

TONBRIDGE AND MALLING BOROUGH COUNCIL

PLANNING AND TRANSPORTATION ADVISORY BOARD

Tuesday, 22nd February, 2011

Present: Cllr C Brown (Chairman), Cllr A W Allison, Cllr P F Bolt, Cllr D A S Davis, Cllr R D Lancaster, Cllr M R Rhodes, Cllr H S Rogers, Cllr Mrs E A Simpson, Cllr A K Sullivan, Cllr D Thornewell and Cllr L A Withey.

Councillors Mrs Anderson, Balfour, Ms Branson, Cure, Luker and Worrall were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Cllr D Smith (Vice-Chairman) and Mrs Kemp.

PART 1 - PUBLIC

**PE
11/001 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**PE
11/002 MINUTES**

RESOLVED: That the notes of the meeting of the Planning and Transportation Advisory Board held on 17 November 2010 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

**PE
11/003 BOROUGH TRANSPORTATION MATTERS**

Decision Notice D110020MEM

The report of the Director of Planning, Transport and Leisure provided an update on a range of current transportation issues, including the Local Transport Plan for Kent and the A21 Tonbridge to Pembury dualling scheme. It emphasised the need for continued monitoring of the activities and intentions of the main players in transport provision to ensure that the interests of the local community were properly factored into plans and investment proposals.

Reference was made to the latest position regarding the A21 Tonbridge to Pembury dualling scheme which had slipped back in the programme to the period beyond 2015 as a consequence of the major review of the national roads programme that accompanied the Comprehensive Spending Review. A letter expressing the deep concerns of the Borough Council at the postponement of the Public

Inquiry had been sent to the Department for Transport to which an unsatisfactory reply had been received. This would be followed up with a further representation seeking clarity on its content and meaning.

Members sought clarification on the bid process following the introduction of a new funding stream, the Local Sustainable Transport Fund (LSTF). It was noted that the County Council would be submitting a bid for funding but further details were not yet available. The remodelling of the West Malling station forecourt had also been identified as a suitable candidate for funding.

Annex 5 to the report set out a potential schemes list that the Borough Council wished to encourage the highway authority to implement when circumstances were right. Members reviewed the schemes identified and suggested a few revisions, which were noted by the Chief Engineer. A revised list of potential schemes would be circulated to the Advisory Board in due course. Members welcomed the opportunity of seeking assurances that schemes previously identified still had the active endorsement of the County Council.

Particular reference was made to issues surrounding rail services in Kent including the removal of city services, the annual fare increase, the extension of the current rail franchise, performance over the winter crisis period and service performance generally. Members expressed profound disappointment and concern at the deteriorating service offered by Southeastern and at the lack of transparency regarding the extension of the franchise contract. Additionally, there was criticism of the poor management structure and decision making of the train operator which left the rail user badly served. In contrast, Members acknowledged the hard work and professionalism of railway staff at many stations, particularly Tonbridge.

RECOMMENDED: That

(1) Sir John Stanley's letter regarding the Local Transport Plan for Kent 2011-2016, as reproduced at Annex 1 to the report, be formally noted;

(2) the Borough Council should continue to press for completion of the A21 Tonbridge to Pembury dualling scheme Public Inquiry and the letter at Annex 3 to the report requesting this be endorsed;

(3) the West Malling station forecourt remodelling scheme be confirmed as a project that the Borough Council wishes to be included in any future County Council bid for funding through the Local Sustainable Transport Fund;

(4) the schedule of schemes listed at Annex 5 to the report be endorsed as the Borough Council's priorities for future highways investment, subject to the amendments suggested at the meeting and noted by the Chief Engineer, and a revised schedule being circulated to Members in due course;

(5) objection to any further stops within the Capital that would further

slow down services on the West Malling/Maidstone East line, as set out in the letter of the Director of Planning, Transport and Leisure to the Department for Transport, be endorsed;

(6) Cabinet considers its position on the extension of the current rail franchise for a further two years;

(7) peak period Thameslink services on the West Malling/Maidstone East line from April 2012 onwards be welcomed and supported; and

(8) the reply to the consultation on the Rail Action Plan for Kent, set out at Annex 9 to the report, be endorsed.

**PE
11/004**

THE LOCALISM BILL - PLANNING ASPECTS

Members were advised that the Localism Bill proposed far reaching changes for local communities, the organisations that served them and for local government functions and services. The report of the Director of Planning, Transport and Leisure highlighted some of the key and fundamental changes proposed to the town and country planning system that would be likely to affect the ways services were delivered.

Particular reference was made to concerns regarding neighbourhood planning, specifically proposals to adopt Neighbourhood Development Plans and Neighbourhood Development Orders. Members noted the significant lack of clarity as to how the process would be practically implemented and the uncertainty about the resource requirement that might arise for Local Planning Authorities and Parish Councils or Neighbourhood Forums.

Additionally, concern was expressed that the proposed reforms to planning enforcement did not sufficiently address the main frustrations that local authorities experienced in cases of unauthorised development.

Members had reservations that the criteria for qualifying bodies in respect of Neighbourhood Development Plans was potentially confusing and cautioned Parish Councils and Neighbourhood Forums to wait until guidance was much clearer before progressing any plans. The current understanding was that such plans would be required to reflect levels of development beyond that contained in the Local Development Framework or Local Plan. It was noted that the issues raised regarding neighbourhood planning gave rise to uncertainty both in terms of the level of expectation of local communities and the potential resource requirements on the Borough Council.

RECOMMENDED: That

(1) the planning content of the Localism Bill be noted;

(2) the Director of Planning, Transport and Leisure be requested to forward copies of this report to the local Members of Parliament;



(3) the Director of Planning, Transport and Leisure be requested to forward the report together with specific concerns in respect of Neighbourhood Planning and Enforcement aspects of the Bill, as covered in the report, to the Clerk to the Localism Public Bill Committee.

***Referred to Cabinet**

**PE
11/005**

NATIONAL PLANNING POLICY FRAMEWORK

Decision Notice D110021MEM

The report of the Director of Planning, Transport and Leisure advised of the Government's intention to consolidate existing Planning Policy Statements and Guidance into a single National Planning Policy Framework and to consult on what it should include.

Members welcomed in principle a rationalisation and consolidation of existing national planning policy, provided it was clear and unambiguous and dealt comprehensively with matters that needed addressing at the national level to ensure a fair and consistent approach.

RECOMMENDED: That the content of the report of the Director of Planning, Transport and Leisure and its annex be transmitted to the Government as the Borough Council's response to the consultation on the content of the National Planning Policy Framework.

**PE
11/006**

CHARACTER AREA APPRAISALS SPD (WALDESLADE AND SNODLAND) - ADOPT FOR CONSULTATION

Decision Notice D110022MEM

It was reported that Character Area Appraisals were being undertaken for the whole Borough pursuant to a policy in the Managing Development and the Environment Development Plan (DPD) which formed part of the Local Development Framework (LDF).

The report recommended approval of Character Area Appraisals for Walderslade and Snodland for the purposes of public consultation which would take place in the spring of 2011. Local Members were invited to make submissions as part of the public consultation.

RECOMMENDED: That the draft Character Area Appraisals for Walderslade and Snodland be approved for the purposes of public consultation.

**PE
11/007**

STRATEGIC FLOOD RISK ASSESSMENT UPDATE

Decision Notice D110023MEM

The report of the Director of Planning, Transport and Leisure advised that the Strategic Flood Risk Assessment (SFRA) identified those areas in Tonbridge, Aylesford and East Peckham that were at high risk

from flooding. The report explained the background to the initial SFRA and highlighted the recent updates with the recommendation to adopt the revised SFRA as a material consideration for Development Control purposes.

RECOMMENDED: That the revised Strategic Flood Risk Assessment be adopted as a material consideration for Development Control purposes.

**PE
11/008**

FLOOD RISK MANAGEMENT

Decision Notice D110024MEM

Details were presented of recent consultations by the Department for Environment, Food and Rural Affairs (DEFRA) on flood and coastal erosion risk management, together with officer-level responses submitted by the deadline.

Additionally, an update was provided on proposals for flood alleviation schemes in Aylesford and Little Mill, East Peckham with recommendations about how the Borough Council might promote their funding through the Regional Flood Defence Committee.

Attention was drawn to the issues regarding future funding and that government funding through capital grants for major schemes would become broadly dependent on financial contributions from the local community. However, there was no guidance as to where local contributions would come from.

RECOMMENDED: That

(1) the responses to the consultation documents, as set out in Annex 1 to the report be, endorsed;

(2) the Director of Planning, Transport and Leisure be requested to submit a case in support of the Little Mill Flood Alleviation Scheme to the Regional Flood Defence Committee and the Right Honourable Sir John Stanley MP be advised accordingly; and

(3) the Director of Planning, Transport and Leisure be requested to advocate to the Regional Flood Defence Committee that the Aylesford Flood Alleviation Scheme be included in the considerations for funding within its budgets.

**PE
11/009**

KCC CONSULTATION - A STANDARD PALETTE OF MATERIALS FOR USE IN PUBLIC REALM SCHEMES

Decision Notice D110025MEM

The Director of Planning, Transport and Leisure outlined an approach suggested by Kent County Council for cost minimisation in the use of materials in the public realm, especially with regard to the highways for

which the County Council had long term responsibility. Members noted the concern that the balance in the consultation was weighted too far in favour of cost imperatives at the expense of a design led approach and good quality development. Additionally, concern was expressed that the deteriorating quality of materials could be to the detriment of local communities and Members asked that the County Council be encouraged to consider a design led approach.

RECOMMENDED: That the points set out in the report of the Director of Planning, Transport and Leisure form the basis of the Borough Council's response to Kent County Council, subject to strengthening the response to encourage and ensure that good quality development is achieved commensurate with design led aims embraced in Kent Design and that this approach be endorsed in the current Kent Design review.

**PE
11/010**

PEDESTRIAN GUARD RAILING - TONBRIDGE TOWN CENTRE

Decision Notice D110026MEM

Members received the report of the Director of Planning, Transport and Leisure which outlined Kent County Council proposals to remove lengths of pedestrian guard rail that it considered had little justification on highway safety grounds. Consideration was given to a suggested response that was broadly supportive of the concept, subject to some modification of the detailed proposals to meet particular local circumstances.

In-depth discussions followed on whether these proposals were a cost savings exercise or were a reasonable reflection of a general sentiment nationally to improve the appearance of town centre main streets by removing unnecessary street furniture. The issue of ensuring pedestrian safety along main roads was highlighted as a cause for concern, particularly at certain locations within Tonbridge town centre.

RECOMMENDED: That the proposals set out by Kent County Council be reviewed in consultation with local Members and the revised response referred to the Advisory Board before final submission.

**PE
11/011**

THE FUTURE OF THE PUBLIC FOREST ESTATE IN ENGLAND: A PUBLIC CONSULTATION

Decision Notice D110027MEM

The report gave details of a consultation by the Department for Environment, Food and Rural Affairs and the Forestry Commission on options for the future ownership and management of the 18% of England's woodlands currently run by the Forestry Commission. It was noted that there was one such area in the Borough.

Members noted that the Government had subsequently announced the withdrawal of the public consultation into the future of the public forest

estate. However, the response as drafted would still be submitted as a record of the concerns raised by the Borough Council.

RECOMMENDED: That the issues set out in paragraphs 1.2.3 to 1.3.2 of the report be transmitted to the Government as the Borough Council's intended response to the consultation if it had not been withdrawn.

MATTERS SUBMITTED FOR INFORMATION

**PE
11/012** **DEVELOPMENT CONTROL BUSINESS UPDATE**

Members were provided with a picture of Development Control which included the significant and diverse casework, performance in respect of appeal decisions and current levels of fee income.

**PE
11/013** **SOUTH EAST WATER RESOURCES MANAGEMENT PLAN**

The Director of Planning, Transport and Leisure reported that South East Water had produced a Water Resources Management Plan in May 2008, revised in January 2010, which had been the subject of a Public Inquiry during May and June 2010. The Plan was for managing the supply of and demand for water in South East Water's area of supply for the period up to 2035. The Secretary of State had determined that it should be published at the end of 2010 on the condition that it was subject to review, particularly the policies and proposals for the post 2020 period.

It was noted that there were no significant infrastructure proposals in the Plan that directly affected the Borough.

**PE
11/014** **KENT HIGHWAY SERVICES REORGANISATION**

The report of the Director of Planning, Transport and Leisure explained that Kent Highway Services were currently going through a further phase of reorganisation. The report considered the potential implications for the Borough Council.

Particular reference was made to the risk that Borough Council work and services might be less well supported in the new Kent Highway Services structure. Work areas that could potentially be affected ranged from servicing the Joint Transportation Board, where Members were keenly interested in traffic and highway improvements, to Development Control responses where the quality of advice on highway issues was critical.

**PE
11/015** **WINTER RESPONSE IN CAR PARKS**

The report of the Director of Planning, Transport and Leisure assessed the current arrangements in place to respond to severe winter weather in the Borough's car parks and how well these operated over the snow crisis period during December 2010.

MATTERS FOR CONSIDERATION IN PRIVATE

**PE
11/016**

EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 2155 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: **D110020MEM**

Date: **22nd February 2011**

Decision(s) and Reason(s)

Borough Transportation Matters

(Report of Director of Planning Transport and Leisure)

(Annex 1)

(Annex 2)

(Annex 3)

(Annex 4)

(Annex 5)

(Annex 6)

(Annex 7)

(Annex 8 (9.09 M/bytes))

(Annex 9)

The report provided an update on a range of current transportation issues, including the Local Transport Plan for Kent and the A21 Tonbridge to Pembury dualling scheme.

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

- 1) Sir John Stanley's letter regarding the Local Transport Plan for Kent 2011-2016, as reproduced at Annex 1 to the report, be formally noted;
- 2) the Borough Council should continue to press for completion of the A21 Tonbridge to Pembury dualling scheme Public Inquiry and the letter at Annex 3 to the report requesting this be endorsed;
- 3) the West Malling station forecourt remodelling scheme be confirmed as a project that the Borough Council wishes to be included in any future County Council bid for funding through the Local Sustainable Transport Fund;
- 4) the schedule of schemes listed at Annex 5 to the report be endorsed as the Borough Council's priorities for future highways investment, subject to the amendments suggested at the meeting, and noted by the Chief Engineer, and a revised schedule being circulated to Members in due course;
- 5) objection to any further stops within the Capital that would further slow down services on the West Malling/Maidstone East line, as set out in the letter of the Director of Planning, Transport and Leisure to the Department for Transport, be endorsed;

- 6) Cabinet considers its position on the extension of the current rail franchise for a further two years;
- 7) peak period Thameslink services on the West Malling/Maidstone East line from April 2012 onwards be welcomed and supported; and
- 8) the reply to the consultation on the Rail Action Plan for Kent, set out at Annex 9 to the report, be endorsed.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 22 February 2011.

Signed Cabinet Member for M Balfour
Planning and
Transportation:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 25 February 2011

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: D110021MEM

Date: 22nd February 2011

Decision(s) and Reason(s)

National Planning Policy Framework

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

The report advised of the Government's intention to consolidate existing Planning Policy Statements and Guidance into a single National Planning Policy Framework and to consult on what it should include.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the content of the report of the Director of Planning, Transport and Leisure and the attached annex be transmitted to the Government as the Borough Council's response to the consultation on the content of the National Planning Policy Framework.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 22 February 2011.

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: D110022MEM

Date: 22nd February 2011

Decision(s) and Reason(s)

**Character Area Appraisals SPD (Walderslade and Snodland) -
Adopt for Consultation**

(Report of Director of Planning, Transport and Leisure)

**The report recommended approval of Character Area Appraisals for
Walderslade and Snodland for the purposes of public consultation
which would take place in the spring of 2011.**

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the draft Character Area Appraisals for Walderslade and Snodland be approved for the purposes of public consultation.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 22 February 2011.

Signed Cabinet Member for M Balfour
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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D110023MEM

Date: 22nd February 2011

Decision(s) and Reason(s)

Strategic Flood Risk Assessment Update

(Report of Director of Planning Transport and Leisure)

The Strategic Flood Risk Assessment (SFRA) identified those areas in Tonbridge, Aylesford and East Peckham that were at high risk from flooding. The report explained the background to the initial SFRA and highlighted the recent updates with the recommendation to adopt the revised SFRA as a material consideration for Development Control purposes.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the revised Strategic Flood Risk Assessment be adopted as a material consideration for Development Control purposes.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 22 February 2011.

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: **D110024MEM**

Date: **22nd February 2011**

Decision(s) and Reason(s)

Flood Risk Management

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

The report presented details of recent consultations by the Department for Environment, Food and Rural Affairs on flood and coastal erosion risk management together with officer-level responses submitted by the deadline.

Additionally, an update was provided on proposals for flood alleviation schemes in Aylesford and Little Mill, East Peckham with recommendations as to how the Borough Council might promote their funding through the Regional Flood Defence Committee.

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

- 1) the responses to the consultation documents, as set out in Annex 1 to the report, be endorsed;
- 2) the Director of Planning, Transport and Leisure be requested to submit a case in support of Little Mill Flood Alleviation Scheme to the Regional Flood Defence Committee and the Right Honourable Sir John Stanley MP be advised accordingly; and
- 3) the Director of Planning, Transport and Leisure be requested to advocate to the Regional Flood Defence Committee that the Aylesford Flood Alleviation Scheme be included in the considerations for funding within its budgets.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 22 February 2011.

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: D110025MEM

Date: 22nd February 2011

Decision(s) and Reason(s)

KCC Consultation - A Standard Palette of Materials for Use in Public Realm Schemes

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

The report outlined an approach suggested by Kent County Council for cost minimisation in the use of materials in the public realm, especially with regard to the highways for which the County Council had long term responsibility.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the points set out in the report of the Director of Planning, Transport and Leisure form the basis of the Borough Council's response to Kent County Council, subject to strengthening the response to encourage and ensure that good quality development is achieved commensurate with design led aims embraced in Kent Design and that this approach be endorsed in the current Kent Design review.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 22 February 2011.

Signed Cabinet Member for M Balfour
Planning and
Transportation:

Signed Leader: M Worrall

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D110026MEM

Date: 22nd February 2011

Decision(s) and Reason(s)

Pedestrian Guard Railing - Tonbridge Town Centre

(Report of Director of Planning Transport and Leisure)

(Annex 1)

(Annex 2)

(Annex 3)

(Annex 4)

The report outlined Kent County Council proposals to remove lengths of pedestrian guard rail that it considered had little justification on highway safety grounds.

Consideration was given to a suggested response that was broadly supportive of the concept, subject to some modification of the detailed proposals to meet particular local circumstances.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the proposals set out by Kent County Council be reviewed in consultation with local Members and the revised response referred to the Advisory Board before final submission.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 22 February 2011.

Signed Cabinet Member for M Balfour
Planning and
Transportation:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 25 February 2011

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: **D110027MEM**

Date: **22nd February 2011**

Decision(s) and Reason(s)

The Future of the Public Forest Estate in England: A Public Consultation

(Report of Director of Planning Transport and Leisure)

The report gave details of a consultation by the Department for Environment, Food and Rural Affairs and the Forestry Commission on options for the future ownership and management of the 18% of England's woodlands currently run by the Forestry Commission. It was noted that there was one such area in the Borough.

Members noted that the Government had subsequently announced the withdrawal of the public consultation into the future of the public forest estate. However, the response as drafted would still be submitted as a record of the concerns raised by the Borough Council.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Planning and Transportation resolved that the issues set out in paragraphs 1.2.3 to 1.3.2 of the report be transmitted to the Government as the Borough Council's intended response to the consultation if it had not been withdrawn.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 22 February 2011.

Signed Cabinet Member for M Balfour
Planning and
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Signed Leader: M Worrall

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