

MAIDSTONE BOROUGH COUNCIL

**STRATEGIC PLANNING, SUSTAINABILITY AND
TRANSPORTATION COMMITTEE**

**MINUTES OF THE MEETING HELD ON TUESDAY 12 SEPTEMBER
2017**

Present: Councillor D Burton (Chairman) and Councillors Cox, English, Munford, Prendergast, Springett, de Wiggondene, Wilby and Willis

Also Present: Councillors Mrs Gooch, Hastie, Perry and Spooner

44. APOLOGIES FOR ABSENCE

There were no apologies for absence.

45. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

46. URGENT ITEMS

There were no urgent items.

47. NOTIFICATION OF VISITING MEMBERS

It was noted that Councillor Hastie was present as a Visiting Member and wished to observe.

It was noted that Councillors Mrs Gooch, Perry and Spooner were present as Visiting Members and indicated their wishes to speak on Agenda Item 16 – Maidstone Borough Local Plan (2017): Adoption.

48. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

49. DISCLOSURES OF LOBBYING

All Councillors stated that they had been lobbied on Item 9 – Presentation of Petitions and Item 16 – Maidstone Borough Local Plan (2017): Adoption.

50. EXEMPT ITEMS

RESOLVED: That all items be taken in public as proposed.

51. MINUTES OF THE MEETING HELD ON 11 JULY 2017

RESOLVED: That the minutes of the meeting held on 11 July 2017 be approved as a correct record and signed.

52. PRESENTATION OF PETITIONS

Dr Alastair Duncombe presented a petition to the Committee with the following wording:

Save Staplehurst from more development - remove Henhurst Farm from Maidstone's Local Plan

Staplehurst Parish Council prepared a Neighbourhood Plan which was put to voters in a referendum on 3rd November 2016; the Plan was overwhelmingly approved (93% versus 7%). This plan was prepared with extreme care and consulted residents meticulously at all stages.

However Maidstone Borough Council have ignored the will of the residents of Staplehurst and have overturned parts of this Neighbourhood Plan. As a late addition to their own Local Plan, Maidstone Borough Council are looking to approve development in land to the North of Henhurst Farm (policy H1(51) in the Local Plan). Overturning the outcome of Staplehurst's referendum gives the impression that Maidstone Borough Council is subverting local democracy.

Access to the proposed development appears to be via The Bartons (a new development off Oliver Road). The Bartons is a narrow residential road which children regularly play on. It is barely wide enough for larger vehicles to pass down if cars are parked on the road. The site also borders a nature conservation area that is home to protected species (such as slow worms and snakes). Further, Staplehurst does not currently have the infrastructure to support increased development - local schools, doctors and roads are all under pressure; there is now no bank; there is no major supermarket; and the future of the post office is uncertain.

The Maidstone Local Plan is due to be considered for adoption by Maidstone Borough Council at a meeting on 27th September. In contrast to the democratic way in which the Staplehurst Neighbourhood Plan was prepared, the Maidstone Local Plan seems to have been prepared in a rather less open way. It is concerning that a democratically adopted plan is simply being ignored.

This petition seeks support for the stance of Staplehurst Parish Council in opposing this development. As such it requests that the development on land to the North of Henhurst Farm be removed from the Maidstone Local Plan.

Dr Duncombe addressed the Committee on this petition and stated that he was concerned that the views of Staplehurst residents were being ignored by the Council. Dr Duncombe was also concerned about the harmful effect that this development would bring to the area, for the following reasons:

- Lack of infrastructure in Staplehurst to support increased development;
- Poor access to the proposed site; and
- The proposed site being adjacent to a nature conservation area.

RESOLVED: That this petition be considered in conjunction with Item 16 – Maidstone Borough Local Plan (2017): Adoption.

53. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions or statements from members of the public.

54. OUTSIDE BODIES - VERBAL UPDATES FROM MEMBERS

The Committee noted that the Chairman and Vice-Chairman had met with Headcorn Parish Council, the Headcorn Neighbourhood Planning Group, Ward Members, and Officers to discuss further Headcorn's Neighbourhood Plan, following the meeting of this Committee on 13 June 2017.

The Committee raised concerns that the Democracy Committee had been conducting a review on Outside Bodies, a number of which related to this Committee, and that they were not being consulted on this process.

55. AMENDMENT TO THE ORDER OF BUSINESS

The Chairman proposed that Agenda Item 16 – Maidstone Borough Local Plan (2017): Adoption be taken after Agenda Item 14.

RESOLVED: That Agenda Item 16 – Maidstone Borough Local Plan (2017): Adoption be taken after Agenda Item 14.

56. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

57. KPI PERFORMANCE REPORT QUARTER 1 2017/18

The Policy and Information Manager presented the Key Performance Indicator Update Report to the Committee and it was noted that, for this quarter:

- The processing of major planning applications and other applications had both exceeded their targets;

- The processing of minor planning applications was within 10% of its target; and
- The gross number of affordable homes delivered had not reached its target, but the remaining quarters of the year should make up for the shortfall and that the annual target of 200 completions should be achieved.

RESOLVED: That the summary of performance for Quarter 1 of 2017/18 for Key Performance Indicators (KPIs) be noted.

58. FIRST QUARTER BUDGET MONITORING 2017/18

The Director of Finance and Business Improvement gave a presentation to the Committee relating to budgets within the Committee's remit for the first quarter of 2017/18. It was noted that:

- The current budget position for this Committee as a whole was an underspend of £341,308, but the outturn position for the year was forecasted to show an adverse variance of -£89,000;
- Unbudgeted costs of £200,000 had been projected for several planning appeals due to take place this year; and that
- Parking services had continued to perform strongly;

The Committee raised concerns about the cost of appeals and stated that there was more work to be done in order to stay in line with the budget for the year.

RESOLVED: That the revenue position at the end of the first quarter and the actions being taken or proposed to improve the position where significant variances have been identified be noted.

59. MAIDSTONE BOROUGH LOCAL PLAN (2017): ADOPTION

The Strategic Planning Manager presented this item to the Committee and informed the Committee that a working spreadsheet had been created to list any factual and typographical errors found in the Local Plan, in order that these be amended before being presented to Council on 27 September 2017.

Councillors Mrs Gooch, Perry and Spooner addressed the Committee as Visiting Members on this item.

The Committee noted that the Maidstone Borough Local Plan (2017) had been considered sound by the examiner subject to six modifications which could be found in Paragraph 2.22 of the report.

It was noted that the Committee were particularly concerned with the following allocated sites in the Maidstone Borough Local Plan (2017):

- Policy H1 (51) North of Henhurst Farm, Staplehurst; and
- Policy EMP1 (4) Woodcut Farm, Ashford Road, Bearsted.

In response to a question, the Officer advised the Committee that at this stage there was no legal mechanism to remove any allocated sites contained in the Maidstone Borough Local Plan (2017), only that the Plan could be recommended for adoption to Council or not.

The Committee enquired as to whether the Local Plan could be changed at all in the future and the Officer advised that the Local Plan Review would take place by April 2021 and this would present the Council with the option to amend policies in the Local Plan if desired, as long as it was in compliance with the National Planning Policy Framework.

RESOLVED To Recommend to Council:

That the Maidstone Borough Local Plan (2017) in Appendix VI, subject to minor factual and typographical corrections, which incorporated the Inspector's Main Modifications, and the Policies Map at Appendix VII be adopted.

Voting: For – 6 Against – 2 Abstentions – 1

60. MAIDSTONE BOROUGH COMMUNITY INFRASTRUCTURE LEVY (CIL) CHARGING SCHEDULE: APPROVAL

The Principal Planning Officer (Strategic Planning) presented this item to the Committee.

The Committee noted that:

- Council agreed at the meeting held in December 2016 to submit the Draft Charging Schedule for independent examination;
- The Examiner's Report was published on 31 July 2017 and recommended that the Council should approve the Charging Schedule, subject to modifications;
- The Charging Schedule's introduction will take effect on 1 July 2018, to provide a reasonable lead-in period for developers and so that the necessary preparations can be undertaken to facilitate an orderly transition to the new system; and that
- Further reports regarding the proposed administrative and governance arrangements would be considered by this Committee later in the municipal year.

The Committee requested that a more detailed understanding of how the calculation works be provided in a future report to this Committee.

In response to a question, the Officer informed the Committee that the Council can review the Charging Schedule as it desired, as long as it complied with government processes.

The Committee requested that discussion with parish councils and unparished areas be included in the early stages of discussion in order to explain how the Charging Schedule would work.

RESOLVED:

1. That a report to set out key issues for consideration be brought back to this Committee in November, including the involvement of Parish Councils and whether establishing a member working group or sub-committee may be appropriate given the range of issues to be addressed.
2. **To RECOMMEND to COUNCIL:** That the Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule (Appendix A) in accordance with Section 213 of the Planning Act 2008 with an effective implementation date of 1 July 2018 be approved; and
3. That the CIL Regulation 123 List (Appendix B) and CIL Instalments Policy (Appendix C) be approved.

Voting: Unanimous

61. **DURATION OF MEETING**

6.30 p.m. to 8.01 p.m.