

ENVIRONMENT SELECT COMMITTEE

Minutes of a meeting of the Environment Select Committee held on
12 April 2011 commencing at 7 pm

Present: Cllr. Walshe (Chairman)
Cllr. Ryan (Vice-Chairman)

Cllrs. Abraham, Dibsdall, Grint, London, Maskell, Mrs Purves, Mrs Sargeant, Scholey and Waller.

Apologies for absence were received from Cllrs. Mrs Cook, Cooke, Lankester and McInnes.

Cllrs. Mrs Davison, Davison and Pett were also present.

Officers: Mr Wilson, Head of Environmental and Operational Services; Mr Kehoe, Head of Development Services; Mr Dyer, Planning Policy Manager; Mr Craddock, Senior Planning Officer; Mr Fullwood, Consultant; Mrs Beaumont, Democratic Services Officer.

47. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the meeting of the Environment Select Committee held on 8 February 2011 be approved and signed by the Chairman as a correct record.

48. DECLARATIONS OF INTEREST

There were no declarations of interest on any matter discussed at the meeting.

49. FORMAL RESPONSE FROM THE CABINET FOLLOWING MATTERS REFERRED BY THE COMMITTEE (Item No. 3)

There were no matters reported.

50. ACTIONS FROM PREVIOUS MEETING (Item No. 4)

There were no actions from the previous meeting.

51. FUTURE BUSINESS AND THE WORK PLAN 2010/11 (Report No. 5)

The Committee discussed the contents of the Work Plan and the following comments were made:

- The Committee asked for Business Support to be on the agenda for June 2011.
- It was agreed that aviation issues be put on the agenda for June 2011. The Vice-Chairman undertook to request that the three main lobby groups with regard to issues with air traffic from Gatwick airport be asked to present their arguments in the form of a report to the Committee. The Committee would

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then request that Cabinet consider these in agreeing their response to consultation.

- It was requested that Local Listing be included in the list of items to be considered in the future. The Chairman noted that letters were being distributed to the relevant parties and responses may not be prepared in time for the June meeting of the Committee.

52. CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS – HARTSLANDS, SEVENOAKS (Report No. 6)

The Consultant responsible for preparing the Management Plan was pleased to announce that the Hartslands area had been examined and found to be of significant architectural and historical interest to warrant designation as a conservation area. Details of the examination were included in the Management Plan. An extensive amount of community engagement had been undertaken, including leafleting of businesses and residents, a local exhibition and formal consultation. As a result of the consultation changes had been made to the boundary of the Conservation Area and further buildings of historical interest had been included. Responses to the consultation had been mainly positive.

The local Member was very pleased with the appraisal, particularly the exhibition and walk around which had been attended by a significant number of residents. She hoped that Cabinet would approve the recommendation.

Members of the public agreed with the local Member. However, there was an amount of concern that residents were not fully aware of the costs associated with living in a conservation area. The Consultant confirmed that further guidance would be produced with regard to replacement of windows, doors and roof material.

In response to a comment, the Consultant explained that the modern development in the centre of Prospect Road would not be excluded from the Conservation Area as he felt that this would split the character of the street.

Resolved: That, it be recommended to Cabinet that the Hartslands Conservation Area be designated, the Plan be adopted as informal planning guidance and a material consideration in the determination of development proposals and that additional guidance be provided to residents.

53. UPDATE TO THE LOCAL DEVELOPMENT SCHEME (Report No. 7)

The Planning Policy Manager explained that the Local Development Scheme (LDS) was the document that set out the Council's proposals and timetable for the production of the Local Development documents. Under current legislation the LDS was required to be produced and submitted to the Secretary of State for approval. Paragraph four of the report outlined the suggested changes to the adopted LDS including the combination of the Allocations and Development Management Development Plan Documents into one.

It was explained that the LDS was required to look three years in advance. By 2014 the relevant documents would be complete enough to replace the current Local Plan documents.

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A typographical error on page 88 of the agenda was noted and the Planning Policy Manager undertook to amend it.

Resolved: That the Environment Select Committee support the proposed revisions to the Local Development Scheme.

54. LDF ALLOCATIONS AND DEVELOPMENT MANAGEMENT DEVELOPMENT PLANNING DOCUMENT – DRAFT POLICIES FOR CONSULTATION (Report No. 8)

The Planning Policy Manager explained that the second document to be produced as part of the Core Strategy was the Allocations and Development Management Development Plan Document (DPD) which contained policies which would replace the remaining “saved” Local Plan policies. The proposed combination of the Allocations DPD and Development Management DPD would be completed following consultation. The document would return to be considered by the Committee following consultation, after which it would undergo the statutory processes to determine whether it was sound.

It was noted that following a meeting of the Local Development Framework Advisory Group, some amendments to the document had been tabled for Members’ attention.

The Committee considered each policy and the following comments were made:

Policy SC 1 – Sustainable Development

Members were concerned about and discussed in detail the definition of the term “mixed and socially inclusive communities”. It was agreed that the wording be changed to “balanced communities” to coincide with the key aims of the Council’s Community Plan.

Members also requested that the main body of the supporting text be amended to add reference to the Council’s policy statement on Balanced Communities.

Policy SC 3 – Amenity Protection

The Planning Policy Manager noted the amendment to the last sentence of the Policy.

A Member was concerned regarding the broad definition of the wording “adversely prejudice” and it was agreed the word “significantly” be included before this.

Policy SC 4 – Re-use of Redundant School Buildings

It was clarified that the second paragraph of the Policy allowed for change of use to residential units but only if no community need had been identified. It would be expected that planning applicants demonstrate their investigation into the needs of the community before permission would be granted for residential units.

In response to a query, the Planning Policy Manager confirmed that the Policy did include redevelopment of buildings and/or the site.

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Policy SC 5 – Loss of Neighbourhood Services and Facilities

The Planning Policy Manager explained that this Policy was intended to compliment Policy LO7 of the Core Strategy which applied to rural settlements. Policy LO7 supported proposals to enable services to be retained in rural areas. Policy SC5 related to mainly urban areas.

In response to a concern regarding wording, the Planning Policy Manager explained that where a planning application involved the loss of services or facilities that met local needs, the Council would generally “resist” by refusing planning permission.

Policy ECC 1 – Outdoor Lighting

Following comments from Members, the Planning Policy Manager undertook to reword the Policy to include indoor light affecting the outdoor environment.

Policy HA 2 – Demolitions within Conservation Areas

It was agreed that the wording “visual interest” be replaced with “visual quality”, “small-scale village context” be replaced with “local context” in paragraph 3.17 and in the Policy the word “acceptable” be replaced with “sympathetic”.

Policy GB 1 – Re-use of Buildings within the Green Belt

Amendments to the supporting text were noted.

It was explained that the limit to keep 75% of the original structure was intended to ensure properties were converted and not re-built.

Policy H1 – Residential Conversions

The Planning Policy Manager noted the amendment which would enable the Policy to cover all residential developments.

Policy H2 – Limited Extensions or Outbuildings to Existing Dwellings within the Green Belt

The Local Development Framework Advisory Group had suggested an additional question be asked during consultation regarding larger extensions to smaller properties.

The Planning Policy Manager explained that volume was more relevant to the impact of an extension on the Green Belt as floor space did not always equate to volume. The limit of 30% was suggested by Development Services as Officers felt it would be helpful to Officers and applicants for the policy to specify a figure and that 30% was an appropriate limit having regard to Green Belt policy.

With regard to the additional question, a Member noted that the current 50% limit on extension was intended to maintain some level of affordability in rural areas. Should smaller dwellings be allowed to increase by a larger percentage they may no longer be small dwellings and therefore may be unaffordable.

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Policy H5 – New Residential Care Homes (Class C2)

In response to a query, the Planning Policy Manager explained that the consultation on the Core Strategy had led to comments that specific housing needs should be provided for in developments integrated within communities. The Planning Policy Manager undertook to amend the Policy to stress the importance on integration.

It was agreed that the word “network” in subsection 1. be changed to “service”.

Promoting Land for Gypsy and Traveller and Travelling Show People Accommodation

The Planning Policy Manager explained that the item enabled sites to be proposed for consideration. He felt that the Council would need to establish a way forward that recognised environmental constraints.

Many Members were unhappy about the situation as a whole.

Policy T1 – Mitigating Travel Impact

An amendment to the last line of the Policy was noted.

The Planning Policy Manager confirmed that small scale developments would not be required to contribute to mitigation measures if they had no significant impact. However, considering developments that were located where residents could more easily access rail services would ensure the impact on travel was kept to a minimum.

Policy T2 – Vehicle Parking

Two amendments were noted. The Local Development Framework Advisory Group had also asked that Officers request that Kent County Council review their standards with regard to vehicle parking to avoid significant issues with on-street parking.

Policy LC1 – Sevenoaks Town Centre

It was clarified that the primary frontage of the Town Centre was largely the same as the primary frontage in the Local Plan with the addition of Blighs Meadow. The consideration of the extent of the primary frontage was based on an assessment of the concentrations of retail units but also the size and prominence of the units. The extents of the primary and secondary frontages were identified as specific points for consultation in the consultation questions.

Policy LC3 – Edenbridge Town Centre

Members were concerned regarding the proposed main shopping area as it differed from the intention at the time of the Relief Road. The Planning Policy Manager explained that the proposed boundary reflected differences in the proportion of retail uses in the frontage. The northern and southern areas contained a greater proportion of residential than the central area which was primarily commercial. An amendment was noted that placed greater emphasis on the retention of retail units in the northern and southern areas.

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LT1 – Hotels and Tourist Accommodation

It was clarified that for the Policy to apply the activity of the premises would primarily need to be a hotel.

LT4 – Brands Hatch

Members discussed the item in detail and were concerned that the Policy was too restrictive as most activities undertaken at Brands Hatch would result in increased noise levels. Officers noted that the Policy related directly to proposals that would increase the noise level not to the current level of noise.

The Head of Environmental and Operational Services noted that since the Brands Hatch Management Company had introduced a noise plan complaints from residents regarding noise had significantly reduced.

It was agreed to amend the wording in the Policy from “adjoining residential properties” to “nearby residential properties” and to include the wording “The Council is supportive of the role that Brands Hatch places in the Districts economy and in terms of attracting visitors into the District” from paragraph 10.18 into the Policy.

Resolved: That, subject to inclusion of the various points made by the Committee, Cabinet be recommended:

- a) that the Allocations and Development Management DPD Draft Policies for Consultation be agreed and published for consultation;
- b) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments prior to publication to assist the clarity of the document; and
- c) copies be made available for sale at a price to be agreed by the Portfolio Holder.

55. LDF AFFORDABLE HOUSING AND DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENTS – DRAFTS FOR CONSULTATION (Report No. 9)

The Senior Planning Officer explained that the purpose of the documents was to provide further details on how the Council would apply the Core Strategy policies in SP3 (Affordable Housing) and SP9 (Infrastructure Provision). The draft documents were subject to consultation.

Affordable Housing Supplementary Planning Document

The Senior Planning Officer explained that Section 6 of the document would be replaced to make the Council’s proposed financial contributions methodology easier to follow. This was circulated to Members in a schedule of amendments.

Members were concerned that developments might sub-divide in order to bypass the Policy. The Planning Policy Manager confirmed that a clause in the Core Strategy would allow the Council to refuse permission for applications where a proposal was artificially reduced in size in order to reduce the requirement for affordable housing.

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Developer Contributions Supplementary Planning Document (SPD)

The Senior Planning Officer advised that the report outlined the key types of infrastructure and services considered in the document. He drew Members' attention to the sections relating to Open Spaces and the Swanley Community Fund. The document sought to provide open space on development sites as the preferred approach, with off-site provision and financial contributions sought where on-site provision was not possible. The SPD contained a methodology for calculating financial contributions, which was based on the cost of developing the open space rather than the cost of purchasing the land. During the Sustainability Appraisal of the Core Strategy it was suggested that the Council consider ways to tackle issues of deprivation in Swanley and the Core Strategy now sought financial contributions toward a Community Support Worker. Members' attention was brought to a proposed amendment that would allow for similar schemes to be developed in other areas where there was an evidence-based need.

In response to a query, the Planning Policy Manager expected that developers would respond to the consultation and hoped that responses would also be received from potential infrastructure providers.

Members were concerned that the majority of services suggested to receive contributions from developers were those provided by other authorities. Officers confirmed that when preparing the Core Strategy they had considered a number of District Council services that might require contributions and had been advised that Council Tax would cover the cost of services. However, contributions could be sought where specific additions to service provision were required due to new development. It was also explained that contributions were usually sought to cover capital rather than revenue costs although, revenue costs could be sought, for a limited period, where there was evidence of a funding gap.

It was noted that Officers would consider justification from service providers for contributions where sufficient supporting evidence was provided.

Resolved: That a) the Environment Select Committee support publication of the drafts for consultation of the Affordable Housing and Developer Contributions Supplementary Planning Documents and that Cabinet be recommended that;

b) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments prior to publication to assist the clarity of the documents; and

c) copies be made available for sale at a price to be agreed by the Portfolio Holder.

THE MEETING WAS CONCLUDED AT 10.25 P.M.

Chairman

