

Minutes of the Faversham Creek Neighbourhood Plan Steering Group Meeting: Wednesday, 4 June 2014

Present

Nigel Kay, Faversham Town Councillor (FTC) – Chairman

David Simmons, Faversham Town Council

John Coulter, Faversham Town Councillor

Trevor Payne, Faversham Town Councillor

Cllr Mike Henderson, Swale Borough Council

Andrew Osborne, Faversham Creek Consortium Management Group member

Anne Salmon, Faversham Creek Consortium Management Group member

Kirsty Northwood, Faversham Traders Association

Janet Turner, Faversham Society

Dr Pat Reid, Faversham Creek Management Company.

In attendance

Jackie Westlake, Faversham Town Council Clerk – Secretary

Natalie Earl – senior planner, Swale Borough Council

James Freeman, Head of Planning, Swale Borough Council

Before the start of the meeting, the Chairman made the following statement:

It has been brought to my attention that previous meetings of the Steering Group and Town Council meetings have been recorded. This is not permitted under current legislation. Anyone found recording this or any Town Council meeting will be asked to leave.

The public will be able to ask questions for 15 minutes before the start of the meeting. The public will not be able to take part at any other time during the meeting. The public will also be asked to withdraw during any discussion relating to matters involving information of a confidential nature. [Secretary's note: details of the public question and answer session are at Annex A.]

1. Election of Chairman and Vice-Chairman

1.1 It was proposed by Cllr Simmons (DS), seconded by Andrew Osborne (AO) and, on being put to the meeting, it was resolved that the Mayor, Cllr N Kay be elected Chairman of the Neighbourhood Plan Steering Group for the year 2014/15.

1.2 It was proposed by Cllr Simmons, seconded by Andrew Osborne and, on being put to the meeting, it was resolved that Cllr M Cosgrove be elected Vice Chairman of the Neighbourhood Plan Steering Group for the year 2014/15.

2. Terms of Reference

2.1 Cllr Kay said the terms of reference had been amended by the Town Council at its meeting on Monday, 2 June. All members of the Steering

Group had been re-appointed with the exception of the Brents Community Association and the Faversham Creek Trust. The resolution of the Town Council stated:

RESOLVED to immediately re-appoint the various organisations back on the Steering Group with the exception of the Faversham Creek Trust and the Brents Community Association, where the Mayor would discuss with them their position in relation to the Steering Group.

2.2 NK said that, until he had had a meeting with both organisations, they could not be re-appointed to the Committee. Members discussed the Town Council's resolution. Cllr Henderson (MH) proposed, seconded by Dr Reid (PR), that representatives of the Brents Community Association and the Faversham Creek Trust remain members of the Neighbourhood Plan Steering Group.

2.3 NK proposed an amendment to the above resolution, that the matter of the two organisations' membership of the NPSG should remain in abeyance until such time as a meeting had taken place. Should no meeting take place, it would be for the Town Council to take a decision on membership. The amendment to the resolution was passed by five votes to three.

2.4 Kirsty Northwood (KN) agreed there should be a meeting but that the Steering Group should make some comment to the Town Council concerning the two organisations' membership of the Steering Group. She proposed, seconded by MH that the Steering Group recommended to the Town Council, prior to its next meeting, that the two organisations should remain on the Steering Group subject to their meeting with the Chairman. The vote was ten in favour and the resolution was carried.

3. Apologies for absence

3.1 Apologies for absence were received from Cllr Mike Cosgrove.

4. Minutes of the last meeting and matters arising.

2.1 The minutes were agreed. All matters arising had been completed.

5. James Freeman, Swale Borough Council on the National Planning Policy Framework and its implications for Faversham

5.1 James Freeman (JF) gave an update on the National Planning Policy Framework (NPPF) (see attached at Annex B). The following points were raised in discussion:

- Highways: SBC had met KCC Highways on a number of occasions to discuss the Neighbourhood Plan
- Perry Court: Faversham's housing development should be organic, that requirement to be used in developing the NP. SBC's assessment had not looked at specific areas in Swale. However, there were various constraints in Swale (particularly environmental, infrastructure, viability and deliverability). The current objectively

assessed needs for the whole Borough identified 200-250 additional housing units per annum.

- Flooding: the Creek had its own designated flood zone agreed with the Environment Agency (EA). The EA would also give advice on what could be built in the Creek area.
- AAP2 versus the NPPF: the NP needed to be in conformity with the current Local Plan and, therefore, AAP2. However, because the emerging Local Plan was due to be submitted at the time of the NP's examination, it should take the emerging Local Plan's policies into account. These would be in conformity with the NPPF.
- Viability, sustainability and deliverability: the examiner would consider whether the NP was deliverable and viable so would need the evidence base to demonstrate this, which would include issues such as land ownership.
- Viability would be assessed against the whole Plan but where there were issues of viability of individual sites, that could have an adverse impact on the Plan. The Plan was the sum of its parts. Constraints on sites, such as land ownership, could mean that site development could not be considered deliverable. Willing or otherwise landowners would be considered in the context of viability and deliverability. Viability could take into account additional costs of dealing with flood risk or contamination.

ACTION: Natalie Earl to send, via the secretary, the extract on viability and deliverability in the National Planning Policy Guidance

- Silence in the NP on certain elements of the designated area: there was an option to consider Neighbourhood Development Orders rather than a Neighbourhood Plan, which would consider permitted development.

6. Communications and Engagement

6.1 AS presented an update (attached at Annex C). In addition, there had been a well-received presentation by Janet Turner (JT) to the Queen Elizabeth Grammar School. JT, AS and MH would be doing a presentation at the Abbey School. JT, AS and Danny Chesterman would be presenting at the Almshouses. NK thanked all those involved for their hard work and enthusiasm on behalf of the Steering Group.

7. Budget

7.1 No further payments had been made since the last update. JF said it was hoped to have the planning consultant in place by the middle of July.

8. Any Other Business

8.1 The dissenting report was noted.

8.2. On the bridge, there had been a sub-group meeting to discuss the detailed work needed as part of the next stage bid to the Coastal Communities Fund. Other sources of funding were being explored.

8.3 The date of the next meeting was agreed: Tuesday, 1 July at 7pm.

Public Questions

Q. Why have the Brents Community Association and the Faversham Creek Trust been excluded from the Neighbourhood Plan Steering Group? (There were a number of similar questions and statements concerning the membership of the Steering Group and the need to involve the community at all stages, as well as references to the invitation to come forward with alternative proposals).

A. In the light of the dissenting report and exhibition curated by the Creek Trust and the Brents Community Association, with the support of BMM Weston, the Town Council, at its meeting on Monday, 2 June, felt it was appropriate to have a discussion with both the FCT and the BCA about their continued membership of a Town Council Committee. Their reappointment is, therefore, yet to be confirmed. The Town Council wanted to understand why the two organisations, with BMM Weston, had launched a separate exhibition and their own proposals, despite being members of the Steering Group which had voted on the draft Plan to go to the Town Council.

Q. Why was Oyster Bay House included in the draft Plan for the first time without consulting the owner?

A. It falls within the designated area of the Neighbourhood Plan. It is in a similar position to Iron Wharf in that no development issues have been raised.

Q. Does the Steering Group have any information about the Community Infrastructure Levy (CIL) and how much is to be spent/paid?

A. CIL has yet to be agreed by Swale Borough Council.

Q. If the Neighbourhood Plan is passed, does that make Faversham Town Council the planning authority for the Creek?

A. No. The planning authority remains Swale Borough Council.

ANNEX B

Faversham Creek Neighbourhood Plan: Implications of NPPF (James Freeman, Head of Planning, Swale Borough Council)

Neighbourhood Plans should be drafted in general conformity to the NPPF and Development Plan.

In respect of the NP, the current policy position has to take into account both the Adopted local Plan – particularly Policy APP 2 – and the emerging Local Plan given that, by the time the NP is considered at examination, the emerging Local Plan will be at formal submission stage and therefore likely to carry some weight – Policy NP1

In both cases, the policies require additional level of detail framework – originally through the old local plan through an Action Area DPD and now updated in the emerging local plan through a Neighbourhood Plan.

Without the ‘detailed framework’ supplied by a NP, the broad base of the policies would mean that the LPA would be more exposed to ad hoc planning applications, noting the Council’s vulnerability to the NPPF policy of having a presumption in favour of sustainable development. I believe the balance is very much in favour of economic development balanced by environmental/social – in its wider sense of including meeting the needs for new housing development – which is particularly heightened by not having a 5 year supply across the borough

Another issue which an examiner will look at closely will be deliverability/viability issues – and an evidence base to indicate how policies will be achieved noting the land ownerships and policy constraint costs.

The NP will need to be supported by a Sustainability Appraisal and HRA.

Transport Assessment. Tony Fullwood had done a fair amount of work on this with KCC, (but Local Plan work is going to be too high level to assist), so need not to lose sight of that and get something (re)confirmed with KCC.

Also note – the Potential implications for securing S.106 e.g. streetscape improvements / Creekside footpath improvements etc without an agreed approach in NP

+ potential reduction in CIL – 25% to 15% - noting LPA will be having to balance many priorities across the borough – including major bits of kit e.g. highways, schools etc

Report on Communications and Engagement programme (Anne Salmon, NPSG member)

Since the last meeting of the Steering Group on 29th April, the Communications and Engagement working party has been ensuring that all communications materials and the plan were completed and delivered on time and implementing the communications programme.

The Royal Mail leaflet was completed and was taken to the Royal Mail on 8th May ready for delivery in the week commencing 19th May. This has been delivered to all addresses in ME13 7 and ME 13 8 which covers all of the four town wards. It is noted that at the consultation events there is a high recognition factor that people have seen the leaflet and that they are finding it helpful and informative.

The Pre-Submission Draft Plan, parts 1 and 2 were still being edited for minor proofing in the week ending 15th May, but both parts were printed and available on the website in time for the start of the consultation. Deposit copies are available at Faversham Library and at the Alexander Centre.

All display materials and posters required in the agreed consultation programme have been prepared and there is a good display of posters around the town and on official notice boards.

The material that was required to be available on the website has been assembled including both parts of the Plan, a separate list of background documents with links to the documents themselves, a message from the Mayor and the questionnaire

There have been a fairly small number of responses to the questionnaire so far online but we are still quite early in the consultation period: this is expected to increase over the later stages. All the Statutory Consultations have taken place: we are awaiting comments from the various organisations.

We have held four consultation events. The parents' drop-in event at Davington School was not well advertised and therefore was poorly attended. The market stall on 24th May attracted a considerable amount of interest. We spoke to over a hundred people, explaining how they could take part in the consultation and talking people around the geography of the sites. Several people took copies of the paper questionnaire to read before completion online. Most people identified that they had received the leaflet. The event at West Faversham Community Centre last Friday appeared to be on an evening when there were not many people about at the centre and was not well attended. The most recent event was a presentation to Faversham Traders' Group last evening. The meeting was well attended by about 20 members of the Faversham Traders Group. After the PowerPoint, there were questions about the footpath around the creek and how it could be achieved and about the mix of residential and commercial, also about

what sorts of businesses would be created including maritime. We explained that the Plan allocates use classes not specific uses and is a planning framework for considering applications. Hilary Whelan and Sue Akhurst presented details of possible maritime uses in the basin together with the community centre, boatyards at Standard Quay and the coach and oil depot, opposition to Swan Quay and no waterfront housing and how to comment on their proposals. Attendees were urged by the Chair, Kirsty Northwood, a Steering Group member to respond to the consultation process and attend at least one of the consultation events and to speak to her if they wanted anything raised at Steering Group.

On Saturday, we have a further event at the Assembly Rooms from 1.30 until 5.30 and on the 11th June, we will be at The Vaults between 7pm and 10pm for a drop-in. There is a further market stall all day on the 21st June.

We have been getting some regular press coverage in both of the local papers including publicity for the events and articles covering the creek debate which have raised the profile of the consultation process.

We urge respondents to get all their comments including questionnaires to us by 5pm on 30th June when the official consultation period closes so that the feedback can be collated and we can start working on how it will affect the detail in the Submission Draft.