

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY 21 MARCH 2022

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

Also Present: Councillors Brindle, English, Hinder, J Sams and
T Sams

202. RECORDING OF PROCEEDINGS

Councillors Mrs Grigg and McKay reserved their right to record the proceedings.

203. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Garten and Springett.

204. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor McKenna for Councillor Garten
Councillor S Webb for Councillor Springett

205. URGENT ITEMS

The Chairman said that he had agreed to take an urgent update to item 14 – Local Plan Review Requirements Leading to submission. The update had been published on Friday 18 March 2022 and contained further information relevant to consideration of the item.

206. NOTIFICATION OF VISITING MEMBERS

Councillors Brindle, English, Hinder and J Sams indicated their wish to speak on item 14 – Local Plan Review Requirements Leading to Submission. Councillor T Sams was present as an observer for this item.

Councillors J and T Sams had also given notice of questions to the Chairman (item 11).

207. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

208. DISCLOSURES OF LOBBYING

The Chairman said that he understood that there had been significant lobbying in relation to item 14 – Local Plan Review Requirements Leading to Submission and the Lidsing and Heathlands Garden Community proposals in particular.

Councillors Mrs Grigg and Russell stated that they had been lobbied regarding the Coxheath sites and Councillors McKay and S Webb stated that they had been lobbied on the Lidsing Garden Community proposal.

209. EXEMPT ITEMS

RESOLVED: That the public be excluded from the meeting if Members wish to discuss the information contained in the exempt Appendix to item 14 (Draft Statements of Common Ground) because of the likely disclosure of exempt information.

210. MINUTES OF THE MEETING HELD ON 8 MARCH 2022

RESOLVED: That the Minutes of the meeting held on 8 March 2022 be approved as a correct record and signed.

211. CHANGE TO THE ORDER OF BUSINESS

RESOLVED: That the order of business be changed to enable the petition relating to the Lidsing Garden Community proposal to be taken with item 14 – Local Plan Review Requirements Leading to Submission.

212. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Question from Mr Peter Coulling to the Chairman of the Strategic Planning and Infrastructure Committee

Main Modifications – page 68 in the Agenda Pack has a Trajectory. Assuming the Trajectory actually happens and that the orange line is the mandated requirement, after Year 1 Five Years' Housing Supply looks problematic and, in Year 4, it looks as if we will have failed the Housing Delivery Test. Are we then, respectively, at risk from NPPF's presumption in favour of sustainable development and the requirement to produce a remedial plan?

The Chairman responded to the question.

Mr Coulling asked the following supplementary question:

The trajectory for the adopted Local Plan was a bit of a tragedy and I did get the gist of that in the email correspondence, but I would challenge that that is a correct interpretation of Planning Practice Guidance so I should be grateful if you would stand alert for a clarificatory email from me to pass to the Planning Officers for them to absolutely give a personal assurance that the trajectory is robust to the forward looking Five Years'

Housing Supply and the rearwards looking Housing Delivery Test. Will you give that assurance please?

The Chairman responded to the supplementary question.

Question from Mr Peter Titchener to the Chairman of the Strategic Planning and Infrastructure Committee

Main Modification to LPRSP5(A) - development in the Leeds-Langley Corridor.

The policy now includes: "Land within the corridor will be safeguarded for the delivery of a potential relief road Although development in this safeguarded area will be considered, where such development is assessed to be acceptable, the development will contribute to the delivery of the highway infrastructure needs required to deliver the relief road"

This clearly opens the possibility of much development as the route for any relief road crystallises and part of the corridor is not needed for the road itself and this is within the context that it has been stated that development will be necessary to part-fund any road.

If any large proposal is then forthcoming beyond the scope of windfalls, that would mean, as Reg19 is drafted, that MBC would substantially exceed the Government's mandated housing requirement.

Why is that not recognised by a contingency for development to support any relief road, with corresponding removal of some currently identified sites to avoid any such excess?

The Chairman responded to the question.

Mr Titchener asked the following supplementary question:

Are you saying that if a new road goes ahead in the Leeds-Langley Corridor, and say 1,000 houses need to be built for funding it, then Maidstone will be exceeding its planned housing targets, and are you happy with this?

The Chairman responded to the supplementary question.

Question from Mr John Hughes to the Chairman of the Strategic Planning and Infrastructure Committee

The Reg 19 Plan evidence base does not seem to include an integrated transport strategy. Is it the intention to produce one, and, if so, when?"

The Chairman responded to the question.

Mr Hughes asked the following supplementary question:

Do you agree that a long-term integrated transport strategy that works to reduce congestion and air pollution will improve the economic, environmental and health attractiveness of the Borough and help achieve net zero, and that the strategy needs to significantly increase walking, cycling and the use of public transport?

The Chairman responded to the question.

To listen to the answers to these questions, please follow this link:

<https://www.youtube.com/watch?v=KsxnfeHqAdQ&t=1810s>

213. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

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

Given the growing opposition to garden communities and concern amongst residents, Parish Councillors and Borough Councillors, as to their viability and sustainability, how do you feel about concerns that their very inclusion either singly or jointly throws the success of the Local Plan under inspection into doubt?

The Chairman responded to the question.

Councillor J Sams asked the following supplementary question:

Does any aspect of the CPRE response within the urgent update regarding Heathlands Garden Community give you grounds for questioning it being put forward?

The Chairman responded to the supplementary question.

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

Are you confident that sufficient detailed discussions around co-operation between other planning authorities and public bodies have taken place, and do you feel this Council has indeed done what is needed under duty to co-operate with others for the Local Plan?

The Chairman responded to the question.

Councillor T Sams asked the following supplementary question:

Can you offer to the public reassurance that the Statements of Common Ground specifically with Ashford Borough Council and Medway Council have been positive, and give examples in relation to the Garden Communities of Heathlands and Lidsing?

The Chairman responded to the supplementary question.

To listen to the answers to these questions, please follow this link:

<https://www.youtube.com/watch?v=KsxnfEHqAdQ&t=1810s>

214. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

215. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies on this occasion.

216. LOCAL PLAN REVIEW REQUIREMENTS LEADING TO SUBMISSION

Prior to the introduction of the report by the Strategic Planning Manager:

Mrs Sue Harwood presented a petition objecting to the Lidsing Garden Community proposal.

Ms Kate Hammond addressed the meeting on behalf of the Save Our Heathlands Action Group.

Mr Chris Hawkins of DHA Planning addressed the meeting.

The Strategic Planning Manager then introduced his report setting out the three primary areas of work to be considered as the Local Planning Authority moved towards submission of the Local Plan Review documents at the end of March 2022; these being the updated evidence base; the draft Statements of Common Ground; and the proposed Main Modifications to the Local Plan Review.

The Strategic Planning Manager explained that:

- With the agreement of the Committee, the proposed Main Modifications would be forwarded to the Secretary of State as part of the submission documents. There was an urgent update to the report regarding the updated evidence base and the proposed Main Modifications.
- The report also provided background to the current position including the results of the Regulation 19 consultation that finished in December 2021 and a summary of the main issues raised. The individual representations had been published and were available to view.
- The evidence base for the Local Plan Review was constantly under review and had been updated at various key stages of production. Updates to certain components of the evidence base had also taken place following the Regulation 19 consultation and were set out as background documents to the report. They included evidence updates from strategic site promoters, further information on transport modelling, additional work on the Habitats Regulations Assessment and an AONB Mitigation Paper. The updated evidence would help the

Local Planning Authority as it sought to meet the tests of soundness at the forthcoming Independent Examination.

- Regarding the draft Statements of Common Ground, the Inspector was required to examine whether in preparation of the Local Plan Review, the Council had complied with the Duty to Co-operate. The Local Planning Authority had engaged, as it was required to do, with neighbouring authorities and other relevant prescribed bodies. It was the intention to finalise and sign off the Statements of Common Ground following the meeting in order that they may form part of the submission documents.
- The proposed Main Modifications were not minor changes such as typographical or graphical adjustments. They would be proposed by the Local Planning Authority on the basis that they would help the Local Plan Review documents to be found sound and legally compliant at Independent Examination. Most of the Main Modifications were relatively straightforward and represented opportunities to clarify the Local Planning Authority's position regarding specific matters.
- There were Main Modifications proposed to the Policies for Heathlands, Lidsing and Invicta Barracks so that there is greater clarity regarding the expectations of the Local Planning Authority in terms of the delivery of housing and other forms of development as well as the timings of infrastructure. This was to address various representations that sought greater clarity and certainty regarding the delivery of these schemes.
- Concerns over the coalescence of Coxheath and Loose/Linton had resulted in a reversion back to land at Forstal Lane as previously included in the Regulation 18b version of the Plan.
- The proposed Main Modifications were included in Appendix 2 to the report as amended by the urgent update.
- Submission of the Local Plan Review documents was scheduled to take place at the end of March 2022. Following submission, a Planning Inspector would be appointed by the Secretary of State to undertake an Independent Examination of the Local Plan Review documents to determine whether or not they had been prepared in accordance with legal and procedural requirements, as well as whether they were sound.

Councillors J Sams, Hinder, Brindle and English (Visiting Members) addressed the meeting.

In response to questions by Members, the Officers provided updates on:

The implications of any delay in the Local Plan Review process in terms of the housing figures; the Main Modifications proposed to the safeguarding requirements for the Leeds-Langley Corridor; the discussions with Medway Council regarding the impact of the proposed Lidsing Garden Community

on communities and infrastructure within that Council’s administrative area; the implications of the omission of Park and Ride and the opportunities for further sustainable transport within the Spatial Strategy; and the arrangements for summarising and providing responses to the representations received to the Regulation 19 consultation on the Draft for Submission documents.

Councillor S Webb wished to record that he had visited Lenham, viewed the site of the proposed Heathlands Garden Community and attended the engagement meeting at the Village Hall.

RESOLVED:

1. That the list of documents within the updated evidence provided as background documents to the report be noted.
2. That the draft Statements of Common Ground attached as exempt Appendix 1 to the report be agreed.
3. That the proposed Main Modifications attached as Appendix 2 to the report (as amended by the urgent update) be approved in order that they may be submitted with the Local Plan Review Draft for Submission documents and associated Policies Map to the Secretary of State for Levelling Up, Housing and Communities subject to the following amendments:

Agenda Page	Policy/Paragraph	Change Proposed	
25.	LPRSP1 Maidstone Town Centre	Broad location	Sites TBC reflecting Town Centre Strategy, but could include <i>components of Sessions House; Broadway; Sites on Week Street, Mill Street Car Park and others</i>
35.	LPRSP5(B) Invicta Barracks	New Point 11: The SPD should have a focus on celebrating the military heritage <i>and broader history</i> of the site.	
59.	LPRSA362 Access New Point	Prior to the first occupation, the private access gate between the site and Boughton Lane at the junction of Cliff Hill and Pested Bars Road shall be closed to traffic, but for emergency/operational police vehicles.	

Note: Councillor Clark voted against decisions 2 and 3 above.

217. DURATION OF MEETING

6.30 p.m. to 8.01 p.m.