

Spatial Policy Team

Local Plan (Reg. 18) Consultation
Maidstone Borough Council
Maidstone House
King Street
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Kent ME15 6JQ

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> also sent by email to <ldf@maidstone.gov.uk >

Dear Sir / Madam

Maidstone Borough Local Plan (Regulation 18) Representation from Staplehurst Parish Council

On behalf of Staplehurst Parish Council, we are pleased to submit a representation to the Maidstone (Regulation 18) Local Plan consultation.

The Parish Council welcome the opportunity to contribute to the formulation of an important plan that will guide the future of the Borough. The plans and policies within the Local Plan will have a direct impact on the future of Staplehurst and therefore the Parish Council are keen to be as fully involved as it can be in order to shape and influence the Local Plan in a constructive and useful way.

While it is clear that a lot of effort has gone into the creation of the draft Local Plan, there remain some fundamental issues that prevent the Parish Council offering its support for the document as it currently stands. These are principally around the lack of any coordinated support through the Local Plan for Neighbourhood Planning as a means of delivering the aims and aspirations of the Local Plan on the ground; the methodology employed to generate the overall housing target for the Borough; the subsequent distribution of these housing numbers and a failure to adequately recognise that rural settlements (especially the Rural Service Centres) will require substantial investment in infrastructure if they are to successfully accommodate new housing growth. In all these areas, the Parish Council consider the Local Plan to be deficient.

This representation sets out in more detail these particular concerns of the Parish Council, together with various other issues. We expect Maidstone Borough Council to give this representation full consideration as moves forward with the preparation of its Local Plan.

Yours faithfully, on behalf of Staplehurst Parish Council.



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for and on behalf of Feria Limited

Overall Housing Numbers

Staplehurst Parish Council remains highly sceptical of the borough-wide housing need figure of 19,600 new homes. The parish acknowledges that this figure has been established by the Maidstone Strategic Housing Market Assessment (January 2014) prepared by GL Hearn. However, given that previous estimates for the Borough-wide housing targets were in the region of 11,000, and more recently 14,000, this ever upwards trend of revisions gives the parish great cause for concern. Why is the current figure so different from previous calculations? At what point does this figure become definitive?

It is now widely known that Kent County Council have objected to the projected housing target and the methodology used to arrive at the 19,600 figure. Through this representation, Staplehurst Parish Council offer support to the Kent County Council objection and urge Maidstone Borough Council to reconsider its stance on the overall housing figure as described in the (Regulation 18) Local Plan. The Parish Council are keen to see the establishment of a definitive figure significantly lower than the current estimate.

Neighbourhood Planning and Uncertainty Over The Numbers

The housing numbers remain unconfirmed and this shifting target makes work on Neighbourhood Plans difficult. The issue of an ever-moving target is one of the primary concerns held by the parish. Staplehurst Parish Council began work on its neighbourhood plan in earnest in September 2013 and through an active and thorough engagement with the local community, has now established a clear set of priorities for change and what it believes is good set of draft planning policies. However, with a Local Plan still in preparation and numbers still in flux and subject to challenge, this leaves the Parish in a difficult position. How can the parish work effectively on its Neighbourhood Plan and with clear focus if the number of houses the Neighbourhood Plan is expected to accommodate cannot be predicted with any confidence?

That said, the Parish Council takes heart from the recent decision in Cheshire West and Chester Council and the examination into the Tattenhall and District Neighbourhood Plan. The Neighbourhood Plan in this particular case was prepared in advance of the relevant Local Plan and the examiner reported as follows:

“A small number of representations to the Neighbourhood Plan considered it to be “premature” in the light of there being an emerging, but un-adopted, Local Plan for Cheshire West and Chester. However, the fact that there is an emerging development plan in a local authority area is not unusual and there is nothing in the legislation to support the contention that such a situation should stop, or slow down, the progress of a neighbourhood plan.

“We live in a changing world and planning is a dynamic process. Just as there are examples of where neighbourhood plans follow on from new, up-to-date, adopted development plans, there will be occasions where neighbourhood plans are made ahead of emerging local plans. Whenever a neighbourhood plan, following a ‘Yes’ vote at Referendum, is made ahead of an emerging Local Plan, then simply, the Local Plan would need to take the policies of the neighbourhood plan into account.

“I think it relevant to point out in this regard, that one of the significant benefits of neighbourhood plans is the relative speed with which they can come forward, enabling local communities to establish policy in an efficient and effective manner. Importantly, a made neighbourhood plan can, in such cases, provide for certainty in areas where there may otherwise be an absence of up-to-date policy.”

Distribution of Housing Numbers

Notwithstanding the objection from Staplehurst Parish Council to the overall housing figure and the methodology used to arrive at that total, a further objection is the way this overall total has then been distributed across the Borough.

It would appear the primary rationale behind this distribution of the numbers is simply the availability of land rather than anything more considered, such as an assessment of the spatial distribution of sites (both across the Borough and across individual settlements), strategic planning and design influences at a local level, such as local character assessments. The Parish Council are alarmed that the (Regulation 18) Local Plan allocates 905 new homes to Staplehurst, a significant increase over previous estimates that were noted as being in the region of 200-300 at most for the village as a Rural Service Centre.

The fact that certain landowners/developers with an interest in Staplehurst have made sites available for development in itself should not dictate the numbers allocated for the parish. The Parish Council accepts the principle of new development in Staplehurst but it does not believe that the 905 houses are either deliverable or necessarily appropriate.

The Parish Council estimate that given the size of the village at present, 905 new homes represent a 35% increase in the size of the village over the plan period. On this basis alone, the Parish Council object to the target figure of 905 new homes identified for the village. This is rapid and substantial growth that without sufficient investment in the necessary infrastructure planning and delivery; investment in quality design and architecture; and significant and effective community engagement could cause serious damage to the character and function of the village and parish.

Finally, the proposed housing numbers should be reconsidered in the light of projects currently granted planning permission, under construction or recently completed in Staplehurst.

Rural Service Centres (RSCs)

Details of new infrastructure to be directed to RSCs is unclear within the (Regulation 18) Local Plan. There is nothing of substance within the Local Plan regarding the implementation or delivery of the infrastructure requirements of the RSCs, of which Staplehurst is one.

The principle of the RSCs is sound — i.e. villages that have an existing range of services and facilities identified to accommodate new development so long as the existing services and facilities receive the necessary uplift in investment required for a growing village. However, the Local Plan has identified the growth areas for the RSCs but has then failed to identify in sufficient detail the corresponding level of infrastructure investment for each RSC. This makes it very difficult for the Parish Council to support the RSC designation without the reassurance that the infrastructure required to make the concept of the RSCs work will be forthcoming.

The Parish Council firmly believes that the villages designated as RSCs should be balanced places. Yet new development directed towards Staplehurst appears to be additional housing only with little or no planned new employment land or similar developments. This will inevitably mean additional pressure on transport systems through commuting patterns rather than reducing travel demand, as the Local Plan suggests.

**Policy H1 (36) — Hen and Duckhurst Farm, Marden Road, Staplehurst
Policy H1 (37) — Fishers Farm, Fishers Road, Staplehurst**

Staplehurst Parish Council generally accepts the principle of two major development sites in Staplehurst as identified through the above policies, with boundaries substantially as shown in the Local Plan consultation. However, alongside its earlier objection regarding housing numbers appearing to be distributed across the Borough simply through land availability, the Parish Council do not believe that the 905 houses associated with these two identified sites are deliverable within the site boundaries due to constraints within the local context.

Staplehurst Parish Council, through its ongoing dialogue with the developers associated with both sites, believe that an overall total of approx. 440 houses for the both the western site (i.e. Hen and Duckhurst Farm) and for the approx. 50% of the eastern site (i.e. Fishers Farm) is more realistic. It is also not clear if the entirety of Fishers Farm, as defined by the red line in the Local Plan, is deliverable as a comprehensive scheme due to land ownership issues.

The constraints at a local level are many and include:

- ecological issues that may require translocation of species
- mature trees and hedgerows to be retained and integrated with a compact development of a human-scale
- both sites have poor drainage in places and will require significant space for sustainable drainage systems
- both sites will need strategic routes, suitably designed to accommodate through-traffic
- new equipped areas for children's play and recreation will be needed for both sites.

Once all these constraints (and others) are taken into account in a fair and proper manner, it is highly unlikely that a total of 905 homes can be delivered from both sites. No evidence has been offered by Maidstone Borough Council through its Local Plan to show otherwise.

Integration with the Existing Village

Through its ongoing work on the Neighbourhood Plan, the Parish Council now have a better understanding of how these two sites can be integrated more successfully with the existing village but the necessary measures are not reflected in the Local Plan policies.

Of concern is the allocation H1(36) at Hen and Duckhurst Farm, where the red line that defines the site, leaves an area of undefined "nothingness" between the new development area in the north and existing village at Lodge Road. Without a red line fully contiguous with the existing village envelope, it cannot be seen how this area can be successfully integrated over time. The Local Plan requires a link to Lodge Road but this land is outside the allocation boundary so it remains unclear how this can be achieved.

Furthermore, the Local Plan policy wording places no requirement on the developer to demonstrate how the site will be connected at a later date through the preparation and submission of a wider site master plan, or similar. The Parish Council believes that it should.

Through its ongoing work preparing its Neighbourhood Plan, the Parish Council has explored various long term scenarios. As a result, it believe that allocation H1(36) should require a layout and design that safeguards the opportunity for a street that not only connects with Lodge Road but also to a new railway crossing to the west of the station. For those leaving the site and heading north, a new crossing point over the tracks will reduce pressure on the Headcorn Road, Marden Road and the A229 crossroads, already identified as a pressure point in the local network.

Staplehurst Parish Council considers that developers should be required to contribute financially to an eventual new crossing of the railway. In the first instance, they should be required to create housing layouts that do not prejudice the ability to deliver a future link.

Any proposed layout for Hen and Duckhurst Farm should not prevent future expansion of the Lodge Road employment area but should encourage its expansion through the creation of modern premises suitable for 21st Century employment practices.

The Fishers Farm development requires a similar level of integration as Hen and Duckhurst Farm. This integration needs to be with the existing village and the wider area if it is not to become effectively a cul-de-sac development. The Local Plan allocation H1 (37) identifies 535 new homes but only one major point of access (via Headcorn Road) and this seems highly unrealistic as being a sustainable means of accommodating movements in and out of the new development. As with the H1 (36) allocation on the other side of Staplehurst, before being granted planning permission developers must be required to demonstrate a workable long term vision for how their site will successfully connect with the village and wider area, including links to the existing network of streets and lanes.

As with the western allocation, the Parish Council, through its work on the Neighbourhood Plan, has a good understanding about these issues but they are not reflected in the Local Plan policies.

The community in Staplehurst are also concerned at the loose wording in both H1 (36) and H1 (37) of the requirement for "... appropriate contributions towards improvements to the junction of Headcorn Road, Marden Road and the A229 subject to agreement with the Highways Authority". Without careful regard to the design and aesthetic of such "improvements" considerable damage to the special village character could result. The Neighbourhood Plan is already examining subtle but effective changes in this location and the community wish to work closely with the Highways Authority and Maidstone Borough Council to get this right.

Drainage Infrastructure

Present drainage systems (both surface water and sewerage) in Staplehurst are considered inadequate for the current population and require significant improvement before any further development takes place. This has been highlighted as a concern by residents through the engagement work on the Neighbourhood Plan but the Local Plan fails to recognise this in any substantive way.

Considerable attention needs to be paid to surface water management in the proposed developments, not only to avoid flooding of new and existing properties, but also to minimise the effect on the River Beult drainage basin as a whole. There has been localised flooding in Staplehurst over the past winter, and flooding at points downstream on the River Beult has been very serious.

Affordable Housing in Rural Areas

Staplehurst Parish Council has serious concerns about the proposed 40% of affordable housing for rural areas. Given the lack of new employment opportunities (see the earlier point about the lack of balance between residential and non-residential uses within the RSCs) and the cost and inconvenience of travel to employment or to services in central Maidstone, it would appear unreasonable to place such a significant proportion of affordable housing in areas where need to travel will remain an issue for some time to come.

Staplehurst Parish Council has carried out a housing needs survey which identifies a modest local demand for affordable housing and would support some key worker and shared ownership housing as providing an opportunity for children of local families to remain in the area. However, the proposed proportion of affordable housing that is for rent (i.e. 65%) is considered excessive by the Parish Council.

Future Education Sites

Staplehurst Parish Council notes that Staplehurst School is one of the largest primary schools in Kent (currently 437 on the roll) and has little spare capacity for additional children without a major expansion, which may not be feasible on the existing school site. There is no provision within the Local Plan for safeguarding of land or sites for future education expansion in the village. Yet given the estimate of 905 new homes, then there must surely be concern that the existing education provision will become stressed to a point beyond what can be considered reasonable. Work on the Neighbourhood Plan has already identified a need to safeguard land for a future school yet the Local Plan does not share the same concern.

Landscape Character

The draft Local Plan does not mention the particular landscape character of the Low Weald National Character Area, as defined by Natural England. The Local Plan should protect this landscape, together with its wildlife and ecological value. On a broader point, the Local Plan is rather weak in its reference to landscape as a means of informing the location and character of new development. This relates to an earlier point, that the distribution of housing numbers appears to be guided almost entirely by land availability rather than by other significant factors such as landscape character and the possible positive and negative impacts that development could have.

The Role of Parish Councils and Neighbourhood Plans

This representation has raised concerns about the lack of detail in the Local Plan regarding the housing allocations, infrastructure requirements and the balance of services and facilities needed for a growing village. It is understood that much of this information may be considered too detailed to be included in a Local Plan, which is where Neighbourhood Planning can step in to help add details about the local context, texture and grain of a settlement in order to successfully deliver on the aims and ambitions of the Local Plan. It is widely understood that Neighbourhood Planning as a process has been introduced specifically with this role in mind:

“With a neighbourhood plan, communities are able to establish general planning policies for the development and use of land in a neighbourhood. They will be able to say, for example, where new homes and offices should be built, and what they should look like. The neighbourhood plan will set a vision for the future. It can be detailed, or general, depending on what local people want.” — Neighbourhood Planning Guidance Note, November 2012 Department for Communities and Local Government.

But this does not appear to be the approach advocated by Maidstone Borough Council. Staplehurst Parish Council are deeply disappointed at the general attitude that Maidstone Borough Council have adopted towards Neighbourhood Planning. There appears to be no active encouragement at all towards their preparation and adoption by Parish Councils or Neighbourhood Forum groups.

While Maidstone Borough Council has now approved 13 individual Neighbourhood Plan areas, there is no active engagement with the communities concerned to assist them in developing a Neighbourhood Plan that will help Maidstone Borough Council realise its Local Plan on the ground. Indeed, there is virtually no mention of

Neighbourhood Planning within the (Regulation 18) Local Plan, save for references to the National Planning Policy Framework and the glossary of definitions. Furthermore, there was no mention of how Neighbourhood Planning should complement the Local Plan in the exhibition materials prepared by Maidstone Borough Council as part of its recent road show.

Staplehurst Parish Council fully expect Maidstone Borough Council to clearly set out a positive and constructive relationship between the Local Plan and Neighbourhood Plans, either within the Local Plan itself or in supporting materials, but it appears to have done neither. This leads the Parish Council to conclude that Maidstone Borough Council does not fully acknowledge the significant role Neighbourhood Planning is already playing in the design and development of communities within the Borough and will continue to do so into the future. Therefore, Staplehurst Parish Council requests that the Maidstone Borough Council (Regulation 18) Local Plan should clearly state that Maidstone Borough Council will work with those Parish Councils that are actively developing Neighbourhood Plans and how it will do so.

One obvious example of how a more positive relationship between the Local Plan and associated Neighbourhood Plans could be nurtured is through the possible inclusion of “policy hooks” within the wording for allocations H1 (36) and H1 (37). These hooks could actively devolve decisions regarding design, layout and implementation of both sites to the Staplehurst Neighbourhood Plan. This idea of an active and positive devolution down to Neighbourhood Plan level could be taken throughout the Local Plan on specific issues or particular sites where it is known that a Neighbourhood Plan is in preparation.

In this regard, Staplehurst Parish Council is firmly supportive of the stance adopted by Kent County Council, with regard to the relationship between the Local Plan and Neighbourhood Plans, as follows:

“Parish and Town Councils (as well as residents groups and other similar organisations) can play a key role in developing the Local Plan. These groups are often responsible for developing Neighbourhood Plans and are best placed to know the issues of their local area/village/settlement. Their expertise and knowledge should be relied upon by District Councils in developing Local Plans so as to ensure that their expertise is incorporated within the emerging plan. The District and County Councils should seek to work with Parish Councils to achieve appropriate outcomes rather than imposing Local Plan policies on them.” — The Kent County Council Response to Housing Allocations in the Draft Maidstone Local Plan (Regulation 18) Consultation April, 2014

Unfortunately, there is little activity from Maidstone Borough Council that suggests that it wishes to incorporate local expertise and knowledge within the emerging development plan. Certainly, the (Regulation 18) Local Plan has no recognition for the significant role Neighbourhood Plans will play. Yet other parts of the country have a very different attitude. Again, an extract from the examiner’s report from the Tattenhall and District Neighbourhood Plan:

“I was informed during the Hearing of the extent of the significant and sustained collaborative working between the Council and the Neighbourhood Plan-makers ... I consider this collaborative approach to be exemplary. It sets a helpful precedent for other neighbourhood plan-makers. Such effective joint working is to the great benefit of plan-making and is to be welcomed.”

Staplehurst Parish Council actively seeks a similar constructive working relationship with the Borough. It has already invested considerable time and resource into the preparation of the Neighbourhood Plan and believes it holds the key to successful local implementation of the Local Plan.

Staplehurst Parish Council — May 7th 2014.