

TONBRIDGE AND MALLING BOROUGH COUNCIL

PLANNING AND TRANSPORTATION ADVISORY BOARD

Tuesday, 4th June, 2013

Present: Cllr D A S Davis (Chairman), Cllr M Parry-Waller (Vice-Chairman), Cllr J Atkins, Cllr Mrs J M Bellamy, Cllr Ms V M C Branson, Cllr F R D Chartres, Cllr D J Cure, Cllr M O Davis, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr D W Smith and Cllr A K Sullivan.

Councillors Mrs Anderson, Balcombe, Baldock, Balfour, Bolt, Coffin, Luker, Mrs Murray, Rhodes, Rogers and Taylor were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillor Evans and also from the Leader, Councillor N Heslop.

PART 1 - PUBLIC

**PE
13/014 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct. However Councillor Balfour referred to a potential interest in any items that might have implications for Kent County Council on the grounds that he was a County Councillor and also in relation to the post-implementation review of the Valley of Visions project which affected a relative's land.

**PE
13/015 MINUTES**

RESOLVED: That the notes of the meeting of the Planning and Transportation Advisory Board held on 3 April 2013 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

**PE
13/016 LOCAL PLAN UPDATE**

Decision Notice D130067MEM

The report of the Director of Planning, Housing and Environmental Health gave an update on progress towards a new Local Plan for Tonbridge and Malling, including the commissioning of key parts of the evidence base and the current timetable, which was proposed as a replacement for the 2009 Local Development Scheme. It also set out a recommended way forward in respect of a new consultation and engagement strategy.

RECOMMENDED: That

- (1) the updates in respect of the progress made towards the Local Plan be noted;
- (2) the proposed approach in respect of a new Consultation and Engagement Strategy to replace and update the Statement of Community Involvement be endorsed; and
- (3) the Local Plan timetable set out at Annex 1 to the report form the basis of a new Local Development Scheme.

**PE
13/017**

DUTY TO COOPERATE - CONSULTATIONS WITH TUNBRIDGE WELLS BOROUGH COUNCIL AND SEVENOAKS DISTRICT COUNCIL AND UPDATE ON OTHER RELEVANT MATTERS

Decision Notice D130068MEM

The report of the Director of Planning, Housing and Environmental Health sought endorsement of officer level responses made in respect of recent consultations by neighbouring authorities. An update was also given on progress towards a Master Planning Brief for Rochester Airport.

RECOMMENDED: That the officer comments in respect of the consultations set out in section 1.2 – 1.6 of the report be approved.

**PE
13/018**

A REVISED GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT FOR TONBRIDGE AND MALLING

Decision Notice D130069MEM

The report of the Director of Planning, Housing and Environmental Health summarised the results of the revised Gypsy and Traveller Accommodation Assessment undertaken by Salford University, outlined the implications of recent appeal decisions and set out a proposal for responding to future needs through the Local Plan process.

RECOMMENDED: That

- (1) the finalisation of the revised Part One Gypsy and Traveller Accommodation Assessment and the key findings summarised in the report be noted; and
- (2) the proposed way forward, set out in section 1.4 of the report, be agreed in respect of meeting the objectively assessed needs for future accommodation to 2018 via the Local Plan process.

CLOSED CIRCUIT TELEVISION ANNUAL REPORT

Decision Notice D130070MEM

The report of the Director of Planning, Housing and Environmental Health presented for endorsement the 2012/13 Annual Report for the CCTV service provided in partnership with Tunbridge Wells Borough Council. It also gave details of the upgrade works recently undertaken on the current CCTV system together with future changes. Authority was sought to adopt a revised Code of Practice taking account of the new and improved operations in the control room.

It was noted that a visit to the control room would be arranged for interested Members.

RECOMMENDED: That

- (1) the CCTV Report for 2012/13 be welcomed and endorsed for publication; and
- 2) the revised CCTV Code of Practice set out at Annex 2 to the report be endorsed for adoption and publication.

GROWTH AND INFRASTRUCTURE ACT 2013 AND OTHER GOVERNMENT PROVISIONS TO DEREGULATE THE PLANNING SYSTEM

The report of the Director of Planning, Housing and Environmental Health provided a summary of some of the key provisions affecting the operation of the planning system contained in the new Growth and Infrastructure Act 2013. Particular attention was drawn to the provisions regarding the extension of domestic permitted development and the ability of developers to renegotiate Section 106 agreements in respect of affordable housing.

Considerable discussion ensued and concern was expressed about the implications of the procedural changes required to support the deregulation provisions. Members were advised of the way in which Planning Services staff were preparing for the changes. In particular, progress in implementing the regulations would be monitored and a further Member briefing arranged as necessary.

Attention was drawn to the need for a number of the Director of Planning, Housing and Environmental Health's delegated powers in the Constitution to be amended to enable him to act expeditiously on behalf of the Council under the new regime.

RECOMMENDED: That

- (1) the details of the changes to planning controls as outlined in the report be noted; and
- (2) the Director of Planning, Housing and Environmental Health's



delegated powers be amended to cover the revised procedures for new permitted development rights in relation to the matters covered in the report and any other or consequential/associated implications identified by the Director of Central Services and Monitoring Officer.

***Referred to Cabinet**

**PE
13/021**

UPDATE ON TRANSPORT ISSUES

Decision Notice D130071MEM

The report of the Director of Planning, Housing and Environmental Health provided an update on a range of current transportation issues affecting the Borough including new topics relating to the M25 Junction 5 slips, the emerging Cycling Strategy and the Lower Thames Crossing.

A supplementary report circulated in advance of the meeting gave more details of the three options in respect of the Lower Thames Crossing which had recently been issued for consultation by the Department for Transport. Consideration was given to some preliminary comments and a mechanism suggested for making a full response by the consultation deadline of 15 July 2013.

RECOMMENDED: That

(1) the content of the supplementary report be noted and endorsed with the comment that the criteria for assessing the options should also include their implications for the wider road systems that would be affected by the changes; and

(2) authority be delegated to the Director of Planning, Housing and Environmental Health, in liaison with the Leader and Cabinet Member for Planning and Transportation, to respond formally to the Department for Transport on behalf of the Council by 15 July 2013.

MATTERS SUBMITTED FOR INFORMATION

**PE
13/022**

TOWN LOCK CAPITAL PROJECT

The report of the Director of Planning, Housing and Environmental Health provided an update on progress on the Town Lock environmental improvement project at the critical stage prior to inviting tenders to build the scheme. It was noted that tenders for the works would be sought in June/July and it was anticipated that a start on site could be made in September.

**PE
13/023**

LAND DRAINAGE

The Advisory Board was updated on local flood risk management issues since the transfer of certain powers to Kent County Council on 6 April 2012. The report referred to two Surface Water Management Plans covering the Borough together with a current local flooding case study at Hadlow to illustrate the practical issues involved in effective

flood risk management.

**PE
13/024**

POST IMPLEMENTATION REVIEWS

The report comprised the capital scheme post-implementation review in accordance with the capital strategy for the Medway Gap Countryside Management Initiative, also known as the Valley of Visions project, which concluded on 31 March 2013.

MATTERS FOR CONSIDERATION IN PRIVATE

**PE
13/025**

EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 2154 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D130067MEM

Date: 4th June 2013

Decision(s) and Reason(s)

Local Plan Update

**(Report of Director of Planning, Housing and Environmental Health)
(Annex)**

The report gave an update on progress towards a new Local Plan for Tonbridge and Malling, including the commissioning of key parts of the evidence base and the current timetable, which was proposed as a replacement for the 2009 Local Development Scheme. It also set out a recommended way forward in respect of a new consultation and engagement strategy.

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

- 1) the updates in respect of the progress made towards the Local Plan be noted;
- 2) the proposed approach in respect of a new Consultation and Engagement Strategy to replace and update the Statement of Community Involvement be endorsed; and
- 3) the Local Plan timetable set out at Annex 1 to the report form the basis of a new Local Development Scheme.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 4 June 2013.

Signed Cabinet Member for S Murray
Planning and
Transportation:

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 07 June 2013

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: D130068MEM

Date: 4th June 2013

Decision(s) and Reason(s)

Duty to Cooperate - Consultations with Tunbridge Wells Borough Council and Sevenoaks District Council and Update on Other Relevant Matters

(Report of Director of Planning, Housing and Environmental Health)

The report sought endorsement of officer level responses made in respect of recent consultations by neighbouring authorities. An update was also given on progress towards a Master Planning Brief for Rochester Airport.

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

The officer comments in respect of the consultations set out in section 1.2 – 1.6 of the report be approved.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 4 June 2013.

Signed Cabinet Member for S Murray
Planning and
Transportation:

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D130069MEM

Date: 4th June 2013

Decision(s) and Reason(s)

**A Revised Gypsy and Traveller Accommodation Assessment for
Tonbridge and Malling**

**(Report of Director of Planning, Housing and Environmental Health)
(Annex)**

The report summarised the results of the revised Gypsy and Traveller Accommodation Assessment undertaken by Salford University, outlined the implications of recent appeal decisions and set out a proposal for responding to future needs through the Local Plan process.

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

- 1) the finalisation of the revised Part One Gypsy and Traveller Accommodation Assessment and the key findings summarised in the report be noted; and
- 2) the proposed way forward, set out in section 1.4 of the report, be agreed in respect of meeting the objectively assessed needs for future accommodation to 2018 via the Local Plan process.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 4 June 2013.

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Planning and
Transportation:

Signed Leader: N Heslop

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D130070MEM

Date: 4th June 2013

Decision(s) and Reason(s)

Closed Circuit Television Annual Report

**(Report of Director of Planning, Housing and Environmental Health)
(Annex 1)
(Annex 2)**

The report presented for endorsement the 2012/13 Annual Report for the CCTV service provided in partnership with Tunbridge Wells Borough Council. It also gave details of the upgrade works recently undertaken on the current CCTV system together with future changes. Authority was sought to adopt a revised Code of Practice taking account of the new and improved operations in the control room.

It was noted that a visit to the control room would be arranged for interested Members.

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

- 1) the CCTV Report for 2012/13 be welcomed and endorsed for publication; and
- 2) the revised CCTV Code of Practice set out at Annex 2 to the report be endorsed for adoption and publication.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 4 June 2013.

Signed Cabinet Member for S Murray
Planning and
Transportation:

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D130071MEM

Date: 4th June 2013

Decision(s) and Reason(s)

Update on Transport Issues

**(Report of Director of Planning, Housing and Environmental Health)
(Supplementary Report: Lower Thames Crossing)
(Annex to Supplementary Report)**

The report provided an update on a range of current transportation issues affecting the Borough including new topics relating to the M25 Junction 5 slips, the emerging Cycling Strategy and the Lower Thames Crossing.

A supplementary report circulated in advance of the meeting gave more details of the three options in respect of the Lower Thames Crossing which had recently been issued for consultation by the Department for Transport. Consideration was given to some preliminary comments and a mechanism suggested for making a full response by the consultation deadline of 15 July 2013.

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

- 1) the content of the supplementary report be noted and endorsed with the comment that the criteria for assessing the options should also include their implications for the wider road systems that would be affected by the changes; and
- 2) authority be delegated to the Director of Planning, Housing and Environmental Health, in liaison with the Leader and Cabinet Member for Planning and Transportation, to respond formally to the Department for Transport on behalf of the Council by 15 July 2013.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 4 June 2013.

Signed Cabinet Member for S Murray
Planning and
Transportation:

Signed Leader: N Heslop

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