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Submitted via Email only to:
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10th December 2021

Dear Sir/Madam,

**MAIDSTONE BOROUGH COUNCIL LOCAL PLAN REVIEW – DRAFT FOR SUBMISSION
(REGULATION 19) CONSULTATION**

On behalf of our client Wates Developments Limited ('Wates'), we set out representations to the Maidstone Borough Council Local Plan Review, draft for Submission (Regulation 19) Consultation. As requested, we have also enclosed the completed Consultation Response form for each policy or paragraph we are commenting upon.

Leeds Langley Relief Road and Potential Development in the Leeds-Langley Corridor

The Adopted Local Plan

During the production of the current Maidstone Borough Local Plan (adopted 2017) ('the adopted Local Plan'), as part of the examination stage, the Inspector identified that an early review of the plan would be required which should include a review of whether the case for a Leeds-Langley Relief Road (LLRR) could be made:

The Inspector noted that "*The matter...[of the LLRR]...is to be reconsidered as part of the first review of the Local Plan...I recommend below that...[the review]...should be completed by April 2021 to address a number of issues of which the Relief Road is one.*"¹ [JLL emphasis]

Accordingly, the 2017 adopted Local Plan policy states that the issues for review in the first review include '*whether the case for a Leeds-Langley Relief Road is made, how it could be funded and whether additional development would be associated with the road*' – along with

¹ Paragraph 166, Report on the Examination of the Maidstone Borough Local Plan, 27th July 2017, The Planning Inspectorate.





the consideration of alternatives to such a relief road (adopted Local Plan policy LPR1, paragraph 9.13).

The Inspector noted that the LLRR had even in 2017 been a relatively long-running potential project and had been considered in the previous Maidstone Borough Local Plan (adopted 2000):

“Such a new road was included in the adopted Local Plan 2000. Policy T18 had expected that a Leeds Langley Heath Bypass would be implemented during the period of that Local Plan, but that has not happened.”²

The Inspector also noted the road was considered subsequently in the context of a proposed new settlement outside the town to the south east, but proposals were abandoned.

The review of the 2017 adopted Local Plan was therefore identified by the Inspector as an appropriate time to review the case for the road and policy LPR1 formally identified the Council’s commitment to this aim within the development plan.

The Regulation 19 Consultation Draft Local Plan

The Draft Local Plan identifies that reconsideration of the business case for the relief road was an identified objective of the adopted Local Plan (2017):

“The reconsideration of the business case for the delivery of a Leeds - Langley relief road is a requirement of the Local Plan 2017 set out in Policy LPR1.”³

Despite this identified stated requirement, paragraph 5.30 of the consultation draft indicates that wholesale levels of uncertainty around the road remain:

“It is not currently known whether and what quantum of development will be needed to help create the business case for this new route, and as such this Plan seeks to ensure that any development that takes place within this corridor does not act to sterilise this opportunity.”⁴

The draft plan states that:

“At the present time the final case has not been made, but early work suggests that it is likely that a quantum of new development would be needed to help fund it, therefore masterplanning via a business case for the whole corridor should be considered. “

² Paragraph 165, Report on the Examination of the Maidstone Borough Local Plan, 27th July 2017, The Planning Inspectorate.

³ Regulation 19 Consultation Draft Local Plan, paragraph 7.84.

⁴ Regulation 19 Consultation Draft Local Plan, paragraph 5.30.



Despite the stated objective for the reconsideration of the business case for the new road in this Local Plan review, not only is there no stated business case, no route is identified in the plan.

The draft plan however still identifies that the Leeds-Langley corridor will be safeguarded to enable the potential future delivery of an improved transport connection linking M20 J8 and the A274.

Policies LPRSS1 and LPRSP5 - Maidstone Borough Spatial Strategy and Strategic Development Locations

Policy LPRSS1, point 7 sets out that there is *‘potential for development in the Leeds-Langley corridor to support a possible addition to the highway network linking the A274 with M20 J8.’*

Policy LPRSP5 identifies that a ‘potential strategic development’ location will be safeguarded for delivering a new Leeds-Langley Relief Road (LLRR). The policy justification notes that the new road will link the M20 (Junction 8) and the A274 around Langley (para. 6.82). The justification reiterates that the consideration of how this new highway could be delivered is a requirement of Local Plan 2017 Policy LPR1 (para. 6.82).

The policy identifies two ‘Strategic Development Locations’ – the Invicta Barracks site and the Lenham Broad location for housing growth. Both of these locations, identified under part 1 (a and b) of the policy, include a specified number of units, 1,300 and 1,000 units respectively.

There is however no quantum of development or reference to any housing numbers identified for the potential strategic development area – the safeguarded area for the new LLRR – in either policy LPRSS1 or LPRSP5.

Policy LPRSP5(A) Potential Development in the Leeds-Langley Corridor

Policy LPRSP5(A) identifies that development within the LLRR corridor, identified on the associated map⁵, will be safeguarded for the potential delivery of the new Leeds-Langley Road.

The policy justification identifies that an approximate quantum of growth in the region of 3,995 residential units would be capable of funding the LLRR without third party funding, should this be unavailable (para. 6.86).

The draft plan states that within the safeguarded area prospective developments will need to demonstrate that they do not prejudice the future creation of a new route. The policy justification notes that *“this covers the minimum area considered necessary to protect both the alignment of the road and the area necessary for enabling development identified as needed to make the scheme feasible.”*⁶

⁵ Regulation 19 Consultation Draft Local Plan, page 67.

⁶ Regulation 19 Consultation Draft Local Plan, paragraph 6.91.

This indicates there is a degree of certainty over both the route alignment and the area necessary for the associated enabling development.

However the policy justification goes onto note that the *potential* for a future Development Plan Document (DPD) to be produced to guide development of the route in partnership with landowners and KCC (Kent County Council). It notes that it will be expected that development at the scale anticipated to fund and deliver a scheme will bring forward the normal range of other associated infrastructure.⁷

It is unclear from these statements whether a definitive route is known or not. On the one hand, the plan states the safeguarded area has been defined to cover the minimum area to protect the route alignment and associated enabling development. This strongly suggests there is a degree of certainty over the route, and the area for enabling development required to deliver it is known. On the other hand, the draft plan identifies a future DPD will be produced to guide the development of the route.

There is significant uncertainty inherent within the policy.

Draft policy LPRSP5(A) states that:

“1. Land within the corridor defined on the policies map, will be safeguarded for potential future development, which will be required to provide a quantum of enabling development which will meet its own and future highway needs and to provide connectivity between M20 junction 8 and the A274.”

2. Development proposals which come forward in the defined corridor will be assessed for their potential to prejudice the delivery of a new highway. Proposals for new residential and commercial development coming forward in the defined corridor will need to be accompanied by a masterplan demonstrating how the development of the site potentially contributes to or does not inhibit the delivery of a Leeds Langley relief road.

The draft policy therefore:

- safeguards land for a new road but in the same plan states there is no business case for the road.
- states that there is enabling development proposed but at the same time the justification states that there is no new development proposed by the plan within the safeguarded area.
- requires new residential and commercial proposals within the safeguarded area to evidence how they do not inhibit the route of the new road, and potentially contribute to it, but without any route identified.

⁷ Regulation 19 Consultation Draft Local Plan paragraph 6.92

- safeguards a well-defined spatial area defined as the ‘minimum area’ necessary to protect both the alignment of the road and the area necessary for enabling development – but there are no details indicating where the enabling development would be located nor the route alignment.

The policy position is unusual in that it includes a potential development area but in effect sterilises development within it until such time as a route is identified. How can a major residential or commercial planning application show it is not prejudicing a route which is not known (or at least not identified in the plan)?

Without a clear decision on the route, the policy in its current form risks restricting development of the search area for a significant period.

The policy justification states the following:

“The council has undertaken a study to meet the criteria laid out in the Local Plan 2017 Policy LPR1 as part of the Local Plan Review. The results of the study concluded that whilst previous route alignments considered were feasible in principle as transport projects, they would be unlikely, in spatial planning terms, to support significant development. Therefore, as standalone projects the route alignments considered had limitations in regard to being able to make a strong enough business case for funding.

To overcome these issues the council commissioned further work from independent consultants. This work was to identify variations to the previously considered alignments and would release sufficient enabling development to support the delivery of the road. The Study concluded that an approximate quantum of growth in the region of 3,995 residential units would be capable of funding a scheme without third party funding, should this be unavailable.”

It is presumed this statement relates to a report produced as part of the evidence base for the draft Local Plan⁸. The Council commissioned consultants, Stantec, to prepare a report on the LLRR (Leeds Langley Relief Road, Responding to LPR 1, report dated Sep 2021 - ‘the Stantec Report’). It appears this report forms part of the justification for the ‘narrowed’ area of search as indicated in the Regulation 19 Local Plan. The report included work by Aspinall Verdi (September 2021) on the viability of the route and the quantum of development to help create the business case for the new route.

Stantec’s report confirms they have developed and costed an indicative alignment which could enable development at the southern and northern ends of the route, noting significant land was promoted in each area as part of the Council’s previous Garden Community Call for sites consultation in 2019. They note it is reasonable to assume that around 100ha in each of the north and south locations could be developable within each area (subject to more detailed

⁸ Leeds Langley Relief Road, Responding to LPR 1 (Stantec, September 2021, ref 332410501_300 Rev AA)

testing). Broad areas for this are identified in Stantec’s report (see figure 1, below (figure 3.1 of the Stantec Report)).

Figure 3.1 – Safeguarding Area illustrating the scale of two 100ha development parcels

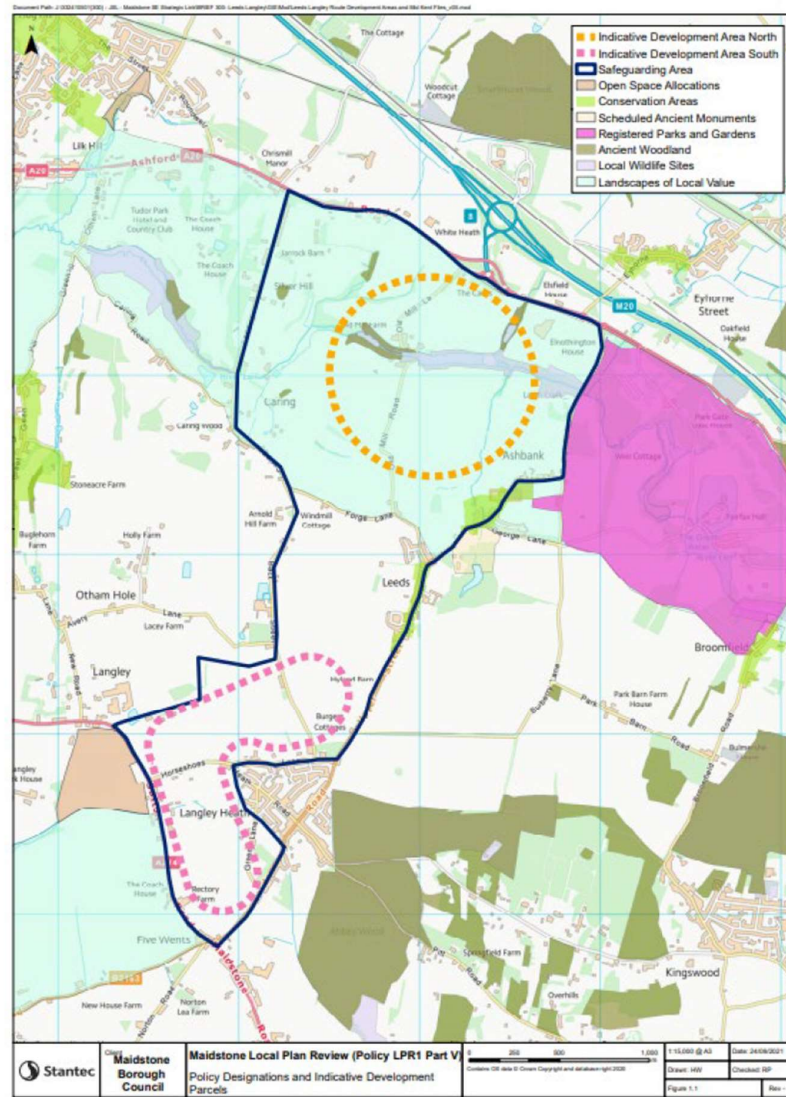


Figure 1- Stantec Report (fig. 3.1) showing the potential development areas within the Regulation 19 Local Plan safeguarding area (Leeds Langley relief Road, Responding to LPR1, Stantec September 2021).

The report identifies that 200ha of land is broadly developable within the safeguarded area – 100 hectares each in the north and south of the safeguarding area - as identified in figure 1,

above. The Stantec Report notes that headline viability work shows that the scale of development is likely to be able to deliver the route.

Specifically in relation to the northern parcel, for testing purposes the Stantec Report assumed 100ha of developable land in the area for housing (south of the A20). The report notes that this land is “*broadly unconstrained providing the nearby heritage assets can be protected*” (Stantec Report 3.3.19). The report also identifies that “*development may be possible in the north of the area of search without the road where the case could be made that the development does not rely on the B2163.*” (Stantec Report, para 3.3.3)

The report identifies that Stantec have shown this scale of land for indicative purposes and the areas shown should not be taken as any ‘red line’ – only to illustrate the scale of land needed in each area with the wider safeguarded area⁹. However, the Wates submission during the Garden Settlements Call for sites submission in 2019 forms a logical part of this northern development area and indicates an available, achievable and deliverable site with direct access off the A20. Various technical reports were included with the submission and demonstrate the feasibility of the site for residential development. It is considered landholdings directly south of the A20 could form an initial phase of any comprehensive development which would allow access to a wider northern development area.

The 3,995 new dwellings referenced in the Regulation 19 plan, appears to be derived from Aspinall Verdi’s recent viability report (included as an appendix to the Stantec report) which identified that a development of this number of units in the Leeds-Langley area would viably support the following:

- 40% affordable housing.
- An allowance for S106 payments of £20,000 per dwelling (a capital sum of £79.9m).
- The full cost of the relief road at c. £56m (cost spread over 10 years).
- Other design/policy costs identified in the their main Viability Report undertaken for the evidence base.
- Additional infrastructure contributions of £10,000 per dwelling (a capital sum of £39.95m).

Testing of the LLRR has been modelled in the Local Plan evidence base¹⁰. The Local transport Model prepared shows that the Leeds Langley Relief Road was tested.

The Stantec report states that Kent County Council has confirmed to Maidstone Borough Council that should the Boorugh require a route in order to support new development in the

⁹ Para 4.1.5, Leeds Langley Relief Road, Responding to LPR 1 (Stantec, September 2021, ref 332410501_300 Rev AA)

¹⁰ Maidstone Local Transport Model – Mitigation and Sustainability Sensitivity Test Results, Jacobs, 20 August 2021

area, it would be willing to work with them to establish a funding package and to lend its compulsory purchase powers in the correct circumstances. (Stantec Report, para 1.2.5)

As identified in the draft Local Plan, there is a significant amount of land within the vicinity of the potential highway intervention for mixed use development. The Stantec report identifies that this land may be able to contribute toward the funding of the new route by both providing land and potentially financial contributions as part of the new development along any future route.

Given the evidence base, an allocation for the strategic development area comprising two discrete components at the north and south of the currently safeguarded area is justified.

In summary, the evidence and in particular the Stantec report and associated viability work effectively provides the basis as to the form of a potential allocation which incorporates as a requirement, the delivery of a LLRR.

Proposed Policy Revisions

The inclusion of a major allocation(s) within the area of search, with an approximate defined quantum of residential-led development -as proposed in the Stantec Report and within Wates's Garden Settlements submission in 2019 as part of the northern development area-would give general certainty to the form and amount of development to support the new road. Such an allocation could include the requirement for the delivery of a new LLRR.

Currently policy LPRSP5(A) allocates a large safeguarded area for the new road with a potential development area to assist its delivery. The emphasis of the policy should be reversed to definitively allocate a strategic development area, with a defined quantum of development the delivery of which would be contingent on delivery of a new LLRR and with other specific allocation requirements, in a similar manner to policies LPRSP5 1 (a) and (b) for the Invicta Barracks and Lenham sites respectively. This should include commercial development alongside residential. This proposed alteration would bring consistency to the three areas identified in the overarching strategic development policy LPRSP5.

A new form of wording for a revised policy LPRSP5(A) is provided below:

"1. Land within the corridor defined on the policies map, will be allocated and safeguarded for ~~potential future~~ the development of 4,000 residential units and xxx hectares of employment land to be delivered in the plan period; ~~which will be required to provide a quantum of enabling development which will meet its own and future highway needs and to provide connectivity between M20 junction 8 and the A274.~~"

2. The prospective applicant(s) are required to prepare a masterplan or masterplans to reflect the requirements of other policies in the Local Plan and delivering the necessary infrastructure to meet the needs of the development to be submitted for approval of the Local Planning Authority.

3. The masterplan(s) will be required to make provision for key pieces of infrastructure necessary to support development including a new Leeds-Langley Relief Road linking the M20 Junction 8 in the north and the A274 in the south.

4. The masterplan(s) will be prepared and submitted to the Council in advance of the formal submission of any major residential/commercial planning application(s) in the policy area.

5. The route of the relief road route linking the M20 Junction 8 in the north and the A274 in the south is illustrated on the proposals map (figure XX) and is safeguarded for purposes of the relief road's future delivery.

5. Development will be considered prior to the construction of the road where it does not prejudice the delivery of the new Leeds Langley Relief Road – and where necessary, contributes toward it and is in general accordance with the approved masterplan.

~~2. Development proposals which come forward in the defined corridor will be assessed for their potential to prejudice the delivery of a new highway. Proposals for new residential and commercial development coming forward in the defined corridor will need to be accompanied by a masterplan demonstrating how the development of the site potentially contributes to or does not inhibit the delivery of a Leeds Langley relief road.~~

It is recognised the Council may wish to add additional criteria to the policy wording.

However, a form of wording similar to that above would ensure Policy LPRSP5(A) would include a firm development allocation with a defined number of residential units predicated on the delivery of the LLRR rather than a 'potential strategic development location'. In order to include this as a firm allocation, a clear commitment to the LLRR must be made within the plan however.

This would give the necessary clarity and certainty to developers to work with other landowners and the LPA to engage in the technical work required to masterplan the area and deliver the development required to fund the LLRR.

For consistency, policy LPRSP5 should also be amended to remove the potential strategic development location at part 2 of the policy. This should be replaced with a new Strategic Development Location in a new part 1 c, identifying 4,000 units within the Leeds-Langley corridor.

Policy LPRSS1, part 7 should similarly be updated accordingly to reflect a firm allocation rather than a potential strategic development allocation, and a commitment to the LLRR.

Conclusions in respect of the Leeds Langley Corridor Strategic Development Area

The NPPF (2021) states that in relation to plan-making, plans should be prepared positively, in a way that is aspirational, but deliverable.¹¹ The NPPF also states that plans can only be found sound if they are *justified* taking into account the reasonable alternatives and based on proportionate evidence and *effective*, deliverable over the plan period.¹²

A requirement for a Leeds Langley bypass was included in the 2000 adopted Local Plan (policy T18). This was not delivered during the life of the plan. However LPR1 of the adopted local plan requires a ‘reconsideration’ of the business case for the delivery of the Leeds Langley Relief Road as part of a plan review:

“Whether the case for a Leeds-Langley Relief Road is made, how it could be funded and whether additional development would be associated with the road.”

The Regulation 19 Consultation Draft plan does not do this. The Stantec Report provided as part of the evidence base, illustrates two discrete parcels of development land - at the northern and southern end of the safeguarded area - to deliver the route.

Despite the Inspector’s requirement that the plan review addresses the LLRR issue, this has not occurred. Policy LPRSP5(A) in its current form simply sterilises most forms of development coming forward in the safeguarded area - and is likely to do so until a route for the road is proposed.

Paragraph 5.30 of the consultation draft plan states that *“this Plan seeks to ensure that any development that takes place within this corridor does not act to sterilise this opportunity [the LLRR].”*

The reverse scenario is instead provided by the draft plan. Rather than development sterilising the new route, it is the route (or rather uncertainty over it) that is sterilising new development.

There is no timeline suggested for if/when the Council will actually make the decision on the LLRR anticipated by policy LPR1. Which means the sterilisation of the corridor’s development potential may be indefinite or at the very least, it may cover a substantial period of time.

It is impossible to demonstrate that a scheme does not “prejudice the future creation of a new highway” without a decision on what that new route will actually be. So the masterplan requirement at LPRSP5(A)(2) is not effective. It is also unnecessary unless the new route is will come forward.

¹¹ NPPF (2021) paragraph 16b

¹² NPPF (2021) paragraph 35



As currently worded it is not considered policy LPRSP5(A) is ‘sound’ in accordance with paragraph 35 of the NPPF.

The policy amendments, as put forward in these representations, reverse the emphasis of the policy to make the road a specific requirement of development proposals. The revisions would require a road to come forward.

The draft Local Plan identifies that landowners have identified a significant amount of land within the vicinity of the potential highway intervention for mixed use development (Local Plan 6.89). However, it is noted that without greater certainty over the route of the road the landowners are disincentivised and limited in their ability to form any coherent strategy – and/or to invest the considerable sums in undertaking the technical work to demonstrate the Leeds Langley route can be delivered. The Stantec Report identifies the landowners are thus caught in a ‘chicken and egg’ scenario (Stantec Report, para. 1.2.3).

In order to address this, the policy needs to include greater certainty that the planning policy framework is in place to allow development to occur. Ultimately, this means greater certainty over the route of the road.

Commercial Policies and Associated Evidence Base

Land North of the A20

Land to the north of the A20 directly south east of the Woodcut Farm Employment allocation lies to the north of the area of search identified in draft policy LPRSP5(A). The Woodcut Farm allocation is for up to 49,000m² of mixed employment floorspace – B1 (now E), B2 and B8 use classes - with a designated landscaped area to its west. Following a local plan allocation in the adopted local plan for B1 (as was), B2 and B8 use classes, the site was granted outline planning permission in July 2018 for 45,295m² of commercial floorspace (B1 (now E) and B8 (MBC reference 17/502331/OUT). A s.73 variation of condition application was also approved - for changes to permission reference 17/502331/OUT to revise the configuration of the height and size of development on the eastern and western sides of the site (ref 20/505195/OUT).

The Woodcut Farm site is likely to contribute to meeting the qualitative need for a new, well-connected mixed use business park in the borough which can meet the anticipated demand requirements for office space, small business spaces, stand-alone manufacturing and smaller scale distribution as noted in the draft Plan (para.7.60).The plan notes the unique opportunity Woodcut Farm offers to provide a prestigious business park in this location which can provide a range of job needs over the lifetime of the new plan, up to 2037.

Given the importance of Woodcut Farm and the recognition of the site’s ability to provide high quality employment space, the land to the immediate south west of this site, shown in figure 2 below, forms a logical extension to this major employment development. This site, which was promoted for commercial use in Wates’ representations to the Garden Settlements consultation in 2020, is in an approximate triangular shape formed by Musket Lane, Ashford Road (A20) and the M20 Junction 8 slip road. This area falls outside of the Woodcut Farm

allocation currently but could provide approximately 12,500m² B8 commercial floorspace which would complement the directly adjacent committed Woodcut Farm development and provide an agglomeration of commercial uses in order to assist meeting the Council's overall growth need for employment development.

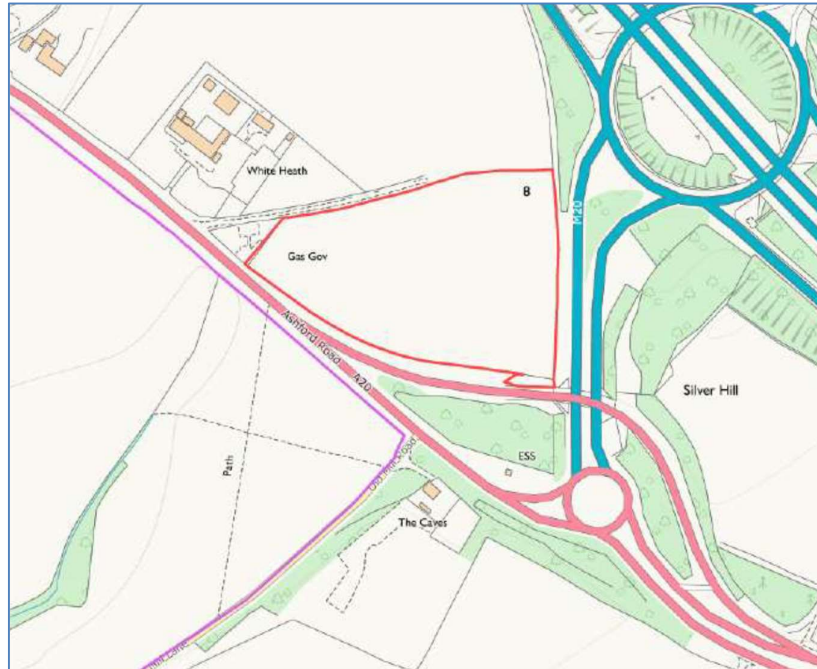


Figure 2 – Subject site edged red

The landscape on this site is heavily impacted by existing transport infrastructure including the A20, junction 8 of the M20 and its associated slip road. The site is bounded on three sides by road infrastructure- the motorway access road and junction 8 to the east, A20 to the south and Musket Lane to the north. A Landscape Character Assessment was prepared by Jacobs on behalf of the Council in March 2021 (amended July 2013)¹³ which is referred to in the regulation 19 Local Plan draft (para. 7.161) In relation to the specific landscape area around the subject potential employment land, the report notes that fragmentation is caused by the surrounding heavy transport infrastructure (para 49.25) and that...

“...the landscape is heavily influenced by the M20/HS1 corridor, and traffic is both visible and audible. The busy A20, Ashford Road, also dissects the area in an east west direction, increasing the impact of major infrastructure and fragmenting the landscape.” (para. 49.20)

¹³ Maidstone Landscape Character Assessment, Jacobs March 2012, amended 19 July 2013

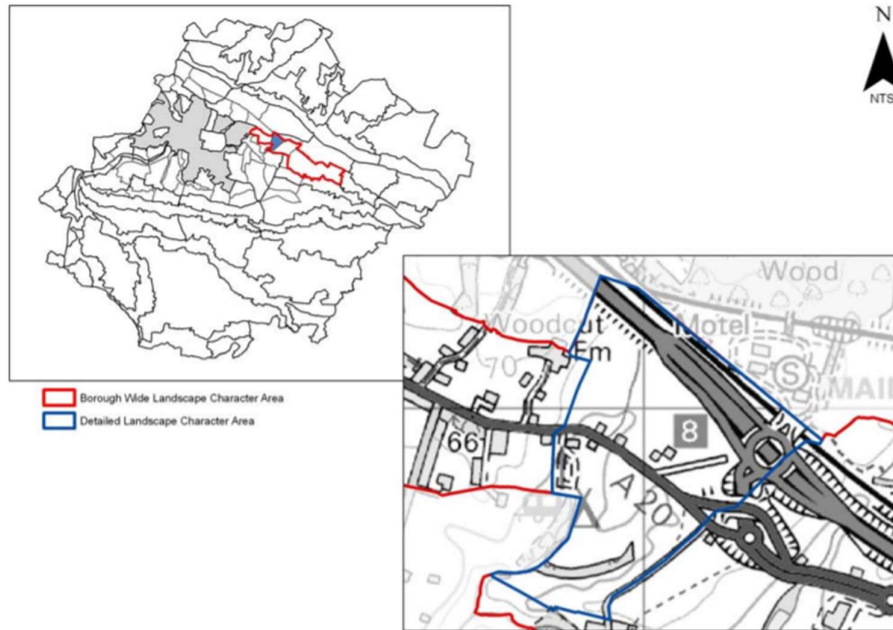


Figure 3 White Heath Farmlands Sub Area within the Maidstone Landscape Character Assessment (2012/2013)

The allocation and build-out of the Woodcut Farm allocation will further impact the landscape character of the area, particularly in relation to the subject employment site. The site will effectively become a pocket of vacant land with the motorway slip road to the east, A20 to the south and Woodcut Farm commercial development to the north. Technical transport work by Wates consultants, i-transport, has been undertaken which indicates the site can feasibly be accessed from the A20. Initial work by i-transport has indicated that:

- Access is achievable to the proposed B8 development via a new ghost-island priority junction;
- An updated Stage 1 RSA concludes that in relation to visibility, the proposed junction will not result in an unacceptable safety impact; and
- Discussions will be required with KCC to develop and refine the proposed access solution.

As part of the evidence base for the Local Plan, it is noted an Economic Development Needs Statement Addendum has been produced by consultants, Lichfields¹⁴. JLL's Logistics Team have reviewed this work and concluded that given the continued growth of occupier demand within the industrial and logistics market, the existing and proposed allocation of Employment Space outlined in the Lichfields Report is not expected to meet the growing demand expected in the region in the plan period to 2037.

¹⁴ Maidstone EDNS Addendum, Final Report, April 2021



The JLL report identifies the following key points:

- The Covid-19 pandemic has led to a significant and growing demand for industrial and logistics space experienced across the industry. The spike in demand for warehouse space is widely acknowledged as a shift that is due to stay as a result of changing consumer dynamics mainly driven by the growth of e-commerce.
- there has been an explosion in occupier demand for B8 warehouse space over the past two years, accelerated by the pandemic and the resulting reliance in on-line retail strengthening.
- The decline in vacancy rates illustrates how demand has run ahead of supply. JLL Logistics believe demand will be sustained by a variety of drivers
- Despite the statistics clearly highlighting a demand/supply imbalance in the industrial and logistics sector, as highlighted in Table 3.4 of the Lichfields Report, this has not been fully reflected in the Employment Space Allocation for Industrial and Warehousing within the Borough of Maidstone.
- As highlighted in the Lichfields Report, there is and will continue to be a growing demand for Industrial (B2 and Class E) and Warehouse (B8) space in the Borough, reflecting the higher overall level of job growth implied by the latest projections over the Local Plan period between 2022 and 2037 (and 2042). Lichfields' analysis calculates between 2022 to 2037 an additional 56,270 sq m (605,685 sq ft) of warehouse (B8) floorspace until 2037.
- However fundamentally, given the rise of occupier demand within the industrial and logistics market, the existing and proposed Allocation of Employment Space outlined in the Lichfields Report is not expected to meet the growing demand expected in the region.

The report identifies that the subject site at Ashford Road north of the A20 has strong market appeal to retail companies or their logistics providers seeking warehouse space and that this is for four main reasons:

- The site is well located to service customers (businesses or end consumers) because it affords good access to major population centres, including most clearly Greater London but also major towns in Kent and East and West Sussex in particular.
- The Maidstone area's ability to offer more competitive rates with the displacement of occupiers further away from London and the M25.
- The site has direct access to junction 8 of the M20 motorway which provides connectivity to the national motorway network via the M25.
- Being close to the built-up area of Maidstone the site is accessible to a sizeable economically active population, the best single indicator of the size of the labour force in an area.

Policy LPRSP11(B) and table on page 128 should be amended to reflect the increased requirement for B8 floorspace and include the Ashford Road subject site.



The full JLL Logistics Report can be found at Appendix 1 of this report.

The Framework states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. The NPPF states that this evidence should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.¹⁵

The Framework states that plans are Sound if they are ‘positively prepared’ and provide a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs.¹⁶ The plan is not yet Sound on this basis. The demand for further B8 floorspace is evidenced in the accompanying JLL report, as summarised above.

Increase in Housing Numbers

The draft Local Plan identifies a housing target of 1,157 units per annum during the plan period, until 2037 - 17,355 dwellings over the 15-year plan period, based on the Government’s current Standard Methodology calculation (policy LPRSP10(A), para 7.1 and 5.7) (policy SSS1 provides a slightly higher figure of 17,746 which is assumed to be an error).

The Government’s Planning Practice Guidance identifies however that there should be a buffer included in housing requirements to take into account potential fluctuations in the market and to ensure supply is sufficiently flexible and robust. Such a buffer should be included and the figure increased accordingly with a recognition that a buffer is required.

Conclusions

The LLRR and Potential Strategic Development Area

The reconsideration of the business case for the relief road was an identified objective of the adopted Local Plan (2017), policy LPR1. This has not occurred within the Consultation Draft Local Plan.

On one hand the Leeds-Langley corridor is identified as a potential strategic development location. On the other hand the corridor is safeguarded, which effectively inhibits new development coming forward.

The current policy requirement is for a masterplan to demonstrate development proposals do not prejudice the future creation of a new route. Without a formally identified route, this is impossible to do. There is currently no timescale given for when (or if) the Council will make the decision on the LLRR anticipated by policy LPR1 of the adopted Plan effectively sterilising the development potential of the land indefinitely.

¹⁵ NPPF (2021) paragraph 31

¹⁶ NFFP (2021) paragraph 35



As currently worded it is not considered policy LPRSP5(A) is 'sound' in accordance with paragraph 35 of the NPPF.

The policy amendments, as put forward in these representations, reverse the emphasis of the policy to make the road a specific requirement of development proposals. The revisions mean that the policy would require a road to come forward.

Policies LPRSS1 and LPRSP5 should also be revised to reflect the changes proposed in these representations to policy LPRSP5(A).

Commercial Policies and Associated Evidence Base

The Lichfields EDNS Report, forming part of the Local Plan evidence base has been reviewed by JLL Logics. The conclude that given the continued growth of occupier demand within the industrial and logistics market, the existing and proposed allocation of Employment Space outlined in the Lichfields Report is not expected to meet the growing demand expected in the region in the plan period to 2037.

The NPPF (2021) states that plans are Sound if they are 'positively prepared' and provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs.¹⁷ The plan is not yet Sound on this basis. The demand for further B8 floorspace is evidenced in the accompanying JLL report.

The report identifies that the subject site at Ashford Road north of the A20 has strong market appeal to retail companies or their logistics providers seeking warehouse space.

The site would provide an additional location for B8 warehouse use immediately adjacent to, and complementing, the committed Woodcut Farm development to the west.

Policy LPRSP11(B) and table on page 128 should be amended to reflect the increased requirement for B8 floorspace and the Ashford Road subject site.

We wish to reserve the right to appear at the Examination in due course in order to expand on our position.

We look forward to receiving confirmation that these representations have been received and registered. In the meantime, if you require any further information or clarification please do not hesitate to contact me on 07922 582704 or at tom.lamshead@eu.jll.com Please keep us informed of any further consultations on the emerging draft Local Plan and associated documents, using the contact details at the top of this letter.

¹⁷ NFFP (2021) paragraph 35



Yours faithfully,

A handwritten signature in black ink, appearing to read "Tom Lamshead", written in a cursive style.

Tom Lamshead MRTPI MIPI
Associate Director
Planning, Development and Heritage
Jones Lang LaSalle Ltd



Appendix 1 - JLL Logistics Report

Land at Ashford Road, Maidstone, Junction 8, M20 Motorway

1. Planned additional floor area insufficient for market demand

As highlighted in Lichfields' Maidstone EDNS Report (April 2021) there is and will continue to be a growing demand for Industrial (B2 & Class E) and Warehouse (B8) space in the Borough of Maidstone, reflecting the higher overall level of job growth implied by the latest projections over the Local Plan period between 2022 and 2037 (and 2042).

Lichfields' analysis calculates between 2022 to 2037 an additional 56,270 sq m (605,685 sq ft) of warehouse (B8) floorspace until 2037 (table 3.3). However fundamentally, given the rise of occupier demand within the industrial and logistics market, the existing and proposed Allocation of Employment Space outlined in the Lichfields Report is not expected to meet the growing demand expected in the region.

Demand/ Supply Imbalance

Warehouses are critical components of most supply chains and market demand is running ahead of supply. Section 3.26 of the Lichfields report refers to an 'artificial inflation' of employment floorspace due to the impact of Covid-19 influencing the 'true quantum of economic need' in the Borough. However, in many instances, the Covid-19 pandemic has had the opposite effect, leading to a significant and growing demand for industrial and logistics space experienced across the industry. The spike in demand for warehouse space is widely acknowledged as a shift that is due to stay as a result of changing consumer dynamics mainly driven by the growth of e-commerce.

Warehouses are critical components of most modern supply chains, and, as highlighted by the Covid pandemic, resilient supply chains are essential for businesses and other organisations (such as the NHS) to function and operate efficiently.

Warehouses perform various roles within supply chains of which the holding of inventory to help match supply with demand is just one. They can also be used for rapid distribution to customers across different market areas (such as local or regional) and to add value to goods, such as where some elements of final assembly of a product are undertaken in a warehouse. In addition, warehouses are often at the forefront on the digital retail revolution, as these buildings support the fulfilment of online orders, including the processing of returned items.

As highlighted in previous JLL market analysis (October 2021) there has been an explosion in occupier demand for B8 warehouse space over the past two years, accelerated by the pandemic and the resulting reliance in on-line retail strengthening. Last year a record 35.8 million sq ft was taken up for occupation across Great Britain (GB). This year the market is likely to approach this level again, with some 27.1 million sq ft taken-up in the first nine months of the year.¹

As a result of strong demand, the supply of available warehouse space has fallen sharply over the past two years. At the end of Q3 2021, the vacancy rate based on immediately available space across the GB logistics market represented just 2% of the stock compared with 7% two years ago. If we add to the immediately available space the additional floorspace in buildings speculatively under construction, then the vacancy rate at Q3 2021 was 5% compared with 8% two years ago.

The decline in vacancy rates illustrates how demand has run ahead of supply. We believe demand will be sustained by a variety of drivers. These drivers include:

¹ Grade A buildings of 100,000 sq ft and over.

- the benefits that occupiers can secure from new buildings in terms of the efficiency of their warehouse operations and improvements in customer service;
- growing requirements for new buildings to provide capacity for additional inventory to mitigate supply chain risks and / or to meet customer demand for shorter order lead times;
- growing demand for new buildings linked to automation, including within the Fast Moving Consumer Goods (FMCG) sector;
- growing requirements for new buildings linked to increasing demand for more sustainable buildings, as sustainability moves much higher up corporate agendas.

Despite the statistics clearly highlighting a demand/supply imbalance in the industrial and logistics sector, as highlighted in Table 3.4 of the Lichfields Report, this has not been fully reflected in the Employment Space Allocation for Industrial and Warehousing within the Borough of Maidstone. Of the 237,430 sq.m of employment space identified (table 3.4), there has been no solely dedicated space to Industrial and Warehousing, with only smaller portions included within the Mixed Use Allocation.

Existing Employment and Mixed-Use Allocations

Of the Existing Employment Allocations and Existing Mixed-Use Allocations referenced in Table 3.4, there are only two sites, EMP1 (4) Woodcut Farm and RMX1(4) Syngenta, of significant scale that could have the ability to compete with the subject Land at Ashford Road. However, as section 2 of this report highlights, neither sites would directly compete with a purely B8 Warehouse scheme at Ashford Road.

EMP1 (1) and EPM (2) total 3,564 sq.m and 4,084 sq.m respectively and in very broad terms, assuming a warehouse site density of 50% for either site, neither would have the capacity to compete with the single unit B8 warehouse proposed at the subject Land at Ashford Road site, and therefore are not relevant.

Proposed Allocations

Of the Proposed Allocations highlighted in Table 3.4, there is only one proposed site of significant scale, Land between Maidstone Road and Whetsted Road (LPRSA260) totalling 41,023 sq.m. However, the nature of the Mixed Use scheme would again suggest this is unlikely to compete with a purely B8 Use proposed warehouse scheme. Furthermore, there isn't any indication as to timeframe of the site coming forward.

To summarise, table 3.4 highlights that the majority of supply coming forward is provided by pre-allocated sites, or garden settlements. The only additional site with new allocation of significant scale as part of the Regulation 18/19 process is Land between Maidstone Road and Whetstead Road, which alone will not meet the rise in demand expected in the Borough.

With regards to the garden settlements, these may never come forward and therefore cannot be assessed as competition to the subject Ashford Road B8 warehouse scheme.

Employment benefit

Modern warehouse buildings often provide a high number of jobs and a range of employment opportunities. For example, survey-based research undertaken by Prologis in 2019 based on more than 30 UK warehouses found that on average warehouses employed one person per 95 sq m of floorspace.² This means that a building of 10,000 sq m would typically employ more than one hundred people (105 people). The same research found that 78% of jobs were full-time with 22% part-time, and that the warehouses provided a diversity of employment opportunities. For example, across the whole sample 25% of jobs were classified as office jobs (a warehouse building of 10,000 sq m overall might typically include 10% of this floorspace as offices), 49% were warehouse workers, 8% were drivers, 12% were managerial and 6% were other.

² Prologis, *Delivering the future: the changing nature of employment in distribution warehouses*, September 2019.

Given that the local authority of Maidstone had an estimated 3,500 people unemployed in the period July 2020 to June 2021, according to Annual Population Survey estimates with model-based adjustments, and 4,160 people claiming out-of-work benefits at October 2021, the employment benefit associated with a warehouse development at this site could be significant.³

2. THE MARKET SUITABILITY OF THIS SITE

In our opinion, the land at Ashford Road, Maidstone (see figure 1, below) would have strong market appeal to retail companies or their logistics providers as well as other sectors looking for warehouse space. This is for four main reasons:

- The site is well located to service customers (businesses or end consumers) because it affords good access to major population centres, including most clearly Greater London but also major towns in Kent and East and West Sussex in particular.
- We are witnessing displacement of occupiers further away from London and the M25 due to significant rental and labour cost increases at their existing sites, and Maidstone can offer more competitive rates.
- The site has direct access to junction 8 of the M20 motorway which provides connectivity to the national motorway network via the M25. Motorways are the key corridors along which road freight moves and road is the main mode for moving domestic freight. In 2020 motorways accounted for less than 1% of the total road length in GB (2,300 miles out of 247,500 miles) but 47% of all HGV traffic (7.7 billion vehicle miles out of total of 16.4 billion).⁴
- Being close to the built-up area of Maidstone the site is accessible to a sizeable economically active population, the best single indicator of the size of the labour force in an area. In the period July 2020-June 2021 the economically active population (aged 16+) totalled 93,000 including 3,500 people who were unemployed. Within the wider Medway Travel to Work Area in which Maidstone is located, the economically active population (aged 16-64) totalled 335,100, the number of people unemployed totalled 12,400 and an additional 8,400 people were economically inactive but said they 'want a job'.⁵

³ Data on unemployment and claimant count sourced via www.nomis.co.uk. According to Nomis:

'The Claimant Count is the number of people claiming benefit principally for the reason of being unemployed. This is measured by combining the number of people claiming Jobseeker's Allowance (JSA) and National Insurance credits with the number of people receiving Universal Credit principally for the reason of being unemployed. Claimants declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.'

⁴ Department for Transport, *Road Lengths in Great Britain 2020* and Department for Transport *Road Traffic estimates: Great Britain, 2020*.

⁵ Data for Maidstone Local Authority and Medway TTWA based on Annual Population Survey, July 2020-June 2021, sourced via www.nomis.co.uk



Figure 1: Ashford Road site

Supply within the Borough of Maidstone

Within the Borough of Maidstone there are no immediately available Industrial & Logistics units greater than 100,000 sq ft to occupy. Looking ahead in the pipeline, as highlighted in table 3.4 of the Lichfield Report there are very few Allocated schemes either under construction or committed to speculatively develop over the next 1-3 years. We are confident that the under supplied local industrial market will remain attractive to both local and Greater London occupiers.

There are only two pipeline development schemes of scale allocated within the Borough of Maidstone (see table 3.4 of the Lichfields Report) for reference:

Former Syngenta Works Site, Hampstead Lane, Yalding - (RMX1(4) Syngenta within Table 3.4)

- Outline planning has been approved for a Multi-Let industrial scheme with B1c, B2 and B8 Use, totalling 500,000 sq ft across 3 Phases. Unit sizes range from 2,000 sq ft – 30,000 sq ft and therefore do not compete with the subject Ashford Road site.
- The location is secondary to the subject Ashford Road site, with no direct links to major motorway networks.

Loc8, Ashford Road, Maidstone, ME17 1XG - (EMP1 (4) Woodcut Farm within Table 3.4)

- 12 unit Multi-Let scheme ranging from 5,436 – 36,404 sq ft, due to reach practical completion by Q4 2022. The unit sizes do not compete with the proposed larger scale single unit development likely to be achievable at the subject Ashford Road site (considered to be circa 130,000 sq. ft.)
- The Multi-let scheme has consent for office and B1c use, which would not be able to accommodate larger B8 logistics operators as a stand-alone development.
- Additionally, there is a 4-unit “Mid-Box” phase due to be speculatively developed with similar timings. The individual unit sizes range from 37,000 – 54,000 sq ft, which do not compete with the proposed potentially far larger unit at the subject Ashford Road site.
- The units are semi-detached and therefore can be combined to accommodate a 106,000 sq ft unit. However, we do not foresee this being significant competition to the subject site, mainly because

there is a 9m internal eaves height restriction, that would not appeal to many Logistics occupiers who tend to require a minimum of 12m clear internal heights for that size range.

- Finally, Loc8 is situated adjacent to the subject Ashford Road site and given the timings of development with Phase 1 due to PC Q4 2022, this could be advantageous to attracting occupiers benefiting from a cluster of new industrial units within close proximity, but notably not directly competing in size.

3 CONCLUSIONS

Given the continued growth of occupier demand within the industrial and logistics market, the existing and proposed allocation of Employment Space outlined in the Lichfields Report is not expected to meet the growing demand expected in the region in the plan period to 2037.

If allocated for a single unit B8 distribution warehouse development, we believe the subject site will:

- help meet very strong ongoing demand and surplus need for warehouse space.
- provide high-quality modern looking warehouse with integrated office accommodation.
- provide a significant employment benefit including a variety of job opportunities for local people and help address local unemployment.
- Given the additional Mixed-Use Allocations made and proposed within the Borough, a purely B8 Warehouse allocation will not create an over-supply of employment space.

We believe the site would have a strong appeal in the market because it offers good access to major population centres, is adjacent to the M20 motorway and offers an occupier good access to a large labour pool from which to recruit staff.

Overall, therefore, we believe that if allocated and developed this site would deliver a significant supply chain and economic benefit, whilst not detracting from the current and proposed allocated sites outlined within Table 3.4 of the Lichfields Report.

December 2021