

**MAIDSTONE BOROUGH COUNCIL**

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

**MINUTES OF THE MEETING HELD ON MONDAY 2 DECEMBER  
2013**

**Present:** Councillor Collins (Chairman), and  
Councillors Burton, Chittenden, Mrs Gooch,  
McLoughlin, B Mortimer, Springett and Mrs Wilson

**Also Present:** Councillors Paterson and Paine.

57. THE COMMITTEE TO CONSIDER WHETHER ALL ITEMS ON THE AGENDA SHOULD BE WEB-CAST

**RESOLVED:** That all items on the agenda be web-cast.

58. APOLOGIES

It was noted that apologies for absence were received from Councillors Munford, Watson and De Wiggondene.

59. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Mrs Gooch, B Mortimer and Mortimer substituted for Councillors Munford, Watson and De Wiggondene respectively.

60. NOTIFICATION OF VISITING MEMBERS/WITNESSES

Councillor Paterson was in attendance as a Visiting Member. The Cabinet Member for planning, Transport and Development was also present.

61. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures.

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

**RESOLVED:** That all items be taken in public as proposed.

63. DEFERRED: MAIDSTONE BOROUGH LOCAL PLAN PUBLIC CONSULTATION DRAFT – GROUP 2 POLICIES

An urgent update was circulated to the Committee. The Committee agreed that it should adjourn the meeting for 10 minutes to consider the update (at Appendix A).

64. ADJOURNMENT OF MEETING

The meeting was adjourned from 6.45 p.m. to 6.55 p.m. to allow the Committee time to consider the urgent update circulated.

65. DEFERRED: MAIDSTONE BOROUGH LOCAL PLAN PUBLIC CONSULTATION DRAFT – GROUP 2 POLICIES

Rob Jarman, Head of Planning and Development, Sue Whiteside, Team Leader, Spatial Policy, Michael Murphy, Principal Planning Officer, Spatial Policy and Sarah Anderton, Principal Planning Officer, Spatial Planning.

Members were informed that the first group of draft local plan policies had been agreed in August 2013 by the Committee. It was explained that the second group of draft policies would go out for regulation 18 public consultation in March 2014 following their approval by the Committee and Cabinet. The second group of policies consisted of overarching spatial policies for the borough and detailed development management policies, particularly for the countryside. Part of the retail and mixed use allocation policy (addressing Maidstone East Station/Royal Mail Sorting Office and Newnham Park) was also included.

Mr Murphy highlighted the broad themes of the policies:

1. Commitment to a vibrant and vital Town Centre which reaffirmed the NPPF and Government Commitment to a Town Centre first approach;
2. A dispersal strategy for the distribution of development which would include Coxheath and Yalding as additional Rural Service Centres and the addition of 3 new 'Larger Villages' in the settlement hierarchy, namely Boughton Monchelsea, Hollingbourne (Eyhorne Street) and Sutton Valence; and
3. Countryside protection – the importance of protecting the landscape and being selective on development allowed.

Members raised concerns regarding the lack of consultation with those affected on the following policies: SP3 and SP4 which related to the inclusion of two new villages as Rural Service Centres (RSCs) and the three new larger villages. It was explained that consultation with parish councils had been undertaken in 2009 in the form of a services and facilities audit and a workshop, after which 5 rural service centres (Harrietsham, Headcorn, Lenham, Marden, Staplehurst) were designated, and that the rural service centres were the subject of public consultation on the then Core Strategy in 2011. The approach to designating the additional rural service centres and larger villages centred on a recent audit of services and facilities in the rural villages. This audit had informed the policies and resulted in the amended policy SP3 and new policy SP4. It was emphasised that the policies were draft policies, however, with

hindsight, further consultation should have been undertaken with those affected.

The logic behind the inclusion of these key facilities was explained. It was not just about land allocation, particularly with the RSCs; they had a role in the settlement hierarchy in the borough, providing a wider function which included employment, services and transport. Officers informed the Committee that there was no prescriptive guidance on this type of consultation.

The Committee felt that because of the lack of dialogue with the affected RSCs and larger villages, the policies should be withdrawn. It recommended that discussions take place between officers, members and those affected as soon as possible. And that these policies be brought back to this Committee in January. The Committee all voted in favour of this recommendation.

The Committee were conscious of the Local Plan timetable and emphasised that meetings with Parishes and Villages affected should take as soon as possible. Councillor Parr from Coxheath Parish Council was invited to address the Committee. He told Members that Coxheath Parish Council would support this motion.

Geraldine Brown, Chairman of Kent Association of Local Councils and Cliff Thurlow, Town Planning Consultancy Ltd, were also invited to address the Committee. Mr Thurlow read from a prepared statement specifically in response to Policy DM8, Historic and Natural Environment. Members felt that the statement should be passed to officers for consideration and comment.

The Committee considered the proposed allocations for the Maidstone East Station/Royal Mail Sorting Office site and Newnham Park. Members expressed their support for the Maidstone East Station/Royal Mail Sorting Office site but expressed their disappointment that it had come forward without discussion or consultation with relevant ward Councillors.

Mr Jarman informed the Committee that the Maidstone East Station site was an existing allocation in the Maidstone Borough Wide Local Plan and further that Members were being asked to approve the policy in draft for public consultation. Members felt that a meeting should be urgently called with officers and all relevant Ward, Borough and County Councillors on the proposals for Maidstone East Station and the meeting should be open to all interested members.

The Committee considered the proposals for Newnham Park. It was clarified that the restrictions would apply to the additional floor space, i.e. additional development rather than what already existing at the site. It was explained that the fashion retailers were considered the anchors of the Town Centre's retail offer and it was important that development at Newnham Court should not undermine their role.

Concerns were raised about the wording in paragraph 1.6, page 87 of the agenda in the document relating to proposals for Newnham Court which read: 'conversely, subject to restrictions on the type of goods sold, retail premises that have a unique and recognised "out of town format" such as 'homeware' offers, are likely to be acceptable on the allocated site because conflict with town centre uses would be unlikely.'

Mr Jarman explained that in accordance to NPPF guidance positive planning was employed by the Council and policies had to therefore be worded in a reasonable and positive way. In addition to this planning conditions could be used to limit the percentage of floorspace dedicated to, for example, fashion retailing.

Members questioned what would happen if in two to three years time the retailer came back to the Council and proposed that, in order to make the business viable, the percentage of floor space needed to be increased.

Ms Anderton informed the Committee that goods restrictions proposed in the draft policy were evidence based. If a developer was to subsequently propose a variation to a condition based on the example given, an impact assessment on the Town Centre would be requested and, subject to its findings, it could result in the variation to condition being refused.

Members proposed that the wording of paragraph 1.6 on page 87 of the agenda be revised to read as follows: "Subject to restrictions on the type of goods sold, retail premises that have a unique and recognised "out of town" format such as 'homeware' offers could be acceptable on the allocated site provided conflict with town centre uses would be unlikely."

The Committee considered Appendix D: Proposed Primary Shopping Area (page 97 of the agenda). It was concerned that some parts of the Town Centre, parts of King Street, Week Street and Gabriel's Hill were missing. It was explained that the appendix reflected work undertaken by DTZ Development Consultancy which was to evidence the Town's Primary Shopping Areas for the application of sequential test. Members felt that the title of the document should be changed to reflect its purpose.

Members considered the Town Centre Vision on page 21 of the document which included 'key components in realising this vision'. It was felt that information was missing and a bullet point could be added to this section which should read 'Tackling vehicular, cycling and pedestrian issues of acute congestion and poor air quality'.

A Member felt that it would be helpful if the document contained a complete list of all documents that it had links to or should be read in conjunction with.

The Committee considered the officers recommendations on page 6 of the agenda. Members felt that the wording for recommendation at 1.2.3 (b) should be amended to read 'adopted for development management purposes for use as interim guidance'.

The Committee voted in favour (with one abstention) of all the officers recommendations set out on page 6, paragraph 1.2 of the agenda subject to the revised wording of 1.2.3 (b) and its own further recommendations.

**RESOLVED:** That

- a) The Committee approves the recommendations made in the report (as follows) subject to the additional wording added in bold and its further recommendations listed below:

That Planning, Transport and Development Overview and Scrutiny Committee considers the proposed policies and associated plans of the Maidstone Borough Local Plan (attached at Appendix A, C, D and E), and recommends to Cabinet that they are approved for public consultation purposes.

That Planning, Transport and Development Overview and Scrutiny Committee considers the proposed site allocation policy for Maidstone East **Station** and the Royal Mail Sorting Office site attached at Appendix B and recommends to Cabinet that it be approved for public consultation purposes.

That Planning, Transport and Development Overview and Scrutiny Committee considers the proposed site allocation policy for Newnham Park attached at Appendix B and recommends to Cabinet that it be: (a) approved for public consultation purposes, and (b) adopted for development management purposes **for use as interim guidance.**

- b) The policies SP3 and SP4 be withdrawn by Cabinet from the draft plan. That discussion takes place between officers, members and the affected Parishes as soon as possible. And that these policies be brought back to this Committee in January.
- c) A meeting is urgently called with all relevant Ward Borough and County Councillors on proposals for Maidstone East Station. The meeting should be open to all interested members.
- d) The statement made to the Committee this evening by Cliff Thurlow, Town Planning consultancy Ltd, be provided to officers for comment.
- e) The wording on page 87, paragraph 1.6 of Proposed allocations – Newnham Park be amended to read as follows: 'Subject to restrictions on the types of goods sold, retail premises that have a unique and recognised "out of town" format, such as 'homeware' offers could be acceptable on the allocated site provided conflict with town

centre uses would be unlikely.'

- f) That the title of Appendix D: Proposed Primary Shopping Area be amended to include an explanation to reflect its use in relation to sequential test criteria.
- g) An additional bullet point be added to the 'Town Centre Vision, Key Components in Realising this Vision are' on page 21. This should read: 'Tackling vehicular, cycling and pedestrian issues of acute congestion and poor air quality'.
- h) A complete list of all documents that the Maidstone Borough Local Plan Public Consultation Draft – Group 2 Policies document links to or should be read in conjunction with be added to the document for information.

#### 66. ADJOURNMENT OF MEETING

The meeting was adjourned from 9.45p.m. to 9.50 p.m. to allow the Committee, witnesses and the public a comfort break.

#### 67. DEFERRED: GREEN AND BLUE INFRASTRUCTURE STRATEGY

Rob Jarman, Head of Planning and Development, Sue Whiteside, Team Leader, Spatial Policy and Darren Bridgett, Principle Planning Officer, Spatial Policy were invited to introduce the Green and Blue Infrastructure Strategy (GBI).

The Committee was informed that the Strategy was in Draft form. It was a Strategic Level Document that would inform the production of the Maidstone Borough Local Plan. It was not solely for use by Planning, it would be interpreted by other departments, for example, Parks and Open Spaces.

It was explained that GBI was the following:

- Natural and semi-natural green spaces
- Green and blue corridors
- Outdoor sports space
- Parks and gardens
- Amenity green space
- Provision for children and teenagers
- Allotments and community gardens
- Cemeteries and churchyards
- Accessible countryside and nature reserves

The benefits of green and blue infrastructure could bring were highlighted to the Committee:

- Maintaining and enhancing biodiversity, water and air quality

- Promoting a distinctive townscape and landscape
- Achieving a quality environment for investment and development
- Providing opportunities for sport, recreation, quiet enjoyment and health
- Integrating sustainable movement and access for all
- Providing community involvement and opportunities for education
- Mitigating and adapting to climate change

The Committee was informed that Parks and Open spaces would be undertaking an audit of all open spaces in the borough. The consultation was due to finish on 22 January 2014; the results would be reported back to the Committee in February, combined with the results of the audit. This would then provide the 'teeth' for the strategy's action plan.

The next steps, following the Committee meeting was speak to key stakeholders and undertake a public consultation. The stakeholder event would be taking place on 16 December.

On page 108 of the agenda, paragraph 1.3.16 of the covering report, there was a list of Key Stakeholders. Members noted that this did not explicitly include Ward, Borough, County and Parish Councillors or Neighbourhood Groups. The Committee requested that they be added to the list of Key Stakeholders.

In the previous paragraph, 1.3.15, the following statement was made "The results of the open space audit will inform an iterative process where officers will be able to determine new provision standards." A Member requested that the wording be changed to "officers will be able to recommend" to reflect the Council's decision making process.

A Member commented on the documents that were referred to throughout the Strategy. It was recommended that an appendix be added to the Strategy listing these documents. It was also requested that the Council's Air Quality Action Plan be cross-referenced, where applicable, within the section 'Key Issues'.

**RESOLVED:** That

- a) The Committee approves the recommendation made in the report (as follows) subject to its further recommendations listed below: That the Planning, Transport and Development Overview and Scrutiny Committee recommend to Cabinet that the draft Green and Blue Infrastructure Strategy is approved for targeted stakeholder engagement.
- b) The list of key stakeholders is amended to include the following: Maidstone Borough Councillors, County Councillors, Parish Councillors and Resident's Associations (in the absence of Parish Councils).
- c) The wording of paragraph 1.3.15 in the covering report be amended to read "...officers will be able to recommend" instead of

"...officers will be able to determine" to reflect the Council's decision making process.

- d) An appendix be added to the strategy listing, in their entirety, the documents that relate to and are referred to throughout the strategy.
- e) The Council's Air Quality Action Plan be cross-referenced, where applicable, within the section 'Key Issues' in the strategy.

68. DURATION OF MEETING.

6.30pm to 10.20pm