

**MAIDSTONE BOROUGH COUNCIL**

**PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT POLICY  
ADVISORY COMMITTEE**

**MINUTES OF THE MEETING HELD ON MONDAY 18 MARCH 2024**

**Attendees:**

<b>Committee Members:</b>	<b>Councillors Blackmore (Chairman), Cleator, Conyard, Mrs Grigg, Jones, Kimmance, McKenna, Spooner and Trzebinski</b>
<b>Cabinet Members:</b>	<b>Councillor Cooper (Cabinet Member for Planning, Infrastructure and Economic Development)</b>

139. APOLOGIES OF ABSENCE

There were no apologies.

140. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitutes Members.

141. URGENT ITEMS

The Chairman stated that there was an urgent update to Item 10 – Maidstone Borough Local Plan Review Adoption 2021 – 38 Adoption which contributed to the item’s consideration.

142. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

143. DISCLOSURES BY MEMBERS AND OFFICERS

In relation to Item 10 – Maidstone Borough Local Plan Review 2021-38 Adoption, Councillor Jones stated that she was the former chair of Against Lidsing Garden Development and was attending the meeting with an open mind.

144. DISCLOSURES OF LOBBYING

All Committee Members had been lobbied on Item 10 - Maidstone Borough Local Plan Review Adoption 2021-38 Adoption.

145. EXEMPT ITEMS

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

146. MINUTES OF THE MEETING HELD ON 6 MARCH 2024

**RESOLVED:** That the Minutes of the meeting held on 6 March 2024 be approved as a correct record and signed.

147. FORWARD PLAN RELATING TO THE COMMITTEE'S TERMS OF REFERENCE

**RESOLVED:** That the Forward Plan relating to the Committee's Terms of Reference, be noted.

148. MAIDSTONE BOROUGH LOCAL PLAN REVIEW ADOPTION 2021-38 ADOPTION

The Cabinet Member for Planning, Infrastructure and Economic Development introduced the report, outlining the timeline associated with the Local Plan Review (LPR) following the adoption of the Council's Local Plan in 2017 and the numerous public consultations held at Regulations 18 and 19 of the process, and the public examination of the plan. The LPR had been found sound by the Planning Inspector, subject to a series of Main Modifications to improve the plan and associated policies.

The Cabinet Member outlined the risks associated with the Council not agreeing the LPR, including that; there would not be the policies in place for the betterment of the borough; development would continue at an increased annual rate; the Council would be unable to rely on infrastructure provisions contained within the plan, instead relying on Section 106 and Community Infrastructure Levy monies. The examples given included the Council's proposal to require a biodiversity net gain of 20%, instead of the 10% required nationally, that there would be no requirement to produce the Supplementary Planning Documents for the large strategic developments proposed, which may still take place without the added safeguards provided by those policies, and a projected increase in residential dwellings required from 1157 to 1226 annually.

During the debate, several Committee Members expressed support for the LPR stating it had been produced with cross-party consensus and significant member engagement, and it was a comprehensive document supported by multiple appraisals and assessments. It was emphasised that the Planning Inspector had declared the LPR sound, and that not having an approved plan in place would mean less control on the location and type of development proposed, and less power if planning decisions were appealed by developers. It was acknowledged that the plan would not be supported by everybody, but that the Council had to provide housing in accordance with government mandated figures. If agreed, the LPR would guide and support development in the borough.

Some Members expressed opposition to the LPR as proposed, particularly in relation to the Lidsing Garden Community proposal generally as well as specific matters, such as public transport.

In response to the comments made:

The Cabinet Member stated that:

- The Inspector's report included a section on the viability of garden communities being increased where the settlements were near to existing urban populations, and that actions had been proposed relating to some of the proposals within the Main Modifications. The allocations within the LPR could be subject to speculative applications from landowners if the LPR was not adopted;

- If the LPR was not approved, the Council would have to revert to the National Planning Policy Framework definition of sustainable development in assessing planning applications, and that the Council's housing land supply would fall below 5-years;
- Whilst Medway Council have been opposed to the Lidsing Garden Community proposal, the Inspector had found that the Council had met its duty to co-operate with the authority; and
- Documents relating to public transport had been consulted on and been found sound, with a refresh of the Council's Integrated Transport Strategy to take place after the LPRs adoption, if agreed.

In relation to the risks associated with not adopting the LPR:

The Head of Spatial Planning and Economic Development advised that:

- The policies within the existing LP were becoming outdated, making it more difficult for the Council to defend against any planning applications. This risk would be significantly increased from 1 April 2024 if the LPR was not adopted, as the five-year housing land supply would drop to 3.7 years. The evidence base supporting housing numbers would expire from the 30 March 2024, with new evidence having to be obtained;

The Strategic Planning Manager advised that Maidstone had met its Duty to Cooperate requirements and that there were mechanisms to continue engaging with Medway Council on the Lidsing Garden Community proposal. Public transport provision had been included within the Inspector's Main Modifications and would be included in the LPR if adopted, with Supplementary Planning Documents to be produced for the Heathlands, Lidsing and Invicta Barracks proposals.

Overall, it was agreed that the Council should be recommended to adopt the LPR by the Cabinet, as it was better to have an adopted Local Plan in place given the risks associated with not having an adopted Local Plan.

**RESOLVED to RECOMMEND to the CABINET: That**

1. The Council be recommended to adopt the Maidstone Borough Local Plan Review (2021-2038) at Appendix D to the report of the Cabinet of 19 March 2024, which incorporates the Inspector's Main Modifications, and the Policies Map at Appendix E to the report of the Cabinet of 19 March 2024; and
2. The Council be recommended to give delegated authority to the Head of Spatial Planning & Economic Development to make any non-material, typographical corrections, and formatting changes, as required.

149. DURATION OF MEETING

6.30 p.m. to 7.23 p.m.