

LOCAL PLANNING AND ENVIRONMENT ADVISORY COMMITTEE

Minutes of the meeting held on 27 January 2015 commencing at 7.00 pm

Present: Cllr. Mrs. Hunter (Chairman)

Cllr. Searles (Vice Chairman)

Cllrs. Ball, Dickins, Gaywood, Horwood, Piper, Mrs. Sargeant and Scholey

Apologies for absence were received from Cllrs. Butler and Mrs. Purves

Cllrs. Brookbank, Davison, Mrs. Davison and Mrs. Parkin were also present.

29. Minutes

Resolved: That the Minutes of the meeting of the Committee held on 23 October 2014 be approved and signed by the Chairman as a correct record, subject to an amendment to Minute 19, last sentence of the bottom of the second paragraph being amended to read 'Affordable housing was 65/35 in favour of social rent.'

30. Declarations of interest

No additional declarations were made.

31. Actions from Previous Meeting

The action was noted.

32. Update from Portfolio Holder

The Portfolio Holder reported that progress was well represented by the size of the agenda. He had been invited to speak at the Scrutiny Committee in November 2014, where the main issue of concern had been affordable housing and whether planning staffing levels were adequate. Work on the Gypsy and Traveller consultation was ongoing overshadowed by the recent Government consultation on a change in definition which could lead to more transit sites. He had visited recreation plots with the Chief Officer Environmental & Operational Services, Chairman and Vice Chairman of the Committee, and was hoping to spend some money at Bradbourne Lakes following a further meeting the next day. He drew Members attention to the change in recyclables that had commenced over Christmas, pointing out that it was now possible to recycle all plastics including tetra-packs except black pots, tubs, trays or lids, or film lids.

CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, the Chairman brought forward agenda item 13 'Airports Commission – Preferred Options Consultation.'

33. Airports Commission - Preferred Options Consultation

Before consideration of the report, the Chairman welcomed Charles Kirwan-Taylor Corporate Affairs & Sustainability Director, and Hannah Staunton Head of Community Engagement representing Gatwick Airport. Mr. Kirwan-Taylor gave a [presentation](#) to the Committee. During the presentation he advised that Kent provided the second largest number of passengers for the airport, after London, 8% above the third, equating to 2.2 million passengers. Since 2009 over a billion pounds had been spent on improving the Airport, including better security, and improvements to the entrance, disembarkation and immigration systems. Arguments for a new second runway at Gatwick rather than extending the existing one at Heathrow included: lower cost and risk; construction had less detrimental impact on the surrounding area; it was a lower cost airport which would result in lower cost flights; less detrimental environmental impact; a more progressive noise mitigation and compensation scheme; and excellent transport links.

Members raised questions concerning train links, noise and infrastructure. In response to questions he advised that there were no committed schemes for rail links East to West, and the issue was not critical to their proposal but if they were successful they would be in a better position to raise it with the central government along with any other local ancillary requirements. It was clarified that Members were referring to the rail route that had been from Tonbridge, Edenbridge and Redhill to Gatwick but now terminated at Redhill. Ms. Staunton undertook to feedback this comment to Network Rail and report back.

Members queried why there was no offer of night time respite hours like at Heathrow, or higher and steeper approaches and also raised the issue of the more recent increase in flights and resultant noise in the south of the district for which residents lived too far away to qualify for mitigating measures such as double glazing and Council Tax rebates. Mr. Kirwan-Taylor explained that a second runway would provide night time respite as rotation could be increased and they had already said they would freeze the number of night flights. They were always looking for ways to improve performance with regards to noise including continuous descent and steeper where possible, along with monetary benefits to operators who used more modern and quieter planes. As it was already a continuous effort it was not a proposal. Introducing steeper descents was a complex process as different technical expertise of pilots was required and new flight paths had to be agreed. Work had not been taken any further forward as it was felt it may need to be revisited in light of the recent change in departures causing unforeseen noise issues and public reaction.

With reference to membership of the Gatwick Airport Consultative Committee (GATCOM) being refused to Sevenoaks District and Tunbridge Wells Borough Councils, Mr. Kirwan-Taylor advised that Gatwick was a member but had no say on membership and encouraged the Council to reapply.

Mr Richard Streatfeild, Chairman of Chiddingstone Parish Council and the High Weald Parish Councils Aviation Action Group was allowed to address the Committee. The High Weald Parish Councils Aviation Action Group had been formed in 2013 due to the common need to campaign against excessive aircraft noise, low flying aircraft, night flights and the threat of a second runway at Gatwick Airport. The group consisted of local residents and representatives from Chiddingstone, Hever, Leigh and Penshurst Parish Councils. He reported that Gatwick provided less than 1% of jobs within the whole

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of Kent so the economic benefit argument was limited. He understood that Hever Castle, a heritage site, tourist attraction and employer, were considering closing their doors to the public due to the excessive noise which according to their noise data was averaging at 64 decibels. The World Health Organisation advised that severe illness started from above 45 decibels. Causing ill health was not the act of a good neighbour. Mitigating measures such as no night flights, steeper ascents and more dispersal were urgently needed. There had been an increase in flights and intensity which had become intolerable. In relation to national benefit Heathrow would give more.

In response to a question concerning the effect on infrastructure, not just roads but housing and schools etc. Mr Kirwan-Taylor advised that not enough exploration of secondary consequences had been carried out and this was something to be raised with central government.

On behalf of the Committee the Chairman thanked Mr Kirwan-Taylor and Ms Staunton for attending the meeting.

Following the presentation Members considered the report which provided a summary of the Airports Commission's 'Preferred Options for public consultation' which was released in early November 2014 following its Interim Report in December 2013. The report also provided the comments that the Council had submitted in response to aviation related consultations in the past, and an outline response for Members to consider.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the outline response be recommended to the Portfolio Holder as the approach the Council should take in responding to the Airport Commission's consultation.

34. Referrals from Cabinet or the Audit Committee (if any)

There were none.

35. Adoption of Allocations & Development Management Plan (ADMP)

The Senior Planning Officer (Policy) presented a report which advised that the final ADMP Inspector's Report had now been published and had concluded that the plan provided an appropriate basis for the planning of the District, subject to the incorporation of thirteen Main Modifications as detailed in the report and concluded that the Council had complied with the Duty to Co-operate during the plan preparation and that it was positively prepared, justified, effective and consistent with national policy, and therefore met the criteria for soundness.

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Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet to recommend to Council that the Allocations and Development Management Plan, incorporating the Inspector's main modifications, be adopted.

36. Adoption of the Development in the Green Belt Supplementary Planning Document (SPD)

The Senior Planning Officer (Policy) presented a report which sought the adoption of the Development in the Green Belt SPD which had been amended following public consultation in February 2013. The guidance would help ensure consistency in decision making when determining planning applications in the Green Belt.

In response to query regarding Eynsford Parish Council's comment on the robustness of GB7, the Chief Planning Officer pointed out that this was supplementary guidance which relied on the policies in the Allocations & Development Management Plan (ADMP) which itself had been found sound, and all Officers could do was to apply it consistently.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that the Development in the Green Belt Supplementary Planning Document be adopted.

37. Adoption of the Local Development Scheme (LDS) Timetable

Members considered a report which sought approval of the latest Local Development Scheme (LDS) timetable. The LDS was a rolling project plan that set the work programme for the development of Local Plan (formerly Local Development Framework) documents. It no longer had to be submitted to the Secretary of State for approval but did need to be made available and published on the Council's website. The last version was agreed by Cabinet in March 2012 and was out of date.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that the Local Development Scheme (LDS) timetable be agreed.

38. Proposed Updated Westerham Conservation Area Character Appraisal and Management Plan

The Conservation Officer presented a report which sought Members' support for the adoption of the updated Westerham Conservation Area Appraisal and Management Plan as a Supplementary Planning Document. It was considered that the updated character appraisal and management plan for Westerham conservation area reflected the changing townscape in Westerham and would help local residents and other interested parties engage in the conservation and enhancement of the local historic environment and secure the long term preservation of the character of the area as an important heritage asset.

The Conservation Officer advised that the report would be presented to Cabinet in March 2015 after the formal adoption of the ADMP by Council in February, therefore the final document presented to Cabinet would differ from that before the Committee as it would require updating with regard to planning policies. The final draft would also undergo a 'facelift' and be presented to Cabinet in a more up to date and corporate format.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that subject to planning policy updates, the updated Character Appraisal and Management Plan for Westerham Conservation Area be adopted as Supplementary Planning Guidance.

39. Local Enforcement Plan

The Chief Planning Officer presented a report which introduced a Local Enforcement Plan which provided information to customers on how the Council would deal with enforcement and the powers available so that complainants and those subject to complaints would know what to expect from the service.

A Member observed that Parish Councils very often formed the 'eyes and ears' of the enforcement section, however what constituted a breach was not always well known, and he was disappointed that more work with Parish and Town Councils was not addressed in the plan. The Chief Planning Officer replied that the Council was reliant on third party information. There would be dedicated training for Councillors on how enforcement was to be rolled out, and if necessary one to one meetings. It was suggested this could be offered to the Parish Councils.

Action 1: The Chief Planning Officer address the possibility of training at the next Parish Forum.

A number of Members referred to some individual cases in their area. It was agreed that they should approach the Portfolio Holder and Chief Planning Officer outside the meeting.

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Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet to agree the Local Enforcement Plan for adoption.

40. Community Infrastructure Levy (CIL) Governance

The Chief Planning Officer presented a report which set out recommendations arising from the Member/Officer workshops for the structure of a new board, guidance on the information that would need to be supplied to support bids for funding and the factors that the Council would need to take into account in making a decision. It also recommended that the Council prepare an Infrastructure Plan, which would inform the allocation of funding to schemes that supported development planned in the Allocations and Development Management Plan. It was not anticipated that the Board would meet until after May 2015. It was also noted that there should be an extra recommendation to the report for preparation of the Infrastructure Plan.

The Committee agreed with the Chairman that training before attendance on the Board should be mandatory, as it was for Licensing Hearings and Development Control Committees, and requested that the Portfolio Holder make this clear to Cabinet when considering the report.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that

- a) a Community Infrastructure Levy (CIL) Spending Board be established to recommend to Cabinet how CIL funding should be prioritised with Terms of Reference consistent with the body of the report;
- b) the CIL pro-forma attached as Appendix A to the report, setting out the information that bidding organisations, including SDC, would need to provide, be published;
- c) the guidance on the CIL decision making process, attached as Appendix B to the report, be published; and
- d) an Infrastructure Plan be prepared, in order to inform the allocation of funding to schemes that support development planned in the Allocations & Development Management Plan (ADMP).

41. Solar Farm Proposals in the District

The information report described proposals that had come forward for development of solar farms in the District and outlined relevant local and national policy. The Chief

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Planning Officer gave an update on the Skinners Farm decision taken recently at the Development Control Committee which had been refused. It was acknowledged that there was not a local policy and that it was not explicit in the ADMP or GreenBelt guidance, but from an Officer's perspective there was enough in national planning guidance to set guidelines and be tested. It was likely that there would be an appeal.

A Member tabled pages 29 – 32 of a document entitled '[Landscape Sensitivity to Wind and Solar Energy Development in Purbeck District Council](#),' suggesting that the Council could adopt a similar sensitivity criteria. It was agreed that he would look at this with the Portfolio Holder.

Resolved: That the report be noted.

42. Work Plan

Members considered the work plan. It was agreed to add an item on S. 215 notices, and take off the item on Sustainable Drainage.

THE MEETING WAS CONCLUDED AT 9.08 PM

CHAIRMAN

