

MAIDSTONE BOROUGH COUNCIL

CABINET

MINUTES OF THE MEETING HELD ON 13 MARCH 2013

Present: Councillor Garland (Chairman), and
Councillors Greer, Hotson, Paine, Mrs Ring and
J.A. Wilson

Also Present: Councillors Mrs Blackmore, Burton, Daley,
McLoughlin, Munford, Newton, Mrs Stockell
and Mrs Wilson

141. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

142. **URGENT ITEMS**

The Chairman indicated that he intended to take the following as urgent items:-

- a) References from Spatial Planning Strategy Advisory Group relating to Local Development Scheme 2013-2015 and Maidstone Borough Local Plan 2011-2031.
- b) SCRAIP from Regeneration and Economic Development Overview and Scrutiny Committee relating to Local Plan – Bus Lane.
- c) Head of Planning Urgent Addendum Report on Maidstone Borough Local Plan 2011-2031.

143. **NOTIFICATION OF VISITING MEMBERS**

Councillors Mrs Stockell and Mrs Wilson indicated that they wished to speak on Agenda items 8 and 9.

Councillors Blackmore, Burton, Daley, McLoughlin, Munford and Newton indicated that they wished to speak on Agenda Item 9.

144. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

145. **DISCLOSURES OF LOBBYING**

Councillors Hotson and Paine stated that they had been lobbied on Agenda Items 8 and 9.

146. EXEMPT ITEMS

RESOLVED: That the items on the Agenda be taken in public as proposed.

147. MINUTES

RESOLVED: That Minutes of the Meeting held on 13 February 2013 be approved as a correct record and signed.

148. LOCAL DEVELOPMENT SCHEME 2013

DECISION MADE:

1. That the amalgamation of the Core Strategy Local Plan and the Development Delivery Local Plan, to be called the Maidstone Borough Local Plan ("MBLP"), be approved;
2. That the plan period for the Maidstone Borough Local Plan be 2011 to 2031; and
3. That, subject to the following amendment, the Local Development Scheme 2013-2015 (as set out at Appendix A to the report of the Director of Change, Planning and the Environment) be adopted and that the Scheme comes into effect from the date of adoption:-

"That the final sentence of paragraph 3.6 of the Scheme be amended to read "The Council will undertake an additional stage of public consultation on the MBLP for ~~the new~~ **all** policies and land allocations (called "participation" or regulation 18) in 2013, as set out in the LDS, before proceeding to formal public consultation stage (called "publication" or regulation 19) in 2014 on the ~~entire~~ Local Plan."

To view full details of this decision, please click here:-

<http://meetings.maidstone.gov.uk/ieDecisionDetails.aspx?ID=671>

149. MAIDSTONE BOROUGH LOCAL PLAN

DECISION MADE:

1. That a working target of 14,800 dwellings for the Maidstone Borough Local Plan period 2011 to 2031 be approved until such time as the work identifying the borough's housing land supply and the identification of environmental constraints is completed;
2. That Council be recommended that the moratorium on the release of greenfield housing sites allocated in the Maidstone Borough Wide Local Plan 2000 be revoked because the reasons for the moratorium no longer apply;
3. That, subject to the following amendment, the key public consultation issues relating to the policies that are the subject of the report of the Director of Change, Planning and Environment be noted

and the recommended changes to policies set out in the schedule attached as Appendix A to the report of the Director of Change, Planning and Environment be agreed:-

"Policy CS7, paragraph 6.25 final sentence delete "from 12% to 22.5% of all trips made"."

4. That, subject to the following amendments, amended policies CS5 to CS13 and SS1, SS1a, SS1b, SS1c, SS2, SS2a, SS2b, SS2c and SS4 (attached at Appendix B to the report of the Director of Change, Planning and Environment) be approved for public consultation at the preparation stage of the local plan process (regulation 18) to enable a full sustainability appraisal to be undertaken for all policies and site allocations ahead of the Publication stage of the local plan process (regulation 19):-
 - a) Policy SS1, paragraph 3.11 second sentence: after "nearby" add "open".
 - b) Policy SS1, paragraph 3.11 Add new final sentence: "In particular this will apply to the necessary provision of formal play space for children, which the council will expect to be provided in appropriate locations, the details of which will be agreed in the development briefs."
 - c) Policy SS1a, paragraph 3.12 add to end of paragraph: "The Bridge Nursery site as used historically goes beyond the borough boundary into Tonbridge and Malling, occupying all of the land bounded by the Maidstone East railway line, the A20 London Road, the edge of the existing Allington residential area (at Lamberhurst Way, Blackmanstone Way and Fordwich Close) and the wooded area immediately north of Halstead Walk."
 - d) Policy SS1a, paragraph 3.13 first sentence: after "2000" add "for housing and open space". Second sentence: after "will" add "now be developed primarily for housing and".
 - e) Policy SS1a, paragraph 3.14 first sentence: replace "allocated" with "identified".
 - f) Policy SS1a, paragraph 3.16 first sentence: after "expects the" add "land beyond the borough boundary in". Delete "~~portion of this site~~". After "maintaining" add "the". After "railway line" add "within Maidstone Borough".
 - g) Policy SS1a, paragraph 3.18 final sentence: replace "language" with "approach".
 - h) Policy SS1a(5)(i) replace "section of the site within" with "land beyond the borough boundary (as described in 3.12) in".
 - i) Policy SS1b, paragraph 3.29 add as second and third sentence: "This land is comprised of 5.8 hectares designated in the Maidstone Borough-Wide Local Plan 2000 as public open space (policy ENV24 (xiii)) and 15.4 hectares north west of the borough boundary. The land north west of the borough boundary is comprised of three fields – the northern half of the orchard field which straddles the boundary and the two fields immediately east of Hermitage Lane and south of the Maidstone East railway line."

- j) Policy SS1b, paragraph 3.29 split paragraph before “Working with Tonbridge and Malling”.
- k) Policy SS1b, new paragraph 3.30 after “Working with Tonbridge and Malling Borough Council,” add “appropriate and necessary ecological mitigation and community open space will be provided on the 21.2 hectares of land described between the footpath/ restricted byway and the Maidstone East railway line. The land within the Maidstone boundary”. Delete ~~“this land (from the footpath/byway, as far as the railway) will be used to mitigate the ecological impacts of development as well as providing open space for community purposes. Within the Maidstone boundary, the land”~~.
- l) Policy SS1b, new paragraph 3.30 before “designated as strategic gap” add “also”.
- m) Policy SS1b, old paragraph 3.30 renumber as “3.31”.
- n) Policy SS1b(12) replace “section of the site within Tonbridge and Malling” with “15.4 hectares of land north west of the borough boundary, described in 3.29”.
- o) Policy SS2, paragraph 4.7 final sentence: After “new provision” replace comma with full stop. Delete remainder of sentence. Add new final sentence: “In particular this will apply to the necessary provision of formal play space for children, which the council will expect to be provided in appropriate locations, the details of which will be agreed in the development briefs.”
- p) SS2b allocation, Land North of Sutton Road, proposed amendment to site boundary amend the site boundary for Land North of Sutton Road to align with the site boundary for the local plan allocation (2000) as shown on the site plan attached at Appendix B to the report of the Director of Change, Planning and the Environment.
- q) Policy SS2c, paragraph 4.22 first sentence: Before “Bicknor Wood” add “The ancient woodland at”. Second sentence: After “to meet” add “the ancient woodland at”. After “which is” add “immediately north of” and delete “adjacent to”.
- r) Policy SS2c, paragraph 4.23 final sentence: At start of sentence, add “It is important to ensure that appropriate open space is provided on site and that”. Amend “dwellings will be” to “dwellings are”.
- s) Policy SS2c(ii) after “woodland belt” delete “of at least” and add “ranging from a minimum of 40 metres to”
- t) Policy SS2c(5) after “woodland belt” add “ranging from” and delete “of”. After “metres” add “to 80 metres”.
- u) Policy SS4, paragraph 5.16 delete ~~“300m² greater than that which is existing on site (14,300m²)”~~ and replace with “300m² greater than the total existing retail floorspace on site of 14,300m²”.
- v) Policy SS4, paragraph 5.16 move sentence “In order to assess the impact of the proposals on the town centre, a retail impact assessment will be required for both comparison and convenience goods” to new paragraph 5.16a and add: “In determining the overall impact of the retail proposals, a measured adverse impact of more than 3% on town centre turnover is unlikely to be acceptable.”
- w) Policy SS4, paragraph 5.16 replace “criterion” with “threshold”.

- x) Policy SS4(7) amend to read: “The cumulative quantum of retail floorspace will be restricted to the provision of up to 300m² above that which already exists. Any additional retail floorspace above this limit must be **of an out of town format that is** complementary to town centre uses and, by means of a sequential sites assessment, demonstrably require an out of town location”.
 - (y) Policy SS4(8) amend to read:
 “Submission of a retail impact assessment for both comparison and convenience goods, to be approved by the Borough Council, in order to assess the impact of retail area proposals **which clearly demonstrates that the retail development has no significant adverse impact** on the town centre”.
5. That, subject to the amendments listed in decision (4) above, the strategic site allocation policies SS1, SS1a, SS1b, SS1c, SS2, SS2a, SS2b, SS2c and SS4 (attached at Appendix B to the report of the Director of Change, Planning and Environment) be adopted for development management decisions;
 6. That land at junction 8 of the M20 motorway be retained as a strategic development location for employment (policy SS3) until such time as the work identifying employment land demand and supply is completed;
 7. That, subject to the following amendments, the amended targets for affordable housing in policy CS10, seeking 15% provision on previously developed land in the urban area, 30% on greenfield sites in the urban area and at the urban periphery, and 40% at rural settlements and the rural area; together with a policy threshold of ten units and such developments of 10 dwellings and over will contribute on site; and the deletion of the reference to Gypsy and Traveller accommodation contribution within this policy be approved:-
 - a) Policy CS10, paragraph 6.42 amend to read: “Viability testing indicates that affordable housing is achievable with a one dwelling threshold. For practical purposes, the threshold will be set at 10 dwellings. Affordable housing will be provided on site. Alternative provision will not be accepted unless there are exceptional circumstances that justify it. Any proposals for off site or financial provision must be made at the time of the application.”
 - b) Delete paragraph 6.43.
 - c) Policy CS10, paragraph 6.44 before “Around the urban periphery” add “On greenfield and private residential garden sites in the urban area and”.
 - d) Policy CS10, Policy text first sentence:
 Amend “one residential unit” to “10 residential units”.

- e) Policy CS10(1)(ii) after “Greenfield” add “and private residential gardens”.
 - f) Policy CS10(2) delete criterion.
 - g) Policy CS10(3) Delete “Where the development is 10 dwellings or more:” After “proven necessary” add “in exceptional circumstances”.
8. That the amended targets in policy CS12 for Gypsy and Traveller accommodation of 187 pitches and for Travelling Showpeople accommodation of 11 plots, to reflect the extension of the new local plan period to 2031 be approved; and
 9. That, subject to the following amendments, the infrastructure priorities for development set out in paragraph 1.12.5 of the report of the Director of Change, Planning and Environment, be agreed and the amended policy CS14 be approved for re-consultation with the public at the preparation stage of the local plan process (regulation 18):-
 - a) Policy CS14, paragraph 7.7 under “Infrastructure Priorities for Residential Development” move “Public Realm” to position 4 and move the balance of priorities further down the list.
 - b) Policy CS14(3) under “Infrastructure Priorities for Residential Development” move “Public Realm” to position (iv) and move the balance of priorities further down the list.
 10. That there should be consultation with the Leader of the Council and the Leader of the Opposition in advance of the Council’s Sustainability Appraisal about the precise arrangements for the ecological assessment of the Bridge Nursery site in terms of when, what and who conducts the work.
 11. That the policy for Bridge Nursery site should be amended to make reference to the landowners responsibility for the conduct of ecological surveys as part of the preparation for bringing forward development proposals at the planning application stage.
 12. That clear information be provided to parish councils concerning the Neighbourhood Planning process viz a viz the core strategy timetable especially with respect to the housing need total and its spatial distribution.
 13. That the importance of the cumulative impact of development envisaged in the Maidstone Borough Local Plan be noted and taken into account in both the Integrated Transport Strategy and the Infrastructure Development Plan and that the proposals for transport provision for walking and cycling be evaluated before it is completed.

14. That the following response be submitted to the Regeneration and Economic Development Committee SCRAIP relating to the points raised in respect of the bus lane

- a) The Cabinet have retained the bus lane in their current proposals
- b) Agreed to the proposed investigations
- c) Agreed.

To view full details of this decision, please click here:-

<http://meetings.maidstone.gov.uk/ieDecisionDetails.aspx?ID=674>

150. DURATION OF MEETING

6.30 p.m. to 10.28 p.m.