

MAIDSTONE BOROUGH COUNCIL

Strategic Planning, Sustainability and Transportation Committee

MINUTES OF THE MEETING HELD ON TUESDAY 18 AUGUST 2015 ADJOURNED TO 19 AUGUST 2015

Present – **Councillor Burton (Chairman), and**
18 August **Councillors English, Mrs Gooch, D Mortimer,**
2015): **Paine, Patterson, Springett, Mrs Stockell and Mrs**
 Wilson

Also Present: **Councillors Mrs Blackmore, Clark,**
 Garland, Munford, Mrs Ring, Round,
 Sargeant and Thick

57. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors de Wiggondene, Mrs Grigg and Harwood.

58. **NOTIFICATION OF SUBSTITUTE MEMBERS**

The following substitute members were noted:

- Councillor Mrs Stockell for Councillor de Wiggondene
- Councillor D Mortimer for Councillor Mrs Grigg
- Councillor Paterson for Councillor Harwood

59. **URGENT ITEMS**

The Chairman stated that, in his opinion, the following should be taken as urgent items as they contained further information relating to items on the agenda:

Item 12 – Site Allocation Policies for New Land Allocations –
correction to the site area at Bentletts Yard, Claygate Road, Laddingford and a late representation advocating allocation of a site in Green Lane, Langley, The Brishings, for residential development.

Item 14 – Site Allocations – H1(10) South of Sutton Road, Langley
– representations and site plan and criteria options.

Item 15 – Landscapes of Local value (supplementary report) –
representations.

Item 18 – Results of the VISUM Transport Modelling –

- Letter from Kent County Council (KCC) dated 23 July 2015 and Maidstone Borough Council (MBC) response dated 31 July 2015

- Letter and enclosures from KCC dated 13 August 2015
- Letter of response from MBC to KCC dated 17 August 2015
- Email and enclosures from KCC dated 18 August 2015

Item 19 – Employment Land Allocations – representation

Item 21 – Mixed Use Site Allocations – representation

60. NOTIFICATION OF VISITING MEMBERS

The following Councillors were in attendance reserving their right to speak on the following items:

- Councillor Munford – 12, 13, 14, 15 and 20
- Councillor Thick – 10 and 15
- Councillor Round – 10 and 15
- Councillor Clark – all items
- Councillor Mrs Blackmore – all items
- Councillor Sargeant – all items
- Councillor Garland – from 9:15pm as an observer

61. DISCLOSURES BY MEMBERS AND OFFICERS

The Chairman Councillor Burton, disclosed an Other Significant Interest in Site H1(10) Land South of Sutton Road, Langley, item 14, and explained he would withdraw from the meeting for this item. He informed the Committee in his absence and the absence of the Vice Chairman, Councillor Springett would take the chair for this item.

62. DISCLOSURES OF LOBBYING

All Committee members declared they had been lobbied on all items on the agenda.

63. EXEMPT ITEMS

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

64. COMMITTEE WORK PROGRAMME FOR NOTING

RESOLVED: That the Committee's Work Programme be noted.

65. MINUTES OF THE MEETING HELD ON 14 JULY 2015 ADJOURNED TO 23 JULY 2015

RESOLVED: That the Minutes of the meeting held on 14 July 2015. Adjourned to 23 July 2015, be approved as a correct record and signed subject to the following amendment, that 'with an indicative yield of 6 units' be removed from the decision on Site H03 – 220 – Hubbards Lane, Loose and Boughton Monchelsea.

66. PRESENTATION OF PETITIONS

There were no petitions.

67. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Councillor Cheryl Taylor Maggio, Chairman Langley Parish Council, asked the following question of the Chairman:

"Housing completions are shown in the Reconsideration report as running at 585 dwellings per annum (2339 in total April 2011 to March 2015), can the Borough Council advise how many of these completions arise from previously unidentified windfall sites, and if not why not?"

The Chairman responded as follows:

There were 2,341 dwellings completed in the four years from 1st April 2011 to 31st March 2015. Of these, **692** were built on 'windfall' sites.

A windfall site is a brownfield site which has not been previously identified through the Local Plan process, for example by being allocated in the adopted Local Plan (2000), identified in the Urban Capacity Studies (2002 and 2006) and Strategic Housing Land Availability Assessments (2008, 2013 & 2014).

The number of completions on windfall sites has been declining over recent years. In 2009/10, there were **266** completions on such sites. In 2014/15 the equivalent figure was some **135** dwellings.

Consistent with this downwards trend, the future supply from large windfall sites (that is, sites of 5 or more dwellings) can be expected to become more modest because;

- Sites will be allocated in the Local Plan, so fewer sites will be 'unidentified'
- There has been a meticulous search for urban brownfield sites to allocate through the Local Plan process. These are exactly the type of sites which would have counted as windfall sites previously
- The Local Plan identified two 'broad locations' for additional dwellings on brownfield land, namely the Town Centre for 600 dwellings (and Councillors have indicated this should be raised to 700) and Invicta Barracks for 1,300 new homes.

Based on analysis of the available data, a windfall allowance of 114 dwellings per annum for the last 9 years of the plan is considered to be 'realistic' as required by the NPPF.

Councillor Cheryl Taylor Maggio asked the following supplementary question:

"Is the Chairman aware that a windfall allowance of 210 properties per annum is fully justified on the basis of current planning guidance and recently achieved windfall completion levels, and if that windfall allowance was adopted it would not be necessary to release some 850 green field dwellings, such as the site H1(10) Sutton Road, while still achieving the required housing target."

The Chairman responded as follows:

There are two aspects to your supplementary question, the latter part I cannot directly answer because I have declared an interest in that site, so I ask that you receive a written response from Officers. I think the first part of your question is fairly fully explained, the logic and the rationale, in the main answer to your question.

Councillor Simon Reeves, Langley Parish Council, asked the following question of the Chairman:

"The Landscapes of Local Value (Supplementary Report) states at para 1.3 "where development sites allocated in the Draft Maidstone Borough Local Plan fall within landscapes of local value, specific policy criteria will mitigate the impact of development on the landscape". Is not the Borough Council as ever putting the 'cart before the horse' and should not an analysis of local landscape quality inform the selection of suitable development sites in accordance with an overall strategy to achieve sustainable development options?"

The Chairman responded as follows:

Analyses of local landscape quality have preceded every stage of Local Plan preparation, including early work with Kent County Council and others to identify Special Landscape Areas (SLA) in the original Maidstone Borough Wide Local Plan 2000. For the 2014 consultation draft of the emerging Maidstone Local Plan, a comprehensive Landscape Character Assessment study was carried out by consultants Jacobs for the Council which reported in March 2012, and subsequently a Landscape Capacity Study by the same consultants was published in January 2015.

These studies comprised a detailed analysis of local landscape character and sensitivity in the light of central government guidance, primarily through the National Planning Policy Framework (NPPF), which requires a criterion based approach to any local landscape designation. As a result of the application of criteria, as discussed in the SPST Committee report on 14th July, Landscapes of Local Value (LLV) are recommended to form part of Policy SP5 The Countryside, which seeks to protect the countryside generally, and the areas delineated in particular. Specific development management policies will then inform the determination of any subsequent applications for these areas, in addition to the general and specific protection afforded by Policy SP5.

Councillor Simon Reeves asked the following supplementary question:

"Should the borough council not be ashamed at the amount of effort the 41 parish councils of Maidstone have put into responding to seemingly endless consultation and taking time off work to attend copious workshops on the issue over the past 2 to 3 years only for their views to be ignored."

The Chairman responded as follows:

Last year, in my capacity as Cabinet Member, I actually attended in excess of 26 of those direct liaison meetings and I can assure you personally that those comments received were actually fully noted and have been used throughout the process of consideration and I think that the work with the parishes and other groups is on-going.

68. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - SITE ALLOCATION POLICIES FOR NEW LAND ALLOCATIONS

The Committee considered the report of the Head of Planning and Development containing specific policies for three sites to be approved for further public consultation (Regulation 18) and the urgent update report tabled at the meeting which included an amendment to the site area for Bentletts Yard, Claygate Road, Laddingford to 1.94ha and a net density of 5.15 dwellings/ha.

Members raised concerns regarding the number of units for site H1(X) Hubbards Lane, Loose and H1(XX) Bentletts Yard, Claygate Road, Laddingford.

The Committee was reminded that the number of units in the policies was indicative and detailed planning applications could be more or less, and would be considered on their merits at the time of application.

RESOLVED:

1. That the draft policy for Land North of Heath Road (Older's Field), Coxheath be approved for Regulation 18 public consultation (55 dwellings and 2.34ha strategic open space).

Voting:

For: 8 Against: 0 Abstain: 1

2. That the draft policy for Hubbards Lane, Loose be approved for Regulation 18 public consultation (8 dwellings) as an exception to the local plan settlement hierarchy.

Voting:

For: 9

3. That the draft policy for Bentletts Yard, Claygate Road, Laddingford, be approved for Regulation 18 public consultation (10 dwellings) as an exception to the local plan settlement hierarchy.

Voting:

For: 9

69. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - POLICY H1(12) HAYNES, ASHFORD ROAD AND FURTHER MODIFICATIONS TO POLICY DM24 AFFORDABLE HOUSING

The Committee considered the report which was included to advise the Committee of an error in the referencing of sites in the reports taken at the meeting on 23 July 2015 and to advise the Committee of the High Court Ruling on vacant building credit and the threshold at which affordable housing could be sought.

The Committee agreed that the Affordable Housing Policy should include a reference to zero affordable housing yield for fully serviced care homes and nursing homes.

RESOLVED:

1. That site H1(12) Haynes, Ashford Road, Maidstone for 200 dwellings be deleted from the draft local plan, to reflect the fact that the site is no longer available for residential development; and to incorporate its deletion in the further public consultation on key changes to policies and site allocations (Regulation 18).
2. That reference to the site at H1(12) Haynes, Ashford Road, Maidstone be deleted from draft policy DM24 and its supporting text, and that the cross reference to the Springfield site be confirmed as policy H1(11) in policy DM24:

DM24(1)(i) Maidstone urban area 30% with the exception of policy H1(11) Springfield, Royal Engineers Road 20%.

3. That the removal of references to vacant building credit and the exemption of small developments from making affordable housing contributions following a High Court ruling and consequent amendments to the National Planning Practice Guidance be noted.
4. That the modifications to policy DM24 Affordable Housing, set out in Section 4 of the report dated 18 August 2015, be approved for inclusion in the Regulation 19 consultation version of the Maidstone Borough Local Plan.

5. That Officers be instructed to provide additional policy wording to recognise zero affordable housing yield for fully serviced care homes and nursing homes.

Voting:

For: 9

70. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - MAIDSTONE BOROUGH LOCAL PLAN SITE ALLOCATIONS - H1(10) SOUTH OF SUTTON ROAD

The Chairman referred the Committee to the urgent update dated 18 August 2015 and, having disclosed an Other Significant Interest, left the meeting at 7.27pm whilst the item was discussed.

Councillor Springett took the Chair.

Councillors took five minutes to read the urgent update.

The Committee was reminded that this item had been brought back to them as a deferred item from the meeting on 23 July 2015 pending Officers reviewing the site boundaries and the addition of an anti-coalescence belt.

The Committee noted the representations tabled at the meeting as urgent updates including letters from Kent County Council (KCC), Langley Parish Council, a Langley resident and a developer and the Officer comments in response.

The Committee was reminded that Officers were trying to take this site back to Regulation 18 consultation when KCC, Southern Water, the Environment Agency etc. would be able to respond with any concerns. Officers intended to bring the transport policies to the Committee at their meeting of 8 September 2015.

The urgent update also included details of the revised criteria 2 and 14 to specifically refer to surface water drainage mitigation and criteria 19 regarding bus priority measures on the A274.

The Committee considered two options for defining the site boundaries, together with site allocation policies for further consultation (Regulation 18) and discussed the merits of open space and community facilities against the importance of design quality.

The Committee heard the revised criteria had been worded to enable a design led scheme that will ensure appropriate transition between the urban area and the countryside. It was also explained that the Local Plan policy options for the adopted Local Plan provided the necessary criteria for the provision of anti-coalescence. Policy SP5 provided landscape

protection outside of the criteria and it was therefore considered that a further policy on anti-coalescence would not strengthen the Council's position.

The Committee discussed concerns that the area on the site map showing as reserved for community infrastructure would be used for housing if it was not used to build a school. It was agreed this should be protected from any development other than Community Infrastructure development.

The density of the housing on the site was also raised as a concern by the Committee.

RESOLVED: That draft policy H1(10) South of Sutton Road, Langley be approved for Regulation 18 public consultation in accordance with the policy wording set out in Appendix 3 of the Urgent Update dated 18 August 2015, to include an indicative figure of up to 800 units with amended wording stating that the red and white striped area, shown on the Option A Site Plan in Appendix III of the report dated 18 August 2015, be used only as open green space if no plans come forward to use it for community infrastructure provision so that the area to the east of the public right of way is not built on.

Voting:

For: 6 Against: 2 Abstain: 0

71. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - LANDSCAPES OF LOCAL VALUE (SUPPLEMENTARY REPORT)

The Chairman returned to the meeting and took the Chair at 8.59pm.

The Committee was referred to the urgent update for this item which included five items of correspondence from various interested parties.

The Committee was reminded that the supplementary report in the agenda papers took account of the report presented to them at their meeting of 14 July 2015 on Landscapes of Local Value. This had been deferred for further consideration, with specific regard to the Low Weald. The Committee was also provided with a larger scale map as requested.

Concern was raised regarding the omission of the Low Weald area from the map showing the proposed areas of Landscapes of Local Value. Members felt that the Low Weald area could score as high as other areas shown on the map using the criteria shown in the report. The Committee was informed that the methodology used demonstrated this was not the case, however it was possible there were small pockets of the Low Weald that could score higher. It was also explained that if areas already protected through other means were included in this policy it would have to be justified why these areas needed extra protection and was likely to weaken the case at the inspection stage of the Local Plan.

Further concern was raised regarding the omission of two fields on Cripple Street, Loose from the Loose Valley area and it was agreed these should be included.

The Committee queried why the Len Valley extended further than the Area of Outstanding Natural Beauty which did not include Harrietsham and Lenham and asked that further work be carried out on these areas.

RESOLVED:

1. That the Officer responses to the representations received during the public consultation on the draft Maidstone Borough Local Plan 2014 (Regulation 18 consultation) for policy SP5(6) Landscapes of Local Value, as set out in Appendix B of the report dated 18 August 2015, be approved.

Voting:

For: 9

2. That the amendments to the draft policy SP5(6) and the supporting text for Landscapes of Local Value, as set out under Section 4 of the report dated 18 August 2015 "Preferred Option", be approved for further public consultation (Regulation 18 consultation).

Voting:

For: 9

3. That the Greensand Ridge, Len Valley and Medway Valley areas as identified on the Landscapes of Local Value Map in Appendix C of the report dated 18 August 2015 be approved for further public consultation (Regulation 18 consultation).

Voting:

For: 9

4. That the area shown as the Loose Valley, on the Landscapes of Local Value map in Appendix C of the report dated 18 August 2015, be extended to include the two fields off Cripple Street, Loose on the grounds that their location and high quality form an integral part of the topography of the Loose Valley.

Voting:

For: 8 Against: 0 Abstain: 1

5. That further work be undertaken on the setting of the Area of Outstanding Natural Beauty (AONB), shown on the Landscapes of Local Value map in Appendix C of the report dated 18 August 2015, in particular in relation to the inclusion of the Lenham Vale, Court Lodge Road Harrietsham, Land North of Cuckoo Wood, Sandling Lane Maidstone and fields at Barty Farm, north of Barty House Bearsted.

Voting:

For: 6 Against: 0 Abstain: 3

6. That a re-examination of the area of the Low Weald, excluding SSSIs, be carried out to establish if areas within the Low Weald should be included in the Landscapes of Local Value policy.

Voting:

For: 7 Against: 0 Abstain: 2

72. LONG MEETING

Prior to 10.30pm the Committee considered whether to adjourn at 10.30pm or to continue until 11.00pm if necessary

RESOLVED: That the meeting should continue until 11.00pm if necessary.

73. ADJOURNMENT OF THE MEETING

At 10.30pm the Committee considered whether to adjourn the meeting.

RESOLVED: That the meeting be adjourned until 5pm on Wednesday 19 August 2015 when the remaining items on the agenda would be discussed.

74. DURATION OF MEETING

6.30pm to 10.30pm