

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 9 NOVEMBER 2021 ADJOURNED TO 19 NOVEMBER 2021

Present: Councillors Clark, Cooper(Chairman), Garten,
9November 2021 Mrs Grigg, McKay, Munford, Russell, Spooner and
Springett

Also Present: Councillors English, Purle and M Rose

78. **APOLOGIES FOR ABSENCE**

There were no apologies.

79. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

80. **URGENT ITEMS**

There were no urgent items.

81. **NOTIFICATION OF VISITING MEMBERS**

Councillors English, Purle and M Rose were present as Visiting Members for Item 14 – Reference from Council – Motion – HMOs.

82. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

83. **DISCLOSURES OF LOBBYING**

All Committee Members had been lobbied on Item 18 – Local Plan Review Update.

Councillor Grigg had been lobbied on Item 17 – Local Development Scheme 2021-2024.

84. **EXEMPT ITEMS**

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

85. **MINUTES OF THE MEETING HELD ON 4 OCTOBER 2021**

RESOLVED: That the Minutes of the Meeting held on 4 October 2021 be approved as a correct record and signed.

86. PRESENTATION OF PETITIONS

There were no petitions.

87. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

88. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

89. COMMITTEE WORK PROGRAMME

The Committee were informed that a report providing further detail on car parking income would be presented at the December 2021 meeting.

The report on Virtual Permit Management – Visitor Permits would likely be presented in early 2022, as the work required had been delayed due to service pressures. The Overview of the Draft Building Safety Bill and the Implications for the Council report would be presented when available, as the relevant legislation remained to be enacted.

The Chairman and Vice-Chairman would review the agenda items shown for the next two meetings of the Committee, with a view to distributing the agenda items more evenly.

RESOLVED: That the Committee Work Programme be noted.

90. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

91. REFERENCE FROM COUNCIL - MOTION - HMOS

The Democratic Services Officer introduced the procedural background to the reference received from Council.

In response to questions, the Head of Planning and Development clarified that the conversion from C3 use to a House of Multiple Occupation (HMO) was a permitted development right, that did not require prior planning approval. The National Planning Policy Framework (NPPF) required that the use of an Article 4 direction must be necessary to protect the local amenity or wellbeing of the smallest geographical area possible and required supporting evidence. For Fant Road and Hackney Lane, consideration could be given to whether there were any concerns around car parking, such as its availability and the number of parking fines issued, and the provision and erosion of public gardens. A strong foundational evidence-base would be helpful considering the implementation of further Article 4 directions in other areas of the borough, if necessary.

The Committee expressed support for the implementation of an Article 4 Direction in Fant Lane and Hackney Road, and other areas of the borough if possible, to enable further consideration of the impact within each geographical area as opposed to a prevention of the HMOs creation. The influence and strength of various Local Plan policies was highlighted during the debate, in considering whether further investigative work into the use of an Article 4 was required.

The Interim Local Plan Review Director advised that it would be appropriate to consider any specific policy(s) on HMOs through documents such as the Town Centre Strategy, Design and Sustainability Development Plan Document or a Supplementary Planning Document. These documents required suitable evidence collection, consultation and examination, which would allow the use of Article 4's across multiple areas to be investigated in further detail. A robust evidence base was important to avoid external challenge.

In response to further questions, the Head of Planning and Development stated that the work required to investigate the use of an Article 4 in Fant Lane and Hackney Road would take approximately three months, excluding the Christmas period.

RESOLVED: That the Head of Planning and Development be requested to:

1. Begin the work required to implement an Article 4 on Fant Lane and Hackney Road;
2. Produce a list of proposed sites where it may be appropriate to implement article 4 directions, to be presented to the committee at a later date; and
3. Explore the possibility of an SPD and review this.

Note: The meeting was briefly adjourned between 6.57 p.m. to 7.02 p.m. due to technical difficulties.

92. FLOOD RISK ALLEVIATION - MEDWAY STREET FLOOD BARRIER

The Director of Finance and Business Improvement introduced the report and reiterated the history of the flood barrier proposed since its agreement as part of the Bridges Gyratory Scheme in 2017, and the recent progress made following meetings between the Council and Kent County Council (KCC).

The appendices to the report were highlighted, Appendix 1 displayed the risk of flooding across the Medway Street area, particularly in and around the High Street. Appendix 2 detailed the proposed glass flood barrier design, which would be fixed to the existing retaining wall to increase the protection provided. The original concept of flood gates at either end of the subway had been of greater cost and scope and would have affected the structural integrity of the subway. The necessary works would likely be carried out in early next year and be in place for Winter 2022.

In response to questions, the Director of Finance and Business Improvement confirmed that Highways approval was necessary before the project commenced, but that discussions with KCC had been productive. The budget was likely to be sufficient, however this would not be confirmed until the procurement process was completed.

It was likely that the Council would maintain the barrier, which involved routinely checking the gates' functioning and their closure in the event of flooding. It was possible that the firm contracted to install the barrier would ensure its maintenance for a period of time, which would have to be considered as part of the Council's revenue budget if necessary.

The Committee expressed support for the proposal and the progress made.

RESOLVED: That the report be noted.

Note: The Committee adjourned for a short break between 8.00 p.m. to 8.10 p.m.

93. ADJOURNMENT OF MEETING

The meeting remained adjourned until 8.25 p.m. due to the technical difficulties being experienced with the Council's webcasting facility.

The webcasting could not be continued, and the meeting was adjourned in view of the likely public interests in the agenda items.

RESOLVED: That the meeting be adjourned to a date to be confirmed.

94. DURATION OF MEETING

6.30 p.m. to 8.27 p.m.