

Maidstone BLP Examination Action Points

Session 4 Environmental Constraints

No.	Issue	Timescale
4.1	<p>Minerals Safeguarding Proposed Changes PC/69, PC/70 and PC/71 supported as likely to be necessary for consistency with national policy subject to further consideration of following matters: MBC to provide list of all sites that KCC wishes to be identified with a minerals safeguarding policy criterion, and</p> <ul style="list-style-type: none"> • identify those sites that already have planning permission, • identify and those which do not have planning permission • identify those where there is a resolution to grant planning permission but which are awaiting Section 106 completion before a permission is issued. 	3 Nov 2016
4.2	Inspector will review Inspector's report on Kent Minerals and Waste Local Plan in relation to minerals safeguarding and advise MBC as to whether further policy changes should be considered and whether they should be applied to more locations.	TBA
4.3	<p>Policy SP17 The Countryside Proposed wording in PC/73 with further amendments in Document ED25 (also supersedes PC/72) generally supported as likely to be necessary in the interests of effectiveness and consistency with national policy subject to the following considerations:</p> <ul style="list-style-type: none"> • SP17(1) MBC to consider further whether this should include a list of all the types of development that other plan policies allow for in the countryside (subject to individual policy criteria set out in those policies) • SP17(2) MBC to give further consideration to this criterion which is unclear as to whether it applies to agricultural or no-agricultural development or both and how it relates to national policy concerning the sequential approach to the use of agricultural land of different quality • SP17(3) Agreed • SP17(4) Inspector will give further consideration to wording in relation to setting of AONB and may write to the council in this regard. • SP17(5) Proposed further change in wording: <i>'the Green Belt is shown on the Policies Map and development there will be managed in accordance with national policy for the Green Belt'</i> • SP17(6) Further change: Remove the words 'where appropriate' • SP17(7) Agreed deletion of 'the setting of' and 'and' • SP17(8) There is no criterion 8. • SP17(9) Agreed deletion of clause which is addressed by other plan policies. • Amend reasoned justification at paragraph 5.87 as set out in PC/73 to replace 'protected, maintained' with '<i>conserved</i>' for consistency with national policy and to accord with similar changes proposed to SP17 in ED 25. 	<p>3 Nov 2016</p> <p>TBA</p>

4.4	Paragraph 5.79 MBC to draft revised wording for to draw attention to the national policy tests for major development in the AONB at para 116 of the NPPF.	3 Nov 2016
4.5	Paragraph 5.81 Factual corrections needed to proposed PC/74 in respect of: <ul style="list-style-type: none"> • Relevant Act is Countryside and Rights of Way Act 2000 • There is no statutory duty to conserve and enhance. The statutory duty in Section 85 of the CRoW Act is to 'have regard to' the purposes of the AONB. 	3 Nov 2016
4.6	Paragraph 5.82A Incorporate additional paragraph of reasoned justification for SP17(5) in relation to the Green Belt as set out in PC/75 in the Council's written statement for Session 4	3 Nov 2016
4.7	Policy DM3 Historic and Natural Environment Proposed wording changes in Document ED 27 supported as likely to be necessary for effectiveness and consistency with national policy subject to: <ul style="list-style-type: none"> • DM3(1) Move the words 'where appropriate' to follow 'measures' • Drafting amended reasoned justification for the amended policy 	3 Nov 2016
4.8	Policy DM34 Design Principles in the Countryside Proposed wording changes in Document ED 26 supported as likely to be necessary in the interests of effectiveness. Add to schedule of proposed changes.	3 Nov 2016
4.9	Policy DMX – Historic Environment This new policy proposed in the Council's written statement for Session 4 is supported as likely to be necessary for effectiveness and consistency with national policy subject to further amendments to: <ul style="list-style-type: none"> • Split DMX(1) (Strategic) from DMX (2)-(6) (Non-Strategic) • Amend DMX(2) to add '<i>be expected to</i>' before 'ensure' • Amend DMX(2) so that any identified harm to the significance of designated <u>or</u> non-designated heritage assets is weighed with the benefits in accordance with the tests set out in national policy in Section 12 of the NPPF • MBC to consider and respond in a note to the Inspector and Baltic Wharf (Maidstone) Ltd concerning the further modifications to DMX which they suggested at Session 4 and whether any are agreed by MBC or, if not, why not. • MBC to draft reasoned justification for the new strategic and non strategic policies 	3 Nov 2016
4.10	Policy SS1 MBC to review Policy SS1 to ensure consistency with Policy SP17 changes	3 Nov 2016
4.11	Binbury/Quinn Estates To provide written rebuttal of Council's revised sustainability appraisal for Detling Airfield development.	18 Oct 2016
4.12	Schedule of Proposed Changes MBC to include the above proposed changes in an amended schedule of proposed changes.	3 Nov 2016

