

LOCAL DEVELOPMENT FRAMEWORK ADVISORY GROUP

Notes of the meeting of the Local Development Framework Advisory Group
held on 7 September 2011 commencing at 5.30 pm

Present: Cllr Mrs J Davison (Chairman)

Cllr Mrs A Cook, Cllr. R J Davison, Cllr. Mrs A Dawson,
Cllr. M Fittock and Cllr. R Walshe

Also present: Cllr. C Dibsdall, SDC
Cllr. J Edwards-Winser, SDC
Cllr. T Searles, SDC
Cllr. R Parry, KAPC Representative
Mr Coupland, Kent County Council

Mr Czarnowski (Chief Executive of West Kent Housing)
Mr. Alan Dyer (Planning Service Manager),
Ms. Hannah Gooden (Planning Policy Team Leader)
Mr. Doug Williamson (Democratic Services Officer).
Mr N Britten and Ms S Pittman (CPRE Sevenoaks)

1. **WELCOME**

The Chairman welcomed everyone to the meeting

2. **APOLOGIES FOR ABSENCE**

Apologies had been received from Cllrs. Bosley.

3. **MINUTES OF THE MEETING OF THE GROUP 6 APRIL 2011**

Resolved: That the minutes of the Group (06.04.11) be approved as a correct record.

4. **DECLARATIONS OF INTEREST**

Councillor Fittock declared an Interest as a member of Swanley Town Council.

Councillor Mrs Davison and Councillor Davison declared Interests as members of Edenbridge Town Council.

5. **MATTERS ARISING INCLUDING ACTIONS FROM LAST MEETING (ATTACHED)**

It was noted that Action 1 had been completed and that under Action 2 Kent County Council were willing to meet with Officers and Members to discuss parking issues.

Resolved: That a meeting be arranged with Kent County Council, possibly the next planned meeting of the Advisory Group.

6. **DEVELOPMENT MANAGEMENT POLICIES: RESPONSE TO THE CONSULTATION**

The Planning Policy Team Leader gave a presentation setting out the background to the consultation, summarising the responses to the consultation and indicating what the next steps would be. There had been 83 responses in total with about 2/3rds generally supporting the Development Management draft policies and 1/3rd indicating objections. The presentation included statistics relating to individual policies, in particular those where there were the most responses, and those where there were the least.

It was indicated that there was a separate meeting arranged for the 21st September, open to all Members, to discuss policies H2 and H3.

It was planned to have a final version of the document ready for final consultation in the Spring of 2012.

A member raised concerns over the proposed volume figure of 30% for limiting extensions, suggesting that this was too rigid, and could create problems in particular in smaller properties. This view was supported by another member who thought it was too all-embracing.

The Planning Service Manager indicated that there had been a range of different responses on this issue, and that at the end of the day a policy had to be agreed by the District Council. Any issues raised after that would be a matter for the Inspector. He also reminded members that the change was from 50% of floorspace (this policy having been in place for many years) to 30% of volume (including roof space). He said that worked examples would be available for the meeting on 21st September.

Resolved: That the Allocations and Development Management DPD Draft Policies consultation response be noted and work commenced on a publication draft of the document.

7. **OPEN SPACE SITE ALLOCATIONS**

The Planning Policy Team Leader gave a presentation setting out the background to the identification of sites for possible designation for Green Infrastructure, Open Space, Sport and Recreation. The identification of sites was to achieve the aims of the Core Strategy. She indicated that there had been deficiencies identified in particular in Swanley and West Kingsdown.

It was intended to issue the consultation at the end of September for a period of 6 weeks, with a final version being finished by Spring 2012, for inclusion

within the allocation and development management DPD. This would be subject to independent examination in the Autumn/Winter of 2012.

Local Green Space was seen as an important tool for local communities.

Members requested that a footnote be included on Appendix B, when the document was issued, to explain that the “Settlement” column was based on town/village envelopes, NOT on Parish boundaries.

Resolved: that

- (a) the Green Infrastructure, Open Space, Sport and Recreation sites be agreed and published for consultation
- (b) the Portfolio Holder be authorised to agree minor changes prior to publication to assist the clarity of the document
- (c) copies to be made available electronically and in hard copy at a price to be agreed with the Portfolio Holder.

8. AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

A document was circulated at the meeting setting out in detail the Affordable Housing SPD representations, and the Planning Service Manager's responses. A revised version of Appendix A was also circulated as the copy included with the Agenda had omitted the sections on paragraphs 6.5 and 6.10.

The Planning Service Manager advised that the Affordable Housing Policy (SP3) in the Core Strategy had been subject to scrutiny as part of the examination of that Strategy and been accepted by the Inspector. The document under consideration sets out guidance on the application of the policy including calculation of the financial contribution required by the Policy. He emphasised that it does not set or change the Policy. He indicated that a number of respondents to the consultation had misunderstood this and had made comments on the Policy itself. He referred members to Paragraph 11 of the report, which sets out the main changes proposed following the consultation.

Members discussed the issue of financial contributions and the Planning Service Manager stated that there were a lot of Affordable Housing needs to spend the contributions on, the issue would be how to prioritise them so as to spend the resources in the most effective way. He also stated that adoption of the SPD will help to implement the Core Strategy.

Members expressed some concerns over the measurement of the viability of developments, particularly in the mainly unregulated property market. It was commented that this would be something a developer would consider before putting in an application. The Planning Service Manager indicated that the Council was hamstrung by central Government Policy – if no viability clause

were included in the Core Strategy it would probably have been found unsound and the Inspector could have imposed her own policy.

It was generally agreed that policies should not impose criteria that prevents development, and it was noted that the policy had been based on viability advice from external, specialist sources.

Following a question, the Planning Service Manager indicated that all costs, including land access to sites and site conditions (eg contaminated land) would be included in any viability calculations.

Resolved: that it be recommended to Cabinet that:

- (a) the Affordable Housing SPD be amended as proposed in Appendix A (re-circulated version);
- (b) the Affordable Housing SPD as amended be adopted as a supplementary planning document; and
- (c) copies be made available for sale at a price to be agreed by the Portfolio Holder

9. NATIONAL PLANNING POLICY FRAMEWORK

The Planning Service Manager introduced the item and took members through each of the headings in Appendix A to the report, indicating the main issues and highlighting the draft response comments. There was a longstanding commitment by the Government to simplify Planning Policy, deleting all PPGs. Also their policy is to introduce a presumption in favour of sustainable development.

Delivering Sustainable Development (paras 9-19)

The Group discussed that there was no definition of “sustainable” in the Government document and that, although this was a key principle, it was very vague. It was felt that this would weaken the role of the Plan and lead to more appeals.

One member questioned whether the Council really wanted more clarity, which could tie its hand more.

The Planning Service Manager said that the local Plan should be the key to “sustainability” as that was based on where sustainable development would be acceptable, and that the District’s Plans should be recognised as such. **Members asked that he expand on this point in the actual response.**

Plan Making (paras 20-52)

The Planning Service Manager said that existing plans could be considered out of date if no Certificate of Conformity had been made. Members discussed how this would happen in practice and it was hoped that this could be done through correspondence, rather than through any more formal process. **It was**

agreed that this required clarification and members asked for this to be included in the response.

A member also suggested that timescales should be imposed on Government to carry out this process **and members asked for that point also to be included.**

Planning for Prosperity: Transport (paras 82-94)

Members noted that the main change was the deletion of all parking standards.

Planning for People: Housing (paras 107-113)

The Planning Service Manager said that Government wants to increase housing development across the country. He indicated that sufficient development plans are already in place to meet the “5-year” plan requirement, but that the proposed “5-year plus 20%” requirement could result in issues towards the end of the plan period, such as the threat of having to release reserve sites.

One member was concerned by the approach being proposed for Rural Exception Sites. She suggested that in these cases you were more likely to have the local community behind you. **The Planning Service Manager agreed to strengthen the response on this issue (bottom of page 161).**

Gypsies and Travellers (not included in the NPPF)

The Planning Service Manager said that the comments were repeating previous responses in this area. He clarified that the definition of “Travellers” includes “having a travelling lifestyle”.

Members discussed that the proposal to introduce a 5-year supply of suitable sites would be unworkable in practice as Travellers do not look to form such sites in the way that developers look for development sites. It was considered that Councils would be in an impossible position if this proposal was introduced.

General

The Planning Service Manager said that he would welcome any additional comments that any members wished to make.

The Chairman thought that, looking ahead, she could see a point where Planning Policy statements would need to be created for what is missing.

Resolved: that the comments in the Appendix form the basis of the Council’s response to the consultation to be agreed by the Portfolio Holder.

10. ANY OTHER BUSINESS

None.

11. **DATE OF NEXT MEETING 7 DECEMBER 2011**

7 December 2011

THE MEETING WAS CONCLUDED AT 7.28 pm

Chairman