

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY 4 OCTOBER 2021

Present: Councillors Clark, Cooper (Chairman), Garten, Mrs Grigg, McKay, Munford, Russell, Spooner and S Webb

Also Present: Councillors Brindle, Bryant, English, Harwood, Hinder, Perry, Round, J Sams, T Sams and R Webb

63. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Springett.

64. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor S Webb was present as Substitute for Councillor Springett.

65. URGENT ITEMS

The Chairman stated that three urgent updates would be taken in relation to Item 14 – Maidstone Local Plan Review – Regulation 19 Consultation, Evidence Documents and Sustainability Appraisal Consultation, as they contributed to its consideration. These were:

- An updated Map 2, Appendix 2 – Policies Map
- The 'Maidstone Transport Model – Option 2 Test Results' as made available as a background document; and
- A series of amendments, including a change to Recommendation 3 of the report, as entitled 'Urgent Update Number 2'.

66. NOTIFICATION OF VISITING MEMBERS

Councillors J and T Sams were present as Visiting Members for Item 11 – Questions from Members to the Chairman.

Councillors Brindle, Bryant, English, Harwood, Hinder, Perry, Round, J Sams, and R Webb were present as Visiting Members for Item 14 – Maidstone Local Plan Review – Regulation 19 Consultation, Evidence Documents and Sustainability Appraisal Consultation.

67. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures of interest, however Councillors Garten, Munford and Russell declared that they would be taking part in the meeting's proceedings with an open mind.

68. DISCLOSURES OF LOBBYING

All Councillors had been lobbied on Item 14 – Maidstone Local Plan Review – Regulation 19 Consultation, Evidence Base and Sustainability Appraisal.

69. EXEMPT ITEMS

RESOLVED: That all items be taken in public, unless any Member of the Committee wished to refer to Item 15 – Exempt Appendix 4: Working Draft Statements of Common Ground with neighbouring authorities and other prescribed bodies.

70. MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2021

RESOLVED: That the Minutes of the Meeting held on 21 September 2021 be approved as a correct record and signed.

71. PRESENTATION OF PETITIONS

There were no petitions.

72. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were two questions from Members of the Public.

Question from Ms Kate Hammond to the Chairman of the Strategic Planning and Infrastructure Committee

'Please confirm the number of hectares of greenfield land make up the total proposed residential site allocations in the draft Local Plan?'

The Chairman responded to the question.

Ms Hammond asked the following supplementary question:

'Last Wednesday, Councillor David Burton claimed that climate change is at the core of every decision and action the Council takes. So, was climate change policy at the core of the decisions to build on 543 hectares of greenfield land? Does the council feel that removing 543 hectares of greenfield land is consistent with climate change policy?'

The Chairman responded to the supplementary question.

Question from Mr Steve Heeley to the Chairman of the Strategic Planning and Infrastructure Committee

'What role has the Sustainability Appraisal played in informing your draft Local Plan?'

The Chairman responded to the question.

Mr Heeley asked the following supplementary question.

'The Local Plan Review Sustainability Appraisal states in paragraph 4.47: The Garden Settlement option that performed most strongly in sustainable terms is Lidsing, followed by North Marden. Heathlands performed least well across the range of sustainability objectives. Why is Marden Garden settlement not included in your draft Local Plan and Heathlands is?'

The Chairman responded to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. The question-and-answer session took place between minutes 10:53 to 14:44 of the recording.

To access the webcast recording, please use the link below:
[Strategic Planning and Infrastructure Committee - 4 October 2021 - YouTube](#)

73. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were two questions from Members to the Chairman.

Question from Councillor T Sams to the Chairman of the Strategic Planning and Infrastructure Committee

'Garden communities Heathlands, Policy SP4 A and Lidsing Policy SP4 B within the document being discussed this evening. When are you planning to make public the initial evidence from the Barton Wilmore report commissioned that stated that their selection was made on the basis of them being the sustainable options and not as residents feel selection as they are the furthest corners of the borough and therefore politically acceptable?'

The Chairman responded to the question.

Question from Councillor J Sams to the Chairman of the Strategic Planning and Infrastructure Committee

'This council has sought advice from leaders in the field with regard to garden communities over the past 3 years. It has paid for consultants to produce reports to establish its own garden community scheme in Heathlands and now we have learnt at a SPI workshop last week, is paying for another expert Ben Aspinall to oversee the garden communities are deliverable with regard to their soundness and acceptable to this council. Can you please explain why this is the case and is the cost of the employing yet another "independent" consultant an additional cost to the council on top of the £1.5m for Heathlands?'

The Chairman responded to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. The question-and-answer took place between minutes 14:52 to 18:04 of the recording.

To access the webcast recording, please use the link below:
[Strategic Planning and Infrastructure Committee - 4 October 2021 - YouTube](#)

74. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

75. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

76. LOCAL PLAN REVIEW REGULATION 19 DOCUMENTS AND EVIDENCE BASE

The following speakers addressed the Committee; Mrs Sue Harwood, Ms Helen Baker; Against Lidsing Garden Development, Mr Steve Heeley; Save Our Heathlands; Councillor Jones; Chairman of Bredhurst Parish Council and Councillor Coulling; Vice-Chairman of Maidstone KALC.

The Interim Local Plan Review Director introduced the item by reiterating the timeline of events up until the Regulation 19 'draft for submission' documents stage of the Local Plan Review (LPR). Having an adopted Local Plan (LP) would enable the Council to properly defend appeals and the refusal of planning consents and to ensure that any development within the borough was suitable, having considered any mitigating measures required to the benefit of local communities.

To ensure that the 5-year housing land supply was maintained, the spatial strategy within the Regulation 19 documents focused on a continued dispersal strategy with two Garden Community proposals to deliver a high volume of units towards the end of the plan period.

The Lidsing Garden Community proposal would deliver 1200 units in the current plan period and 700 in the next period, alongside further infrastructure including a new country park and a connection to junction 4 of the M2. The Heathlands Garden Community Proposal would deliver 1500 units in the current plan period and 3500 in the next period, alongside further infrastructure including a country park, a new railway station and two connections to the A20. Both proposals would provide significant employment opportunities.

The Strategic Planning Manager noted that in December 2020 a public consultation on the Regulation 18 Preferred Approaches and Sustainability Appraisal had taken place, with over 3000 responses received. Further work had been undertaken on the evidence base and documents associated with the LPR, to produce the Regulation 19 'draft for submission' documents. The sites included within the documents had undergone a series of rigorous assessments including sustainability

appraisals, transport modelling and viability assessments. The various spatial and non-spatial topic papers were outlined.

In response to the concerns raised by the public speakers and visiting members, the Interim Local Plan Review Director explained that the Duty to Cooperate (DtC) requirement did not require all parties to agree, but to demonstrate that the duty had been undertaken. The Invicta Barracks site proposal had been included within the all-plan viability assessment. Proposed SPDs on the Garden Community proposals would include greater detail on the proposal and associated infrastructure, with the work undertaken with the site promoters and cost consultants noted. High-level legal advice had been sought on two occasions on the process used to assess the Garden Community sites. The promoter of the Heathlands Garden Community had confirmed that conversations with Network Rail were ongoing following the latter's receipt of a business case. The LPA was not aware of any fraudulent or police investigations in relation to any of the proposed sites within the Regulation 19 'draft for submission' documents.

The Strategic Planning Manager confirmed that the Council had been in contact with the environment agency in relation to water quality and reiterated the purpose of the proposed DPDs and spatial strategy proposed.

During the debate, several Members expressed concerns with the proposed safeguarded area of the Leeds Langley corridor and the circa 4000 housing units likely required to self-fund the proposal in the future. The Interim Local Plan Review Director reiterated that the figure had resulted from the feasibility work undertaken, in light of Kent County Council's refusal to proceed with a relief road on highway grounds only. The safeguarding of that area would prevent any developers from submitting plans in isolation of the corridor which would likely be approved in the event that the Council fell below its 5-year housing land supply and thereby reverse any route's future feasibility. A definitive route had not been chosen, with work to continue following the Regulation 19 stage of the LPR.

The Head of Planning and Development stated that the Regulation 18 consultation had provided the LPA with the opportunity to meet with site promoters. The Beacons Park site included within the Regulation 19 'draft for submission' documents was in the local vicinity to a new Doctors Surgery that was being built, additional bus stop provision and reflected the buffer zone policy provisions to ensure a consistent approach to the sites selection. It was proposed and seconded that the Beacons Park site be removed from the Regulation 19 'draft for submission' documents, however when put to the vote the motion was lost.

In response to questions, the Interim Local Plan Review Director stated that a six-month delay to the Regulation 19 'draft for submission' documents public consultation would likely result in a reduction of the 5-year housing land supply availability, alongside a requirement to update the evidence base. The Council's use of potential Section 106 monies to

alleviate increased pressure on local services, such as education, were ongoing with Medway Council in the event that the Lidsing Garden Community proceeded.

The Interim Local Plan Review Director confirmed that affordable housing in the town centre would be assessed through the SPDs proposed alongside the Town Centre strategy being reviewed by the Council's relevant service committees. The Committee would be presented with a proposed timeline for the DPDs development in November 2021, with the SPDs to be formed following discussions with the relevant site promoters depending on the outcome of the Regulation 19 stage of the LPR. The Head of Planning and Development confirmed that CIL monies had been collected by the Council and were available to use on projects where required and would be increased in the near future.

The Committee felt strongly that maintaining a 5-year housing land supply was crucial to prevent the approval of inadequate planning applications and that a delay to the Regulation 19 stage of the LPR would be to the detriment of the borough as a whole. The housing units required of the Council had been dictated by central government and the Council had to fulfil this requirement to avoid the Secretary of State from implementing their statutory powers to achieve the housing unit target.

The Committee requested that a letter be sent to the appropriate public figures to further express the Council's concerns over the significant number of housing units required.

A recorded vote was taken for each of the first five motions, with every Member voting in the same way for each as recorded below.

FOR (6)

Councillors Cooper, Garten, Munford, Russell, Spooner and S Webb.

AGAINST (3)

Councillors Clark, Mrs Grigg and McKay.

RESOLVED: That Subject to the insertion of the word 'rural' in points 1 and 2 of Policy LPRSP9 within Appendix 1: Local Plan Review Regulation 19 'Draft for Submission' document, to read:

1. Development proposals in the countryside will not be permitted unless they accord with other policies in this place and they will not result in harm to the rural character and appearance of the rural area; and
2. Agricultural proposals will be supported which facilitate the efficient use of the borough's significant agricultural land soil resource provided any adverse impacts on the rural appearance and rural character of the landscape can be appropriately mitigated

Full Council be recommended to:

1. Approve the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1 to the report) and associated Policies Map (Appendix 2 to the report) for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended) between the 29 October 2021 and 12 December 2021;
2. Approve the Maidstone Borough Local Plan Review Draft for Submission document (Appendix 1 to the report) and associated Policies Map (Appendix 2 to the report) for Submissions under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling Up, Housing and Communities for examination under Section 20 of the Planning and Compulsory Purchase Act 2004.
3. Grant delegated powers to the Strategic Planning and Infrastructure Committee to submit a schedule of proposed main Modifications (which the Committee believe to be acceptable arising from the consultation responses) in respect of the Local Plan Review Draft for Submission document and associated Policies Map, arising from the representations made under Regulation 20 of the Town and Country (Local Planning) (England) Regulations 2012 (as amended) to the Secretary of State for Housing, Communities and Local Government/Secretary of State for Levelling Up, Housing and Communities;
4. Provides delegated authority to the Head of Planning and Development to make factual alterations and minor amendments such as graphics, layout, spelling and grammatical changes to the Local Plan Review Draft for Submission Document and associated Policies Map;
5. Approve the Sustainability Appraisal of the Maidstone Local Plan Review: Regulation 19 Pre-Submission document (Appendix 3 to the report) for public consultation between the 29 October 2021 and 12 December 2021;
6. Note the list of documents within the evidence base provided as background documents to this report and the working draft Statements of Common Ground (Exempt Appendix 4 to the report) that will support the Local Plan Review; and
7. Agree that a letter be written to the local Members of Parliament to request that they make every effort to engage in relation to the Council's housebuilding targets, with Oliver Dowden and Michael Gove.

Note: The meeting adjourned for a short break between 7.30 p.m. and 7.45 p.m.

77. DURATION OF MEETING

5.30 p.m. to 9.27 p.m.

Note: The Committee adjourned between 7.30 p.m. to 7.45 p.m.