

MAIDSTONE BOROUGH COUNCIL

**Planning, Transport and Development Overview & Scrutiny
Committee**

**MINUTES OF THE MEETING HELD ON TUESDAY 18 FEBRUARY
2014**

Present: Councillor McLoughlin (Chairman), and
Councillors Collins, Cuming, Munford, Springett and
de Wiggondene

Also Present: Councillors Ash, Black, Burton,
Garland, Mrs Gooch, Hogg, Moss and
Paine

94. THE COMMITTEE TO CONSIDER WHETHER ALL ITEMS ON THE AGENDA SHOULD BE WEBCAST

RESOLVED: that all items on the agenda be webcast.

95. APOLOGIES

It was noted that apologies for absence were received from Councillors Chittenden, Ross, Mrs Watson and Mrs Wilson.

Councillor de Wiggondene arrived at 6:45pm.

96. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitutions were noted:

Councillor Cuming for Councillor Ross.

97. NOTIFICATION OF VISITING MEMBERS/WITNESSES

Councillors Black, Gooch and Hogg indicated their wish to speak on agenda item 8 – Maidstone Borough Local Plan Public Consultation Draft (Regulation 18).

98. DISCLOSURES BY MEMBERS AND OFFICERS

Although not a declaration Councillor Collins explained that although he is the Chairman of the Planning Committee his role for this meeting was to consider whether to recommend to Cabinet that the draft Local Plan, including allocations, should be published for consultation. He stated that

any views he expressed should not be taken as an indication that he has made up his mind as to how he may vote on any forthcoming planning applications. He further stated he will approach all applications with an open mind if and when they come to Planning Committee.

Councillor Munford explained he had been lobbied in respect of the Draft Local Plan.

Councillor Springett notified the meeting that one of the proposed sites on the Draft Local Plan was located close to her property.

99. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

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

100. MINUTES OF THE MEETING HELD ON 21 JANUARY 2014

RESOLVED: That the minutes of the meeting held on 21 January 2014 be approved as a correct record and duly signed subject to:

Outstanding resolution minute number 87d - The Part II cost benefit analysis on the park and Ride be circulated to the Planning, Transport and Development Overview and Scrutiny Committee for information.

101. PURPOSE OF THE MEETING

The Chairman explained to members of the public the purpose of the meeting.

The Planning, Transport and Development Overview and Scrutiny Committees role was to consider the documents included with the agenda and discuss if the document was ready to go out for public consultation. The Committees role was not to make decisions on the content of the plan but to make recommendations to Cabinet.

Due to the closeness of the date of the start of the public consultation of this document (Friday 21 March 2014 to 5pm, Wednesday 7 May2014) members of the public did not have the opportunity to speak at the meeting.

102. MAIDSTONE BOROUGH LOCAL PLAN PUBLIC CONSULTATION DRAFT (REGULATION 18)

Rob Jarman, Head of Planning and Development, Michael Murphy, Principal Planning Officer (Spatial Policy) and Sarah Anderton, Principal Planning Officer were invited to introduce item 8:- Maidstone Borough Local Plan Public Consultation Draft (Regulation18).

Rob Jarman began by putting the document into context stating that it had been 16 years since the last detailed Local Plan for Maidstone Borough with detailed recommendations on housing sites was had been prepared.

Mr Jarman explained the process the document will go through before it is adopted by the Council:

- The Planning, Transport and Development Overview and Scrutiny Committee consider if the draft Local Plan is ready to go out for public consultation and make recommendations to Cabinet on the contents
- Cabinet approve the draft Local Plan for public consultation under Regulation 18
- The draft Local Plan is finalised under Regulation 19
- The draft Local Plan is submitted to the Secretary of State ahead of an examination by an independent planning inspector.

Mr Jarman also pointed out to the Committee two additional documents:

- Letter from Councillor Jenni Paterson outlining items in the plan she considered to be of concern – H3(2) Maidstone Barracks, H1(11) Springfield/Mill Lane, Maidstone and RMX1(2) Maidstone East/Sorting Office.
- Urgent Update Report with details of updates to the draft Local Plan including:
 - Housing Allocations
 - Transport
 - Flood Mitigation
 - Policy H3 – Future locations for housing growth
 - Policy SP4 – Larger Settlements
 - Policy DM30 – Development principles in the countryside
 - Representations already received on the draft Local Plan

Mr Jarman explained this Committee and Cabinet had already considered and agreed a number of elements of the draft Local Plan at meetings over the past six months. He then outlined the items for discussion and agreement for recommendation to Cabinet for approval.

These included:

Key elements of Policy SS1 (pages 50-58):

- An initial draft housing supply target of 17,100 new dwellings for 2011-31
- Employment floor space requirements for 2011-31 of 39,830sqm offices, 20,290sqm industrial and 49,911sqm warehousing

- Dispersed pattern of housing and employment development with Maidstone as the primary focus for new development – with further development directed to the identified rural service centres and limited focus to the identified larger settlements

Policy SP3 (pages 70-75) – seven rural services centres (from five).

Policy SP4 (pages 70-75) – 3 larger settlements.

48 new housing allocations resulting from the Strategic Housing and Land Availability Assessment (SHLAA) assessment (Policy H1) referred to on the large scale plans provided to the Committee at the meeting shown in green marked 'H', and East of Hermitage Lane – capacity reduced from 600 to 500 dwellings to exclude the southern field (pages 82-86).

Policy H2 (pages 86-87) – density of housing development.

Policy H3 (pages 87-88) broad locations for housing growth for the later end of the plan period (2026).

Policy RMX1 (pages 89-93) a further three sites for retail/mixed use.

Policy EMP1 (pages 94-95) four sites for B class employment.

Policy GT1 (pages 96-97) seven sites for Gypsy and Traveller accommodation.

Policy DM26 (Gypsy and Traveller development) - the agreed pitch/plot targets have been removed and inserted with other targets in the overarching spatial policy Policy SS1.

Introductory sections of the plan (pages 38-45).

Mr Jarman explained the main piece of work carried out for the plan was the SHLAA and the call for sites made over a year ago. 190 sites were put forward. Each one was assessed by criteria focussing on ecology, landscape, planning history and highways. 48 of the sites were recommended for inclusion, plus the six strategic housing sites.

Mr Jarman pointed out the large scale map provided to the Committee showing the rejected sites in red and the green sites included in the plan. The green sites being within and adjacent to the town, rural service centres and larger villages, including on brownfield sites.

Mr Jarman explained if the initial draft housing supply target of 17,100 new dwellings for 2011-31 was approved by Cabinet it would need to be evidenced to show why this figure was agreed against the objectively assessed figure of 19,600. The Council would also have detailed discussions with neighbouring authorities to ask if they can meet the balance of 2,500. These neighbouring authorities would need to see the evidence for rejecting the sites put forward for inclusion in the Local Plan.

The Chairman asked Committee for questions on the generality of the Plan to begin with and then to move to the site specifics.

During lengthy discussion the Committee raised the following comments and concerns:

- The draft Local Plan has been developed in line with the National Planning Policy Framework's (NPPF) positive approach to planning
- Concerns over Grade 1 agricultural land being allocated in the plan for housing development
- Concerns over the viability and sustainability of the proposed developments in the proposed Rural Service Centres
- Concerns over meeting the proposed housing target of 17,100
- Policy H3 – Future locations for housing growth – the amended figure for the number of dwellings in the town centre and broad location could be increased further from 550, as shown in the Urgent Update, to 600
- Concerns over Junction 8 of the M20 – location for new employment floor space and the impact on the Area of Outstanding Natural Beauty (AONB) and wider landscape
- Concern about agreeing to the 17,100 housing target when some sites in the draft plan were contentious. If after public consultation the unacceptable sites were taken out of the plan the remaining figure could be agreed as the target but the reasons for rejection would need to be evidenced, otherwise the plan would be unsuccessful at the examination stage. If the Plan is delayed the Council will lose control over where developments take place in the Borough
- Sites included in the final Plan are not guaranteed planning permission, the criteria in the plan will need to be met
- The Plan can be revisited after adoption and the target figure reduced if market signals predict an oversupply of housing
- Concerns over the selection of the proposed designated rural service centres and larger settlements
- Concerns over the wording of the criteria to be met for granting planning permission
- Concerns over the effectiveness of the transport infrastructure and traffic modelling.

The Chairman moved on to allow comments on specific sites.

Councillor Mumford asked for it to be noted he was not comfortable going through the sites without the input from the public.

During lengthy discussion the following comments were made and concerns were raised:

- H1 (13) Medway Street, Maidstone - the value and impact of using an existing car park for housing development
- H1 (17) Barty Farm, Roundwell, Thurnham – access to the site between two listed buildings
- H1(42) Old Nursery School, Station Road, Headcorn - the disposal of waste water in Headcorn
- H1(51) Cripple Street, Loose - the impact of any development on the conservation area
- H1 (55) Heath Road, Boughton Monchelsea – sustainability of a development on this site
- H1(58) Ware Street, Thurnham – any development on this site being close to an AONB and potential impact of increased pressure on local schools
- H3(2) Maidstone Barracks, H1(11) Springfield/Mill Lane and RMX1(2) Maidstone East/Sorting Office, Maidstone – provision of healthcare and education facilities and traffic congestion of the surrounding road system
- GT1(3) The Chances, Lughorse Lane, Hunton – proposed increase in pitches from one to four

RESOLVED:

- i. That Planning, Transport and Development Overview and Scrutiny Committee recommend that Cabinet:

Approves the draft Maidstone Borough Local Plan, as amended by the urgent update items 1-4, for public consultation (Regulation 18) subject to consideration of the following recommendations (a-p):

- a) That Cabinet does not consider future sites on Grade 1 agricultural land and that H1(19) Fant Farm, Maidstone be removed from the local plan as a proposed site for development on the basis that it is Grade 1 agricultural land
- b) That H1(18) Cross Keys, Bearsted be removed from the local plan as a proposed site for development on the basis that it is liable to severe flooding

- c) That Cabinet give serious consideration to the possibility of removing Yalding and Coxheath as rural service centres and re-classifying them as larger villages prior to public consultation as the specific focus on employment in SP3 is not considered to be relevant to these villages
- d) That consideration be given to rewording the development criteria noted in Appendices A to E so that it reads 'planning permission (either) **may/is likely to** be granted if the following criteria are met' (i.e. replacing the word 'will')
- e) That under 14.7 and Policy ID1 – **Infrastructure priorities for residential development** – transport be moved to the top of the list of priorities and affordable housing moved to second on the list
- f) That additional information be requested from Kent County Council to enable individual transport assessments for developments effecting Sutton Road, Marden and Hermitage Lane areas to demonstrate how proposed mitigation measures address the cumulative impacts of all the sites in each area
- g) That the word 'significant' be removed from paragraph 1 of policy SP5 (grey box bottom of page 41 of Draft Local Plan)
- h) That due to concerns regarding road congestion at site H1(7) North of Bicknor Wood, Gore Court Road, Otham, consideration be given to access being provided only via Sutton Road with no access via Gore Court Road and consideration be given to making footpath and traffic flow improvements along Brishing Lane
- i) That the community infrastructure wording for site H1(11) Springfield, Royal Engineers Road and Mill Lane Maidstone should include reference to the provision of health and education facilities
- j) That consideration be given by Cabinet to removing site H1(13) Medway Street, Maidstone from the draft local plan to preserve car parking in the town centre
- k) That further information be provided to Cabinet regarding site H1(17) Barty Farm, Roundwell, Thurnham to enable an informed decision to be made about access to this site, and in particular the impact on listed properties, and if no adequate solution for access be found this site should be removed from the draft local plan for consultation
- l) That the wording on page 9 of the draft local plan (Key Local Issues/NPPF 1) be updated to read: '*Ensuring that applications for development adequately address:*
 - (a) *the impact of climate change, especially the issues of flooding and water supply, and;*

(b) ensure dependable infrastructure is included for the removal of sewage and waste water'

- m) That HI(51) Cripple Street, Loose, be removed from the draft local plan due to the impact on the conservation area and countryside
 - n) That the evidence for Boughton Monchelsea be reviewed by Cabinet. If the criteria for being a larger village is not met, site H1(55) Heath Road, Boughton Monchelsea should be removed as the site would not be sustainable
 - o) That site H1(58) Ware Street, Thurnham be removed from the draft local plan because the development would be too close to the AONB and would put more pressure on the already limited spaces in local schools
 - p) That Cabinet remove site GT1(3) The Chances, Lughorse Lane, Hunton from the draft local plan as planning permission has previously been refused and appeal upheld by the Planning Inspector
- ii. That Planning, Transport and Development Overview and Scrutiny Committee recommend that Cabinet:

Rejects the designation of land at Junction 8 of the M20 motorway as a strategic location for employment use
 - iii. That Planning, Transport and Development Overview and Scrutiny Committee recommend that Cabinet:

Approves a further call for housing sites and sites for Gypsy and Traveller pitches, as part of the public consultation on the Maidstone Borough Local Plan.

103. LONG MEETING

Prior to 10:30pm, during consideration of Maidstone Borough Local Plan Public Consultation Draft (Regulation 18), the Committee considered whether to adjourn the meeting at 10:30pm or continue until 11:00pm if necessary.

RESOLVED: That the meeting continue until 11:00pm, if necessary.

104. INFRASTRUCTURE DELIVERY PLAN (IDP)

Michael Murphy, Principal Planning Officer, gave the Committee an overview of Infrastructure Delivery Plan (IDP).

The IDP identifies the infrastructure required to meet the spatial objectives and growth anticipated in the council's emerging local plan. It

includes infrastructure schemes that will be provided by the council and other public bodies (public and private). It is also closely linked with the council's Integrated Transport Strategy and takes account of Kent County Council's infrastructure and investment finance model.

The IDP is an evidence base which supports the local plan and helps to demonstrate that the local plan is both realistic and deliverable, particularly in respect of housing and employment site allocations included in the draft local plan.

RESOLVED: That the Planning, Transport and Development Overview and Scrutiny Committee recommended to Cabinet that the draft Infrastructure Delivery Plan be approved for public consultation alongside the Maidstone Borough Local Plan.

105. COMMUNITY INFRASTRUCTURE LEVY - PRELIMINARY DRAFT CHARGING SCHEDULE

Michael Murphy, Principal Planning Officer, gave the Committee a brief overview of the Community Infrastructure Levy – Preliminary Draft Charging Schedule (CIL).

To prepare the CIL for adoption there must be an up to date local plan. The emerging Maidstone Borough Local Plan contains proposed land allocations, primarily for residential uses and also non-residential uses i.e. employment and retail.

The Infrastructure Delivery Plan, which has been developed alongside the local plan, is an up to date inventory of which infrastructure is needed to support the proposed allocations. The total cost to date of the infrastructure identified in the IDP is approximately £75m.

Mr Murphy confirmed the proposed levies are comparative with adjacent authorities. Detail of the comparison can be provided to the Committee.

After a brief discussion the Planning, Transport and Development Overview and Scrutiny Committee

RESOLVED: That Planning, Transport and Development Overview and Scrutiny Committee recommend to Cabinet that the Maidstone Community Infrastructure Levy Preliminary Draft Charging Schedule is approved for consultation alongside the draft Maidstone Local Plan. The consultation to run from 21 March 2014 until 5pm, 2 May 2014.

106. FUTURE WORK PROGRAMME

RESOLVED: That this item should be deferred to the next meeting.

107. DURATION OF MEETING

6:30pm to 10:55pm