

**1. Parish Council – further comments dated 30/9.15:**

*" The Planning Officer's report, paragraph 3.0, is incorrect in relation to the Coxheath Neighbourhood Plan, which actually completed its Regulation 16 consultation on 30th April 2014 with overwhelming support from both the general public and landowners/developers. It has now been delayed by over a year by a series of minor points of detail introduced by Maidstone Borough Council. The Parish Council would argue, therefore, that the Coxheath Neighbourhood Plan, despite these delays, is at a more advanced stage than the draft Local Plan and should carry more weight as a material consideration.*

*The original forty dwellings envisaged in this application, are supported in the Coxheath Neighbourhood Plan, which has been the subject of full consultation and overwhelming support in our community. The Parish Council has been in direct contact and negotiation with the landowners and their advisers for several years, as a result of which we have agreed a package, which delivers significant benefits to the community of Coxheath. The proposed halving of the open space in order to provide more affordable housing completely undermines these negotiations and begs the question whether Maidstone Borough Council wishes to adhere to the spirit of localism, as determined by the Localism Act 2011 or the right of communities to produce and deliver Neighbourhood Plans.*

*The proposal to substantially reduce the amount of amenity/recreation land made available to the community from the site will undermine the community's plans to provide a range of much needed community recreation facilities on this site. The Parish Council had negotiated with the landowners that three acres of land for community facilities should be provided. The proposals under scrutiny now suggest that this could be halved to 1.5 acres. Again, this is not acceptable to Coxheath Parish Council. By any yardstick, the amount of open space/recreation land in Coxheath is well below the levels required under the existing policies of Maidstone Borough Council. This has been recognised in recent planning approvals at Clockhouse Farm and Heathfield, where Section 106 funds have been specifically 'earmarked' for redressing this balance on the Linden Farm site.*

*The current shortfall of open space in Coxheath is currently about 36.5 acres but the Heathfield and Clockhouse Farm permissions, by providing off-site public open space contributions, rather than full on-site provision, have increased the shortfall by a further 4.5 acres or over 12%. So we have the ridiculous situation where Maidstone Borough Council on the one hand are encouraging other developers to make contributions to provide open space/community recreation facilities on this site, and on the other hand, they are undermining the provision of those facilities by proposing to significantly reduce the size of the site. It is*

*illogical, unsustainable and does not make sense! We repeat, therefore, that if the Committee accepts the officer's recommendation, the Planning Committee in its last three decisions (Clockhouse Farm, Heathfield and Linden Farm) will have increased the open space shortfall in Coxheath by over 4 acres.*

*The proposal also conflicts with the current draft Local Plan allocation, which was agreed by Cabinet on 4th February 2015 (and not January as stated in the report) to go forward to Regulation 19 consultation on the basis of 40 dwellings, as proposed in the Coxheath Neighbourhood Plan. Therefore, the current position on the draft Local Plan is that the allocation is for 40 dwellings, plus 3 acres of open space. This must be a material planning consideration.*

*In our view, tackling the large and growing shortfall of open space in Coxheath is an exceptional circumstance within Policy AH1 that should allow the proportion of affordable housing to be reduced significantly below the 30% recommended in the report. The Parish Council would also urge Members to consider the following points:-*

*The inclusion of affordable housing reduces significantly Section 106 funding being made available towards local recreation, education and transport needs. The Parish Council would find this totally unacceptable. Funding from developments such as this is vital to support and sustain these local infrastructure improvements.*

*The village has already accepted 38 affordable housing units at the Avante site close to the village centre and a further 46 affordable dwellings from the recent approval of an outline planning application at Clockhouse Farm, as well as 44 from the recent planning approval for Heathfield (north of Heath Road).*

*The requirements for local needs affordable housing, based on a survey undertaken in 2012, with the assistance and knowledge of Action with Communities and Rural Kent and the Maidstone Borough Council housing department, identified a potential need of 25 to 30.*

*In any event, there are already a significant number of established affordable houses in Coxheath.*

*It seems to the Parish Council that the Borough Council is obsessed with the principle of imposing unwarranted levels of affordable housing irrespective of the consequences and applies a rigid formula to all prospective sites at the expense of other equally important (and we would argue locally more important) community benefits. It would be more sensible and sustainable to judge the cumulative effects of decisions on a relatively small community such as Coxheath rather than approve 'piecemeal' sites in isolation, fundamentally on the contention of the lack of a five-year housing supply.*

*As we have said before, the overriding concern of Coxheath Parish Council is to ensure that, if the existing community has to accept more development, this*

*cannot be achieved without substantial investment in community infrastructure. For these reasons, we contend that it is wholly inappropriate to consider halving the open space and thereby increasing the shortfall, when the priority is to provide essential local community infrastructure.*

*It is our understanding that the landowner and developer are content to proceed on the basis negotiated with the Parish Council.*

*For these reasons, we strongly object to this amended application and urge members to refuse it”.*

**Comment** – The Borough Council considers that the Draft Neighbourhood Plan is to be at Regulation 14 stage and in the circumstances the can be given little weight. All other matters have been addressed in the main report.

## **2. Additional condition (foul drainage):**

The development shall not commence until a details of foul water drainage have been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent flooding or pollution both on and off site by ensuring the satisfactory disposal of foul water.

## **3. Loss of agricultural land**

The application site comprises former orchard land which is classified as Grade 2. It is considered that the loss of agricultural land is outweighed by the benefits of the proposed development and in particular the benefits of providing much needed housing.

## **4. Revised heads of terms**

The heads of terms are amended as follows for clarity:

£119,067.60 towards primary education (Coxheath Primary School enhancement)

£119,067.60 towards secondary education (expansion of Cornwallis School phase 2)

£43,804.80 towards investment in Stockett Lane and Orchard Surgeries