

TONBRIDGE AND MALLING BOROUGH COUNCIL

PLANNING AND TRANSPORTATION ADVISORY BOARD

Wednesday, 29th July, 2009

Present: Cllr D W Smith (Vice-Chairman - in the Chair), Cllr A W Allison, Cllr P F Bolt, Cllr D A S Davis, Cllr Mrs F A Kemp, Cllr B J Luker, Cllr H S Rogers, Cllr A K Sullivan, Cllr D Thornewell and Cllr L A Withey.

Councillors Mrs Anderson, Baldock, Balfour, Coffin, Miss Sergison and Worrall were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Rhodes (Chairman) and Lancaster.

PART 1 - PUBLIC

**PE
09/027 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**PE
09/028 MINUTES**

RESOLVED: That the notes of the meeting of the Planning and Transportation Advisory Board held on 27 May 2009 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

**PE
09/029 FLOOD AND WATER MANAGEMENT BILL - CONSULTATION
RESPONSE**

Decision Notice D090119MEM

The report of the Director of Planning, Transport and Leisure gave details of an officer level response to a DEFRA consultation on the Flood and Water Management Bill which had been submitted by the 24 July deadline for comments.

It was noted that a key feature of the proposed arrangements involved the creation of a Lead Local Flood Authority, the county council in two tier areas. Members supported the response which expressed concern about the financial aspects of the Bill and highlighted the positive contribution of the Borough Council in dealing with flood problems in recent years.

RECOMMENDED: That the response set out at Annexes 1 and 2 to the report be endorsed subject to the addition of a comment in respect

of Question 29 to the effect that sanctions should be applied if necessary to ensure the co-operation of private landowners in supplying information about their flood drainage assets.

**PE
09/030**

KENT ROUTE UTILISATION STRATEGY

Decision Notice D090120MEM

The joint report of the Director of Planning, Transport and Leisure and Cabinet Member for Planning and Transportation presented for consideration an officer level response to Network Rail's consultation on the Draft Kent Route Utilisation Strategy (RUS) which had been submitted by the 23 July deadline for comment. Members commended the officers for a thorough and clear response and made a number of further points for submission.

It was noted that Network Rail was also undertaking a public consultation on the Sussex RUS and it was considered that strong representations should be made on the need to preserve and enhance services on the Tonbridge/Redhill line and, if possible, to reinstate the direct Gatwick connection.

RECOMMENDED: That

(1) the response to the Kent Route Utilisation Strategy set out in Annex 1 to the report be endorsed subject to the addition of further comments emphasising:

(i) the potential benefits of an orbital system for Kent;

(ii) the impact of operational decisions (such as the Ebbsfleet alternative service) on pricing and the capacity of the local economy to bear it;

(iii) the potentially detrimental effect on passenger services of a significant increase of freight on the Maidstone East and other lines; and

(2) the Director of Planning, Transport and Leisure be invited to submit a response to the Sussex RUS setting out the need to preserve and enhance services on the Tonbridge/Redhill line.

**PE
09/031**

PARTIAL REVIEW OF SOUTH EAST PLAN - GYPSIES TRAVELLERS AND TRAVELLING SHOWPEOPLE - PREFERRED OPTION

Decision Notice D090121MEM

Further to Decision No D080188MEM, the report of the Director of Planning, Transport and Leisure gave details of the Regional Planning Body's consultation on a preferred option for the distribution of Gypsy and Traveller site provision throughout the South East region. It was noted that Option D, favoured by the Regional Planning Body, would

require the provision of 19 new pitches in the Borough (including a Travelling Showmen pitch) in comparison with the Council's previous position to promote an option involving 10 or 11 pitches. An update was given on the outcome of a County-wide Joint Member Steering Group meeting together with a recommended response to the consultation.

RECOMMENDED: That

(1) with regard to the Partial Review of the South East Plan:

(i) objection be raised to the allocation of 18 pitches to Tonbridge and Malling and Option C1 (12 pitches) be promoted as an alternative;

(ii) objection be raised to the Travelling Showmen pitch requirement for the Borough for the reasons given in the report;

(iii) the approach to dealing with Transit Site provision be supported; and

(2) efforts continue to be made to secure a satisfactory and viable solution for enlarging the public Gypsy site at Coldharbour with a view specifically to meeting as much as possible of the locally identified need within the Borough.

**PE
09/032**

HOUSING AND PLANNING DELIVERY GRANT CRITERIA

Decision Notice D090122MEM

The report of the Director of Planning, Transport and Leisure gave details of the Government's consultation on the criteria to be applied in allocating the Housing and Planning Delivery Grant in 2009/10 and 2010/11.

Consideration was given to an officer level response which had been submitted in order to meet the 23 June deadline for comments. The response sought to refine the criteria so that they optimised the Council's prospects of achieving as high a grant award as possible.

RECOMMENDED: That the response to the consultation on the Allocation Mechanism for Housing and Planning Delivery Grant in Years 2 and 3, as set out at Annex A to the report, be endorsed.

**PE
09/033**

CHARACTER AREA APPRAISALS - UPDATE

Decision Notice D090123MEM

The report of the Director of Planning, Transport and Leisure provided an update on work on the Urban Character Area Appraisals being undertaken by consultants, Tony Fullwood Associates, together with a change in the programme for the Landscape Character Area Appraisals.

Whilst noting the positive work being undertaken to protect and enhance local character, Members expressed grave concern about the recent destruction of trees and landscaping by the Highways Agency's contractor working on the M20 between junctions 4 and 6.

RECOMMENDED: That

(1) the current position with regard to the preparation of the Urban Character Area Appraisals and the revised programme for the Landscape Character Area Appraisals be noted; and

(2) an urgent meeting (to be attended by the Leader, Cabinet Member for Planning and Transportation, local Members, County Member and Member of Parliament) be sought with the Highways Agency and its contractor, deploring the failure to give notice or consult on the recent destruction of landscaping adjacent to the M20 and demanding an explanation for and planned restitution of the situation.

**PE
09/034**

**DRAFT PPS4 - PLANNING FOR PROSPEROUS ECONOMIES:
CONSULTATION**

Decision Notice D090124MEM

The Director of Planning, Transport and Leisure reported on a Government consultation on a revised draft of a new Planning Policy Statement on Planning for Prosperous Economies (PPS4). The consolidation of the advice on economic development from the old PPG4, PPG5, PPS6 and PPS7 was welcomed subject to some points of detail. Particular attention was drawn to the replacement of the "needs test" in relation to retail development and a change in emphasis regarding farm diversification.

RECOMMENDED: That the views expressed in section 1.2 of the report be endorsed as the Council's response to the consultation.

**PE
09/035**

**GREATER FLEXIBILITY FOR PLANNING PERMISSIONS - DCLG
CONSULTATIONS**

Decision Notice D090125MEM

The report of the Director of Planning, Transport and Leisure gave details of proposed changes to the regime for extending the life of planning permissions and amendments to planning permissions in the light of the current economic climate.

Consideration was given to a suggested response to the questions raised in the consultation.

RECOMMENDED: That the answers set out in Annex 1 to the report be submitted to the Department for Communities and Local Government as the Council's response to the consultation.

MATTERS SUBMITTED FOR INFORMATION

PE 09/036 POST IMPLEMENTATION REVIEWS

The report gave details of eight capital scheme post implementation reviews in accordance with the capital strategy. It was noted that each scheme had fulfilled expectations and had been well received.

PE 09/037 BUILDING REGULATIONS PART G - AMENDED

The Board was advised that with effect from 1 October 2009 Part G of the Building Regulations was being amended and extended, giving the Council's Building Control service added responsibilities in respect of sanitation, hot water safety and water efficiency.

MATTERS FOR CONSIDERATION IN PRIVATE

PE 09/038 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 2046 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: CABINET MEMBER FOR
Planning and Transportation**

Decision No: D090119MEM

Date: 29th July 2009

Decision(s) and Reason(s)

Flood and Water Management Bill - Consultation Response

(Report of Director of Planning, Transport and Leisure)

(Annex 1)

(Annex 2)

Consideration was given to an officer level response to a DEFRA consultation on the Flood and Water Management Bill which had been submitted by the 24 July deadline for comments.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the response set out at Annexes 1 and 2 to the report be endorsed subject to the addition of a comment in respect of Question 29 to the effect that sanctions should be applied if necessary to ensure the co-operation of private landowners in supplying information about their flood drainage assets.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 July 2009.

Signed Cabinet Member for M Balfour
Planning and
Transportation:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 31 July 2009

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: **CABINET MEMBER FOR
Planning and Transportation**

Decision No: **D090120MEM**

Date: **29th July 2009**

Decision(s) and Reason(s)

Kent Route Utilisation Strategy

**(Joint report of Director of Planning, Transport and Leisure and
Cabinet Member for Planning and Transportation)
(Annex 1)**

Consideration was given to an officer level response to Network Rail's consultation on the Draft Kent Route Utilisation Strategy (RUS) which had been submitted by the 23 July deadline for comment.

It was noted that Network Rail was also undertaking a public consultation on the Sussex RUS and it was considered that strong representations should be made on the need to preserve and enhance services on the Tonbridge/Redhill line and, if possible, to reinstate the direct Gatwick connection.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that:

- 1) the response to the Kent Route Utilisation Strategy set out in Annex 1 to the report be endorsed subject to the addition of further comments emphasising:
 - (i) the potential benefits of an orbital system for Kent;
 - (ii) the impact of operational decisions (such as the Ebbsfleet alternative service) on pricing and the capacity of the local economy to bear it;
 - (iii) the potentially detrimental effect on passenger services of a significant increase of freight on the Maidstone East and other lines; and
- 2) the Director of Planning, Transport and Leisure be invited to submit a response to the Sussex RUS setting out the need to preserve and enhance services on the Tonbridge/Redhill line.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 July 2009.

Signed Cabinet Member for M Balfour
Planning and
Transportation:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: **CABINET MEMBER FOR
Planning and Transportation**

Decision No: **D090121MEM**

Date: **29th July 2009**

Decision(s) and Reason(s)

Partial Review of South East Plan - Gypsies Travellers and Travelling Showpeople - Preferred Option

**(Report of Director of Planning, Transport and Leisure)
(Annex A)
(Annex B)**

Further to Decision No D080188MEM, the report gave details of the Regional Planning Body's consultation on a preferred option for the distribution of Gypsy and Traveller site provision throughout the South East region. It was noted that Option D, favoured by the Regional Planning Body, would require the provision of 19 new pitches in the Borough (including a Travelling Showmen pitch) in comparison with the Council's previous position to promote an option involving 10 or 11 pitches. An update was given on the outcome of a County-wide Joint Member Steering Group meeting together with a recommended response to the consultation.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that:

- 1) with regard to the Partial Review of the South East Plan:
 - (i) objection be raised to the allocation of 18 pitches to Tonbridge and Malling and Option C1 (12 pitches) be promoted as an alternative;
 - (ii) objection be raised to the Travelling Showmen pitch requirement for the Borough for the reasons given in the report;
 - (iii) the approach to dealing with Transit Site provision be supported;and
- 2) efforts continue to be made to secure a satisfactory and viable solution for enlarging the public Gypsy site at Coldharbour with a view specifically to meeting as much as possible of the locally identified need within the Borough.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 July 2009.

Signed Cabinet Member for M Balfour
Planning and
Transportation:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 31 July 2009

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: CABINET MEMBER FOR
Planning and Transportation**

Decision No: D090122MEM

Date: 29th July 2009

Decision(s) and Reason(s)

Housing and Planning Delivery Grant Criteria

**(Report of Director of Planning, Transport and Leisure)
(Annex A)**

Details were given of the Government's consultation on the criteria to be applied in allocating the Housing and Planning Delivery Grant in 2009/10 and 2010/11. Consideration was given to an officer level response which had been submitted in order to meet the 23 June deadline for comments. The response sought to refine the criteria so that they optimised the Council's prospects of achieving as high a grant award as possible.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the response to the consultation on the Allocation Mechanism for Housing and Planning Delivery Grant in Years 2 and 3, as set out at Annex A to the report, be endorsed.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 July 2009.

Signed Cabinet Member for M Balfour
Planning and
Transportation:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: **CABINET MEMBER FOR
Planning and Transportation**

Decision No: **D090123MEM**

Date: **29th July 2009**

Decision(s) and Reason(s)

Character Area Appraisals - Update

(Report of Director of Planning, Transport and Leisure)

The report provided an update on work on the Urban Character Area Appraisals being undertaken by consultants, Tony Fullwood Associates, together with a change in the programme for the Landscape Character Area Appraisals.

Whilst noting the positive work being undertaken to protect and enhance local character, grave concern was expressed about the recent destruction of trees and landscaping by the Highways Agency's contractor working on the M20 between junctions 4 and 6.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that:

- 1) the current position with regard to the preparation of the Urban Character Area Appraisals and the revised programme for the Landscape Character Area Appraisals be noted; and
- 2) an urgent meeting (to be attended by the Leader, Cabinet Member for Planning and Transportation, local Members, County Member and Member of Parliament) be sought with the Highways Agency and its contractor, deploring the failure to give notice or consult on the recent destruction of landscaping adjacent to the M20 and demanding an explanation for and planned restitution of the situation.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 July 2009 and to seek a remedy for the recent destruction of landscaping along the M20.

Signed Cabinet Member for M Balfour
Planning and
Transportation:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: CABINET MEMBER FOR
Planning and Transportation**

Decision No: D090124MEM

Date: 29th July 2009

Decision(s) and Reason(s)

Draft PPS4 - Planning for Prosperous Economies: Consultation

(Report of Director of Planning, Transport and Leisure)

Details were given of a Government consultation on a revised draft of a new Planning Policy Statement on Planning for Prosperous Economies (PPS4). The consolidation of the advice on economic development from the old PPG4, PPG5, PPS6 and PPS7 was welcomed subject to some points of detail.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the views expressed in section 1.2 of the report be endorsed as the Council's response to the consultation.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 July 2009.

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RECORD OF DECISION

**Decision Taken By: CABINET MEMBER FOR
Planning and Transportation**

Decision No: D090125MEM

Date: 29th July 2009

Decision(s) and Reason(s)

Greater Flexibility for Planning Permissions - DCLG Consultations

**(Report of Director of Planning, Transport and Leisure)
(Annex 1)**

The report gave details of proposed changes to the regime for extending the life of planning permissions and amendments to planning permissions in the light of the current economic climate.

Consideration was given to a suggested response to the questions raised in the consultation.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the answers set out in Annex 1 to the report be submitted to the Department for Communities and Local Government as the Council's response to the consultation.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 July 2009.

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