

PLANNING AND ENGINEERING ADVISORY BOARD

28 February 2005

Present: Councillor Miss Browne (Chairman); Councillor Sullivan (Vice-Chairman); Councillors Bolt, Mrs Bowden, Coffin, Evans, Hickmott, Horne MBE, Lavery, Munro, Miss Sergison and Thornewell.

Councillors Aikman, Mrs Anderson, Baldock, Balfour, R Brown, Cure, Davis, Luker, Rhodes, Mrs Simpson, Still and Worrall were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Mrs Oakley.

DECLARATIONS OF INTEREST

Councillor Evans declared a personal and prejudicial interest in the item relating to the East Peckham Flood Alleviation Scheme on the grounds that his daughter worked for one of the contractors invited to tender for the project, and left the Chamber during the discussion.

MINUTES

PE 05/001 RESOLVED: That the notes of the meeting of the Planning and Engineering Advisory Board held on 27 October 2004 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

KENT COUNTY COUNCIL SMALL IMPROVEMENT PROGRAMME 2005/06 – PARTNERSHIP ARRANGEMENTS

The joint report of the Director of Planning and Engineering and the Cabinet Member for Planning and Transportation described how the Borough Council could take the opportunity, in partnership with the County Council and others, to ensure that schemes with high local priority and proven need could be secured in the County Council's programme of traffic and highway improvement schemes for implementation during 2005/06. Members commended the programme as an example of what could be achieved by officers at Borough and County level working together.

PE 05/002 RECOMMENDED: That the schedule of contributions to the Kent County Council Small Improvement Programme set out in Annex 1 of the report be approved.

LOCAL TRANSPORT PLAN FOR KENT 2006/2011

The report of the Director of Planning and Engineering sought endorsement of schedules outlining the Borough Council's suggested priorities for traffic and highway improvement schemes and projects for the five-year period 2006 to 2011. Kent County Council would consider submissions from Kent district highway units to form part of the second Local Transport Plan for Kent County Council to submit to the Government by July 2005. The Local Transport Plan would set out the highway authority's vision for highways and transportation across the county and serve as a bidding document to fund highway maintenance and improvement. Members expressed support for the overall programme and officers undertook to pursue Members' concerns with Kent County Council on the timing, detail and implications of several projects.

PE 05/003 RECOMMENDED: That the schedule of traffic and highway improvements in Annex 1 of the report be endorsed as the Borough Council's submission to the County Council for inclusion in its Local Transport Plan for Kent 2006 to 2011.

EAST PECKHAM FLOOD ALLEVIATION SCHEME

The joint report of the Director of Planning and Engineering and the Cabinet Member for Planning and Transportation provided an update on progress towards the implementation of the East Peckham Flood Alleviation Scheme and sought approval of the final list of contractors to be invited to tender for the project.

PE 05/004 RECOMMENDED: That

- (1) the progress and programme for the project be noted and endorsed; and
- (2) the contractors listed at paragraph 1.3.1 of the report be invited to tender for the works.

**WEST MALLING STATION
PLANNING BRIEF REVIEW**

The report of the Director of Planning and Engineering described how further study on the location for additional parking at West Malling Station had been commissioned following public consultation last year, and sought approval for the revised Planning Brief produced by consultants after further public consultation.

PE 05/005 RECOMMENDED: That

- (1) the results of the WSP Consultants Study and the public response to it be noted; and
- (2) the revised Planning Brief for West Malling Station, appended at Annex 1 to the report, be adopted as a material consideration for development control and to inform the content of the Local Development Framework and the Local Transport Plan.

**INTEGRATED KENT FRANCHISE –
BID DOCUMENTATION**

The joint report of the Director of Planning and Engineering and the Cabinet Member for Planning and Transportation set out the changes made to the train service specification for the Integrated Kent Franchise by the Strategic Rail Authority following consultation last year and recommended representations to be made to the four competing companies with a view to influencing the content of their bids. Members were concerned that the Strategic Rail Authority's usage figures had been based on the number of tickets purchased when opportunities to purchase tickets on local trains and at smaller stations were very restricted. Members were loath to see the removal of the Tonbridge to Redhill line from the franchise area and considered it would make the important strategic link less convenient. Concern was also expressed about proposed above-inflation fare increases for a reduced service in some cases.

PE 05/006 RECOMMENDED: That

- (1) each of the bidders be advised that the Council supports the Strategic Rail Authority's train service specification subject to the changes referred to in paragraph 1.3.2 of the report (excluding the suggestion of a fast service to Victoria) and that they should all be encouraged to include in their bid, proposals for improving car parking at West Malling Station; and
- (2) concerns be raised with the Strategic Rail Authority about the other matters raised in the report under paragraphs 1.3.3 and 1.3.4.

PLANNING FOR GYPSY AND TRAVELLER SITES

The report of the Director of Planning and Engineering described the main policy changes in the draft revised guidance on planning for Gypsy and Traveller sites published by the Government, considered the implications of the suggested change in policy, and recommended a response to Government for endorsement by Cabinet.


PE 05/007 RECOMMENDED: That the Office of the Deputy Prime Minister be advised that the Borough Council: 

- (1) believes that if a requirement for local authorities to identify sites for gypsies and travellers in Local Development Documents (LDD) is to be introduced then this must be considered a highly material consideration in development control otherwise there will be little incentive for local planning authorities to follow the plan-led system;
- (2) recommends the inclusion of criteria based policies in Regional Spatial Strategies rather than LDDs in order to ensure consistency and avoid duplication of effort;

- (3) expresses considerable concern about the definition of gypsies and travellers, particularly the reference to a “traditional preference for living in a caravan”, since this could so easily lead to abuse as a means to avoid planning restrictions;
- (4) feels strongly that gypsies and travellers should not be treated any differently to any other residents of the Borough insofar as planning requirements and restrictions are concerned;
- (5) feels strongly that local countryside designations should be recognised as reasonable grounds to refuse planning permission for applicants for gypsy and traveller sites as they would for any other form of inappropriate development; and
- (6) points out that, because of the processes involved it will be many years before site allocations can be made in LDDs. Greater clarification is therefore required as to the sources of information needed to support the transitional arrangements.

DEVELOPMENT CONTROL

The joint report of the Director of Planning and Engineering and the Chief Solicitor updated Members on the working of public speaking at Area Planning Committees, suggesting some changes in the operation of the system. An update was also given on matters related to applications decision performance, Planning Delivery Grant and the End-to-End, Uniform e-planning system. Members welcomed clarification of the procedures but felt that to allow registration of speakers up to 15 minutes before the meeting might delay proceedings. It was also agreed that Parish Councils should be required to register to speak.

PE 05/008 RECOMMENDED: That in respect of public speaking the Council be advised to: 

- (1) reaffirm that there be no limit to the number of speakers on any report;
- (2) each speaker be allowed up to 3 minutes to speak;
- (3) 3 minutes speaking is the limit in respect of the individual case reports and not per application;
- (4) allow a 6-month test period for speakers to register before 5pm on the day of the meeting and that if no unresolvable difficulties arise, authority be delegated to the Director of Planning and Engineering, in consultation with the Cabinet Member for Planning and Transportation, to continue these arrangements on a permanent basis;
- (5) adopt the revised rules as set out in Annex 1 to the Director of Planning and Engineering’s report with paragraph 2.2.2 amended to require members of the public and Parish Councils to register before 5pm on the day of the meeting; and

- (6) note progress in respect of performance and e-planning.

**STRUCTURE PLAN EXAMINATION IN PUBLIC –
PANEL’S REPORT**

The report of the Director of Planning and Engineering summarised the Structure Plan Examination in Public (EIP) Panel’s report, in which the only substantive recommended change of significance to the Borough was a recommendation of an increase from 8,300 dwellings to 8,700 dwellings for Tonbridge and Malling, reflecting the major sites decision. The Borough Council’s one objection had been upheld.

- PE 05/009 RECOMMENDED:** That the content of the EIP Panel Report be noted and, assuming the Panel’s recommendations are accepted and no new issues are introduced, and subject to the Director of Planning and Engineering being satisfied with the way the housing figure for Tonbridge and Malling is presented in Policy HP1 up to 2016, no objections be raised to the proposed modifications to the Kent and Medway Structure Plan when they are published.

THE SOUTH EAST PLAN

The report of the Director of Planning and Engineering introduced the consultation draft of the South East Plan prepared by the South East England Regional Assembly (SEERA) which highlighted some key issues for the Borough particularly concerning future development provisions at sub-regional level and policies concerning infrastructure, affordable housing, environmental and employment issues.

- PE 05/010 RECOMMENDED:** That
- (1) the South East of England Regional Assembly be informed of the Council’s views on the South East Plan Consultation draft as set out in sections 1.4 to 1.11 of the supplementary report;
 - (2) the Assembly be informed that the Council believes that it is critical for both the accuracy and integrity of the planning process that the next stage of the work towards district level housing provisions must be properly programmed and enable a review of the sub-regional housing provisions and satisfactory opportunities for engaging local communities;
 - (3) the Director of Planning and Engineering be authorised to make a range of detailed comments to SEERA on the wording in the Plan in consultation with the Cabinet Member for Planning and Transportation; and
 - (4) the Council uses what means it can to ensure that people and organisations approached by SEERA for comments on the Plan respond fully.

TONBRIDGE TOWN CENTRE

The report and further supplementary report of the Director of Planning and Engineering sought approval for the tendering process for the appointment of consultants for the

masterplanning work on Tonbridge Town Centre and of the list of consultants invited to tender for the work.

PE 05/011 RECOMMENDED: That

- (1) the process for the preparation of the list of potential tenderers involving an exemption from Contract Procedure Rules be approved; and
- (2) the consultancies listed at paragraph 2.1 of the supplementary report be invited to tender for the project.

MATTERS SUBMITTED FOR INFORMATION

The Board received and noted the following information item.

Response to Consultations

Members were provided with details of external consultations responded to since the last meeting of the Advisory Board held on 19 October 2004.

MATTERS TAKEN IN PRIVATE

The Chairman moved, it was seconded and

PE 05/012 RESOLVED: That as public discussion would disclose exempt information the following matter be considered in private.

**LOCAL DEVELOPMENT FRAMEWORK –
APPOINTMENT OF CONSULTANTS TO
UNDERTAKE A SUSTAINABILITY APPRAISAL
(LGA 1972 Sch 12A Para 10 – Tendering Information)**

The report of the Director of Planning and Engineering outlined the procurement process for the appointment of consultants to undertake a Sustainability Appraisal of the first tranche of Development Plan documents of the Tonbridge and Malling Local Development Framework and sought endorsement of the selected tender.

PE 05/013 RECOMMENDED: That the appointment of Scott Wilson as the consultants to undertake the Sustainability Appraisal of the first tranche of Development Plan documents of the Tonbridge and Malling Local Development Framework be endorsed, subject to the receipt of satisfactory financial references.

The meeting ended at 2252 hours