

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**PLANNING AND TRANSPORTATION ADVISORY BOARD**

**Tuesday, 13th November, 2018**

**Present:** Cllr D A S Davis (Chairman), Cllr J L Botten (Vice-Chairman), Cllr M A C Balfour, Cllr P F Bolt, Cllr M O Davis, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr M Parry-Waller, Cllr S C Perry and Cllr M Taylor

Councillors Mrs J A Anderson, O C Baldock, R P Betts, M A Coffin, D J Cure, N J Heslop, B J Luker, M R Rhodes and H S Rogers were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs S M Barker, V M C Branson, D Keers, R V Roud and A K Sullivan

**PE 18/15 DECLARATIONS OF INTEREST**

Councillor M Davis declared an Other Significant Interest in the agenda item relating to the Local Plan on the grounds of his status as a partner of Warner's Solicitors. In accordance with the dispensation granted at Minute GP 16/19 (General Purposes Committee of 20 October 2016) he remained in the meeting and addressed the Advisory Board but took no further part in the discussion.

**PE 18/16 MINUTES**

**RESOLVED:** That the notes of the meeting of the Planning and Transportation Advisory Board held on 24 July 2018 be approved as a correct record and signed by the Chairman.

[Note: After the meeting an issue was identified in relation to the voting on the recommendation in respect of the Local Plan. The matter was addressed in a report to Cabinet on 3 September 2018 (Minute CB 18/49 refers).]

**MATTERS FOR RECOMMENDATION TO THE CABINET**

**PE 18/17 REVIEW OF THE PLANNING APPLICATION CHARGING REGIME**

The report of the Director of Central Services and Monitoring Officer provided a review of the pre-application charging regime and set out proposed new charges for 2019/20. It was noted that the Pre-Application Protocol had been effective in delivering technical planning advice in a timely way since its introduction in 2016 and no changes were proposed although further monitoring would be carried out to ensure that it remained up to date and met the needs of customers. However, it was considered appropriate to adjust the fees to recover the

full costs of providing advice, including an increase of 3% to the hourly rate, and a revised Charging Schedule was set out at Annex 1 to the report.

**RECOMMENDED:** That the updated Pre-application Charging Schedule 2019/20 set out at Annex 1 to the report be approved with effect from 1 April 2019 subject to the correction of the fee for written advice for medium development to £186.

**\*Referred to Cabinet**

## **PE 18/18 PLANNING ENFORCEMENT PLAN**

The report of the Director of Central Services and Monitoring Officer referred to the review of the adopted planning enforcement plan which provided a structure for the way in which the Planning Service would deal with planning enforcement matters, in particular the various powers available to the Council in remedying breaches of control and how decisions would be taken to exercise such powers.

An updated Planning Enforcement Plan was set out at Annex 1 to the report and a number of changes were highlighted including the expansion of delegated powers in respect of enforcement notices following the review of the Constitution, removal of reference to Area Teams, the way in which the Council would deal with unauthorised Traveller encampments and reflection of recent experience in seeking injunctive relief.

Members expressed concern and frustration at the number of breaches of planning control where it was deemed “not expedient” to take any further action and referred to the avoidance of fees and the opportunity to impose conditions on development if a retrospective application were required to be submitted. The officers agreed to review the scope for amending the criteria for deciding which cases were categorised “not expedient”, given Government guidance and the need to avoid raising false expectations among the public.

**RECOMMENDED:** That the Planning Enforcement Plan, as set out at Annex 1 to the report, be referred to the Cabinet for approval subject to a review of the issues surrounding expediency and consideration of any proposed changes.

**\*Referred to Cabinet**

## **PE 18/19 TRANSPORTATION UPDATE**

Decision Notice D180071MEM

The report of the Director of Central Services and Monitoring Officer provided an update on the current consultation process relating to the

Lower Thames Crossing and Gatwick Airport and highlighted issues for inclusion in the respective responses.

Qualified support was expressed for the Lower Thames Crossing proposals although it was agreed to reiterate concerns regarding the implications for the A228 and A229 and the need for improvements to these routes to be prioritised to meet growing demand.

In respect of the Gatwick Airport consultation, there were significant concerns about any intensification of air traffic over West Kent, including night flights, the management of noise impacts and surface transport connectivity. Regarding the latter, emphasis was placed on continuing to lobby for a direct rail service between Gatwick and Tonbridge via Redhill.

**RECOMMENDED:** That

- (1) the content of the report be noted;
- (2) the issues raised in response to the Lower Thames Crossing consultation be approved for submission to Highways England; and
- (3) the issues raised in response to the Gatwick Master Plan consultation be approved for submission to Gatwick Airport Limited.

### **MATTERS SUBMITTED FOR INFORMATION**

#### **PE 18/20 SECTION 106 MONITORING REPORT**

The report provided an overview of planning obligations for the period 2016 – 2018 under section 106 of the Town and Country Planning Act 1990. It represented the first in a series of regular reports to the Advisory Board on the nature of any obligations secured, received and used. Members welcomed the report and were advised that in future the reports to the Area Planning Committees would set out in more detail the use of any section 106 money where relevant alongside the planning decision to be made.

#### **PE 18/21 LOCAL PLAN UPDATE**

Following the decision of the Council on 12 September 2018, the report gave an update on the Regulation 19 consultation exercise and set out the next stages in the preparation of the Local Plan. Reference was made to the extension of the period for response by one week to 19 November, the briefings and drop-in sessions held and creation of a simplified on-line response form. An outline was given of responses received to date, the majority raising objections to the strategic site at

Borough Green, and the next steps in preparing the documents for submission to the Secretary of State.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**PE 18/22 EXCLUSION OF PRESS AND PUBLIC**

There were no matters considered in private.

The meeting ended at 9.15 pm