

**From: Inspector Robert Mellor BSC DIPTRP DIPDBE DMS MRICS MRTPI**

**Maidstone Borough Council Local Plan (2011-2031) Examination**

*Programme Officer:*  
*Louise St John Howe*  
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Mr. Nick Westwood,  
Parish Clerk,  
Staplehurst Parish Council,  
Staplehurst Village Centre,  
High Street,  
Staplehurst, TN13 OBJ

3rd November, 2016

Dear Mr. Westwood,

**Inspector's Question 5.1 - Session 5A Housing Supply.  
Proposed Amendment PC/76 Land at Lodge Road, Staplehurst.**

I have received your letter of 1st November, 2016, addressed to the Programme Officer, concerning the land at Lodge Road, Staplehurst.

No allocation of this site would be included in the Local Plan unless it had been first subject to public consultation and unless it had been recommended by me as a necessary main modification, without which the Local Plan would not be considered sound. That has yet to be determined. An important consideration for me would be whether a modification to the Local Plan is needed to address any potential conflict between Local Plan and Neighbourhood Plan policies that would risk making the Local Plan ineffective in its provision for housing or employment.

There is an apparent conflict in that Policy H6 of the Neighbourhood Plan overlaps an employment site which Policy DM21 of the submitted Local Plan would protect for employment use. Policy DM21 would only allow limited exceptions which may in practice exclude the mixed housing and employment uses that are envisaged by Policy H6.

If the Neighbourhood Plan is made (and the Local Plan is not modified) then, once adopted, Policy DM21 would carry more weight than Policy H6 in cases of conflict. This is because it would be the latest policy to be adopted [*S38(5)Planning and Compulsory Purchase Act 2004*]. It does not however follow that the Local Plan should be modified in a way which would still result in conflict with the Neighbourhood Plan as appears to be the case.

Consideration would need to be given as to how any amendment to Policy DM21 on this site could distinguish between new development of the type envisaged by the Local Plan and the redevelopment of existing businesses, which the Neighbourhood Plan apparently would not support.

As the Local Plan needs to include figures for anticipated housing supply and employment floorspace, it would be helpful if Staplehurst PC could estimate how many residential units and how much employment floorspace they consider could be accommodated in the mixed development, and when they would expect that development to be delivered during the Local Plan period ending in 2031.

Your letter of 1st November has been forwarded to Maidstone Borough Council for them to respond to it, with a copy of their response to be forwarded to me.

Your letter of 1st November, MBC's response to your letter and this letter will be posted on the examination pages of the website under the examination documents tab.

Yours sincerely,

**Robert Mellor**

Robert Mellor  
Inspector - Maidstone Local Plan

c.c. Ms. Cheryl Parks - MBC