

TONBRIDGE AND MALLING BOROUGH COUNCIL

PLANNING AND TRANSPORTATION ADVISORY BOARD

Wednesday, 11th November, 2020

Present: Cllr R W Dalton (Chairman), Cllr J L Botten (Vice-Chairman), Cllr V M C Branson, Cllr D J Cooper, Cllr D A S Davis, Cllr M O Davis, Cllr D Keers, Cllr D W King, Cllr Mrs C B Langridge, Cllr H S Rogers, Cllr N G Stapleton, Cllr M Taylor and Cllr D Thornewell

Councillors Mrs J A Anderson, Mrs S Bell, R P Betts, M A Coffin, N J Heslop, M A J Hood, F A Hoskins, D Lettington, B J Luker, P J Montague, Mrs A S Oakley, W E Palmer, M R Rhodes, R V Roud and T B Shaw were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors T Bishop, M D Boughton and S A Hudson

PE 20/20 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

PE 20/21 MINUTES

RESOLVED: That the Notes of the meeting held on 28 July be approved as a correct record and signed by the Chairman, subject to recording that Councillor Mrs Anderson was also in attendance.

PE 20/22 MINUTES OF EXTRAORDINARY MEETING

RESOLVED: That the Notes of the extraordinary meeting of the Planning and Transportation Advisory Board held on 29 September be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

PE 20/23 SECTION 106 PROTOCOL AND MONITORING

The report of the Director of Planning, Housing and Environmental Health recommended the adoption of a Planning Obligations Protocol and associated monitoring fee. This was intended to provide a clear and transparent framework in respect of how planning obligations under section 106 of the Town and Country Planning Act 1990 would be negotiated and secured, in order to mitigate the impacts of development across the Borough.

In addition, the report recommended that a flat fee of £300 per obligation be required to cover the cost of monitoring and reporting on delivery of s106 obligations and outcomes.

Concern was expressed about the level of legal skill and knowledge required to negotiate and understand a legal agreement/planning obligation and that the proposed Protocol could be too prescriptive to the detriment of smaller developers and applicants. Members asked that consideration be given to amending the Protocol to maintain a level of flexibility to assist and support all types of applicant.

Reference was made to the new requirement for Local Planning Authorities to publish an annual Infrastructure Funding Statement which identified infrastructure needs, the total costs of this infrastructure, anticipated funding from developer contributions and the choices made by the authority about how these contributions would be used. Unfortunately, given the timescales involved it was not possible to provide a draft Statement for Member consideration and the Director for Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Strategic Planning and Infrastructure, would develop a final Statement for publication. Officers committed to sharing information with Members as the final Statement was being developed.

RECOMMENDED: That

- (1) the principal of a Planning Obligations Protocol be adopted; subject to consideration by the Cabinet of further adjustments to reflect the concerns raised by this Advisory Board and to introduce a level of flexibility for all applicants;
- (2) the associated monitoring fee of £300 per planning obligation (as set out in Annex 1 of the report) be adopted; and
- (3) the production and publication of the Infrastructure Funding Statement by the deadline of 31 December 2020 be delegated to the Director of Planning, Housing and Environmental Health in consultation with the Cabinet Member for Strategic Planning and Infrastructure.

***Referred to Cabinet**

PE 20/24 REVIEW OF PLANNING APPLICATION CHARGING REGIME

The report of the Director of Planning, Housing and Environmental Health provided a review of the pre-application charging regime and set out proposed new charges for 2021/22. It was necessary to review the protocol annually to ensure that the Borough Council continued to provide a comprehensive, high quality service and that the evidence base remained up to date. The charging schedule was also considered

annually and to ensure that this was applied fairly and cost recovery continued to take place proportionately, an increase in fees was proposed.

Attention was drawn to a drafting error in the pre-application charging schedule 2021/22 (Annex 1) and it was confirmed that the fee for large scale, strategic development should read £1,200.

RECOMMENDED: That the updated Pre-application Charging Schedule 2021/22 (as attached at Annex 1 to the report) be adopted; subject to

- (1) the correction of a drafting error (as set out above) and that the fee for large scale, strategic development was £1,200 plus VAT.

***Referred to Cabinet**

PE 20/25 REVIEW OF PLANNING PERFORMANCE AGREEMENT AND CHARGING SCHEDULE

The report of the Director of Planning, Housing and Environmental Health provided a review of the planning performance agreement protocol and set out proposed new charges for 2021/22. To ensure that the Borough Council continued to provide a comprehensive, high quality service and that the evidence based remained up to date it was necessary to review the protocol and charging schedule annually.

RECOMMENDED: That the updated Planning Performance Agreement Charging Schedule 2021/22 (attached at Annex 1 of the report) be adopted.

***Referred to Cabinet**

PE 20/26 REVIEW OF BUILDING CONTROL FEES 2021/22

Members were provided with an update on the working arrangement with Sevenoaks District Council and following internal discussions the Borough Council had been given notice to dissolve this partnership. A full assessment of service requirements was being undertaken and revised arrangements would be presented to Members in due course.

The report also recommended Building Control fees for 2021/22 for the Borough Council only.

RECOMMENDED: That a 1% increase to the Building Control Charges from 1 April 2021, as per the list of fees attached at Annex 1 to the report, be approved.

***Referred to Cabinet**

PE 20/27 DEVELOPMENT MANAGEMENT UPDATE

(Decision Notice D200085MEM)

Members were updated on a number of matters related to the Development Management function during the current year.

It was reported that the ongoing work, as set out in the report, would ensure that all functions undertaken by the Development Management team continued to meet all statutory duties and requirements. In addition, all these services were managed within existing budgets.

Members commented on the quality of the technical advice provided by Officers which had resulted in a successful record of defending planning appeals and the Borough Council consistently performing above national targets.

Finally, the development of on-line training for Members was welcomed and it was hoped that sessions could be resumed as soon as possible.

RECOMMENDED: That

- (1) the contents of the report be noted; and
- (2) the provision of excellent technical advice, service and expertise on a range of planning issues be recognised and appreciated

PE 20/28 KENT RAIL STRATEGY CONSULTATION

(Decision Notice D200086MEM)

The report provided details of the Kent Rail Strategy consultation and set out a proposed response (attached as Annex 1) to be submitted to Kent County Council by the deadline of 17 November 2020.

The Kent Rail Strategy aimed to influence train services in the county for the next decade and set out requirements for rail infrastructure enhancements to keep pace with increased demand for services. The Borough Council expressed support for the Strategy as it included known rail priorities for Tonbridge and Malling. In addition, a greater role for the Medway Valley Line was promoted by the Borough Council in the proposed response to the consultation.

Members welcomed the proposals for improved rail services and hoped that residents could be encouraged to adopt new ways of travelling which could benefit the Climate Change Strategy.

Particular reference was made to the value of the Medway Valley Line as an important strategic link for the north of the Borough.

Disappointment was expressed that the frequency of train services on this line had reduced, especially the connecting service to Tonbridge. Members recognised the importance of maintaining high speed services at peak times on this route to benefit commuters and residents in Snodland and the surrounding areas.

Finally, it was hoped that improvements at Aylesford and New Hythe train stations could be considered as part of development opportunities in the area.

RECOMMENDED: That

- (1) the content of the report be noted; and
- (2) the issues raised in response to the Kent Rail Strategy consultation (set out in Annex 1 to the report) be agreed by the Cabinet Member for Strategic Planning and Infrastructure, in consultation with the Leader and Director of Planning, Housing and Environmental Health, and submitted to Kent County Council by the deadline of 17 November 2020; subject to emphasising the value of the Medway Valley Line as an important strategic link for the north of the borough and Tonbridge.

MATTERS SUBMITTED FOR INFORMATION

PE 20/29 A229 BLUE BELL HILL JUNCTION IMPROVEMENT SCHEME - CONSULTATION

The report of the Director of Planning, Housing and Environmental Health provided an overview to junction improvements on the A229 Blue Bell Hill and set out the Borough Councils response to the consultation which had closed on 19 October.

Due to the timing of this deadline the response had been prepared in consultation with the Cabinet Member for Strategic Planning and Infrastructure and submitted to the County Council.

The Borough Council's formal response was set out in Annex 1 to the report and expressed a preference for option 2 as the enhanced arrangement at the Bridgewood Roundabout could provide the most direct and convenient route for traffic heading eastbound on the M2 and the southbound on the A229.

Local Members expressed significant concern about the impact of future development in the Medway Gap area, particularly on rural roads (A20 – London Road, A227, A228, A229, M2, M20 – junction 4) and the consequential impacts on the M25 and M26. Particular concern was raised about the Lower Thames Crossing and the significant increase in traffic movement through rural villages.

Kent County Council were invited to prepare a comprehensive report on future impacts on local rural roads and highway matters in the Medway Gap area for consideration by the Joint Transportation Board and the Planning and Transportation Advisory Board.

MATTERS FOR CONSIDERATION IN PRIVATE

PE 20/30 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 9.10 pm