

TONBRIDGE AND MALLING BOROUGH COUNCIL

PLANNING AND TRANSPORTATION ADVISORY BOARD

Tuesday, 26th July, 2016

Present: Cllr D A S Davis (Chairman), Cllr T Edmondston-Low (Vice-Chairman), Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr P F Bolt, Cllr V M C Branson, Cllr M O Davis, Cllr B T M Elks, Cllr Mrs S M Hall, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr M Parry-Waller, Cllr R V Roud and Cllr M Taylor

Councillors D J Cure, N J Heslop, P J Montague, M R Rhodes, H S Rogers and T B Shaw were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors S C Perry and A K Sullivan

PE 16/14 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct. However, in the interests of transparency Councillor M Balfour indicated that he was the Cabinet Member for Environment and Transport at Kent County Council.

PE 16/15 MINUTES

RESOLVED: That the notes of the meeting of the Planning and Transportation Advisory Board held on 5 July 2016 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

PE 16/16 LOCAL VALIDATION REQUIREMENTS LIST

Decision Notice D160059MEM

The report of the Director of Planning, Housing and Environmental Health summarised the Borough Council's obligations in respect of the validation of planning applications, together with associated submissions, and made recommendations for local requirements to provide clarity on what information should be submitted to make an application valid.

It was reported that the adoption of a Local Validation Requirement List (LVRL) would enable the Council to seek the provision of information over and above the submission of application forms, certificates of ownership and plans. A LVRL, drafted in accordance with national

guidance and comprising a matrix setting out validation requirements, was attached as Annex 1 to the report for consideration.

Whilst Members supported the introduction of local requirements, concern was expressed that the average homeowner could find the validation list complicated and be unsure which document applied to which type of application. It was proposed that an Executive Summary setting out the basic steps be prepared to simplify the process for inexperienced applicants.

It was also suggested that a general disclaimer 'reserving the right to request additional information' be included to enable Planning Officers to pursue extra material outside the validation requirements.

Particular reference was made to proposals for contaminated land assessments and whether there was any merit in having a validation of remediation step independent from the validation of application. In response, Members were advised that this stage was an 'in principle' validation and should highlight whether there were any potential serious concerns to be followed up regarding contaminated land.

RECOMMENDED: That the Local Validation Requirement List, attached as Annex 1 to the report, be adopted with effect from 14 September 2016; subject to minor amendments regarding an Executive Summary and general disclaimer statement as set out above.

PE 16/17 PLANNING ENFORCEMENT PLAN

Decision Notice D160060MEM

The report gave an overview of a proposed Planning Enforcement Plan intended to provide a clear and transparent structure for dealing with planning enforcement matters. Particular reference was made to how complaints would be managed and prioritised.

The proposed approach to enforcement, including timescales for action, details of responses to suspected breaches of planning control and prioritisation of planning enforcement resources were set out in the Plan, attached as Annex 1 to the report.

After careful consideration of the Plan, concern was expressed about the consistency of the terminology used and whether there could be confusion around the meaning of expedient and 'serious harm'. Officers recognised the importance of consistency and suggested that paragraph 2.6 of the Plan be amended to reflect that the test for expediency was 'serious' harm and not just 'general' harm.

In addition, it was suggested that the Enforcement Plan be reviewed in 6 months to check and monitor progress.

Reference was made to Parish and Town Council involvement as effective community engagement was a key part of delivering a responsive and accountable planning enforcement service. Concern was expressed that, as there appeared to be no definitive action outlined with regard to parish and town councils, effective communication and involvement could be lost. In response, it was suggested that this point would be revisited and strengthened to benefit and encourage parish and town councils to engage with planning officers over planning enforcement issues. However, parishes were invited to contact the Borough Council immediately with any concerns raised by their residents.

Finally, it was suggested that the Enforcement Plan be reported to the next meeting of both the Parish Partnership Panel and the Tonbridge Forum in September.

RECOMMENDED: That the Planning Enforcement Plan, set out in Annex 1 to the report, be adopted, subject to the amendment to paragraph 2.6 as set out above.

MATTERS SUBMITTED FOR INFORMATION

PE 16/18 TRANSPORTATION UPDATE

Members were updated in respect of two recent transportation studies: one exploring the economic case for improving the connectivity between the M25 and M26; the other establishing baseline data for the capacity of the A20 corridor between the A228 and the Coldharbour roundabout.

The study into improving connectivity between the M25 and M26 had concluded that, whilst there was an economic case for investment in east facing slips at junction 5 of the M25 this was relatively weak.

With regard to the traffic conditions along the A20 corridor the study confirmed and clarified the capacity issues along this stretch of road and provided useful evidence for the Local Plan and to support bids for further funding to deliver further minor improvements or 'quick wins'.

Members noted the recommendations and conclusions arising from the studies and expressed disappointment that the M25 study had not given more weight to the potential significant impacts of future development and growth such as that represented by the proposed Lower Thames Crossing, future airport capacity in the south east and new Paramount theme park.

The local Member for Borough Green, in his role as a representative of the Kent Association of Local Councils (Tonbridge and Malling) thanked the Borough Council, Kent County Council and local communities for their support of and contribution to the study. Whilst disappointed by

the study's conclusion it was an important piece of evidence and provided a foundation to support infrastructure growth.

Reference was made to the A20 corridor study and whether this provided sufficient evidence against further development in that area as local Members remained concerned that further building, whether roads or houses, would exacerbate an already difficult situation. In response, the need to demonstrate 'severity' before refusing any planning application and the difficulty associated with judging the percentage of traffic movements that created this severity was explained.

Members were advised that a full copy of the study would be uploaded to the Borough Council's website, which would include details on traffic movements along the A20 corridor. However, it was recognised that a strategic long term solution was required and it was hoped that this would be an objective of the Local Plan.

Final versions of the reports would be published on the Borough Council's website as soon as they were available.

MATTERS FOR CONSIDERATION IN PRIVATE

PE 16/19 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 8.45 pm