

MAIDSTONE BOROUGH COUNCIL

Planning, Transport and Development Overview & Scrutiny Committee

MINUTES OF THE MEETING HELD ON TUESDAY 19 AUGUST 2014

Present: Councillor Springett (Chairman), and
Councillors Chittenden, B Mortimer, Munford, Powell,
Ross, Round, de Wiggondene and Mrs Wilson

Also Present: Councillors Mrs Blackmore, Burton,
Edwards-Daem, Ells, Mrs Gooch, Hogg,
Mrs Joy, McLoughlin and Sargeant

36. THE COMMITTEE TO CONSIDER WHETHER ALL ITEMS ON THE AGENDA SHOULD BE WEBCAST

RESOLVED: That all items on the agenda be webcast.

37. APOLOGIES

It was noted that apologies for absence had been received from Councillors English and Willis.

It was noted Cllr de Wiggondene would be a few minutes late but would be attending.

38. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitute members were noted:

- Councillor B Mortimer for Councillor English, and;
- Councillor F Wilson for Councillor Willis.

39. NOTIFICATION OF VISITING MEMBERS/WITNESSES

Councillor Burton, Cabinet Member for Planning, Transport and Development was present as a witness for items 8 Strategic Housing Market Assessment Update and item 9 Maidstone Borough Local Plan – key issues arising from consultation (Regulation 18).

Also in attendance reserving their right to make representations were Councillors Blackmore, Gooch, Hogg and McLoughlin.

In attendance as observers were Councillors Ells, Edwards-Daem, Joy and Sargeant.

40. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

41. 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.

42. MINUTES OF THE MEETING HELD ON 22 JULY 2014

RESOLVED: that the minutes of the meeting held on 22 July 2014 be approved as a correct record and signed after the following amendments were made:

Page 6 – the name of the café in Tunbridge Wells corrected to read 'Vello Café'.

Page 7 – third bullet from the bottom – remove the words 'and provide improvements to the Maidstone gyratory system.'

43. STRATEGIC HOUSING MARKET ASSESSMENT UPDATE

Sarah Anderton, Principal Planning Officer presented her report on the key findings arising from the Strategic Housing Market Assessment (SHMA) Addendum report. The firm, G L Hearn, had been commissioned jointly by Ashford, Tonbridge and Malling and Maidstone Borough Councils to undertake separate SHMAs for each authority following a common methodology.

Ms Anderton explained the original SHMA carried out for Maidstone Borough Council (MBC) had reported an 'objectively assessed housing need' figure for the borough of 19,600 homes for the period 2011 to 2031. Cabinet had agreed this figure at its meeting of 27 January 2014.

Ms Anderton went on to explain MBC commissioned a focused update of selective elements of the SHMA as an addendum to the main report. The majority of the main SHMA was unchanged and would continue to be a key part of the evidence base for the emerging Local Plan. Two specific pieces of information published since the main SHMA were:

1. The publication of the Office of National Statistics' 2012-based Sub-National Population Projections (SNPP) on 29 May 2014, and;
2. The finalised National Planning Practice Guidance (NPPG) published in March 2014 – this indicated that Local Planning Authorities should assess and quantify future needs for elderly person's accommodation, including residential care homes.

The 2012-based SNPP were significant because they were the first to be published taking full account of the 2011 census results and covered the period to 2037, the full Local Plan period.

The methodology used was the same as for the original SHMA.

The revised projection for future dwelling requirements (2011-31) ('objectively assessed need') was 18,600. This showed a reduction in the total requirement of 1,000 dwellings compared to the main SHMA report.

Ms Anderton explained the importance of noting this figure (18,600) as this was the estimated housing need figure (the demand) for the period of the Local Plan. This was different and separate from the supply of housing land available in the borough, the housing target figure for the borough, which would be set in the emerging Local Plan.

Ms Anderton continued to explain that the NPPG indicated local planning authorities needed an understanding of their residential care home needs for the future. This was confirmed in March 2014 and was not in the guidance for the original SHMA.

The assessment of care home needs (residential care homes and nursing homes) had drawn on data from Kent County Council's Adult Accommodation Strategy (July 2014) together with the ONS' projections for the increase in the institutional population aged 75+.

The need identified for elderly care home spaces (2011-31) was 960. This was in addition to the need for 18,600 new dwellings over the same period.

During lengthy discussion the Committee raised the following points:

- Concerns regarding the reliability of the revised figure were raised after it being explained earlier in the year that the Committee had to accept the figure of 19,600. It was explained it would not have been prudent to wait for the up to date figures to be published before agreeing a figure as it would have put the consultation of the draft Local Plan behind by six months. It was explained further that new projection figures would always be issued and that officers would keep a watching brief and report back any significant changes. It was further explained that both NPPG and National Planning Practice Framework (NPPF) guidance required planning to be flexible and adaptable enough to respond to market signals and projections.
- Clarification of the care home needs figure was explained. The projected need for care home spaces of 960 was separate to the 'objectively assessed housing need' figure of 18,600.
- The latest position regarding housing supply, as reported to Committee on 21 January 2014, showed a shortfall of 2,500 dwellings. This figure took into account houses completed, planning permissions granted, sites identified and broad locations in the draft Local Plan. It was explained that the 2013/14 position, on houses completed and permissions granted, would be available in October

2014. As it stood, with the 21 January 2014 position and the revised 'objectively assessed housing need' figure, the shortfall would be 1,500.

- The latest NPPG guidance regarding 'windfall' sites, dated March 2014, stated some form of 'windfall' allowance could be made in the last ten years of the adoption of the Local Plan.
- Concern was raised regarding the expectation of international migration and what affect it had on the figures. It was explained that the methodology used to arrive at the figures was Government specific and ONS/CLG population and household projections were used as a starting point. Because the figures for the 'objectively assessed housing need' figure were a projection there would always be an element of judgement of how much the population would grow. The Planning Inspector would test that the methodology had been followed and would expect the latest national projections to have been used. If net migration stopped, demand would reduce and the figure would be revised and updated accordingly.
- The issue of mixed tenure was raised and it was explained the adopted policy required 40% of affordable housing in new developments across the borough. The draft Local Plan breaks the percentage of affordable housing down across the borough; 40% in villages, 30% in periphery of the urban area and 15% on brownfield sites. The higher figure of 40% was a disincentive for developers wanting to develop on greenfield sites and encouraged more development on brownfield sites where the percentage was lower.
- The methodology used to arrive at the 'objectively assessed housing need' figure was questioned. It was explained the methodology used was that of the NPPG. It was the same methodology used in the original report. The methodology had been checked in detail by the Planning Advisory Service, an independent demographer and two other local authorities had used it. It was explained, even if MBC designed its own methodology the Local Plan would still need to go through the same government inspection process.
- The point was raised that the NPPF stated the Local Plan should meet the 'objectively assessed housing need'. It also stated the authority could demonstrate it was unable to meet this need due to constraints such as road congestion, lack of infrastructure, out dated sewage provision. This would be reflected in a lower housing target figure in the Local Plan. However, in order to do this MBC had to accept the revised 'objectively assessed housing need' figure of 18,600.
- The Committee discussed how clear evidence could be gathered to demonstrate the borough was unable to provide the sites and infrastructure for the 'objectively assessed housing needs' and use this to come up with a reduced housing target figure. It was

agreed the Local Plan was the best possible means of providing protection for the borough against unwanted development.

- The Committee agreed quality homes and placement of them was more important than the number of homes built and everyone wanted what was best for the residents of the borough.

RESOLVED:

- a) That it be noted the Committee remained very concerned at the high value housing need figure but reluctantly recommended it be accepted by the Cabinet as the current bench mark need figure from which to do the work to arrive at the housing target figure;
- b) That it be recommended officers be fully supported, including if necessary the provision of additional resources, to ensure all aspects are fully investigated to allow Maidstone Borough Council to achieve the minimum target figure possible;
- c) That it be recommended assistance be given to the Cabinet Member for Planning, Transport and Development to produce interim policies, to include parking, gardens and open space, and housing standards, to protect the borough and ensure development is only carried out where and how the Borough wanted it.
- d) That it be recommended any evidence provided by the public, to assist in reducing the housing need figure, be taken into account.
- e) That Cabinet be recommended to accept the figure of 960 for additional care home places in the Borough.
- f) That the Head of Planning and Development be asked to present a report at a meeting date, to be agreed, providing details on Affordable Housing; what it is; the impact of the percentages outlined in the draft Local Plan, etc. in order to better understand the detail and make informed decisions regarding the Local Plan.

44. MAIDSTONE BOROUGH LOCAL PLAN - KEY ISSUES ARISING FROM CONSULTATION (REGULATION 18)

Rob Jarman, Head of Planning and Development presented the report.

Mr Jarman explained the report was a summary of the issues arising from representations on the draft Maidstone Borough Council Local Plan, submitted during public consultation (Regulation 18) which ran from 21 March to 7 May 2014.

Mr Jarman went on to say Officers had made no judgements on the representations made. Representations on land allocations would be presented at a later meeting.

Mr Jarman then gave the Committee a brief overview of the report.

Mr Jarman explained if everything went according to the plan the Maidstone Borough Local Plan would go before examiners in February 2016 and would be adopted in July 2016.

During discussions the following points were raised:

- All representations made during the consultation would be considered by Members and Officers. However, the Council would have to justify any changes made to the draft plan.
- Mr Jarman explained the public consultation process was fundamental to the local planning process. The Council had spent a considerable amount of time on the consultation and confirmed the public would be listened to when shaping the Local Plan.
- Neighbourhood Plans and the Local Plan should be aligned. There should be no competition between them. Mr Jarman confirmed Officers were timetabling in meetings with parish councils to discuss the differences between Neighbourhood Plans and the Local Plan to achieve alignment between the two.
- Mr Jarman confirmed the next stage was to carefully consider all representations made. It was confirmed by Mr Jarman that parties who had made representations, which had been used to change the Local Plan, would be notified.

RESOLVED:

- a) That the key issues arising from representations submitted during the Maidstone Borough local Plan Regulation 18 public consultation be noted;
- b) That it be recommended when representations to the Local Plan are collated, each representation be provided with a response explaining why the representation had been / not been taken forward and included in the Local Plan using the template report attached to the agenda for the meeting.

45. OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE - REVIEW UPDATE

RESOLVED: That the revisions to Article 6 of the Council's Constitution, set out in Appendix A to the report of the Overview and Scrutiny Officer, be noted.

46. FUTURE WORK PROGRAMME AND SCRAIP UPDATE

RESOLVED: That the draft Future Work Programme, set out in the report of the Overview and Scrutiny Officer, be agreed subject to the following amendments:

- That Cabinet Member priorities be provided in a written report and included with the agenda for the meeting of 16 September 2014 for noting;
- That the Community Infrastructure Levy – preliminary draft charging schedule be included on the agenda for the meeting of 30 September 2014;
- That a report on Affordable Housing policy for the draft Local Plan be provided for the 18 November 2014 meeting.

47. DURATION OF MEETING

6:30pm to 10:13pm.