

Ref:15/509251 Land North of Bicknor Wood, Sutton Road, Maidstone

Local Plan Context

On 20 May 2016, the Council submitted the draft Maidstone Borough Local Plan (2016) ("draft MBLP") to the Secretary of State for independent examination.

Therefore, the determination of this application requires the Committee to consider two Local Plans carefully and this matter is discussed below.

1. Maidstone Borough-wide Local Plan 2000 (MBWLP 2000):

The MBWLP 2000 is the development plan for the purposes of the statutory test in section 38(6) of the 2004 Act, by which the application must be determined.

The National Planning Policy Framework (NPPF) directs that relevant policies in a development plan adopted prior to the NPPF should be given weight according to their consistency with policies within the NPPF.

The draft MBLP seeks full alignment with the NPPF. Crucially, it sets out the full objectively assessed need (18,560) for housing and allocates land to fulfil this requirement in accordance with the national planning policy priority in paragraph 47 of the NPPF to boost significantly the supply of housing to meet objectively assessed needs.

The draft MBLP development strategy, *inter alia*, identifies strategic residential development to the North West and South East of Maidstone, and sets out site allocations. The south eastern area is shown as being part of the open countryside in the MBWLP 2000 and 'saved' policies such as ENV28 and ENV32 apply.

However, the MBWLP 2000 clearly did not set out objectively assessed housing need for the period 2011 to 2031. Therefore, inevitably, one of the results of catering for housing growth is that settlement boundaries must change.

For these reasons and in the particular circumstances of the present case, the failure of this application to accord with saved policies ENV28 and ENV32 in this respect is a matter that should not be accorded significant weight in the determination of this application. That being said, the precise level of weight to be accorded is a matter for the Planning Committee.

2. Draft Maidstone Borough Local Plan ("draft MBLP"):

In February 2016, Full Council authorised the draft MBLP for submission to the Secretary of State for independent examination. In doing so, the Council endorsed the draft MBLP as a sound and legally compliant local plan. For this reason, significant weight should be attached to the draft MBLP in the determination of planning applications. Furthermore, the Council relies upon the delivery the housing development in the draft MBLP site allocations to demonstrate a housing land supply in excess of 5 years.

Updates, clarifications and corrections

Replace in the Application Proposal from "up to 250 residential dwellings" with "residential development"

Replace paragraph 2.01 with the following:

"This is an outline application for residential development, together with areas of open space, landscaping and access. Access is to be considered in detail at this stage with all other matters reserved for future consideration. The development proposed more open space and more developable area than Policy H1 (7) which suggests the site is suitable for approximately 190 units with 3.99ha of open space, at a density of approximately 27 dwelling per hectare. The indicative scheme shows approximately 250 units with 5.8ha of open space and the suitable woodland and landscape buffers required by the policy. This leads to a density of 17.8 dwellings per hectare gross, 30.5 dwellings per hectare net".

Replace 7.23 with the following

"Draft MBLP Policy H1(7) suggests an allocation of approximately 190 dwellings. While the current housing application does not formally specify the number of dwelling, the indicative design shows a minimum of 250 dwellings. The indicative layout taken together with spatial requirements including open space and green buffers shows that the site is suitable for a greater amount of development than that put forward in Policy H1(7). In order to ensure a suitable level of development is not exceeded, a condition is suggested limiting the amount of development of up to 250 units. The proposal's delivery of housing is fully consistent with the policy priority to significantly boost the supply of housing in accordance with Paragraph 47 of the NPPF."

7.84 Add the word "broadly" to the second sentence so it now reads: "Given the proposed design and density **broadly** in line with the Submission draft Local Plan policy H1 (7) of 27 DPH, I consider that suitable internal layout can be achieved."

8.5 Replace reference to “ENV27” with “ENV28”.

Head of Terms

Propose the additional entry: The establishment of a ‘monitoring committee’ prior to the submission of the first reserved matters application to be responsible for the review of all aspects of the development with such members to include an officer of the Council, two elected members of the Council and a representative of the developers (contribution toward the set of this committee).

The Recommendation remains unchanged