach could help to ensure adequate funding for the full range of infrastructure and service provision, in addition to the 40% affordable housing requirement set out in policy. KCC requests early and continued engagement to ensure that its infrastructure and services are planned from the outset, adequately funded and</p>

	<p>delivered at the appropriate points of build out and in a timely manner.</p> <p><u>Provision of County Council Community Services and Facilities:</u> In regard to paragraph 6.66, 'Provide exceptional connectivity through superfast broadband', KCC recommends that superfast broadband is replaced by gigabit capable broadband to reflect current national policy around broadband provision.</p> <p><u>PRoW:</u> The County Council supports the promotion of active travel and sustainable transport opportunities within the garden settlement scale developments – and would recommend that these focuses should be extended to all developments, where possible, to ensure sustainable growth across the borough.</p>
<p>Policy LPRSP4(A) – Heathlands Garden Settlement</p>	<p>The County Council raises a number of points in respect of this policy, which will need to be addressed to ensure that the longer-term delivery of a sustainable, well connected garden community is delivered across the lifetime of the proposal. At present, KCC raises concern that the policy is not adequately robust to ensure the deliverability of the necessary infrastructure and mitigation measures that will be crucial in delivering a sustainable garden settlement that meets the garden community principles. The County Council would emphasise the importance of ensuring that the matters raised below are fully addressed and would reserve the right to review and comment on an amended policy wording.</p> <p>The longer-term timescale for the build out of this large site allocation is likely to present a particular challenge in determining and reflecting changes in service provision and funding, and so will necessitate a flexible approach to ensure that infrastructure can be funded and delivered over the long term. County Council Officers will welcome on-going work with the Borough Council to ensure that all County Council services and infrastructure will be captured in the planning, phasing and delivery of the proposed new settlement. It will be essential that the full range of requirements for KCC delivered infrastructure and services will need to be fully assessed, and delivered, to meet the needs of the community – this will include waste, on-site community facilities, broadband, youth services, libraries and community learning and social services, as well as Early Years, Primary, Secondary and SEN provision. The list of social and community requirements for the garden settlement will be subject to further discussion with KCC, given the scale of developer contributions that will be required for KCC delivered services. To deliver sustainable development, a collaborative approach with all key stakeholders will be crucial – taking in to account all necessary infrastructure and services required to deliver robust and resilient communities during the plan period and beyond. In promoting an “Infrastructure First” approach to development, the County Council would emphasise the need for infrastructure to be planned for, funded and delivered in a timely manner, ahead of residential and commercial growth as appropriate.</p> <p>The County Council would particularly highlight that the transport modelling undertaken in support of the Local Plan Review has been based on information provided by Maidstone Borough Council on the assumed build out of the garden settlement. It has identified how the quantum of growth expected to be delivered within the plan period will impact on the local highway network. The County Council remains mindful that the full build out of garden settlements is expected to extend beyond the end of the plan period. Further modelling work is therefore required to identify how the garden settlements in their entirety will impact on the local highway network and confirm whether suitable mitigation interventions can be delivered in support. The completion of this work and the findings that emerge from it are of utmost importance in how they will ultimately inform the County Council’s views on the overall soundness of the Local Plan.</p> <p><u>Transport Strategy:</u> Section 6) Transport Connections part a) states that: ‘A business case for a new rail station will continue to be explored on the Maidstone-Ashford rail line, with suitable alternative connectivity to the existing station at Lenham if the case is not made;’. In consideration of the new station proposal, the County Council considers that this policy is appropriately measured in terms of wording and scope given the lack of feasibility work to demonstrate that 1) a station can be built within the funds available of the development proposals; 2) that a station can be built and operated with acceptable impacts to the railway and its users from the perspective of KCC, and rail bodies including Network Rail, the Train Operating Company (TOC) and Department for Transport (DfT); and 3) given that there is the existing station at Lenham, for which the case work to explore its utilisation has not been undertaken in detail to date. KCC requests that exploration and decisions regarding the rail station should be made and that any decision and policy is subsequently included within any planning agreement for the site at consent stage. The date of first occupation is noted as 2029 – which is considered to be reasonable to plan, design and fund appropriately and deliver. If a station is deemed not to be deliverable, there must be full consideration of how to make use of Lenham station to ensure sustainable transport opportunities are offered – with a range of modes considered. The policy should therefore include consideration of both the potential for a new station, and the alternative options to improve accessibility to Lenham station.</p> <p><u>Highways and Transportation:</u> Paragraph 5.26 indicates how development of the garden settlement will be focused on the delivery of a new rail station. This implies that the rail station is viewed as an integral part of the housing growth planned at this location. However, Policy LPRSP4 is at odds with paragraph 5.26 as it requires a business case for the station to be explored or an alternative means of connectivity to the existing station at Lenham to be provided. The policy should therefore be strengthened to require that a new rail station be fully investigated in the first instance. Clarification is also required on whether a feasibility study for the rail station will need to be undertaken, as this would normally precede the preparation of a business case.</p> <p>The policy should also require that any public transport provisions associated with rail are put in place prior to the first phase of the development being occupied. This is essential in ensuring that the development is not detached from the rail network. It is also a realistic timeframe to plan, design and forward fund delivery in advance of the first completions scheduled in 2029. The public transport provisions are essential in averting the potential for residents of the development to have a high level of dependency on the car. The jointly commissioned modelling work has taken account of potential public transport use and highlighted how the A20 corridor will be impacted by increased traffic. It is therefore important that the policy refers to the expected need for junction improvements along the A20 and at M20 Junction 8 in order to mitigate any impacts on highway safety and traffic flow. This also ensures consistency with the Integrated Transport Strategy (ITS) Addendum, which refers to improvements of this nature.</p> <p>It is noted that the policy refers to a potential new M20 junction. The provision of such a junction has merit in how it could help minimise the impacts on the A20. The County Council, as Local Highway Authority, considers that the Local Plan would benefit from further detail on what overall scale (and location) of development may be necessary to support delivery of the junction, given the National Highways indication that the garden settlement in isolation may not meet its criteria. Such detail may also have a bearing on the timeframe for delivery and what interim measures may be required on the local highway network.</p> <p><u>PRoW:</u> All developments, including those proposed as garden settlements, must deliver active travel and sustainable transport opportunities integrated within masterplans from the outset.</p>

Primary School Education: The development of 5,000 homes would necessitate 7FE of additional primary provision to be established. This would likely be appropriately met through three new primary schools within the development - two at 2FE and one at 3FE. The draft policy at Regulation 18 referenced the establishment of one primary school; this was insufficient and three primary schools and a secondary school would be required to accommodate the demand generated directly by the development. The policy at Regulation 19 now includes two 3FE schools - this would still not provide enough capacity for all of the school pupils likely arising from the development. For this policy to be effective, and the proposed development sustainable, an amendment should be made to reflect that 7FE of provision is required in direct response to the delivery of the development. Without this, the proposed housing is forecast to generate up to 210 more primary school pupils than could be accommodated in the currently proposed provision.

Secondary School Education: The development, once fully occupied, would also generate a demand for 1,000 secondary school places. This will require the establishment of a new secondary school. The policy wording relating to secondary education is '*secondary education provision through either contributions for off-site provision or onsite facilities, or a combination of the two.*' It is a certainty that a new secondary school would be required to sustain the demand generated from this development and the County Council requests that this be reflected and fully secured in the site's policy. It is the County Council's view that this policy should seek to meet and secure the proposal's necessary infrastructure requirements in full. Deliverability of infrastructure required to support growth is a key element of soundness and the County Council considers the policy's current absence of clarity in respect of the need for a secondary school site as part of this proposal would present a risk to its deliverability.

It is considered imperative that a masterplan for the total development be created, identifying broad locations for all of the schools which will be required.

Minerals and Waste: As Minerals and Waste Planning Authority, the County Council considers that this proposed allocation has a direct impact upon mineral planning interests as detailed within the Kent Minerals and Waste Local Plan - including the County Council's allocation for a soft sand quarry at Chapel Farm, Lenham in the Kent Minerals Sites Plan 2020 and a number of operational quarries, namely Lenham Quarry (also known as Shepherds Farm) and Burleigh Farm, which is just within the neighbouring Ashford Borough Council area. All these sites are critical to the maintenance of a steady and adequate supply of the strategic aggregate mineral (soft sand) from the Folkestone Formation and are key to the provision of construction materials to deliver sustainable communities. A key function of the planning for minerals as set out in the National Planning Policy Framework (NPPF), paragraph 213 is that "Minerals Planning Authorities should plan for a steady and adequate supply of aggregates." The mineral reserves in the Lenham and Charing Heath area are significantly important to the County as well as the wider South East where the resource is to be found in the more sensitive landscape designations of the National Park and the ANOB.

As the Mineral Planning Authority, the County Council has no objection in principle to non-mineral development taking place for the Heathlands Garden Community allocation, subject to the mineral resources and any permitted mineral reserves not being sterilised and mineral activities not being compromised in alignment with the Kent Minerals and Waste Local Plan. There is a requirement for very careful consideration of phasing and timescales for the mineral sites and for the Council's proposed Heathlands development and will have implications as to how and when development can take place, including the restoration proposals.

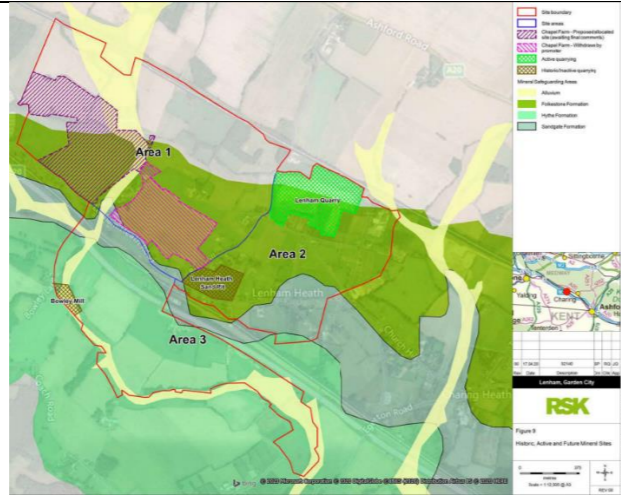
Following publication of the Regulation 19 consultation, further clarification regarding timescales and phasing has been provided by Homes England following consultation with Bretts, the operator of existing and proposed mineral workings in the area. Dialogue with the Borough Council and Homes England has confirmed that the promoters and the Borough Council support the principle that housing development can only follow the extraction of safeguarded minerals; and that this principle should be embedded within the emerging Maidstone Local Plan policy for Heathlands and any subsequent Supplementary Planning Document. This is welcomed by the County Council as Minerals and Waste Planning Authority. The County Council will continue dialogue on mineral matters as the Local Plan progresses. A Statement of Common Ground focused on minerals and waste matters could be useful in this regard and the County Council would be willing to continue to work with the Borough Council on this.

#### *Mineral Assessment documents*

Further considerations are provided below in respect of the submitted mineral assessment documents for this site. The relevant Mineral Assessment is in three parts and is an analysis of the potential impact of the new settlement and sterilisation of the safeguarded landwon mineral reserves and resources of the area. These include the:

- Folkestone Formation (building and silica sands) Area 1 and 2 [central part]
- Sandgate Formation (industrial sands) Area 1 and 2 [northern part]
- Hythe Formation (Kentish Ragstone) Area 3

These areas shown on the reproduced plan below:



In addition, there is some coincidence with the Sub-Alluvial River Terrace deposits within the area of the new settlement, in Area 1 and 3. See the Kent Minerals and Waste Local Plan 2013-30 (as Partially Reviewed) Maidstone Borough Council Mineral Safeguarding Proposals Map extract below:



- Silica Sand/Construction Sand - Sandstone: Folkestone Formation
- Sandstone - Sandgate Formation
- Limestone Hythe Formation (Kentish Ragstone)
- Sub - Alluvial River Terrace Deposits

Of the three solid geological safeguarded mineral types affected by the proposed Heathlands Garden Settlement allocation, the one of greatest concern to the County Council as the Mineral Planning Authority for the area, is the Folkestone Formation, a strategic construction mineral (soft and silica sand) that has a very discrete outcrop in the county and the South East.

The Mineral Assessment does not address the Hythe Formation (Kentish Ragstone), the Sandgate Formation or the Sub-Alluvial River Terrace deposit. Notwithstanding this, the Sandgate Formation is of little economic importance and there has been no recorded extraction in Kent. The Hythe Formation (Kentish Ragstone), though an important aggregate forming mineral, has a much more extensive outcrop and the proposed new settlement's coincidence with this safeguarded mineral is relatively minor compared to the whole geological formation. The superficial [surface] Sub-Alluvial River Terrace deposit is unlikely to be of significant economic value. It is considered that these safeguarded minerals in the proposed allocation area are either of little to no economic viability, and particularly in the case of the Hythe Formation hard rock, prior extraction quarrying of Area 3, if viable, is very unlikely to be acceptable on environmental and amenity grounds.

Therefore, in this instance, the requirements of Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development are highly unlikely to be met. KCC therefore concludes that the presumption to safeguard these mineral resources can be overridden and an exemption to this presumption is justified. Criterion 1 of Policy DM 7: Safeguarding Mineral Resources applies in the case of the Sandgate Formation and the Sub-Alluvial River Terrace deposit, and requirements of Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development are highly unlikely to be met with regard to the Hythe Formation in Area 3.

In the Mineral Assessment's deliberation of the Folkestone Formation safeguarding, the following sites/matters are considered:

- Lenham Quarry - Active
- Chapel Farm - adopted Minerals Local Plan allocation
- Central Area - Folkestone Formation safeguarding area
- Burleigh Farm Charing - active

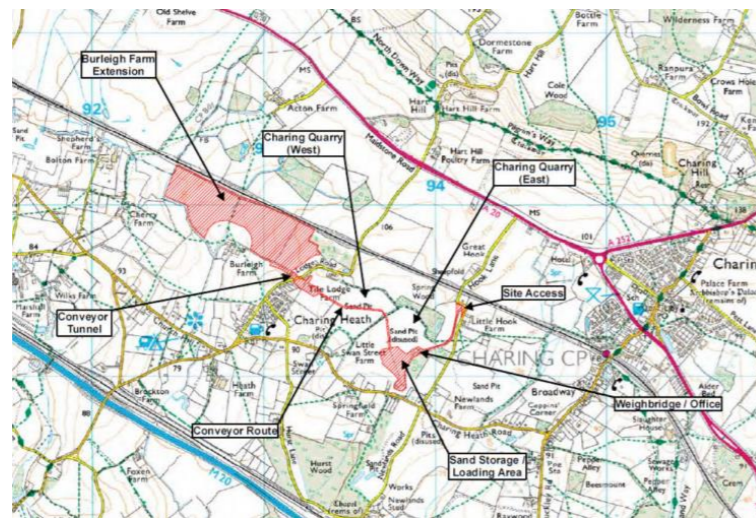
KCC has the following comments to make:

*Lenham Quarry - Active*

Lenham Quarry (also known as Shepherd Farm): the active quarry site has limited remaining permitted reserves, with recent advice from Homes England indicating that sand extraction could end in 2025. The safeguarding issues are therefore less significant here than the impact of the proposed Heathlands allocation on the site's approved low level restoration, which does not anticipate infilling. For Lenham Quarry, the Mineral Assessment states that the site will require infilling to form a 'developable platform' for the Second Phase of the proposed Heathlands Garden Settlement. From a general mineral planning point of view, this has not been assessed as an appropriate means of restoration for the quarry. Careful consideration against the adopted mineral and waste planning policies of the Kent Minerals and Waste Local Plan 2013-30 (as Partially Reviewed) is required as to the appropriateness of this solution and the planning application route for such a proposal, given the timing of current restoration requirements and the aspirations in the emerging Maidstone Local Plan Review. Irrespective of the final restoration proposals, careful consideration will be necessary on the programming and timescale of the proposed Heathlands Garden Settlement development, such that any environment and amenity considerations that arise from activities on the quarry site are appropriately managed.

*Burleigh Farm Quarry - Active*

It should also be noted that an active sand extraction site at Burleigh Farm exists close within the Ashford Borough Council area, close to the proposed garden settlement allocation's eastern boundary. This is shown diagrammatically below:



This safeguarded active site will be in relatively close proximity to the proposed residential development in this locality. Appropriate consideration and mitigation measures should be embedded in the policy consideration for the proposed Heathlands Garden Settlement development allocation to ensure that the mineral reserves are not needlessly sterilised. Given the importance of the soft sand reserve to the County and the wider South East, the County Council, as Mineral Planning Authority, advises that it would raise an objection to the proposed development allocation that would sterilise these safeguarded mineral resources or compromise the complete extraction of permitted mineral reserves. Recent advice from Homes England indicates that Burleigh Farm is anticipated to be complete in 2026/27. It is noted that this is considerably before the end date on the planning permission (AS/15/206) which requires extraction and restoration to be completed by 9 December 2034. An earlier completion date will require increased production and could be constrained by current daily HGV limits of 150 (75 in and 75 out), as set out within AS/15/206. The County Council would welcome further engagement in light of these timescales.

*Chapel Farm-adopted Minerals Local Plan allocation (See adopted Kent Minerals Sites Plan 2020)*

This site is allocated for soft sand and low-level restoration in the recently adopted Mineral Sites Plan (2020). During examination, it was anticipated that the need for the mineral resources in this allocation (3.2 million tonnes) would be required towards the end of the adopted Kent Minerals and Waste Local Plan [KMWLP] 2013-30 period, that runs to 2030 plus 7 years. This would maintain the required 7-year (at least) landbank of permitted reserves in any one year of the adopted KMWLP. As with Burleigh Farm above, given the importance of the soft sand reserve to the County and the wider South East, it should be noted that the County Council would raise an objection to the proposed development allocation that would sterilise these safeguarded mineral resources or compromise the complete extraction of allocated mineral reserves. The Bough Council's Mineral Assessment makes clear that the proposed garden community allocation would require the County Council's mineral site allocation as part of Area 1, and that extraction would take 15 years to complete. The Mineral Assessment document states that this is anticipated as commencing in 2027 and

	<p>being completed by 2045. This appears to coincide with the estimated time when the Chapel Farm mineral allocation would be required. Chapel Farm is allocated in the Mineral Sites Plan on the understanding that it will come forward sequentially with the completion of Burleigh Farm and this is a requirement of the Mineral Sites Plan policy.</p> <p>Further clarification as provided by Homes England (and Bretts), does help to give certainty on the proposed timescales, given that there are a number of flexible parameters that may affect delivery. The extraction rate of any quarry is dependent upon a number of factors, including supply and demand, market forces and in this case planning considerations. As a result, there is some uncertainty as to when work could commence on Chapel Farm (which would require planning permission in its own right). Recent advice from Homes England states that a planning application is to be sought for Chapel Farm in 2024/25 and subject to planning an anticipated start of site in 2027/28. An estimated 15 year extraction period would follow with three further years for restoration to be completed. A phased extraction approach could in the Borough Council's view deliver some housing plots in Phase B in 2041. On the assumption that the above timescales came to fruition, mineral activities at Chapel Farm could be nearing completion, such that with careful planning considerations and effective mitigation measures the Heathlands development could proceed without compromising the mineral activity.</p> <p>It is also of note that the Heathlands allocation seeks to infill the Chapel Farm site, contrary to the Mineral Local Plan allocation that anticipates low level restoration. This could have ramifications for delivery of the Heathlands allocation and will be dependent upon the availability of restorative soils from the Construction, Demolition and Excavation (C, D &amp; E) waste stream being available in sufficient quantity to ensure the site's progressive and full restoration. It also relies upon the infilling being acceptable in planning terms as a restoration scheme. KCC would welcome further discussion on the matter of restoration.</p> <p>KCC notes that the Mineral Assessment at paragraph 6.5 states: <i>Although extraction has not yet begun at Chapel Farm, it is an allocated minerals site. The extraction will be needed to supply a continuing of mineral reserve for the operating company, Bretts and to maintain sufficient supply in the area. Following the extraction, the site will need to be infilled to support a suitable development platform, this will need to be undertaken after the Lenham Quarry site has been infilled to ensure both sites are not competing for the same infilling material. Backfilling will also take place simultaneously with extraction to speed up the process, allowing residential development to commence in advance of the completion of operations and prior to 2045.</i></p> <p>The anticipated simultaneous extraction and back filling as proposed will give rise to amenity and highway considerations that have not been assessed as part of the Mineral Sites Plan allocation. The adopted Mineral Sites Plan considered only the planning merits of low-level restoration (i.e. mineral extraction only) and not the importation of significant quantities of infill material. The consequences of both activities taking place at the same time needs very careful assessment (including highway considerations). The rationale for the sequential timing of the Chapel Farm site taking place once Burleigh Farm was completed related to the traffic consequences of consecutive working on the AQMA. The Borough Council should also satisfy itself in terms of stability concerns in terms of construction on made ground.</p> <p>Further to the above, KCC also notes that the paragraph 6.5 of the Mineral Assessment that some housing development may come forward before the completion of Chapel Farm Quarry and its full restoration. Should this be the case, mechanisms are required to be embedded in the policy and development to ensure that the potentially conflicting land uses can satisfactorily co-exist and that the mineral planning requirements are not compromised.</p> <p><i>Central Area- Folkestone Formation safeguarding area</i></p> <p>This would be used as an area of 'green infrastructure' for the garden settlement allocation. The Minerals Assessment states that the sterilisation of the mineral in this locality (prior extraction to be demonstrated as not viable or practicable) will have to rely upon the exemption from the presumption to safeguard the mineral resources by invoking the argument that the need for the development outweighs this presumption (criterion 5 of Policy DM 7: Safeguarding Mineral Resources). However, the Minerals Assessment does not argue this potential exemption case, this is required in order to meet the policy's exemption criterion.</p> <p>Finally in respect of the proposed policy and explanatory, KCC would draw attention to the fact that the mineral safeguarding issues relevant to this potential allocation in policy LPRSP4(A) are not fully referenced. It is suggested that section 6.69 be strengthened to include reference to Burleigh Farm and Lenham Quarry as these are existing mineral sites, and that Burleigh Farm affects the timing of Chapel Farm's availability as adopted development plan policy requires that it can only be sequentially worked after Burleigh Farm has been completed.</p> <p>Mineral safeguarding, and how it will be achieved, is absent from the policy. For the reasons given above, this is an omission. An amendment to the proposed policy is sought to include a specific section that explains how the proposed allocation for the new settlement development would proceed and address mineral safeguarding matters, including any argued case for sterilisation (for the Central Area). The policy and any accompanying guidance needs to be clear that phasing and development of the Heathlands Garden Community allocation is required to take account of the timing and phasing of mineral working, including restoration activities in the locality and include robust mechanisms and commitments in place to ensure that mineral resources are not sterilised and safeguarding obligations are satisfactorily addressed.</p> <p>In light of the comments raised, the County Council would welcome on ongoing dialogue on these matters, particularly those relating to the Heathlands site as the Local Plan work progresses.</p> <p><u>Nutrient Neutrality</u>: KCC welcomes the inclusion of wetlands in the Heathlands Garden Settlement to achieve nutrient neutrality. However, achieving nutrient neutrality is fundamental to delivering any development in the Stour catchment and the size of wetlands which may be required given the scale of the proposed development could present a significant design challenge. KCC would prefer to see the need for nutrient neutrality emphasised as a fundamental design requirement to ensure that it is properly accounted for at the outset of the master-planning for the garden development, as nutrient neutrality cannot be achieved by retrofitting it into an existing design. Additionally, it is likely that wetlands alone will not provide nutrient neutrality on site and that onsite wastewater treatment will be required. The policy currently requires that "the delivery of an improved or new wastewater treatment facility". Reference should also be made to onsite wastewater treatment which could be a substantial infrastructure requirement for the site and will need to be properly incorporated into the design. Onsite wastewater treatment brings with it many other options</p>
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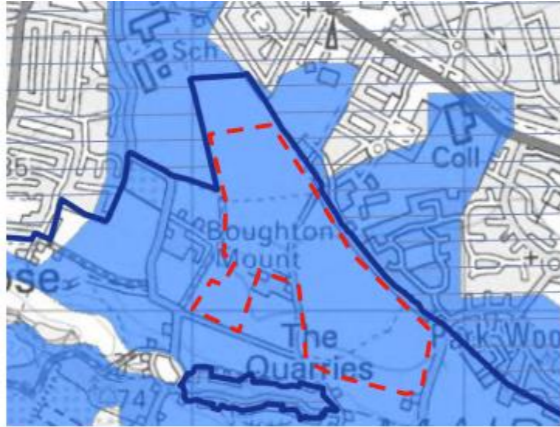
	<p>to improve the sustainability of the site including water reuse. The Borough Council is therefore advised to undertake further work to understand the scale of the nutrient neutrality measures required in order to inform the master-planning and to understand the options and benefits available to delivering it.</p> <p><u>Heritage Conservation:</u> The County Council supports this policy, however, it is strongly advised that further information is given regarding section 7) Environmental part d):</p> <p><i>“There are several areas of potential archaeological sensitivity across the site, and these should be surveyed and development should respond to their significance, in particular the potential for multi-period archaeological remains associated with prehistoric and later activity around Chapel Farm, Mount Castle, and Lenham Forstal;”</i></p> <p>The current text does not suggest that preservation in-situ is an option within the settlement. Given the significance and sensitivity of the archaeological remains on site, this is a possibility. To ensure appropriate consideration of the historic environment, KCC recommends the following paragraph is included within the policy:</p> <p><i>The development area has a rich and diverse heritage which presents unique opportunities and constraints. It will be important that key parts of the site are carefully designed to ensure appropriate conservation and enhancement of heritage assets to the benefit of the garden village community; their awareness, understanding and enjoyment of the special historic environment here.</i></p> <p><u>Biodiversity:</u> KCC is supportive of the following sections of the policy requirements for 20% biodiversity net gain to be expected to be achieved on-site and for development to create a number of ecological corridors through the site including along, or parallel to, the Great Stour. KCC suggests that the policy should also make reference to the measurement of biodiversity net gain using the Natural England/Defra biodiversity metric. It should also make clearer that 20% biodiversity net gain is required, and it is expected that this will be achieved on site. Ecological corridors need to be sufficiently sized, managed, restrict recreational pressure and be subject to limited light pollution. To maintain the ecological integrity of the surrounding countryside, the site-wide landscaping scheme must consist of native species only (and not include any herbicide use) and the site’s lighting must be designed to significantly limit any light pollution.</p>
<p>Policy LPRSP4(B) – Lidsing Garden Community</p>	<p>The County Council raises a number of points in respect of this policy, which will need to be addressed to ensure that the longer-term delivery of a sustainable, well connected garden community is delivered across the lifetime of the proposal. At present, KCC raises concern that the policy is not adequately robust to ensure the deliverability of the necessary infrastructure and mitigation measures that will be crucial in delivering a sustainable garden settlement that meets the garden community principles. The County Council would emphasise the importance of ensuring that the matters raised below are fully addressed and would reserve the right to review and comment on an amended policy wording.</p> <p>The longer-term timescale for the build out of this large site allocation is likely to present a particular challenge in determining and reflecting changes in service provision and funding, and so will necessitate a flexible approach to ensure that infrastructure can be funded and delivered over the long term. County Council Officers will welcome on-going work with the Borough Council to ensure that all County Council services and infrastructure will be captured in the planning, phasing and delivery of the proposed new settlement. It will be essential that the full range of requirements for KCC delivered infrastructure and services will need to be fully assessed, and delivered, to meet the needs of the community – this will include waste, on-site community facilities, broadband, youth services, libraries and community learning and social services, as well as Early Years, Primary, Secondary and SEN provision. The list of social and community requirements for the garden settlement will be subject to further discussion with KCC, given the scale of developer contributions that will be required for KCC delivered services. To deliver sustainable development, a collaborative approach with all key stakeholders will be crucial – taking in to account all necessary infrastructure and services required to deliver robust and resilient communities during the plan period and beyond. In promoting an “Infrastructure First” approach to development, the County Council would emphasise the need for infrastructure to be planned for, funded and delivered in a timely manner, ahead of residential and commercial growth as appropriate.</p> <p>The County Council would particularly highlight that the transport modelling undertaken in support of the Local Plan Review has been based on information provided by Maidstone Borough Council on the assumed build out of the garden settlement. It has identified how the quantum of growth expected to be delivered within the plan period will impact on the local highway network. The County Council remains mindful that the full build out of garden settlements is expected to extend beyond the end of the plan period. Further modelling work is therefore required to identify how the garden settlements in their entirety will impact on the local highway network and confirm whether suitable mitigation interventions can be delivered in support. The completion of this work and the findings that emerge from it are of utmost importance in how they will ultimately inform the County Council’s views on the overall soundness of the Local Plan.</p> <p><u>Highways and Transportation:</u> The County Council is supportive of the inclusion of a road link to M2 junction 4 within the policy, as the transport modelling has shown this to be essential in minimising trips on the network of local routes to the south of the site. Even with the road link in place, there will continue to be a residual impact on the local routes through communities such as Boxley and Bredhurst. The requirement for measures to mitigate such impacts is therefore welcomed in how it offers scope to provide further deterrents. The need for this mitigation should be referenced in the ITS Addendum. The modelling highlighted that increased travel times will arise on the A229 corridor because of the link road connection to M2 junction 4. This is likely to worsen delays at junctions, particularly those within the Maidstone urban area. The policy should therefore refer to the likely need for measures to mitigate any impacts on the A229. The public transport provisions are focused on improvements to the existing bus network with the services predominantly providing access to Medway. Significant joint working will be required to deliver this element.</p> <p><u>PRoW:</u> The County Council would support the delivery of accessible active travel opportunities which offer options for non-motorised users (NMUs).</p> <p><u>Primary School Education:</u> The development of 2,000 homes would necessitate the establishment of a new primary school; this should be designed for a total capacity of 3FE. It is noted and welcomed that this requirement is outlined in the policy for the site.</p> <p><u>Minerals and Waste:</u> KCC advises that its comments provided in respect of policy LPRSP4(A) also apply here.</p> <p><u>Heritage Conservation:</u> The County Council considers that this policy is ‘sound’ although could be further detailed. The current text does not suggest that preservation in-situ is an option within the settlement. Given the significance and sensitivity of the archaeological remains on site this is a possibility. To ensure appropriate consideration of the historic environment, KCC recommends the</p>

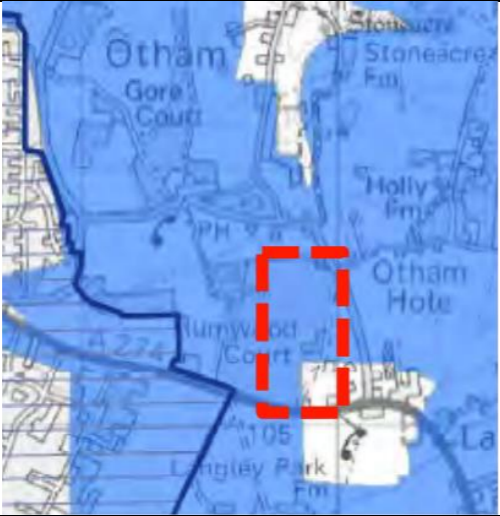
	<p>following paragraph is included in within the policy:</p> <p><i>The development area has a rich and diverse heritage which presents unique opportunities and constraints. It will be important that key parts of the site are carefully designed to ensure appropriate conservation and enhancement of heritage assets to the benefit of the garden village community; their awareness, understanding and enjoyment of the special historic environment here.</i></p>
Policy LPRSP5(A) – Development in the Leeds-Langley Corridor	<p><u>Highways and Transportation</u>: The County Council notes the inclusion of safeguarded land for potential development in the Leeds/Langley corridor. This is helpful in how it offers the potential to facilitate the provision of a Leeds Langley Relief Road in the event that development should come forward in this area. The County Council will continue to assist the Borough Council in establishing how a route for the road could be brought forward in conjunction with new development.</p>
Policy LPRSP5(B) – Invicta Barracks Strategic Development Location	<p><u>Highways and Transportation</u>: It is noted that this policy refers to off-site highway improvements. In light of the transport modelling findings, these are likely to include upgrades to junctions on the A229 corridor in order to mitigate any impacts on congestion. It will be important for the Supplementary Planning Document to prioritise the need for good pedestrian and cycle connectivity to Maidstone town centre as part of encouraging sustainable travel patterns.</p> <p><u>Secondary Education</u>: There are not expected to be any surplus secondary school places in existing schools in the borough to mitigate the increased demand generated by housing growth in the Plan, so it is therefore imperative that the Plan is supported by additional school places. The spatial distribution of the Plan means that a new secondary school is required at Heathlands. That school 's capacity would be fully absorbed by pupils from the proposed garden settlement, so it is therefore necessary for additional provision to be provided in addition to a new school at Heathlands. The ability for existing schools to expand sufficiently to accommodate the need from the Plan is minimal and the establishment of a new secondary school to act as a strategic piece of infrastructure is required for the Plan to be sustainable. The County Council views the geographic location of Invicta Barracks to be acceptable in broad terms, however it is concerned with regards to the deliverability of this essential piece of infrastructure. It is currently understood (as of December 2021) that the Barracks is expected to continue as an operational Defence Asset until 2029 and it is reasonable to assume that the earliest point a secondary school could be established on this site is 2031; although that remains within the Plan Period this may not be early enough. Depending on the pace of developments within the Plan, the need for establishment of the school could be prior to 2031.</p> <p>The wording of: 'Ensuring requisite community facilities, which may include neighbourhood shopping and health facilities in addition to a new all through-school, are delivered where proven necessary and in conjunction with housing;' does not fully secure a site for the essential secondary school as part of the proposal. The County Council considers it reasonable that, as the establishment of a new secondary school is essential to the sustainability and deliverability of the Plan, a greater level of clarity and intent with regards to this piece of infrastructure is reflected in the Plan. The current position as presented to the County Council raises concerns that there may be barriers to delivery of this infrastructure, which could undermine the effectiveness of the Plan's infrastructure delivery. The Plan should be flexible to deal with changing circumstances, but there currently does not appear to be flexibility within the Plan for this secondary school to be established at an alternative location.</p>
Policy LPRSP5(C) – Lenham Broad Location for Housing Growth	<p><u>Heritage Conservation</u>: The County Council considers that this policy is 'sound' although could be further detailed. The current text does not suggest that preservation in-situ is an option within the settlement. Given the significance and sensitivity of the archaeological remains on site this is a possibility. To ensure appropriate consideration of the historic environment, KCC recommends the following is included in within the policy:</p> <p><i>The development area has a rich and diverse heritage which presents unique opportunities and constraints. It will be important that key parts of the site are carefully designed to ensure appropriate conservation and enhancement of heritage assets to the benefit of the garden village community; their awareness, understanding and enjoyment of the special historic environment here.</i></p>
Policy LPRSP6 – Rural Service Centres	<p><u>Heritage Conservation</u>: The County Council considers that this policy is 'sound' although could be further detailed. The current text does not suggest that preservation in-situ is an option within the settlement. Given the significance and sensitivity of the archaeological remains on site this is a possibility. To ensure appropriate consideration of the historic environment, KCC recommends the following is included in within the policy:</p> <p><i>The development area has a rich and diverse heritage which presents unique opportunities and constraints. It will be important that key parts of the site are carefully designed to ensure appropriate conservation and enhancement of heritage assets to the benefit of the garden village community; their awareness, understanding and enjoyment of the special historic environment here.</i></p>
Policy LPRSP7 – Larger Villages	<p><u>Heritage Conservation</u>: The County Council considers that this policy is 'sound' although could be further detailed. The current text does not suggest that preservation in-situ is an option within the settlement. Given the significance and sensitivity of the archaeological remains on site this is a possibility. To ensure appropriate consideration of the historic environment, KCC recommends the following is included in within the policy:</p> <p><i>The development area has a rich and diverse heritage which presents unique opportunities and constraints. It will be important that key parts of the site are carefully designed to ensure appropriate conservation and enhancement of heritage assets to the benefit of the garden village community; their awareness, understanding and enjoyment of the special historic environment here.</i></p>
Policy LPRSP7(A) – East Farleigh	<p><u>Highways and Transportation</u>: A site reference and plan showing where the 50 dwellings will be located is requested to be included within the Local Plan.</p>
Policy LPRSP8 – Smaller Villages	<p><u>Highways and Transportation</u>: Clause 3 of the policy should include a reference to achieving suitable access in the interest of highway safety.</p>
<b>SECTION: 7: THEMATIC STRATEGIC POLICIES</b>	

<p>Policy LPRSP12 – Sustainable Transport</p>	<p><b>Highways and Transportation:</b></p> <p><i>Paragraph 7.82 Highway Network:</i> This paragraph includes the requirements for contributions towards strategic and local highway infrastructure at key locations and junctions, and key improvements, as set out within policies for the individual site allocations. The County Council would also welcome the following amendments / additions:</p> <ul style="list-style-type: none"> <li>• Signalisation of M20 J5 should be removed, as the need for this is negated by the planned A20 Coldharbour roundabout improvement.</li> <li>• A20 Coldharbour roundabout, A229/A274 Wheatsheaf junction and A20 Ashford Road/Willington Street junction improvements which all form part of the Maidstone Integrated Transport Package, should be added.</li> <li>• Bus prioritisation on the A274 corridor has again been referenced – however, KCC is not aware of any additional evidence which supports these proposals.</li> </ul> <p><i>Paragraph 7.85 Leeds-Langley Relief Road Highways:</i> This paragraph is notably inconsistent with Policy LPRSP5(A) in stating that the case to justify provision of the Relief Road lies with the County Council. It should instead reiterate the County Council's willingness to assist the Borough Council in the event that development should come forward within the safeguarded area.</p> <p><i>Paragraph 7.87 Car Parking Highways:</i> The County Council requests reference to the planned update of parking standards for new developments.</p> <p><b>PRoW:</b> The County Council would welcome continued engagement in respect of active travel opportunities, supporting both new and existing communities to boost sustainable travel across the Maidstone Borough – especially during the preparation of Travel Plans and updates to the IDP. Developer contributions may be sought to upgrade and make improvements to the PRoW network to boost connectivity. The PRoW network delivers positive benefits in providing sustainable transport opportunities and the County Council would like to ensure active travel connectivity is integrated early into master planning for new growth – overall growth should seek to protect and enhance the PRoW network to promote the health and wellbeing of the community, whilst also encouraging modal shift to more sustainable forms of transport. The County Council would also recommend that reference is made to the Kent Rights of Way Improvement Plan, and the need to protect and enhance existing PRoW and would welcome continued engagement during detailed design phases of allocations set out within this Regulation 19 consultation. The local <b><u>Definitive Map and accompanying Definitive Statement</u></b> are the legal record of PRoW and this should be referred to accordingly.</p> <p><b>Public Health:</b> KCC is supportive of the emphasis around promoting active travel – which could be further enhanced through a Local Walking and Cycling Infrastructure Plan.</p>
<p>LPRSP13: Infrastructure Delivery</p>	<p><b>Provision of County Council Community Services and Facilities:</b> KCC supports the role of section 106 for securing infrastructure, particularly on a strategic scale and for garden communities. Paragraph 7.130 states “...<i>the council will ensure there is no duplication of infrastructure spending</i>” – KCC assumes this reference is referring to the role of CIL and section 106 funding. The County Council would draw attention to case law that supports the approach for a combination of CIL and section 106 agreements to see development contributions to mitigate the costs of development, recognising that CIL does not provide for all essential infrastructure costs.</p> <p>The County Council welcomes the inclusion of ‘education’ and ‘waste management’ on the Local Plan document’s priority list, as it was previously absent within the Regulation 18 consultation. KCC would however raise concern that the list of infrastructure types set out in point 4 of the policy are set out in order of priority and would question the order of priority set out. For instance, KCC would consider that “education” should come above “open space” and “public realm”, and adult education and youth services are vital services that also need to be included. KCC does note that the Local Plan states that the list serves as a guide to the council’s prioritisation process and that each site and development proposal will bring with it its own issues that could mean an alternate prioritisation is used. This will be crucial, and the County Council encourages early and continued engagement to ensure that the necessary infrastructure requirements are planned and delivered for all proposed allocated sites.</p> <p><b>Waste Management:</b> KCC has indicated that there is very limited capacity at the Maidstone Household Waste Recycling Centre (HWRC) and that there will be a need for an additional facility to provide capacity for planned housing development growth. Discussions have taken place on a potential location for this facility, and it has been agreed by Maidstone Borough Council and KCC that the southeast of Maidstone would best serve the urban area, from which most of the demand will arise. A new HWRC at Allington will be developed within the boundary of Tonbridge and Malling Borough Council to accommodate the pre-existing local demands of that Council’s residents and alleviate pressures placed upon Medway Council. The facility may provide for limited Local Plan Review growth in the early years of the plan period, and this will provide opportunity for a site within the Leeds Langley safeguarded area to be considered, but should this not go forward alternative locations will need to be identified. Therefore, KCC would highlight that there remains limited capacity in the HWRC network to accommodate growth in the early stages of the plan, and that provision will need to be made for a new facility to sustain growth at the next plan review - it is requested that this matter is captured within the Local Plan.</p>
<p>Policy LPRSP14A – Natural Environment</p>	<p><b>Sustainable Urban Drainage Systems (SuDS):</b> The County Council, as Lead Local Flood Authority, is concerned that there is no explicit flood risk policy statement within the Local Plan – although it is appreciated that SuDS are mentioned and included through multiple references to green and blue infrastructure e.g. at paragraphs 7.141 and 7.162. KCC recommends that paragraph 7.164 includes the water environment within natural landscape assets which are protected - with the inclusion of reference to “watercourses”. This should also be included specifically in Policy LPRSP14A 1b.</p> <p>The reference to the design of SuDS within open space is recognised, but it is recommended that reference is made to avoiding extents of areas of flood risk. It is understood that this is referenced in the NPPF but there should be some acknowledgement, possibly within this policy, by including, <u>“making space for water including areas of flood risk”</u>.</p> <p>It is noted that the Borough Council is adhering to the requirement for Flood Risk Assessments for sites over 1 ha in Policy LPRSP14(c) – KCC would recommend that an FRA will also be required for major development and sites which have local flood issues.</p> <p><b>PRoW:</b> KCC is pleased to note comments contained within its response to the Regulation 18 consultation are largely positively acknowledged within the Regulation 19 document in respect of PRoW. Regarding provision of future attractive and well-designed walking and cycling routes, this should be for all users and aim to maximise their quality of life. KCC is currently working to develop local Kent examples to sit alongside the ten Sport England Active Design principles, which are set out in the Sport England Design Guidance. Considerations set out within the Kent Design Guide</p>

	<p>should also be recognised.</p> <p><b>Biodiversity:</b> KCC is pleased to see a target of 20% biodiversity net gain set within this policy. KCC supports the Kent Nature Partnership’s proposal that a 20% target should be adopted, where viable, by all the county’s planning authorities. Kent’s habitats have faced significant degradation, losses and fragmentation over the past decades and, in the last century, there have been significant losses in Kent’s wildlife. In the face of further exceptional development pressures, it is considered that a 20% biodiversity net gain target is a proportionate response and one that illustrates the county’s commitment to tackling the ecological crisis that faces Kent. Furthermore, the scale of previous biodiversity losses requires aspirational levels of gain to make up for them. It is recommended that there will be sufficient flexibility within the policy to allow for off-site provision of biodiversity net gain, whether delivered via a dedicated site or through a locally invested tariff. Not only will this address the issue of feasibility of delivering biodiversity net gain on site (particularly relevant for small sites) but it will help to ensure that biodiversity net gain is actually delivering a meaningful gain. Delivery of biodiversity gains on development sites may not sufficiently address nature recovery priorities within the district or county – having the option to deliver biodiversity net gain offsite will ensure we see investment and action where it is most needed, as guided by the required Local Nature Recovery Strategy. KCC queries why this is only applied to ‘residential’. The Environment Act does not specify this for residential only and, therefore, commercial should also be included. The policy should be amended to read: Biodiversity Net Gain must be calculated in accordance with the government recognised Natural England/Defra biodiversity metric. There should not be the option to use an equivalent.</p> <p>KCC is supportive of this section 2 (notably the ‘connectivity’ aspect) but would encourage ‘Local Wildlife Sites’ (LWS) to be specifically mentioned. Although they are ‘sites of importance for biodiversity’, specifically mentioning Local Wildlife Sites would afford them targeted protection and help strengthen the case for their protection regarding development pressures. Ecosystem services should be mentioned (as referenced in paragraph 174 of the NPPF). For example, whilst hard to quantify the exact impact, replacing any ‘green area’ with hardstanding will reduce capacity to absorb water and may lead to flood events and poorer water quality. Native species landscape schemes (perhaps inserted into section 5 of this policy regarding open space) should be implemented with every development to maximise biodiversity gains and stay in keeping with Kent’s countryside. It should also be noted that non-native species have little to no biodiversity value and can be actively harmful if allowed to spread.</p>
<p>Policy LPRSP14(B) – The Historic Environment</p>	<p><b>Heritage Conservation:</b> KCC notes that the current text is very limited for such a diverse and complex resource as the heritage assets of Maidstone Borough. It is recommended that separate policies are developed for Conservation Areas, Listed Buildings and Archaeology which are suited to managing development that affects these very different asset types. The Local Plan should identify what makes the heritage of the borough special and explain how the Council will use the policies in the Local Plan to conserve and enhance this significance. Furthermore, the Local Plan should explain how other policies, for example on rural development, green space, the natural environment and sustainable design, will respect and take advantage of the historic environment to improve the quality of development in the borough. As explicitly stated in the NPPF, the Local Plan should take into account:</p> <ul style="list-style-type: none"> <li>• the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</li> <li>• the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</li> <li>• the desirability of new development making a positive contribution to local character and distinctiveness; and</li> <li>• opportunities to draw on the contribution made by the historic environment to the character of a place.</li> </ul> <p>If the decision is taken to only have a single historic environment policy, KCC advises that it is accompanied by the development of a Heritage Strategy. Most of Kent’s Local Planning Authorities have developed heritage strategies or are in the process of doing so and KCC encourages Maidstone Borough Council to do the same. Maidstone’s heritage has greater potential to contribute more effectively to the quality of life in the area than is suggested at present. The heritage is complex, however, and needs careful consideration to ensure that the opportunities it presents are not missed and that it is not harmed by inappropriate or poorly planned development. In recent years, KCC has developed a Heritage Strategy for Dover District Council and is currently developing another for Folkestone and Hythe District Council. The goals of these strategies are:</p> <ul style="list-style-type: none"> <li>• To identify and describe the key themes of relevance of the heritage of the district and the heritage assets that represent them;</li> <li>• To assess the role that these can play in in regeneration and tourism;</li> <li>• To identify both their vulnerabilities and the opportunities they provide;</li> <li>• To inform site allocations within the district; and</li> <li>• To support policy development.</li> </ul> <p>This would also be compliant with paragraph 190 of the NPPF, which requires local authorities to have a “<i>positive strategy for the conservation and enjoyment of the historic environment.</i>”</p> <p><b>SuDS:</b> The County Council refers to comments made in respect of Policy LPRSP14A – Natural Environment.</p>
<p>Policy LPRSP15 – Principles of Good Design</p>	<p><b>Biodiversity:</b> KCC strongly encourages the use of green/living roofs and walls to improve air quality, biodiversity and general aesthetics. Many buildings in the highly urbanised environment have sustainable features incorporated, with some recent urbanised Maidstone developments implementing green roofs. KCC notes that green/living roofs and walls represent a significantly meaningful biodiversity gain and therefore contributes towards the overall effort to combat climate change issues.</p>
<p><b>SECTION: 8: DETAILED SITE ALLOCATION POLICIES</b></p>	
<p>General Commentary</p>	<p><b>Highways and Transportation:</b> The site allocation policies indicate that that contributions towards sustainable transport improvements will only be required if the development is car free or provides reduced parking levels. It is entirely plausible that such improvements may be required irrespective of the level of parking provision and the policy should be amended to reflect this eventuality. There are also repeated references to existing accesses meeting ‘<i>standard and safety provisions</i>’. Greater clarity on what is meant by this is required.</p> <p><b>PRoW:</b> It is noted that walkers and cyclists are given considerable regard in design of future development and the County Council would request the need to ensure convenient and suitable</p>

	connectivity opportunities are made for all users.
General Requirements for All Site Allocations	<b>Public Health:</b> In respect of paragraph 8.5, there is reference to <i>Building for Life 12</i> . This has been updated to <i>Building for a Healthy Life</i> to have a greater focus on health and wellbeing and the County Council would recommend Maidstone Borough Council updates its support to follow these newer standards, which would also align closer with the Maidstone Strategic Plan. KCC also recommends a greater focus on public health issues in site allocations such as, but not limited to, deprivation, overweight and obesity and life expectancy. Reviewing public health data at this granular level will provide an opportunity to reduce health inequalities through identifying the health needs of the local population and justify policy priorities to developers. Providing evidence of the health needs of the population is in line with the National Planning Policy Framework.
Policy LPRSA148 - Maidstone Riverside, Maidstone Town Centre	<b>PRoW:</b> This policy should require the provision of links to active travel routes alongside other sustainable transport opportunities.
Policy LPRSA149 - Maidstone West, Maidstone Town Centre	<b>Highways and Transportation:</b> The access arrangements and/or mitigation requirements for this site may be influenced by the outcomes of the KCC/Maidstone Borough Council working group that is reviewing the Hart Street/Barker Road junction and associated traffic control arrangements.  <b>PRoW:</b> This policy must require the provision of links to active travel routes alongside other sustainable transport opportunities.
Policy LPRSA151 - Mote Road, Maidstone Town Centre	<b>Highways and Transportation:</b> The policy should include reference to improved pedestrian crossing facilities.
Policy LPRSA366 – Springfield Tower, Royal Engineers Road	<b>Highways and Transportation:</b> The policy should refer to the need for potential transport improvements on the A229 corridor.
Policy LPRSA266 - Land at Ware Street, Maidstone	<b>Minerals and Waste:</b> The County Council, as Minerals and Waste Planning Authority, has reviewed the material in respect of this site allocation. The proposed allocation site is within the safeguarded Folkestone Formation (building/silica sands). The sequence base is recorded as being at 51m AOD and the water table of 6.5m below the ground surface - the depth of the deposit is considered that the available above water table mineral resource is not of significant depth. Moreover, given the imposition of 50m and 10m standoff buffer zones to residential dwellings and roads, it is estimated that the site would mineral yield some 105,000 tonnes of mineral. It is concluded that a resource of this size would not be sufficient to warrant a mineral processing plant, however, the assessment acknowledges that the mineral could be transported onwards to established processing sites some 10 km away. The assessment goes on to state that the prior extraction would result in a 5-10m depth void over the site that may require backfilling in order to produce a developable platform. The assessment concludes this cost, the limited resource and the transport costs, render the prior extraction as unviable.  Though the use of 50m buffer zones to residential development may be excessive, and there would be no need to have a substantial buffer zone to the adjacent golf club land use, it is reasonable to conclude that even if the potential resource may be some 200,000 tonnes, this still may not represent a viable prior extraction yield given transportation costs. Typically, new quarries to extract material from the Folkestone Formation are in the order of 2-3.0mt of mineral resource with onsite processing (washing and dry screening) to produce a building sand (for use in mortar production and coated stone [asphalt] applications). Though it can be stated that prior extraction to effect mineral safeguarding does not require the economics of normal quarry operations, the limited overall resource and transport costs mitigate against this being viable. Therefore, it is concluded that the presumption to safeguard the mineral resources can be overridden and an exemption to this presumption is justified. Criterion 1 of Policy DM 7: Safeguarding Mineral Resources applies in this case.
Policy LPRSA265 - Land at Abbey Gate Farm, South West of Maidstone	<b>Minerals and Waste:</b> The proposed allocation site is within the safeguarded Hythe Formation (Kentish Ragstone) and the size of the workable area of the site is extensive (28.4 hectares). Given the likely necessary buffer zones to nearby residential housing, the estimated workable area is circa 17.7 ha. With a 20m working depth, this could yield significant volumes of viable hard rock (1.4mt) for aggregate production. However, the Mineral Assessment points out that for mineral extraction to occur, and ensuring the site is viable for the non-mineral development (identified by the allocation), extensive infilling of any quarried void would be required. The extensive time to extract any viable (assumed) mineral resources and infill the site would incur considerable delay in the deliverability of the proposed allocated non-mineral development. The assessment concludes that though extraction could occur, it would not be required given the permitted reserves of ragstone being sufficient for the Kent Minerals and waste Local Plan 2013-30 plan period. This reasoning is rejected, as existing reserves are an irrelevant consideration with regard to the principle of mineral safeguarding as set out in the NPPF 2021, that states:  <i>17. Facilitating the sustainable use of minerals</i> <i>209. It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.</i>  However, the narrow deep extraction of the resource potentially available, and the costs associated with creating a developable platform in this instance, probably renders the prior extraction of the mineral resource non-viable for the relatively limited potential yield of 1.4 mt. Moreover, the delays incurred in bringing on the non-mineral development would be considerable. Given these matters and that it is arguable that the requirements of Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development would not be satisfactorily met at this site, the County Council, as Minerals and Waste Planning Authority, therefore concludes that the presumption to safeguard the mineral resources can be overridden and an exemption to this presumption is justified.
Policy LPRSA270 – Land at Pested Bars Road, South of Maidstone	<b>Highways and Transportation</b> (Policy LPRSA270 Land at Pested Bars Road / LPRSA172 North of Sutton Road / LPRSA362 Police HQ): It is noted that three allocations will collectively result in an additional 518 dwellings and 7,500sq.m of commercial or community uses being served via Sutton Road (A274). In the case of the Police HQ site, it is understood that the existing land uses will influence the net change in trip generation. The transport modelling undertaken in support of the Local Plan Review has indicated that increases to journey times will occur on the A274 and A229 corridors as a result of the planned growth, with up to 38 seconds added to northbound journey times in the AM peak and up to 34 seconds added to southbound journey times in the PM peak. Such sizable increases are expected to worsen congestion delays at junctions already known to be operating well above capacity. The County Council is continuing to progress schemes that will relieve congestion at several key locations including the Wheatsheaf and Sutton Road/Willington Street junctions. In view of the constraints that limit the scope to reconfigure the junctions, it remains highly uncertain whether the improvements will provide sufficient capacity to accommodate growth beyond that already committed in the adopted Local Plan. In the current absence of evidence to

	<p>demonstrate that the cumulative impacts of the developments can be satisfactorily mitigated, the County Council is of the view that the allocations will result in a severe worsening of queuing and delay. Accordingly, objections are raised in respect of these three site allocations.</p> <p><u>Minerals and Waste:</u> The proposed allocation site is within the safeguarded Hythe Formation (Kentish Ragstone). The size of the workable area of the site is extensive (41.8 hectares) and could yield potentially 4.0mt of hard rock for aggregate production. To do so would require access to the site via Pested Road, a very narrow highway removed from the main strategic highway network. In addition, the site is immediately adjacent to a significant number of residential properties as part of the defined urban settlement of Maidstone (as illustrated on the extract below the red line defining the allocation area where any prior extraction hard rock quarrying would take place).</p>  <p>Even with substantial stand-off buffer zones it appears that there would be a significant probability that environmental impacts from new hard rock quarrying (blasting, crushing, screening and stockpiling of graded aggregate) could be difficult to mitigate to a satisfactory degree. This and the substandard relationship to the strategic highway network, leads the County Council, as Minerals and Waste Planning Authority, to conclude that any hard rock prior extraction is unlikely to meet the requirements of Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development of the Kent Minerals and Waste Local Plan 2013-30 (as Partially Reviewed). In addition, these matters would remain if the identified resource of 4.0mt of mineral suitable for exploitation could be viable. The potential for an adverse impact on communities and the environment is high and the requirements of Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development are unlikely to be met. Therefore, it is concluded that the presumption to safeguard the mineral resources can be overridden and an exemption to this presumption is justified.</p>
<p>Policy LPRSA172 - Land North of Sutton Road (West Of Rumwood Court), South East Of Maidstone</p>	<p><u>Highways and Transportation</u> (Policy LPRSA270 Land at Pested Bars Road / LPRSA172 North of Sutton Road / LPRSA362 Police HQ): It is noted that three allocations will collectively result in an additional 518 dwellings and 7,500sq.m of commercial or community uses being served via Sutton Road (A274). In the case of the Police HQ site, it is understood that the existing land uses will influence the net change in trip generation. The transport modelling undertaken in support of the Local Plan Review has indicated that increases to journey times will occur on the A274 and A229 corridors as a result of the planned growth, with up to 38 seconds added to northbound journey times in the AM peak and up to 34 seconds added to southbound journey times in the PM peak. Such sizable increases are expected to worsen congestion delays at junctions already known to be operating well above capacity. The County Council is continuing to progress schemes that will relieve congestion at several key locations including the Wheatsheaf and Sutton Road/Willington Street junctions. In view of the constraints that limit the scope to reconfigure the junctions, it remains highly uncertain whether the improvements will provide sufficient capacity to accommodate growth beyond that already committed in the adopted Local Plan. In the current absence of evidence to demonstrate that the cumulative impacts of the developments can be satisfactorily mitigated, the County Council is of the view that the allocations will result in a severe worsening of queuing and delay. Accordingly, objections are raised in respect of these three site allocations.</p> <p><u>Minerals and Waste:</u> The proposed allocation site is within the safeguarded Hythe Formation (Kentish Ragstone) and given the size of the workable area of the site (6.0 ha) and the necessary buffers to existing residential properties, the potential mineral yield is estimated as being too limited in all probability to enable a viable prior extraction of the safeguarded mineral. KCC therefore agrees that the safeguarding exemption criterion 1 of Policy DM 7: Safeguarding Mineral Resources applies in this case. Also, the site is in close proximity (as illustrated on the extract below, the red line defining the allocation area where any prior extraction hard rock quarrying would have to take place) to the community in this locality and would, in all probability, in this case have adverse environmental and amenity impacts. The requirements of Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development would, in all probability, not be satisfied.</p>

	
<p>Policy LPRSA362 – Maidstone Police Hq, Sutton Rd, Maidstone</p>	<p><b>Highways and Transportation</b> (Policy LPRSA270 Land at Pested Bars Road/ LPRSA172 North of Sutton Road / LPRSA362 Police HQ): It is noted that three allocations will collectively result in an additional 518 dwellings and 7,500sq.m of commercial or community uses being served via Sutton Road (A274). In the case of the Police HQ site, it is understood that the existing land uses will influence the net change in trip generation. The transport modelling undertaken in support of the Local Plan Review has indicated that increases to journey times will occur on the A274 and A229 corridors as a result of the planned growth, with up to 38 seconds added to northbound journey times in the AM peak and up to 34 seconds added to southbound journey times in the PM peak. Such sizable increases are expected to worsen congestion delays at junctions already known to be operating well above capacity. The County Council is continuing to progress schemes that will relieve congestion at several key locations including the Wheatsheaf and Sutton Road/Willington Street junctions. In view of the constraints that limit the scope to reconfigure the junctions, it remains highly uncertain whether the improvements will provide sufficient capacity to accommodate growth beyond that already committed in the adopted Local Plan. In the current absence of evidence to demonstrate that the cumulative impacts of the developments can be satisfactorily mitigated, the County Council is of the view that the allocations will result in a severe worsening of queuing and delay. Accordingly, objections are raised in respect of these three site allocations.</p> <p><b>Minerals and Waste:</b> The proposed allocation site (10.5 hectares) is within the safeguarded Hythe Formation (Kentish Ragstone). The Mineral Assessment does not specify the potential overall mineral yield of hard rock for aggregate production. However, given the close proximity to existing residential development, the potential workable area is thought to be 5.58 hectares due to a need to have stand-off buffer zones. The site is entirely within the defined urban area of Maidstone. Due to the location of the site within the defined urban area of Maidstone, the landwon mineral safeguarding policies of Kent Minerals and Waste Local Plan 2013-30 (as Partially Reviewed) do not apply. Therefore, the County Council, as Minerals and Waste Planning Authority, considers that the proposed allocation does not pose a risk of sterilisation of land-won minerals in policy terms.</p>
<p>Policy LPRSA101 - Land South of A20, Harrietsham</p>	<p><b>Highways and Transportation:</b> The policy should include a reference to making provision for pedestrians, as there is currently no nearside footway.</p>
<p>Policy LPRSA310 – Mote Road, Headcorn</p>	<p><b>Highways and Transportation:</b> At the Call for Sites stage, the County Council raised concerns over this site in view of the narrow width of Moat Road at the bridge. This constraint limits the scope for widening the road to provide a footway connection to Headcorn, whilst maintaining a suitable carriageway width for two-way traffic flow. The County Council remains concerned that there is no evidence to demonstrate that these issues can be overcome.</p> <p><b>Minerals and Waste:</b> The proposed allocation site is within the safeguarded Paludina Limestone (Wealden Clay Formation). The size of the workable area of the site is extensive (4.357 hectares). This is a non-aggregate mineral used as a decorative building stone (often in ecclesiastical buildings) in Kent and elsewhere due to its fossiliferous content. British Geological Survey (BGS) data demonstrates that the beds of this limestone rarely exceed 0.15m in thickness. It is estimated that any extraction might yield up to 11,800 tonnes of limestone. Due to wastage (up to 75%) resulting from stone having to be suitable for building stone production (any fractures, irregularities making quarried materials unsuitable for decorative purposes etc), the anticipated tonnage could be as low as 3,000 tonnes.</p> <p>The assessment identifies that the limestone is not being extracted at this time and represents a niche building stone market that does not relate to current construction needs. A lack of a readily identifiable market for this specialised geology and the fact that this Wealden Clay Formation unit is represented in other localities in the Wealden basin, means that sterilisation of this part of formation would not result in this material not being made available for the specialist historic conservation needs it may meet. KCC therefore concludes that the presumption to safeguard the mineral resources can be overridden and an exemption to this presumption is justified. Criterion 1 of Policy DM 7: Safeguarding Mineral Resources applies in this case.</p>
<p>Policy LPRSA295 - Land at Copper Lane &amp; Albion Road, Marden</p>	<p><b>Highways and Transportation:</b> At the Call for Sites stage, the County Council raised concerns over this combined site as although suitable access onto Albion Road is achievable, on street parking along the road to the north causes insufficient carriageway width. It was recommended that options including removal of existing resident parking on Albion Road, or widening Albion Road requiring 3rd party land, were investigated. Widening Copper Lane is also an option, but this would again require third party land to the east of the site. The County Council remains concerned that there is no evidence to demonstrate that these issues can be overcome.</p>
<p>Policy LPRSA066 - Land East of Lodge Rd, Staplehurst</p>	<p><b>Highways and Transportation:</b> The policy should include a reference to the potential for mitigation of impact to be required on the A229 corridor.</p>
<p>Policy LPRSA114 - Land at Home Farm,</p>	<p><b>Highways and Transportation:</b> The policy should include a reference to the potential for mitigation to be required on the A229 corridor and the need for pedestrian/cycle connectivity to the surrounding built-up area.</p>

Staplehurst	
Policy LPRSA312 - Land North of Heath Rd – Beacon Park	<p><u>Highways and Transportation</u>: The policy should refer to the need for junction improvements at the A229 Linton crossroads.</p> <p><u>Minerals and Waste</u>: The proposed allocation site is within the safeguarded Hythe Formation (Kentish Ragstone). The size of the workable area of the site is extensive and could yield potentially 0.90mt of hard rock for aggregate production. However, the site also has significant levels of overburden that may potentially be between 0.56 to 1.345mt. This overburden consists of 'Head Deposits' (clay, sandy clay, slit and coarse subangular sandy limestone). This is a product of weathering of the underlying geology. In addition, access to the site is not well related to the strategic highway network (via the B2163 Heath Road). The site is also immediately adjacent to residential areas of Coxheath to the west.</p> <p>Given the low potential usable yield of aggregate forming limestone (Kentish Ragstone) is less than the potential maximum amount of un-useable overburden, it is very unlikely that the site would be viable for mineral prior extraction. Also, the site is immediately adjacent to a significant number of residential properties as part of the defined urban area of Coxheath. Even with the use of substantial stand-off buffer zones, it appears in this instance, that there would be a significant probability that environmental impacts from hard rock quarrying (blasting, crushing, screening and stockpiling of graded aggregate) would not be likely to be mitigated to a satisfactory degree. This, and the substandard relationship to the strategic highway network, would render any hard rock prior extraction unlikely to meet the requirements of Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development of the Kent Minerals and Waste Local Plan 2013-30 (as Partially Reviewed). These matters would remain even if the identified resource of 0.9mt of mineral suitable for exploitation would be viable. Therefore, it is concluded that the presumption to safeguard the mineral resources can be overridden and an exemption to this presumption is justified. Criterion 1 of Policy DM 7: Safeguarding Mineral Resources applies in this case.</p>
Policy LPRSA360 – Campfield Farm, Boughton Monchelsea	<u>PRoW</u> : PRoW KM96 should be protected and enhanced to provide better facilities for all NMUs.
Policy LPRSA204 - Land South East of Brickfield's Close, Eyhorne Street, Eyehorne St (Hollingbourne)	<u>PRoW</u> : PRoW KH198 should be protected and enhanced to provide better facilities for all NMUs.
Policy LPRSA078 – Land at Haven Farm / Southways, Sutton Valence	<u>Minerals and Waste</u> : The allocation site is within the safeguarded Hythe Formation (Kentish Ragstone) and given the size of the site (2.74 ha) and the necessary buffers to existing residential properties, the potential mineral yield is estimated as 72,800 tonnes. This is too limited in all probability to enable a viable prior extraction of the safeguarded mineral. Therefore, KCC concludes that the presumption to safeguard the mineral resources can be overridden and an exemption to this presumption is justified in this instance. Criterion 1 of Policy DM 7: Safeguarding Mineral Resources applies in this case.
Policy LPRSA248 - Land North of Kenward Road, Yalding	<u>Highways and Transportation</u> : Clarification is required on whether the speed management measures referred to in the policy are actually meant to apply to the High Street / Yalding Hill corridor.
<b>SECTION: 9: DEVELOPMENT MANAGEMENT POLICIES</b>	
Policy LPRHOU 1: Development on Brownfield Land	<u>Heritage Conservation</u> : The policy is considered to be sound. However, it does refer to brownfield land as having 'poor environmental value'. It should be noted that brownfield sites, although previously developed, may nonetheless contain well-preserved archaeological remains from earlier periods. In addition, more recent structures associated with past industrial uses of the site can themselves have heritage value. Brownfield sites should therefore be assessed for heritage value in the same way as other sites and any heritage assets identified be treated appropriately in the development management process.
Policy LPRCD7: Equestrian Development	<u>PRoW</u> : It should be noted there are comparatively few bridleways in the borough and those that exist tend to be isolated, not making a coherent off-road network and so require riders to use the road network. This lack of bridleways will make it difficult for future equestrian facilities to have easy access to bridleways. The creation of new bridleways can be through the upgrading of existing Public Footpaths to Public Bridleways which could be explored through the Local Plan Review, in conjunction with KCC.
Policy LPRTRA1: Air Quality	<u>Public Health</u> : KCC recommends that a consideration of the impact on population health should form part of the criteria to be met. This means developing an understanding of how proposals impact on the health of the population and what vulnerable groups are in that area who are more susceptible to health problems caused by air pollution. Groups that are more affected by air pollution include older people, children, individuals with existing cardiovascular disease and/or respiratory disease, pregnant women and low income communities. Therefore, consideration needs to be taken into account of the demographic of the population effected plus consideration of local facilities such as schools, nurseries, hospitals or nursing homes.
Policy LPRTRA2: Assessing the Transport Impacts of Development	<u>PRoW</u> : The County Council would welcome consideration for all developments which will generate significant amounts of movement should also produce a Travel Plan, to enhance modal shift and active travel opportunities.
Policy LPRINF1: Publicly Accessible Open Space and Recreation	<u>PRoW</u> : The PRoW network is able to serve a broad range of users and deliver diverse benefits - often considered a recreational network of paths for personal health and wellbeing, it is also a vital means for people to access services and workplaces, a safer alternative to local roads and sustainable transport opportunities. KCC would therefore encourage recognition of the PRoW network within consideration of Green Infrastructure and PRoW could be recognized within policies LPRINF1-2 as the PROW network could deliver these aspirations. Open spaces should be designed to be well connected and accessible, to limit car usage where possible. They should also be designed to create a comfortable environment for physical activity and recreation to boost health and wellbeing. Plans for growth should seek to provide a mix of formal and informal areas/spaces (indoor and out) where people can be active, including walking and cycling routes, open spaces and water-based activities.
Policy LPRINF4: Digital Communications &	<u>Provision of County Council Community Services and Facilities</u> : At paragraph 9.105, for the Council to support sustainable development in the borough, it is important to provide a high level of digital connectivity through superfast broadband. One of the most efficient and effect ways of doing this is via fibre to the premise (FTTP) for new developments where appropriate. FTTP refers to fibre



Connectivity	optically wired internet broadband connecting directly to a building (home, business or community facility etc.). These connections can provide speeds of up to 1Gbit per second, much faster than conventional copper cabling. Reference to superfast broadband needs to be changed to gigabit capable. This not only reflects government policy but also reflects the fact that FTTP is gigabit-capable rather than superfast which refers to lower speeds e.g. 30mbps +.
Policy LPRENV 1: Historic Environment	<u>Heritage Conservation</u> : Although the policy is sound, in the Regulation 18b consultation text under 'Further Work to Do' there was a commitment to the development of a heritage strategy. There is no such commitment in this text, which is disappointing. Please see KCC's comments under LPRSP14(B) regarding the desirability of developing a heritage strategy for Maidstone.
Policy LPRQ&D 4: Design Principles in the Countryside	<u>Heritage Conservation</u> : Although the policy is sound, it should be noted that development between villages and hamlets and among farm buildings would in many places be consistent with the historic character of those areas. Historic England (together with KCC and the Kent Downs AONB team) has published guidance on historic farmsteads in Kent that considers how rural development proposals can be assessed for whether they are consistent with existing character of the countryside. <a href="http://www.kentdowns.org.uk/publications/kent-downs-aonb-farmstead-guidance">http://www.kentdowns.org.uk/publications/kent-downs-aonb-farmstead-guidance</a> . The Kent Farmsteads Guidance has been endorsed by the County Council and it is recommended that Maidstone Borough Council considers adopting the guidance as Supplementary Planning Documents as part of the Local Plan process.
Policy LPRQ&D 5: Conversion of Rural Buildings	<u>Heritage Conservation</u> : This policy is sound, although KCC would reiterate its comments made under LPRQ&D 4, above.