



TOWN CENTRE SEQUENTIAL TEST REPORT

JOB NUMBER

32380

CLIENT

Clip `N Climb Operating Ltd

SITE

Unit 1G, Former Syngenta Works, Yalding

1 Introduction

- 1.1.1 This Town Centre Sequential Test Report is submitted on behalf of Clip N Climb Operating Ltd (hereafter referred to as "Clip `n Climb"), in support of a planning application to Maidstone Borough Council ("MBC") for the continued development of building 1G approved under 23/502118/REM and change of permitted use to indoor and outdoor leisure and recreation uses.
- 1.1.2 The application site is located at the former Syngenta Works site, with outline planning permission for up to 46,447 sqm of employment in use classes B1(c) (now use E(g)(iii)), B2 and B8 uses, approved in October 2021 (ref: 19/504910/OUT) and subject to a Section 73 variation of condition approval in November 2023 (ref: 23/502119/OUT). The reserved matters for phase B of the development, comprising erection of 20no. commercial units with associated parking, access and landscaping was approved in August 2023 (ref: 23/502118/REM). Subsequently, an application for a revised phasing strategy was submitted in September 2023 (ref: 23/504153/SUB), wherein Building 1G forms part of the new separate and independently implementable phase 'F'.
- 1.1.3 The site is allocated for redevelopment which includes leisure and employment uses under policy RMX1(4) of the Maidstone Local Plan. It is situated approximately 1.6km east of the village of Yalding on the southern side of the B2162 Hampstead Lane and immediately south of Yalding Railway Station. The B2162 connects to the B2105 Maidstone Road and the A228 which provides northbound access to the M20 and southbound access to Paddock Wood and Tunbridge Wells. Yalding Railway Station also provides regular mainline services to Tonbridge, Strood and surrounding areas.
- 1.1.4 It should be noted that there is no requirement in either policy RMX1(4) or draft policy SAEMP1 for the applicant to carry out a town centre sequential test assessment. Other allocations in the local plan necessitate submission of evidence that the NPPF's sequential and impact tests have been met. Conversely, suitable uses shall be determined subject to the findings of the Flood Risk Assessment. Consequently, and irrespective of the conclusions of this Town Centre Sequential

Test report, the proposed leisure use is considered acceptable in accordance with the Local Plan.

2 Proposed Development

- 2.1.1 This Sequential Assessment accompanies a planning application to MBC for the continued development of Building 1G approved under 23/502118/REM with minor amendments and change of permitted use to indoor and outdoor leisure and recreation uses.
- 2.1.2 The site will be occupied by Clip 'n Climb as an indoor/outdoor activity centre, with use of the nearby lagoon and kayaking on the river (Use Class E and F2).
- 2.1.3 The full description of development is as follows:

"Continued development of Building 1G approved under 23/502118/REM with minor amendments and change of permitted use to indoor and outdoor leisure and recreation uses".

Policy Background

- 2.1.4 The NPPF defines the main town centre uses as retail, leisure and entertainment, offices, arts, culture and tourism and the town centre is the first choice location for these uses. This is reinforced in the Maidstone Local Plan, which supports the viability and vitality of the town centre by placing it foremost in both plan-making and decision-taking. Of relevance in the case of this assessment is Policy DM16, which states that:

Proposals for main town centre uses should be located in an existing centre unless:

By means of a sequential approach, it is demonstrated that the proposal could not be accommodated first on a site within an existing centre and the proposal is located at the edge of an existing centre, or second it is demonstrated that the proposal could not be accommodated on a site within or at the edge of an existing centre and the proposal is located on an accessible out of centre site.

- 2.1.5 The emerging Local Plan for Maidstone continues to support the town centre as the focus for locating retail, leisure and main town centre uses.
- 2.1.6 This assessment has, therefore, been prepared to demonstrate that, following application of the sequential test, there are no other sites that are suitable or available to accommodate the proposed development in its desired form.
- 2.1.7 Following on from this introduction, Section 2 of this report summarises the appropriate planning policy approach to undertaking a sequential test assessment.

Section 3 details the key assumptions and the methodology that has been used for the assessment. Section 4 provides the results of the assessment. Finally, Section 5 provides a concise set of conclusions.

3 The Sequential Approach to Site Selection

- 3.1.1 In dealing with the sequential approach to site selection, the NPPF (Section 7) requires applications for main town centre uses which are not in an existing centre and not in accordance with an up-to-date Local Plan to demonstrate compliance with the sequential approach. This requires applications for main town centre uses to be located in town centres, then in edge-of-centre locations and only if suitable sites are not available should out-of-centre sites be considered.
- 3.1.2 The NPPF provides the definitions of 'edge of centre' and 'out of centre' sites. The key factor is the site's relationship to the town centre boundary. 'Edge of centre' sites are located within 300 metres of the town centre boundary. 'Out of centre' are locations which are not in or on the edge of a centre but not necessarily outside the urban area.
- 3.1.3 As per paragraph 92 of the NPPF, applicants should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored. It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.
- 3.1.4 This is expanded upon in paragraph 6.73 of the Maidstone Local Plan, which states that applicants will be expected to explore how the scheme could be adapted so that it could be accommodated on a more central site (i.e., 'disaggregation'). This approach is underpinned by the principle that sites closest to existing centres are likely to be better served by public transport and be more accessible by walking and cycling.
- 3.1.5 Planning Practice Guidance (PPG) recognises that the application of the test will need to be proportionate and appropriate for the given proposal. Use of the sequential test should recognise that certain town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification (reference ID: 2b-012-20190722).
- 3.1.6 In summary, applying the sequential test means:
- Firstly, assessing whether there are any available sites that are suitable in sequentially preferable locations;

- Acknowledging the market and locational requirements of the uses concerned;
- Ensuring the assessment is proportionate and appropriate to the given proposal; and
- Being flexible to demonstrate whether more central sites have been fully considered.

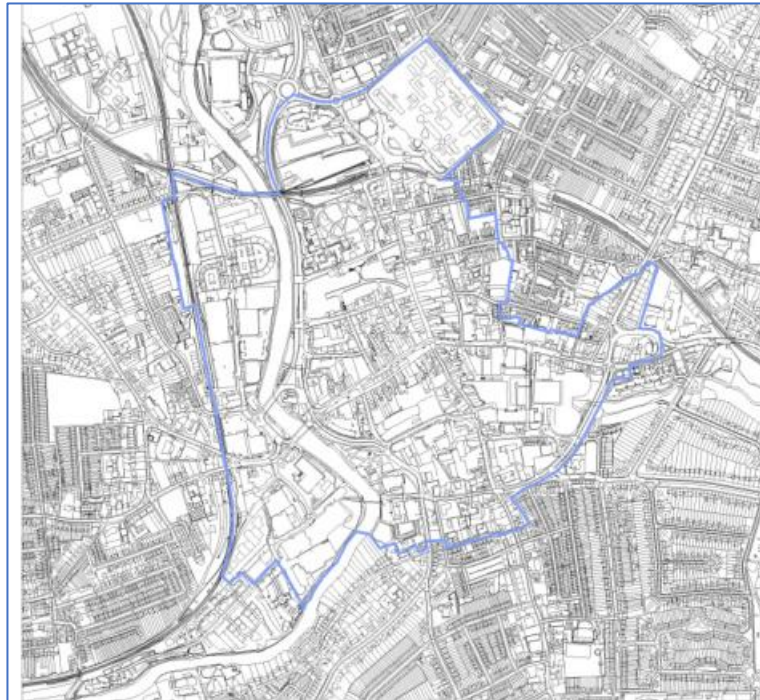
4 Key Variables and Sequential Test Methodology

4.1.1 There are several variables that need to be fixed in advance of any sequential test assessment being undertaken. These include the area of search and the key development parameters that are necessary for the delivery of the proposed development. This section sets out how each of these variables has been established for the sequential test assessment.

Area of Search

4.1.2 In line with the NPPF and relevant policy guidance, the proposed approach to the area of search has been first to consider those sites of a suitable size located within Maidstone Town Centre. As per paragraph 6.74 of the Local Plan, consideration has not been given to other district and local centres across the borough, as these only need to be regarded as centres for the purposes of a sequential search for retail sites.

4.1.3 The town centre area utilised for this assessment is that which appears in the emerging Maidstone Local Plan. This is considered to represent the most robust approach given the advanced stage of the emerging Local Plan.



EMERGING MAIDSTONE TOWN CENTRE BOUNDARY

- 4.1.4 If no suitable sites are identified within the Town Centre, the area of search is extended to include an area of 300m from the Town Centre boundary (i.e., edge-of-centre sites). Thereafter, out of centre locations will be considered. This is consistent with advice contained within the NPPF.

Key Development Parameters

- 4.1.5 Although applicants need to be flexible in terms of the format and scale of the proposal, it is not reasonable to change this to the extent that it can no longer perform its intended function.
- 4.1.6 The size of the site is critical when considering whether it can accommodate the proposed development. The minimum floor space required for the activity centre is 8,000sq. ft. In addition, a minimum building height of 8.3m high is required to enable the proposed indoor climbing facility.
- 4.1.7 The proposed use also requires a location adjacent to both a river and a still body of water (such as a lagoon) to allow the intended outdoor pursuit activities to take place. The proposed indoor and outdoor leisure uses are closely related, and therefore for the purposes of this assessment we have assumed a maximum walking distance of 200m from these features.

- 4.1.8 Only sites capable of meeting the minimum key development parameters set by the methodology (including via disaggregation) would be taken forward for more detailed evaluation.

Site Assessment Methodology

- 4.1.9 It is proposed that the Sequential Test Assessment is carried out in two distinct stages:
- Stage 1 – Site Identification; and
 - Stage 2 – Evaluation and Categorisation.

Stage 1 – Site Identification

- 4.1.10 Sites to be assessed would be identified in Maidstone Town Centre and edge-of-centre locations (i.e., within 300m of the town centre boundary) using the following methods:
- A review of the most up-to-date Development Plans and associated proposals maps to identify allocations and other suitable/committed sites that could accommodate the proposed development;
 - A review of the Emerging Maidstone Local Plan and supporting documents;
 - Identification of sites and premises that are being actively marketed;
 - A review of aerial photography and Ordnance Survey mapping;

Stage 2 – Site Evaluation

- 4.1.11 In addition to the key development parameters, each of the sites identified for consideration in Stage 1 would be assessed against a variety of considerations, including its character and suitability in planning terms. These considerations are set out in more detail below:
- Land use – consideration of the existing use of the site, current planning permissions, or development plan allocations. Whether its loss would be acceptable and would the proposed development accord with the proposed future use;
 - Environmental/Technical constraints – Is the site the subject of any environmental designations or other technical constraints due to its development;

- Compatibility with surrounding uses – the possible impact of leisure development on surrounding uses and particularly in terms of its physical structure, built design, as well as the impact of its operation – noise, lighting etc;
- Accessibility – consideration of whether the site is accessible on foot, by public transport and by car, with an adequate level of public parking;
- Access and traffic impact – most forms of development will contribute directly and indirectly to traffic impact, both in terms of effect on adjacent roads and impact on the amenity of neighbouring uses as a result of increased traffic;
- Site availability – For a site to represent a practical opportunity for recreation and leisure uses it needs to be available immediately;
- Commercial feasibility – For a site to be practical, it needs to be commercially viable. This will be determined by the cost of acquiring the site, site preparation, building costs and the rate of return sought by the developer.

4.1.12 If, following the assessment, available, suitable and viable centre or edge of centre sites have been identified, they would be considered to represent sequentially preferable alternatives to the proposal. If no such sites are identified, the sequential test is deemed to have been passed.

5 Sequential Test Assessment

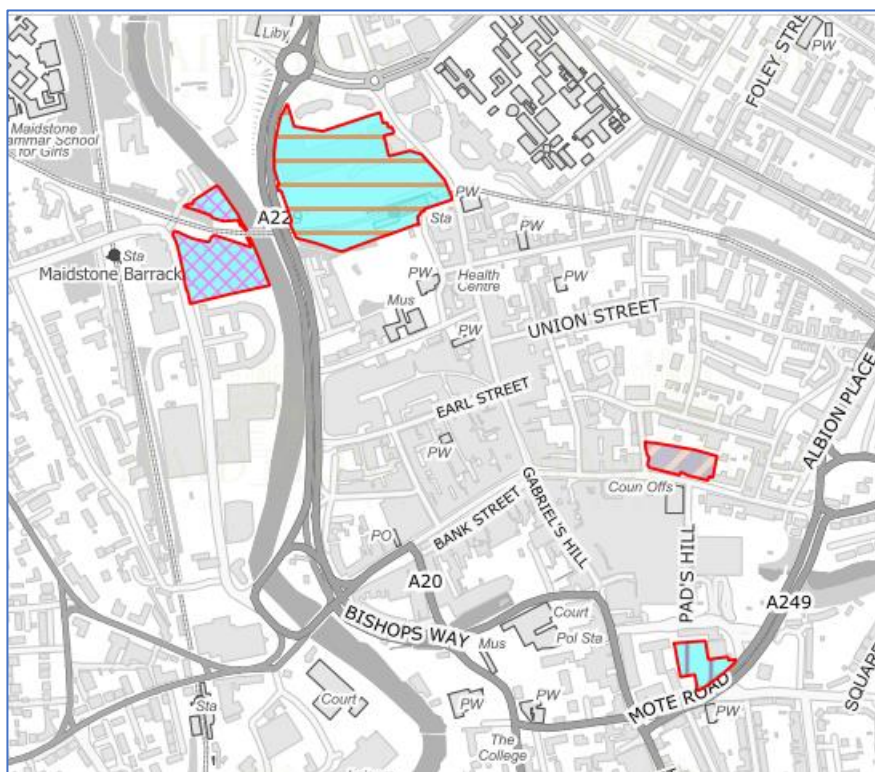
5.1.1 A comprehensive site analysis has been carried out of potential centre and edge of centre locations capable of accommodating the proposed development.

5.2 Stage 1 – Site Identification

5.2.1 As noted in section 3 above, a variety of sources have been utilised to identify potential locations for the proposed development. The outcome of this assessment has been summarised below:

A review of the most up-to-date Development Plans and associated proposals maps

5.2.2 The Local Plan 2011-2031 allocates four sites for new economic development within the centre and edge of centre locations within Maidstone. Each of these sites is identified on the below Local Plan Proposals Map.



CENTRE AND EDGE OF CENTRE ALLOCATIONS

5.2.3 The sites, and the purpose for which they have been allocated are:

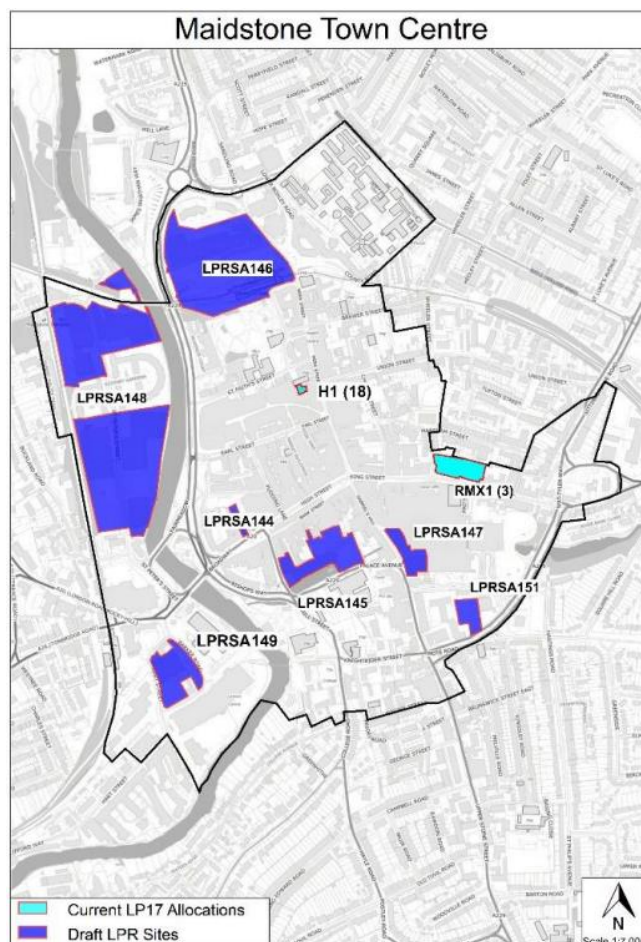
- RMX1(2) - Maidstone East and Maidstone Sorting Office (Mixed Housing, Retail and Office Allocations);
- RMX1(3) - King Street (Mixed Housing and Retail Allocations);
- RMX1(5) - Powerhub Building and Baltic Wharf (Mixed Housing, Employment, Leisure and Retail Allocations);
- RMX1(6) - Mote Road (Mixed Housing and Employment Allocation).

A review of the Emerging Maidstone Local Plan and supporting documents

5.2.4 Consideration has also been given to the emerging local plan and associated evidence-based documents. Currently, eight sites are proposed to be allocated for any purpose within the area of search, however this includes several sites which have been carried over from the Local Plan 2017:

- LPRMX1(3) - King Street Car Park (Mixed Retail and Housing Allocation);

- LPRSA145 – Len House (Mixed Housing, Retail and Leisure Allocations);
- LPRSA147 – Gala Bingo & Granada House (Mixed Housing and No Net Loss of Town Centre Uses);
- LPRSA148 – Maidstone Riverside (Mixed Housing, Retail and Employment Allocation);
- LPRSA149 – Maidstone West (Mixed Housing and No Net Loss of Town Centre Uses);
- LPRSA151 – Mote Road (Mixed Housing and Employment Allocation);
- LPRSA144 – High Street / Medway Street (Mixed Housing and Town Centre Uses); and
- LPRSA146 – Maidstone East (Mixed Housing, Retail and Business Allocation).



5.2.5 A review of potentially suitable sites after analysis from the Call for Sites submissions are outlined in the Strategic Land Availability Assessment (SLAA) Update 2021. Excluding those sites which are allocated in the emerging Local Plan, four sites are identified as being available, suitable and achievable for development within the area of search:

- Right Kard (ref: 009);
- 12-14 Week Street (ref: 053);
- St. Faiths AEC (ref: 299); and
- Sessions House (ref: 379).

Identification of sites and premises that are being actively marketed

5.2.6 A review of sites that are being actively marketed was undertaken using the EGi Property Link and Bracketts commercial property database. The search has identified that there are a number of existing commercial units that are being actively marketed for sale or let in centre and edge of centre locations within Maidstone:

SITE NAME	SITE AREA (HA)	DESCRIPTION
89 Bank Street	0.05	Sale
Bank Street	0.01	Sale
93-95 High Street	0.12	Sale
9 Gabriels Hill & 14 King Street	0.07	Sale
12-14 Week Street	0.09	Sale
45-47 Earl Street	0.04	Sale
63 St Peters Street	0.08	Rent
6-8 Knightrider Street	0.006	Rent

Former Evans Cycles, 2 Tonbridge Road	0.03	Rent
Vaughan Chambers, 4 Tonbridge Road	0.02	Rent
Rostrum House, London Road	0.02	Rent
58 High Street	0.01	Rent
5 th Floor, Meadow House	0.07	Rent
Sussex House, 21- 25 Lower Stone Street	0.07	Rent
17-19 Week Street	0.06	Rent
Invicta House, Pudding Lane	0.02	Rent
Car Park / Land at Week Street, County Road	0.07	Rent
67-77 Week Street	0.04	Rent
78A Week Street	0.01	Rent

SCHEDULE OF PROPERTIES FOR SALE/RENT (NOVEMBER 2023)

A review of aerial photography and Ordinance Survey mapping

5.2.7 This search did not reveal any further appropriate sites within the area of search.

5.3 Stage 2 - Evaluation

5.3.1 In light of the foregoing and applying the key development parameters, 13 sites have been carried forward for further evaluation. Each of these sites has been given its own unique reference number and is listed within the table below:

REF.	SITE NAME	APPROX. SITE AREA (HA)	ISSUE/CONSTRAINT	SUITABLE?
1	Maidstone East & Maidstone Sorting Office	3.70	Allocated for up to 10,000m ² comparison / convenience retail, 4,000m ² of offices and approximately 210 dwellings. An application for 217 dwellings and flexible E Use Classes uses has recently been submitted under reference 23/504552/FULL. Due to the possible impact of leisure development on surrounding uses and, particularly, any impact on residential amenity, the site is unsuitable. In addition, the allocation at Maidstone East is for improvements to the existing station. Therefore, the development would not accord with the proposed future use of the site, and as such, it has been discounted.	No
2	Len House	1.06	Len House is a 1930's Grade II listed building, draft allocated for the development of 159 dwellings and approximately 3,600m ² of retail, leisure or other appropriate town centre uses. Application 20/501029/FULL was approved in October 2020, and is currently being built out. The allocation requires that the internal configuration of Len House must respect the significance of the main internal spaces and key heritage features. The development proposed would not be in-keeping with the historic significance of the building and as such, it has been discounted.	No

3	Gala Bingo & Granada House	0.40	Draft allocated for 40 additional dwellings and no net loss of town centre uses. Therefore, proposed development would not accord with the proposed future use of the site and cannot meet the same market and locational requirements to provide the space needed for the scheme proposed. It is also located within a Conservation Area which is not an absolute constraint but would make it challenging to place a leisure facility on the site.	No
4	Maidstone Riverside/ Powerhub Building and Baltic Wharf	6.87	The Baltic Wharf site is allocated for a mix of uses comprising housing, offices (B1a and/or A2), leisure uses (D2), cafés and restaurants (A3) and retail (A1). Subsequently, detailed planning permission was granted at appeal in July 2014 (ref: 13/O297), and an indoor climbing facility/play centre currently operate at the site. Local Plan policy RMX1(5) requires that any proposal achieves the comprehensive development of the whole site. Therefore, the proposed development would not be commercially compatible with the surrounding uses.	No
5	Maidstone West	0.90	Retail warehouse draft allocated for 130 dwellings, and no net loss of town centre uses (draft policy LPRSA149). Whilst the development could technically be accommodated physically within the site, the allocation requires compliance with a significant number of conditions, including (but not limited to) the provision of a new suitable access, habitat surveys and assessment of archaeological potential for the whole site. For the site to represent a practical and viable opportunity it needs to be available immediately.	No

			Due to these constraints, it has been discounted from the assessment.	
6	High Street / Medway Street	0.10	Land to the rear of 34-35 High Street, draft allocated for 50 dwellings with 150m ² of town centre uses. Therefore, it cannot meet the same market and locational requirements to provide the space needed to support the development proposed.	No
7	St. Faiths AEC	0.15	Grade II* Listed period institutional building, formerly used as an Adult Education Centre. Due to the historic significance and small size of the site, it is unable to accommodate the proposed indoor/outdoor leisure uses (including via disaggregation).	No
8	45-47 Earl Street	0.04	Grade II Listed 19 th century timber framed building formerly used as a restaurant. Due to the historic significance and small size of the site, it is unable to accommodate the proposed indoor/outdoor leisure uses (including via disaggregation).	No
9	63 St Peters Street	0.08	End terrace industrial unit with ground and first floor office space. Eaves height currently only 4.49 meters. An indoor climbing facility/play centre currently operate at the adjacent Powerhub Building and Baltic Wharf site. Therefore, the proposed development would not be commercially compatible with the surrounding uses.	No
10	Former Evans Cycles, 2 Tonbridge Road	0.03	A detached unit of traditional brick construction on a self-contained site. The height and size of the site is unsuitable for the development proposed (including via	No

			disaggregation). It is also incompatible with the surrounding residential uses.	
11	58 High Street	0.01	Ground floor and mezzanine of former post office. The height and size of the site is unsuitable for the development proposed (including via disaggregation). Moreover, due to the possible impact of leisure development on surrounding uses and, particularly, any impact on residential amenity, the site is unsuitable.	No
12	5 th Floor, Meadow House	-	Fifth floor town centre office. Therefore, the site is incompatible with the proposed leisure uses.	No
13	Invicta House, Pudding Lane	0.02	Ground and first floor town centre offices. Due to the surrounding office uses, the site is unable to accommodate the proposed leisure uses.	No

5.3.2 In summary, none of these centre and edge of centre sites/units is capable of meeting the same market requirements to provide the space needed for the scheme proposed, even in the case of disaggregation. This renders them unsuitable for the proposed development.

6 Conclusion

6.1.1 It is clear that the suitability of a site depends on it being able to accommodate the development proposed. While the Applicant should demonstrate flexibility, decisions must be applied in a real-world context, and it is not for LPAs to require Applicants to radically alter their proposals. Moreover, if a site is not suitable for the commercial requirements of the developer, then it is not a suitable site for the purposes of the sequential approach.

6.1.2 The former Syngenta Works site is allocated in both the current and emerging local plans, including for employment, leisure, commuter car parking and open space. Indeed, paragraph 4.200 of the Local Plan states that securing leisure uses on the site will have important sustainability benefits.



- 6.1.3 The site will be occupied by Clip 'n Climb as an indoor/outdoor activity centre. The proposed use, for indoor and outdoor leisure and recreation uses, requires a commercial site adjacent to both a river and a still body of water (such as a lagoon) to allow the intended complementary outdoor pursuit activities to take place.
- 6.1.4 The sequential test has identified that there are no suitable, available or viable alternatives that could be considered sequentially preferable to the proposed development. Consequently, the proposal is considered to fully accord with local and national policy and guidance in relation to the sequential approach.