

## **MAIDSTONE BOROUGH COUNCIL**

### **Strategic Planning, Sustainability and Transportation Committee**

#### **MINUTES OF THE MEETING HELD ON THURSDAY 23 JULY 2015**

**Present:** Councillors Burton (Chairman), English, Mrs Gooch, Mrs Grigg, D Mortimer, Paterson, Springett, Mrs Stockell and de Wiggondene

**Also Present:** Councillors Mrs Blackmore, Brice, Clark, Garland, Munford, Newton, Perry, Mrs Ring, J Sams and Sargeant

#### 42. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs Wilson, Harwood and Paine.

#### 43. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitute members were noted:

- Councillor Mortimer for Councillor Harwood
- Councillor Stockell for Councillor Paine
- Councillor Paterson for Councillor Mrs Wilson

#### 44. URGENT ITEMS

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

- Item 8 Affordable Housing Policy (DM24) - Urgent Update Report dated 23 July 2015.
- Item 10 Reconsideration of previously rejected Maidstone Borough Local Plan Regulation 18 Draft and 2014 SHLAA Housing sites:
  - Urgent Update Report dated 23 July – 20 year housing land supply and windfall sites; and,
  - Representations regarding site H1 (10) Land south of Sutton Road, Langley and amendment to site H1 (4) Oakapple Lane, Barming.
- Letter from Barbara Cooper, Kent County Council.

The Chairman stated the meeting would be adjourned to allow members time to read the urgent updates.

The Chairman stated, that in his opinion, the agenda should be taken in a revised order to the published agenda with item 10, Reconsideration of previously rejected Maidstone Borough Local Plan Regulation 18 Draft and 2014 SHLAA Housing sites, being taken before item 9, Maidstone Borough Council Local Plan Mixed Use Allocations.

45. NOTIFICATION OF VISITING MEMBERS

The following Councillors were in attendance reserving their right to speak on any item:

Councillors:

- Sargeant
- Blackmore
- Ring
- Clarke (arrived at 18:24 hrs)
- Brice (arrived 18:10 hrs)

The following Councillors were in attendance wishing to speak on item 8 and 10:

Councillors:

- Perry
- Munford
- Stockell (once Councillor Paine arrived)

Councillor Sams and Newton (arrived 18:10 hrs) wishing to speak on item 10.

Councillor Garland was in attendance (arrived at 19:00 hrs).

46. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Springett declared an Other Significant Interest in site Newnham Court, Maidstone, item 9 Mixed use Allocations.

Councillor Burton, the Chairman, declared an Other Significant Interest in Site H1 (10) Land South of Sutton Road, Langley in item 10 of the agenda – Reconsideration of previously rejected Maidstone Borough Local Plan Regulation 18 Draft and 2014 SHLAA Housing Sites. Councillor Burton explained he would withdraw from the meeting for this item. In his absence and the absence of the Vice Chair (Councillor Harwood) the Committee voted in a substitute Chairman.

47. VOTING OF SUBSTITUTE CHAIRMAN

Councillor Springett was nominated by Councillor de Wiggondene to take the Chair for item 10, seconded by Councillor Stockell.

Vote:

For 9 Against 0 Abstain 0

48. DISCLOSURES OF LOBBYING

All Committee members declared they had been lobbied on item 10 Reconsideration of previously rejected Maidstone Borough Local Plan Regulation 18 Draft and 2014 SHLAA sites.

49. 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.

50. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - AFFORDABLE HOUSING POLICY

The Chairman explained this item was a continuation of the Committee's discussion at the meeting of 14 July 2015.

The Committee considered the officer responses to the representations made on the draft affordable housing policy (DM24) contained in the public consultation draft of the Maidstone Borough Local Plan 2014 (Regulation 18 consultation) set out in Appendix A of the agenda report.

The Committee were asked to approve the deletion criterion 1 (i)(a) Haynes, Ashford Road, Maidstone from policy DM24 as set out in the urgent update Report tabled at the meeting on 14 July 2015 (included in the agenda papers) as the site was no longer available for residential development.

The Committee heard the affordable housing need set out in the SHLAA was 928 dwellings for the period of the Local Plan to 2031. This figure had been arrived at as a result of two rigorous viability studies (2013 and 2015) to ensure the figure was evidence based, with 40% affordable housing in rural areas and 30% in urban areas (with the exception of the Springfield, Maidstone site).

The Committee heard a reduction in the objectively assessed need would result in the policy being found unsound at inspection.

The Head of Housing and Community Services presented an urgent update dated 23 July 2015 addressing the concerns raised by the Committee at their meeting of 14 July 2015. The concerns were in respect of the higher proportion of proposed affordable housing for rural areas (40%) and the potential for social isolation of the residents of these houses.

The Committee heard that reducing the affordable housing figure to 30% overall would result in the affordable housing objectively assessed need not being met and the local plan being found unsound at inspection.

The Committee noted new rural housing development was proposed in settlements identified in the settlement hierarchy as either a Rural Service Centre or a Larger Village where some day to day need can be met either within the settlement itself or by using public transport.

The Committee agreed a Supplementary Planning Document providing further detail and flexibility of tenure for individual sites be included with policy DM24 Affordable Housing.

### **RESOLVED**

That:

1. 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, for completeness, to include its deletion in the additional public consultation (Regulation 18).

#### Voting:

For            9            Against        0            Abstain        0

2. The criterion 1(i)(a) Haynes, Ashford Road 20% Affordable Housing be deleted from the recommended policy DM24 Affordable Housing, on page 10 of the report to Committee published on 16 July 2015 with the agenda for the meeting of 23 July 2015.

**Note** – due to an error in the referencing on page 10 of the agenda Decision numbers 1 and 2 above will be represented to the Committee at their meeting on 18 August 2015 for clarification.

3. The draft policy DM24 Affordable Housing, as amended under Section 4 "Preferred Option" of the report, be approved for further public consultation (Regulation 19).

#### Voting:

For            9            Against        0            Abstain        0

4. The officer responses to the representations submitted during public consultation on the draft Maidstone Borough Local Plan 2014 (Regulation 18) for policy DM24 Affordable Housing, as set out in Appendix A of the officer report be approved.

#### Voting:

For 9 Against 0 Abstain 0

5. Policy DM24 Affordable Housing be approved subject to a commitment to produce a subsequent Supplementary Planning Document providing further detail and flexibility of tenure for individual sites. The draft document to be agreed by the Strategic Planning, Sustainability and Transport Committee.

Voting:

For 9 Against 0 Abstain 0

51. MEETING ADJOURNED

The meeting was adjourned from 5:50pm to 5:55pm to allow members to read the urgent updates.

52. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - RECONSIDERATION OF PREVIOUSLY REJECTED MAIDSTONE BOROUGH LOCAL PLAN REGULATION 18 DRAFT AND 2014 SHLAA HOUSING SITES

The Committee reconsidered the sites excluded from the draft Local Plan during the January, February and March 2015 cycle of meetings (the sites deleted from Regulation 18 version of the Plan (7 sites and 1 part site in total) and the allocation of more additional sites (totalling 15) resulting from the 2014 call for sites). The Committee also reconsidered sites put forward by Ward Members with community support in Neighbourhood Plans during the further call for sites process and were borderline rejections from the SHLAA.

The Head of Planning and Development addressed the Committee and explained the National Planning Policy Framework (NPPF) stated that any constraints leading to a shortfall in the supply of land to meet the objectively assessed housing need figure of 18560 would need to be evidenced or the Local Plan would be found unsound at inspection.

Since the Cabinet decisions on site allocations for the draft Local Plan in February planning consents had been granted to sites that had been rejected because mitigation had shown that infrastructure constraints had been overcome with detailed planning.

The previously rejected sites had been brought back to Committee in an attempt to close the shortfall of 1899 units. If the shortfall was reduced significantly the draft Local Plan would go out for further Regulation 18 consultation in late September 2015 for four weeks and Regulation 19 consultation in January 2016.

The allocation of sites in the draft Local Plan did not provide the details for development of the sites. The Local Plan would provide an opportunity to identify possible development sites, establish the potential issues of developing the sites and include criteria within the policies against which future detailed planning applications would be tested prior to approval. If

a developer was able to prove any impact of a development was acceptable a section 106 agreement would be included in the planning consent to ensure mitigation measures are undertaken.

The Committee were reminded that if the shortfall cannot be met there would be an impact on the timetable for taking the local plan to the inspection stage.

The Spatial Policy Team Leader presented an urgent update to the Committee on the 20 year housing land supply which replaced the table on page 65 of the agenda.

The Committee heard that there had been a number of windfall sites since 2011 because there had been no local plan. With an adopted local plan there would not be the same level of windfall sites as before.

The Committee noted a letter received from Barbara Cooper of Kent County Council recommending further work be undertaken on cost, feasibility and sustainability of highway measures before further sites were allocated to the Local Plan. It was recommended not to delay the reconsideration of the previously rejected sites as this would delay the timetable for the local plan and risk having a larger shortfall in housing sites.

The Committee agreed sites with planning permission or a resolution to grant planning permission be approved for local plan consultation.

The Committee discussed the possibility of increasing the housing numbers in the Broad Allocation within the Maidstone town centre.

At 18:26hrs Councillor Burton left the meeting and Councillor Springett took the Chair.

The Committee discussed all other sites individually.

### **RESOLVED**

That:

1. The following sites, which have already obtained either Planning Permission or a Resolution to Grant by the Council's Planning Committee, be approved for Public Consultation (according to the relevant stage of the consultation for each site):

- H1 (39) – Land at Ulcombe Road, Headcorn (Regulation 19);
- H1 (61) – Land at Cross Keys, Roundwell, Bearsted (Regulation 18);
- H1 (65) – Land North of Lenham Road, Headcorn (Regulation 18).

Voting

For: 7 Against: 1 Abstain: 0

2. It be agreed in principle that, subject to further discussion at the meeting of the Strategic Planning, Sustainability and Transport Committee on 18 August 2015, at which a full report in relation to Broad Locations is to be submitted for consideration by the Committee, the yield of the Broad Locations in the town centre be increased to an anticipated 700 units.

Voting

For: 9

3. Site H03 – 220 – Hubbards Lane, Loose and Boughton Monchelsea be approved for inclusion in the draft local plan and Regulation 18 Consultation with an indicative yield of 6 units.

Voting

For: 8 Against: 1 Abstain: 0

4. Site H03 – 270 – Bentletts Yard, Claygate Road, Laddingford be approved for inclusion in the draft local plan and Regulation 18 consultation with an anticipated indicative yield of 10 units.

Voting

For: 7 Against: 0 Abstain: 2

5. Site H1 (76) – Land North of Heath Road (Older’s Field) Coxheath be approved for inclusion in the draft local plan and Regulation 18 consultation.

Voting

For: 8 Against: 1 Abstain: 0

6. Site H1 (19) – Bell Farm, North Street, Barming be approved for inclusion in the draft local plan and Regulation 19 consultation to include a 5 meter set-back for the development from North Street frontage and a 5 meter boundary extension to the west as per the amended site plan and revised policy criteria set out in the Amended Agenda issued on 7 July 2015.

Voting

For: 8 Against: 0 Abstain: 1

7. Site H1 (4) – Oakapple Lane, Barming be approved for inclusion in the draft local plan and Regulation 19 consultation with a revised site plan and yield of 187 units as recommended in the Urgent Update dated 23 July 2015.

Voting

For: 8 Against: 0 Abstain: 1

8. Site H1 (69) – Land at Lodge Road, Staplehurst **not** be approved for inclusion in the draft local plan and be maintained for rural employment use.

Voting

For: 6 Against: 1 Abstain: 2

9. Site H1 (68) – Land to the North of Henhurst Farm, Staplehurst be approved for inclusion in the draft local plan and Regulation 18 consultation.

Voting

For: 5 Against: 4 Abstain: 0

10. Site H1 (67) – Land South of Marden Road, Staplehurst does not proceed to Regulation 18 Consultation on the grounds that it has not been demonstrated that current foul water and drainage problems can be resolved. The site be reconsidered in the future subject to the receipt of sufficiently robust evidence coming forward on appropriate mitigation in relation to surface water and drainage management strategies.

Voting

For: 6 Against: 3 Abstain: 0

11. Site H1 (66) – Land South of The Parsonage, Goudhurst Road, Marden be approved for inclusion in the draft local plan and Regulation 18 consultation.

Voting

For: 5 Against: 4 Abstain: 0



12. Site H1 (64) Bell Farm North, East Street, Harrietsham **not** be approved for inclusion in the draft local plan on the grounds that the cumulative impact of the development having a detrimental effect on the character, size and shape of the village and community due to the increase in size and footprint of the village and unacceptable cumulative impact for the community for education provision, transport and other community infrastructure.

Voting

For: 9

13. H1 (57) – Land at former Astor of Hever Community School, Oakwood Road, Maidstone **not** be approved for inclusion in the draft local plan on the grounds that the site be retained for education use and development being unacceptably compromised by the lack of adequate access.

Voting

For: 9

14. Site H1 (42) – Knaves Acre, Headcorn be approved for inclusion in the draft local plan and Regulation 19 consultation.

Voting

For: 7 Against: 1

Councillor Stockell had temporarily left the meeting.

15. Site H1 (41) – Land South of Grigg Lane, Headcorn be approved for inclusion in the draft local plan and Regulation 19 consultation.

Voting

For: 6 Against: 2 Abstain: 1

16. Site H1 (40) – Land at Grigg Lane and Lenham Road, Headcorn be approved for inclusion in the draft local plan and Regulation 19 consultation.

Voting

For: 7 Against: 2 Abstain: 0

17. Site H1 (31) – Ham Lane, Lenham **not** be approved for inclusion in the draft local plan on the grounds of an unacceptable adverse impact on the AONB and on the character of the village because it is peripheral to the settlement and beyond the open space occupied by Swadelands School playing field.

Voting

For: 9

18. The decision on site H1 (10) Land South of Sutton Road, Langley be deferred to the Strategic Planning, Sustainability and Transport Committee meeting on 18 August 2015 after officers have reviewed the site boundaries and the addition of an anti-coalescence belt on the site.

Voting

For: 9

53. LONG MEETING

**RESOLVED:**

Before the hour of 10:30pm the Committee agreed to extend the meeting until 11:00pm in accordance with Council procedure rule 10(a).

54. MEETING ADJOURNED

The meeting was adjourned between 10:25pm to 10:30pm.

55. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - MAIDSTONE BOROUGH LOCAL PLAN - MIXED USE ALLOCATIONS

**RESOLVED:** that agenda item 9 – Maidstone Borough Local Plan – Mixed Use Allocations be deferred to the Strategic Planning, Sustainability and Transport Committee meeting on 18 August 2015.

56. DURATION OF MEETING

5:00pm to 11:00pm