

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE**

#### **MINUTES**

**Tuesday, 6th December, 2022**

**Present:** Cllr J L Botten (Chair), Cllr D J Cooper (Vice-Chair), Cllr G C Bridge, Cllr M O Davis, Cllr D Harman, Cllr M A J Hood, Cllr Mrs F A Kemp, Cllr D W King, Cllr M R Rhodes, Cllr M Taylor, Cllr Miss G E Thomas, Cllr D Thornewell and Cllr F Hoskins (substitute member)

**In attendance:** Councillors D A S Davis, Mrs T Dean, D Lettington and K B Tanner were also present pursuant to Council Procedure Rule No 15.21.

**Virtual:** Councillors P A Bates, M D Boughton, V M C Branson, R I B Cannon, P J Montague, Mrs A S Oakley and Mrs M Tatton participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs S Bell, R W Dalton and R V Roud.

#### **HP 22/15 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute Members were recorded as set out below:

- Cllr Hoskins substitute for Cllr Roud

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

#### **HP 22/16 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. It was noted that he was entitled to remain in the meeting in accordance with the dispensation granted to him under section 33 of the Localism Act 2011 at Minute [GP 22/27](#) (General Purposes Committee of 18 July 2022).

#### **HP 22/17 MINUTES**

**RESOLVED:** That the notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 6 September 2022 be approved as a correct record and signed by the Chair.

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**MATTERS FOR RECOMMENDATION TO THE CABINET**

**HP 22/18 TEMPORARY ACCOMMODATION ACTION PLAN UPDATE**

The report provided an update on the progress being made in respect of the Temporary Accommodation Action Plan. A summary was attached at Annex 1.

Members commended the good progress that continued to be made on reducing the number of households in temporary accommodation and currently this was reported as 97. As highlighted in the Action Plan there were a number of areas that required focus and these included the implementation of the Housing Allocation Scheme, a revised approach to procurement and accessing the private rented sector.

The key risks associated with maintaining or improving the number of households in temporary accommodation were detailed in 1.5.1 of the report. These risks, together with potential mitigating actions and the good progress being made in controlling budget spend, were noted by Members.

There was in-depth discussion on the difficulty in accessing the private rented sector because of landlords being unable to take tenants on benefits due to their insurance requirements and the Borough Council's property portfolio strategy. Members were assured that options to address these challenges continued to be explored. In particular, the experience gained from previous property purchases to use as temporary accommodation would be beneficial in any future projects. It was recognised that having a property portfolio had many benefits for both residents and the Borough Council.

**RECOMMENDED:** That the progress made against the Temporary Accommodation Plan be noted.

**\*Decision Taken by Cabinet Member**

**HP 22/19 REGULATION 18 LOCAL PLAN CONSULTATION - INITIAL OUTPUTS**

Members were reminded that the Regulation 18 consultation in respect to the Local Plan and the associated Interim Sustainability Appraisal had finished on 3 November 2022. The report of the Director of Planning, Housing and Environmental Health provided high-level summaries and statistics of the responses received and the key themes identified. Further detailed analysis would be presented to a future meeting of the Housing and Planning Scrutiny Select Committee.

A majority of the comments were in response to the Local Plan rather than the Interim Sustainability Appraisal and the key matters raised by

statutory bodies were set out at Annex 1. A list of landowners, developers and other key bodies who had responded were set out at Annex 2, whilst a statistical analysis of the responses was provided at Annex 3. Members were reminded that the call for sites process had been reopened alongside the Regulation 18 Consultation and a further 52 potential new sites had been identified (once duplicates had been removed).

Particular reference was made to recent announcements made by the Secretary of State for Levelling Up, Housing and Communities indicating new measures in the Levelling Up and Regeneration Bill, which could have implications for housebuilding targets, the Green Belt and the duty to co-operate as there was an emphasis on local decision making.

Members expressed concern at the lack of detail from Government and whether the Local Plan process and timetable needed to be revisited to reflect changing circumstances. It was unclear how any changes would be implemented arising from the Government proposals at the current time. However, it was likely that more detail would be available in time for these to be considered in more depth at the next meeting of the Scrutiny Select Committee.

There was in-depth discussion on a number of issues and the following points were raised, discussed and noted:

- The need for wider communication and engagement with residents;
- The need to identify and understand the process for the Borough Council to consider sites as a landowner, and not a Local Planning Authority, identified in the Urban Capacity Study;
- The potential for consultation on the 52 additional sites identified in the revisited Call for Sites exercise;
- The commissioning of a stage 2 Green Belt appraisal, which would be a key tool in assessing sites.

**RECOMMENDED:** That

- (1) the initial outputs of the Regulation 18 consultation on the draft Local Plan and Interim Sustainability Appraisal be noted;
- (2) the approach to promoting the Local Plan through other council communications, as set out in 1.3.10 and subject to GDPR restrictions, be noted; and
- (3) the programme for bringing more detailed outputs to Members at the meeting of the Housing and Planning Scrutiny Select Committee in March 2023 be approved.

**\*Referred to Cabinet**

## **HP 22/20 IGN3 AND SPG4 UPDATE AND WAY FORWARD WITH THE LOCAL PLAN**

The report set out the current framework and policy around parking standards within Tonbridge and Malling and set out the interim position to assess development management applications.

Careful consideration was given to the current position related to development management (applications and enforcement) and how the Borough Council could better shape parking provision, particularly on large scale development sites, utilising lessons from existing developments.

It was reported that several options had been assessed in relation to IGN3 and SPG4 and whether a more up to date evidence base and set of parking standards/guidelines could be developed to replace the current aged guidance notes. Both IGN3 and SPG4 significantly predated the NPPF with the evidence base for the documents being almost 20 years old.

The options available to the Borough Council were detailed at 1.4.6 of the report. As part of the emerging Local Plan a high level parking standards policy could be produced which would reference parking standards for residential and non-residential development with a commitment to producing a Supplementary Planning Document on parking either as a standalone document or within a combined Design/Guide code. More detailed analysis of this was set out in option 4.

Particular reference was made to recent correspondence from the Secretary of State for Levelling Up, Housing and Communities which encouraged the preparation of design codes. Members welcomed the opportunity of reviewing options in respect of parking standards and Councillor Harman proposed that option 4 should be progressed. This proposal was seconded by Councillor Hood and formally supported by the Scrutiny Select Committee. However, Members asked that the form of the Supplementary Planning Document be determined by the Scrutiny Select Committee rather than delegated to the Director of Planning, Housing and Environmental Health.

### **RECOMMENDED:** That

- (1) option 4 (as detailed in 1.4.6 of the report and duplicated below), be commended for progression;
  - 'Tonbridge and Malling Borough Council include a high level parking standards policy within the emerging Local Plan with a commitment to producing either a stand alone Supplementary Planning Document (or its replacement) on parking; OR

- includes the design and layout of parking (including standards) within a comprehensive Design guide/code modelled on the National Model Design Code which also covers other matters on place making/shaping following adoption of the Local Plan'
- (2) the position on current development management matters and how they were handled (as set out in paragraph 1.3) be noted.

**\*Decision Taken by Cabinet Member**

**MATTERS SUBMITTED FOR INFORMATION**

**HP 22/21 KEY PERFORMANCE INDICATORS**

The report of the Director of Planning, Housing and Environmental Health provided a list of Key Performance Indicators (KPIs) that would be monitored on a quarterly-annual basis and presented to the Scrutiny Select Committee.

A baseline covering April-June 2022 had been used, with the data for July-September 2022 representing the most up-to-date available statistics. The KPIs related to Housing and Planning were set out at Appendix 1 and explanatory notes were provided to give additional context.

**HP 22/22 WORK PROGRAMME 2022/23**

The Work Programme setting out matters to be scrutinised during 2022/23 was attached for information. Members were invited to suggest future items by liaising with the Chair of the Committee. It was requested that the following matters be considered for inclusion in the Work Programme, subject to liaison with relevant Services:

- Homes for Ukraine Scheme

**MATTERS FOR CONSIDERATION IN PRIVATE**

**HP 22/23 EXCLUSION OF PRESS AND PUBLIC**

There were no matters considered in private.

The meeting ended at 9.30 pm