

MAIDSTONE BOROUGH COUNCIL

PLANNING AND INFRASTRUCTURE POLICY ADVISORY COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 5 APRIL 2023

Attendees:

Committee Members:	Councillors Blackmore (Chairman), Mrs Grigg, Clark, Spooner, Springett, Trzebinski and Young
Lead Members:	Councillor Cooper, Lead Member for Planning, and Infrastructure

155. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Kimmance and Munford.

156. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Sub-Committee Members were noted:

Councillor English for Councillor Kimmance
Councillor Jeffrey for Councillor Munford

157. URGENT ITEMS

The Minutes of the 20 February 2023 Meeting had been circulated separately for approval by the Committee and would be taken under Item 8 – Minutes of the Meeting held on 20 February 2023.

158. CHANGE TO THE ORDER OF BUSINESS

The Chairman stated that they intended to take Item 14 – Local Plan Review Statements of Common Ground Update, after Item 16 – Declaration of Local Nature Reserves, to ensure that Members and the Public would not have to wait for the proceedings to resume in the event that the Committee needed to enter closed session to discuss Item 17 – Exempt Appendices to Item 14.

159. NOTIFICATION OF VISITING MEMBERS

There were no notifications of visiting Members.

160. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Clark disclosed that he was at Trustee of Hale Park Nature Reserve and that he would speak on item 16 but not vote on it.

Councillor Jeffrey declared that in his day job he sits on the ICB Kent and Medway NHS Adaptation and Climate Committee.

161. DISCLOSURES OF LOBBYING

Councillors Clark and English had been lobbied on Item 16 – Declaration of Local Nature Reserves.

Councillor English had also been lobbied on Item 13 – Design and Sustainability DPD Regulation 18b.

162. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE DUE TO THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

RESOLVED: That all items be taken in public unless any Member of the Committee wishes to refer to Item 18 – Exempt Appendices to Item 14, due to the likely disclosure of exempt information.

163. MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2023 - TO FOLLOW

RESOLVED: That the Minutes of the meeting held on 20 February 2023 be approved as a correct record and signed.

164. PRESENTATION OF PETITIONS (IF ANY)

There were no presentations of petitions.

165. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS (IF ANY)

There were no questions from local residents

166. QUESTIONS FROM MEMBERS TO THE CHAIRMAN (IF ANY)

There were questions from Members to the Chairman.

167. FORWARD PLAN RELATING TO THE COMMITTEE'S TERMS OF REFERENCE

RESOLVED: That the Forward Plan relating to the Committee's Terms of Reference be noted.

168. DESIGN AND SUSTAINABILITY DPD REGULATION 18B

The Lead Member for Planning and Infrastructure introduced the report and outlined the background to the Design and Sustainability Development Plan Document's creation (D&S DPD), with the D&D DPD attached at Appendix 1 to the report.

The document would form part of the Council's statutory development plan and build upon the Local Plan policies. The proposed Regulation 18b consultation would occur across a six-week period from the 28 April 2023, alongside the concurrent consultation on the sustainability appraisal contained within Appendix 2 to the report. The feedback received would be considered as part of the next stage of the plan-making process, ahead of the Regulation 19 submission.

During the discussion reference was made to the following matters: that further emphasis on biodiversity enhancement and linkages would be useful; the

importance of landscaping across the public realm, including the relevant management structures required; the importance of ensuring adequate parking facilities and road adoption within development and the importance of designing sustainable homes and communities accounting for cyclists and pedestrians. The viability tests that would be conducted were highlighted, with references made to the different types of viability, such as financial.

In response to the comments made, the Lead Member for Planning and Infrastructure stated that the Council had to formulate policies based on current requirements, but that these could be updated in future if required, in reference to parking space provision. It was stated that the comments made by the Committee were appreciated.

In response to questions, the Principal Planning Officer stated that the D&S DPD would undergo viability testing ahead of the Regulation 19 submission, with a balance needed between what the Council required versus its deliverability. Conversations were ongoing with Kent County Council to ensure that there was not anything within the D&S DPD that could lead to future roads being unadoptable by KCC as highways authority.

In response to further questions, The Interim Local Plan Review Director stated that if there were too many requirements within the D&S DPD, developers could be encouraged to develop elsewhere, and that the document's contents would need to be balanced according to the design and sustainability aspects desired, particularly across individual areas of the borough. The document would be particularly applicable to larger developments, such as the proposed Garden Communities, and contribute to the creation of Supplementary Planning Documents.

The Committee welcomed the document and supported the proposal to go out to consultation.

RESOLVED: That the Lead Member for Planning and Infrastructure be recommended to:

1. Approve the Maidstone Design and Sustainability DPD Regulation 18 preferred Approaches document in Appendix 1 and the Sustainability Appraisal of the DPD at Appendix 2 for public consultation starting at 4.00pm on Friday 28th April to run for six weeks to 5.00pm on 12th June.
2. Give the Interim Local Plan Review Director delegated authority to make minor graphical or presentational changes to the document prior to consideration by the Lead Member on the Executive for Planning and Infrastructure for their decision.
3. Note the evidence base documents at appendix 3-5 of the report.

NOTE: Councillors Springett and Young both arrived at the meeting at 6.27 p.m. They did not have any disclosures of interest or lobbying to declare.

169. SHOP FRONTS PLANNING GUIDANCE

The Lead Member for Planning and Infrastructure introduced the report, stating that the proposed guidance attached at appendix 1 to the report had been produced as there was currently no guidance in place. The Committee were asked to comment on the references made to ATMs, as this could be considered too restrictive.

The Committee felt that the guidance attached at appendix 1 to the report was good, with support expressed for ensuring that ATMs were easily accessible as some individuals preferred cash rather than card payment.

In response to questions, the Head of Development Management confirmed that promoting in-store ATMs was due to historic incidents of ATM theft. The proposed guidance was practical in nature and would be applicable to shop fronts where planning permission had been sought; viability considerations would be made against the improvements sought, given the reduction in shops, particularly to buildings that were listed or in conservation areas.

RESOLVED: That the Lead Member for Planning and Infrastructure be recommended to:

1. Agree the proposed guidance document, attached at Appendix 1 to the report, as a material planning consideration; and
2. Promote the guidance's inclusion in the forthcoming Design and Sustainability DPD.

170. DECLARATION OF LOCAL NATURE RESERVES

The lead Member for Planning and Infrastructure introduced the report.

In response to comments, the Head of Environment and Public Realm outlined the historical context to the proposal, confirming that a process to declare LNRs had been developed and could be shared with Members; this would allow further areas to be identified as potential LNRs.

The Committee expressed strong support for designating the sites outlined in the report as Local Nature Reserves (LNR).

RESOLVED: That the Lead Member for Planning and Infrastructure be recommended to:

1. Officially declare the three sites, Allington Millennium Green, Fant Wildlife Site, and the combined site of Weavering Heath, Five Acre and Wents Wood, as Local Nature Reserves; and
2. Officially declare the two sites, Hayle Park, and Spot Lane, as Local Nature Reserves following assent from Natural England.

NOTE: Councillor Clark left the meeting between 6.51 p.m. to 6.55 p.m. and did not vote on the item.

171. BIODIVERSITY AND CLIMATE CHANGE ACTION PLAN ANNUAL REVIEW

The Lead Member for Planning and Infrastructure introduced the report, outlining the types of actions applicable to their portfolio, as outlined in appendix 1 to the report, which was under review by each Executive Member. The Biodiversity and Climate Change Manager stated that the updated plan was a more streamlined and robust version of the document.

The Committee expressed that the updated plan attached at appendix 1 to the report was a good one, but that the Overview and Scrutiny Committee's Waste Review should be reflected in the plan, given the aim to reduce waste at point 4.1.

In response to questions, the Lead Member for Planning and Infrastructure stated that he believed the actions within his portfolio were deliverable and that Officers had reiterated this advice. The Integrated Transport Strategy would be re-produced after the Local Plan Review, with a response awaited from Kent County Council on the progression of the Quality Bus Partnership.

RESOLVED: That the Executive be recommended to:

1. Consider the recommendations from the Overview and Scrutiny Waste Review, which are applicable to this plan; and
2. Approve the updated Biodiversity and Climate Change Action Plan attached at appendix 1 to the report.

172. LOCAL PLAN REVIEW STATEMENTS OF COMMON GROUND UPDATE

The Lead Member for Planning and Infrastructure introduced the report, briefly outlining the purposes of Statements of Common Ground (SoCG) as part of the Local Plan Review process.

The Committee were informed that Group Leaders had been consulted on the use of urgency provisions, as the LPR Inspector now required the SoCG to be submitted by the 13 April 2023. It was likely that urgency provisions would be used in the near future, where required and appropriate, given that the Council was about to commence the second stage hearings to the LPR process and further SoCG would need to be provided during that time.

RESOLVED: That the Lead Member for Planning and Infrastructure be recommended to:

1. Approve the Draft Statement of Common Ground between Maidstone Borough Council and National Highways, attached as Exempt Appendix 1 to this report; and
2. Approve the Draft Statement of Common Ground between Maidstone Borough Council and Natural England, attached as Exempt Appendix 2 to this report.

173. EXEMPT APPENDICES TO ITEM 14 - LOCAL PLAN REVIEW STATEMENT OF
COMMON GROUND UPDATE

RESOLVED: That the item be considered alongside Item 14 – Local Plan Review Statement of Common Ground Update.

174. DURATION OF MEETING

6.00 p.m. to 7.15 p.m