

## **CABINET**

### Minutes of the meeting held on 5 November 2015 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllrs. Dickins, Firth, Hogarth, Lowe, Piper and Searles

Cllrs. Abraham, Edwards-Winsor, Mrs. Hunter, Pett and Thornton were also present.

#### 37. Minutes

Resolved: That the minutes of the meeting of Cabinet held on 15 October 2015 be approved and signed as a correct record.

#### 38. Declarations of interest

There were no additional declarations of interest.

#### 39. Questions from Members

There were none.

#### 40. Matters referred from Council, Audit Committee, Scrutiny Committee or Cabinet Advisory Committees

There were none.

#### CHANGE IN AGENDA ITEM ORDER

With the agreement of the Committee, the Chairman brought forward consideration of agenda item 8 to after agenda item 5.

#### 41. Property Disposals Update

The Head of Economic Development & Property presented the report which updated Members on the disposal of surplus property assets at Timberden Farm, Shoreham and sought approval to agree terms for the disposal of Lots 2, 3 and 4. Four offers had been received, two of which were for very small parcels of land and could not be recommended for acceptance. One offer was for Lots 3 and 4 (the two parcels facing Shoreham Village) in a combined bid from a local farmer and a charitable trust. Shoreham Parish Council (through their Chair) has been consulted on the disposal process and had advised that they did not have funds to offer for the land themselves, but had indicated that they would prefer the District Council to sell Lots 3 and 4 to the local farmer and charitable trust on the basis that this would give them greater reassurance that the land would be managed in the best interests of the local community and that there was less risk of a future application for development on the site. However

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this offer was at £355,000 which fell significantly below the revised guide price of £500,000 agreed with Carter Jonas and the Council's asset valuation carried out in March 2015. Acceptance of the offer would also leave the Council with ownership of Lot 2 for which there had been no individual offers in either marketing campaign.

The other remaining offer was for the whole of the land offered, Lots 2, 3 and 4, and was from a private investor with a significant property portfolio generating income of circa £1 million per annum. The bidder had provided evidence of his financial standing and ability to complete a purchase this financial year. He already owned three other farms and his intention was that the property would be leased for grazing on Farm Business Tenancies or Licences. The offer was at £825,000 which although below the revised guide price of £900,000 agreed with Carter Jonas, was consistent with the asset valuation carried out in March 2015. The offer is subject to the purchaser being given an option to acquire Lot 1 should the Council decide to sell this in the future. It was considered that this could be accommodated subject to an independent red book/market valuation at the time.

The Chairman agreed to allow Parish Councillor Lesley Spence from Shoreham Parish Council to address the Cabinet. She reiterated the Parish Council's concerns and urged the Cabinet to make a responsible decision that ensured the value of the land took precedence and that it was owned and managed by those that would conserve it now and for future generations.

The Chairman advised that the Council had bought the land in the same 'lots' it was now being sold in. It was reconfirmed that the potential buyer was planning to lease the land for grazing. The Chairman invited the Chief Planning Officer to advise why an Article 4 Direction was not appropriate. The Chief Planning Officer explained that an Article 4 Direction was a special planning regulation adopted by a Local Planning Authority to provide additional powers of planning control in a particular location by removing "Permitted Development" rights that planning permission would be required for minor developments that would otherwise not require an application for planning permission, enabling the Council to control minor developments and ensure that they accorded with its policies to protect the character of a Conservation Area or the visual amenities of other areas and prevent developments that did not accord with those policies. To remove the permitted development rights there needed to be evidence of potential harm if they were not removed. In this case the land already had strong protection from being in the Green Belt and an Area of Outstanding Natural Beauty (AONB). A Member advised that he knew of an instance where the Article 4 Direction had been applied and had rendered a farm unworkable.

It was queried whether a condition could be placed on the land to protect the plants and wildlife. From a planning perspective this could only be done if there was a planning application, it could not be achieved with permitted development rights. In effect it would be a condition to prevent grazing that would render the land unworkable. It was pointed out that this had always been grazing/farm land. In response to a question, it was confirmed that there was nothing preventing the community exploring applying for Special Scientific Interest (SSSI) status.

Public Sector Equality Duty

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

Resolved: That the disposal of surplus land at Timberden Farm comprising Lots 2, 3 and 4 for the sum of £825,000 be approved, and authority be delegated to the the Head of Economic Development and Property to agree detailed Heads of Terms.

(Cllr. Lowe abstained from voting.)

### 42. Oxford Village Design Statement

The Strategic Planning Manager presented the report which proposed that the Village Design Statement (VDS) for Oxford which had been prepared by local groups, be adopted as a Supplementary Planning Document (SPD). It was noted that as required by the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) Consultation Statements had been prepared for each document.

The Chairman of the Planning Advisory Committee addressed Cabinet. The Advisory Committee had considered the same report and had agreed to recommend it to Cabinet subject to amending paragraph 3.5, a change in tone of the Forward and the remainder of the document so that it read as an adopted document and therefore was a material consideration, amending the wording in paragraph 1.1 to meet the current policy test, removal of references to buffer zone.

Local Councillor Edwards-Winser tabled some alternative wording for certain sections of the VDS which took some of the Planning Advisory Committee's recommendations on Board, and had been approved by the Oxford Community. These were amendments to the Foreward, Section 1 and paragraph 3.5.

Members congratulated the Oxford Community on the document and applauded them for their hard work.

### Public Sector Equality Duty

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

The Chairman moved acceptance subject to the tabled amendments.

Resolved: That approval be given for the adoption of the Oxford Village Design Statement as a Supplementary Planning Document, subject to the amendments agreed and tabled.

### 43. Street naming and property numbering policy

The Chief Officer Environmental & Operational Services presented the report which advised that under the Towns Improvement Clauses Act 1847 and the Public Health Amendment Act 1925, the Council controlled the naming of streets and numbering of

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buildings in the Sevenoaks District. This was to ensure that any new street names and building names and numbers were allocated logically with a view to ensuring that emergency service vehicles were able to speedily locate addresses; aid the effective delivery of mail and enable property identification for the general public. The service had operated for a number of years within the requirements of the legislation with an internal process. The report recommended that the Council formally adopt a policy.

The Chairman of the Planning Advisory Committee drew Members' attention to the recommendations made by the Advisory Committee who had considered the same report and had agreed to recommend it to Cabinet subject to amendments.

### Public Sector Equality Duty

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

Resolved: That the Street Naming and Property Numbering Policy be agreed, subject to the following:

- a) para. 5.4 being amended to read ' Within 7 working days following receipt of the developer's proposal the appropriate Parish/Town Council and local ward member(s) will be consulted. The period allowed for consultation shall be 28 working days from the date of the covering letter to the Parish/Town Councils and local ward member(s). The consultation period may be extended, if requested, to enable local council meetings to take place.';
- b) para. 6.0 having the word 'must' replaced by 'should';
- c) para. 6.3 being amended to read 'Street names should not be difficult to pronounce or awkward to spell. Names that may be considered unsuitable and names capable of misinterpretation should be avoided.';
- d) para. 6.6 being amended to read 'Street names may include the following words, but to comply with national standards *should* not end with them:...' ; and
- e) para. 8.3, the last line being amended to read 'In addition the Council will consult the Royal Mail and local Parish/Town Councils and ward member(s).'

#### 44. Strategic Housing Market Assessment

The report outlined the findings of the Strategic Housing Market Assessment (SHMA). The first stage in the process of preparing a new Local Plan was to establish up to date housing needs of the District. The consultant GL Hearn had been procured jointly by Sevenoaks District and Tunbridge Wells Borough Councils to undertake the Strategic Housing Market Assessment (SHMA), which was a key piece of evidence from which the Local Plan strategy would be developed. Based on the Government's latest population and household projections the SHMA identified the objectively assessed housing need across the District. This was an unconstrained figure and not the District's housing

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target. It also identified the need for different sizes and types of homes. Members' noted the recommendations made by the Planning Advisory Committee who had considered the same report and had agreed to recommend it to Cabinet.

The Portfolio Holder for Planning presented the report outlining concerns especially with the figures within the report, which had led to the distribution of further information prior to the meeting. Officers had been working hard to validate the figures, and he thanked them for this. Whilst overall he believed them to be correct there were still some outstanding concerns. Therefore he proposed that the recommendation should be amended by dropping the reference to the document being 'a robust evidence base.'

The Senior Planning Officer (Policy) further advised that the publication of the SHMA did not constitute acceptance by the District Council that it did not have a five year housing land supply. The SHMA was as yet untested, and so the five year housing land supply would continue to be judged against the adopted housing target of 165 new homes per year set out in the Core Strategy. Secondly, the SHMA provided a starting point based on the latest Government statistics. All local authorities were required to undertake this study as a basis for developing their Local Plan strategy, and any future planning policies would have to take account of the District's environmental constraints, market activity and viability, and would be subject to public consultation before being submitted to the Government's Planning Inspectorate. The final figure as a result, is likely to be significantly lower than the identified housing need.

Members noted that further questions could be asked of the consultant when they are invited to attend a workshop with the Cabinet (date to be confirmed). Members were also reminded of the forthcoming workshop to review the existing housing strategy/policy on Tuesday 1 December 2015 at 7.45pm.

Members were generally concerned with the figures within the report and were pleased with the proposed amended recommendation.

### Public Sector Equality Duty

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

The Chairman moved the amended recommendation, and it was

Resolved: That the Strategic Housing Market Assessment (SHMA) be approved, from which the Local Plan Strategy would be developed.

THE MEETING WAS CONCLUDED AT 8.09 PM

CHAIRMAN

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### IMPLEMENTATION OF DECISIONS

This notice was published on 2015. The decision contained in Minute 42 takes effect immediately. The decisions contained in Minutes 41, 43 and 44 take effect on 17 November 2015.