

MAIDSTONE BOROUGH COUNCIL

LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP

MINUTES OF THE MEETING HELD ON 6 OCTOBER 2008

PRESENT: Councillors Chittenden, English, Harwood, Lusty, Marchant, Moriarty, Paine, Robertson, Mrs Stockell, Verrall and J A Wilson

ALSO PRESENT: Councillors Gooch and Hinder

1. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Horne and Nelson-Gracie.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Paine was substituting for Councillor Horne and Councillor Verrall was substituting for Councillor Nelson-Gracie.

3. NOTIFICATION OF VISITING MEMBERS

Councillor Gooch indicated her wish to speak on Item 14.

4. ELECTION OF CHAIRMAN

RESOLVED: That Councillor Robertson be elected Chairman of the Group for the remainder of the Municipal Year 2008/09.

5. ELECTION OF VICE-CHAIRMAN

RESOLVED: That Councillor Harwood be elected Vice-Chairman of the Group for the remainder of the Municipal Year 2008/09.

6. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures.

7. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

8. EXEMPT ITEMS

RESOLVED: That the Item on Part II of the Agenda be taken in private as proposed.

9. MINUTES

RESOLVED: That the Minutes of the meeting held on 22 April 2008 be approved as a correct record and signed.

10. TOWN CENTRE PLAN

The Group considered the reference from the Cabinet requesting that they give consideration to the Town Centre Plan when preparing formal planning policy guidance for the Town Centre.

Cabinet had also requested that the list of parties involved in the formation of the Town Centre Plan and the list of Consultees be included and this list was circulated at the meeting.

RESOLVED:

1. That the Reference be noted.
2. That the name of Derek Conyon on the list of parties involved should be amended to Dennis Conyon.

11. SOUTH EAST PLAN: RESPONSE TO THE SECRETARY OF STATE'S PROPOSED CHANGES: JULY 2008

The Group were very disappointed with many of the proposed changes from the Secretary of State highlighted in the report and disagreed with a number including: the increase in the district housing figure by 1000 dwellings per annum, the deletion of the Strategic Gap, the substitution of housing "targets" with "minimum figures" and the dilution of the "conditionality" of new infrastructure.

The Group felt that the proposed Maidstone Policy was inadequate. Whilst it had much that was welcome, it did not reflect the balanced perspective that the Group and the Council were trying to achieve through its LDF documents. There was nothing in the Policy about green space, quality living or high quality sustainable development.

It was also pointed out that there was a conflict between the last point in the Maidstone Policy ((vii) Avoid coalescence between Maidstone and the Medway Gap urban area.) and the deletion of the Strategic Gap.

The Group felt the Sustainable Construction Policy had been watered down. As the South East, Kent and Maidstone Borough is on the frontline of climate change impacts in terms of flood risks, drought, threat, air quality deterioration, population density and ecological damage, it is important that the South East Plan recognises this by allowing more stringent sustainability measures than are found in national planning guidance.

The Group felt that before it should be agreed the response needed to be more robust and to strongly object to the following:-

- i) The increase in housing

- ii) The lack of balance in the Maidstone Policy – with alternative wording proposed to include an extra paragraph regarding constraining policies involving landscape, green open spaces and other environmental considerations
- iii) The deletion of the Strategic Gap
- iv) The substitution of housing “targets” with “minimum figures”
- v) The dilution of the “conditionality” of new infrastructure

Furthermore, Officers should press these matters having made the formal representation. It therefore felt that the Cabinet should not agree to send the proposed response but instead request that officers prepare a fuller, more robust and argued response to be considered first by the Local Development Document Advisory Group and then by Cabinet before submission to the Secretary of State by 24 October 2008.

RESOLVED: That Cabinet should not agree to send the proposed response but instead request that officers prepare a fuller, robustly argued response to be considered first by the Local Development Document Advisory Group and then by Cabinet before submission to the Secretary of State by 24 October 2008.

12. RESIDENTIAL EXTENSIONS SUPPLEMENTARY PLANNING DOCUMENT

The Group considered the Report of the Assistant Director of Development and Community Services requesting considering to the draft Residential Extensions Supplementary Planning Document (“SPD”) and accompanying Sustainability Appraisal document prior to public consultation.

At the meeting, recommended additions were circulated regarding a proposed additional paragraph 6.13 concerning the use of green roofs and walls being considered for use on extensions and a new section to be included following Trees and Landscaping regarding Designing in Wildlife Habitats.

The Group thought the Residential Extensions SPD was a very good document but felt that a checklist flow diagram should be included to be used as a toolkit by officers.

It was noted that this document does not allow the Council to insist on the sustainable homes element for extensions. However, when the Core Strategy is complete there will be a policy on which to make this a requirement.

There was some discussion regarding the wording in 1.1 of the Introduction and the Group felt that this should be changed from “... properties in the built up area and within” to “... properties in built up areas and within ...”.

RESOLVED: That the Cabinet Member for Regeneration be recommended to approve the Residential Extensions Supplementary Planning Document for public consultation, subject to the following amendments:-

- a) That the wording in 1.1 of the Introduction should be changed from “... properties in the built up area and within” to “... properties in built up areas and within ...”.

- b) That the proposed additional Paragraph 6.13 and the new section on Designing Wildlife Habitats (attached as Appendix A) be included in the document.

13. GYPHY AND TRAVELLERS TOOLKIT AND INTERIM ACTION UPDATE

The Group considered the Report of the Assistant Director of Development and Community Services regarding the draft Gypsy Toolkit.

The Group noted that the Toolkit had been considered by Planning Committee in August and their comments had been incorporated within the document to be considered.

Concerns raised regarding enforcement were discussed and it was noted that officers are working hard on this, particularly with regard to outstanding enforcement cases.

The issue of curtilage and landscaping requirements was raised and, although it was accepted that this was a very difficult area, officers were asked to investigate this further.

RESOLVED: That the Cabinet Member for Regeneration be recommended to approve the Gypsy Toolkit as a practice note for Development Control purposes.

14. EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED: That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test:-

**Head of Schedule 12A and
Brief Description**

Exempt Appendix to the Report of the Assistant Director of Development and Community Services – Local Development Scheme: Priorities

5 - Legal

Having considered the Exempt Appendix to the Report of the Assistant Director of Development and Community Services regarding Local Development Scheme: Priorities, the Group:-

RESOLVED: That the public be re-admitted to the meeting.

15. LOCAL DEVELOPMENT SCHEME: PRIORITIES

At its meeting on 6 October 2008 the Local Development Document Advisory Group considered the Report of the Assistant Director of Development and Community Services regarding the prioritisation of producing Local Development Documents prior to updating the Local Development Scheme

As part of this the Group also considered the four options for the production of Policy and Site Allocations to meet Gypsy and Travellers accommodation needs put forward by the Assistant Director of Development and Community Services. Following consideration of the alternatives set out in Appendix C to the Report of the Assistant Director of Development and Community Services and the advice received from Counsel, the Group felt Option C was the most appropriate. Option C involves production of a Gypsy and Travellers site allocations DPD utilizing criteria based upon national guidance and the Kent and Medway Structure Plan Policy H9, progressed irrespective of the timetable of the Core Strategy and South East Plan.

RESOLVED:

- a) That Cabinet be recommended to endorse Option C for the production of Policy and Site Allocations to meet Gypsy and Travellers accommodation needs.
- b) That Cabinet be recommended to agree the Report of the Assistant Director of Development and Community Services regarding the prioritisation of producing Local Development Documents prior to updating the Local Development Scheme.

16. APPOINTMENT OF POLITICAL GROUP SPOKESPERSONS

RESOLVED: That the following be appointed as Political Group Spokespersons for the Group for the remainder of the Municipal Year 2008/09:-

Conservative Group – Councillor Mrs Stockell
Liberal Democrat Group – Councillor Robertson
Independent Group – Councillor Marchant

17. DURATION OF MEETING

6.00pm to 9.22pm.