

## DEVELOPMENT & CONSERVATION ADVISORY COMMITTEE

Minutes of the meeting held on 5 December 2024 commencing at 7.00 pm

Present: Cllr. Williams (Chairman)

Cllr. Edwards-Winser (Vice-Chairman)

Cllrs. Barker, Barnett, P. Darrington, Edwards-Winser, Kitchener, Purves, Reay, Thornton and White

An apology for absence was received from Cllr. Shea

Cllrs. Baker and McArthur were also present.

### 18. Minutes

Resolved: That the Minutes of the Development & Conservation Advisory Committee held on 24 September 2024 be approved and signed by the Chairman as a correct record.

### 19. Declarations of interest

There were none.

### 20. Actions from previous meeting (if any)

There were none.

### 21. Update from Portfolio Holder

The Portfolio Holder updated the Committee on areas within her Portfolio, including that there was growing backlash against the Housing Targets proposed by the Government. The reports in the Broadsheets and BBC suggested that the majority of Authorities agree with the council in expressing concerns over the 1.5 million new homes proposed over the course of the Parliament, with 'wholly unrealistic' 'impossible to achieve' and 'swamped with growth that the infrastructure just cannot support' being just some of the conclusions expressed.

It was expected the revised NPPF would be published before Christmas and hoped that Government had listened to the voices of communities and the local authorities so that the amendments to proposals that were right for a District with the natural beauty of this District.

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Performance in Development Management continued to be excellent, with 97% of Major and Minor applications, and 94% of all others being determined within target time, and when planning decisions are appealed, 77% are dismissed, which was fantastic. She expressed her thanks to the team for their continued hard work.

Building Control continued to work through one of the biggest change agendas in local government following the Building Safety Act, and the Building Safety Regulator would be carrying out a scheduled inspection of the service in the first quarter of 2025. Recruitment to one of the vacant Building Control Officer posts had been successful, which was great news, as it would start to deliver the stability and resilience that Duncan and the team had been working so hard to provide.

The Portfolio Holder congratulated the Senior Planning Policy Officer (Emma Coffin) for her Distinction in the Planning Masters Course and highlighted the established pathway of training offered by the Council, with the Infrastructure Delivery Officer (Carlyn Kan) and Planning Officer (Steph Payne) also having achieved Masters qualifications, with further studies being undertaken by other Officers.

### 22. Referral from Cabinet or the Audit Committee (if any)

There were none.

### 23. Budget 2025/26: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)

The Head of Finance presented the report which set out updates to the 2025/26 budget process within the existing framework of the 10-year budget and savings plan. The position in the report set out an annual budget gap of £297,000 but recognised that this was likely to change as more information became available and options for further savings may be required.

Informed by the latest information from Government and discussions from Cabinet, it was proposed that the Council once again set a balanced 10-year budget.

As part of the feedback received last year, all Members had been invited to make suggestions which related to the relevant Advisory Committee and would be set out in Appendix K. The appendix would form the basis to report to Cabinet all suggestions that were received even if not taken forward by the Advisory Committee.

The report presented growth items that had been identified which needed to be considered, and requested further suggestions from the Advisory Committee and from members attending the meeting, before finalising the budget for 2025/26.

Members considered four growth items including a reduction in anticipated income achieved through Planning Application Fee income to align with the income that was coming in from the applications made as a one off-cost and increased cost for ecology impact work due to the cost of advice from KCC. There would be additional

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costs for the Local Development Plan due to the additional work and an increase in software costs.

Members considered the SCIAS as set out within the report and discussed the reasons why income on planning application fees had decreased within the expected budget. Due to NPPF revisions anticipated, the budget costs would be split across three years, and these costs would be required to be used to ensure that the Local Plan 2040 could be delivered following any changes that come from central government. Members expressed some concern at the cost of the software increases, and were reassured that the software was fundamental to the service.

The reduction in staffing levels/increasing pricing for paid services

Members discussed the suggestion and heard from the Chief Officer who advised that there were limitations on fees and charges that could be charged, as these were either already set by Government or could only be charged on a recovery basis. There was a staffing vacancy position being held to offset the reduction in income. When the expected upturn happened there was then the agility to respond and recruit ensuring that the service could be maintained. Members agreed that the suggestion should not be recommended to Cabinet for the reasons set out above.

Members considered other income and saving suggestions which included advertising on Bevan place as a source of income and outsource InShape whilst still maintaining an information stream to residents in the District as well as potentially removing the Council's costs but producing a revenue stream. Members were advised that these were under the Improvement & Innovation portfolio but, if agreed by the Committee, would be referred to Cabinet for consideration.

Resolved: That

- a) The growth proposal (SCIA R4, R5, and R6) identified in Appendices G & H to the report applicable to this Advisory Committee, be considered; and
- b) Cabinet consider the following suggestions:
  - i. Income from advertising at Bevan Place; and
  - ii. InShape outsourced to a third party

### CHANGE IN ORDER OF AGENDA ITEMS

The Chairman, with the Committee's agreement, brought forward consideration of agenda item 10.

24. Local Plan Update

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The Chairman used his discretion to allow the Chair of the New Edenbridge District Residents' Association (NEDRA) to address the Committee regarding infrastructure and the Local Plan 2040.

The Planning Policy Manager presented the report which provided an update on the Local Plan, in relation to the evidence-based work which covered green belt, settlement hierarchy, transport, sports and leisure and landscape impact.

Members were advised that in regard to the Green Belt two pieces of work had been undertaken. One identifying previous developed land and brownfield land, in addition to land on the brownfield register and maximising those opportunities. Secondly an extension to the Green Belt assessment had been commissioned to help identify grey belt and to look at all land and land around villages and train stations outside of the Area of Outstanding Natural Beauty (AONB, now referred to as National Landscapes).

The settlement hierarchy was being updated, which looked at each of the settlements in terms of population, services and facilities. Regarding transport, the Local Plan tests report had been published which modelled the output of the three options, subject to the Regulation 18 consultation. It looked at the cumulative impact on key road and junctions and SRN. The baseline model had identified some key junction hotspots. The next stage would be the preferred scenario, tested with more detailed junction modelling and mitigation.

For Sports and Leisure, the Sports facility strategy, playing pitch and outdoor sports strategy had been completed and signed off by Sport England and Government bodies. They each comprised a Needs Assessment Report and a Strategy Report. The Needs Assessment Reports audited the existing provision of facilities and compared this to demand (including an assessment of future demand), highlighting areas of quantitative and qualitative deficits. The Strategy Reports made recommendations, both strategic and site specific, as to how to address these deficits through, the more efficient use of existing provision and funding from, and/or provision on, new development. The Strategies now formed up to date pieces of evidence in accordance with Paragraph 102 of the NPPF and must be used to inform both decision-making and plan-making, including the requirements of our eventual growth strategy.

The Landscape and Visual Impact Assessment (LVIA) had been completed, in relation to Local Plan options. It had assessed the potential site allocations in the Kent Downs National Landscape/AONB, put forward at the last Regulation 18 consultation, providing an indication of their likely sensitivity and the potential effect of development with respect to landscape and views. It was concluded that there would be significant impact on the AONB for all three options, but option two (Pedham Place) was considered the least harmful and more able to be identified on the grounds that it was more able to accommodate development of the type proposed due to its land use, character, context and larger size. Furthermore, it provided more

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opportunity to incorporate extensive mitigation, provide benefits to landscapes and visual amenity and provides more potential to incorporate enhancements.

Since undertaking this work, the Government has published a consultation on revisions to the NPPF, with wide-ranging changes including excluding AONB from the definition of Grey Belt and having a new sequential approach to Green Belt Development.

The Planning Policy Manager set out that the next steps included the Local Plan Timetable being adjusted and it was anticipated that an additional Regulation 18 consultation would take place later in 2025, with Regulation 19 in early 2026 and be submitted by the end of that year. A targeted consultation with landowners would also be undertaken regarding Grey Belt. The Council was still thoroughly involved through its duty to cooperate and there was a West Kent meeting taking place to look at a potential for a West Kent Strategic Plan. The evidence base was largely complete, but some updates would be required.

The Portfolio Holder expressed her thanks to the Team who had continued to be flexible and cautious with the approach that had been undertaken with the unknowns around the NPPF, whilst still undertaking the stage two Green Belt assessment.

In response to questions, Members were advised that Grey Belt was defined in the consultation document as land that did not perform against the five Green Belt purposes that were set out in the NPPF. Land in protected landscapes could not be defined as Grey Belt. As the District was 60% Natural Landscape it excluded a lot of sites from the Grey Belt. Members discussed transport and the modelling scenarios. Members were advised that KCC were updating their local transport plan which was a strategic document that covered the whole of the county.

In regard to questions regarding flooding, Members were advised that the flood risk was taken into account as detailed in paragraph 7 of the report with the Strategic Flood Risk Assessment (SFRA). Stage two specifically looked at individual sites and the flood implications of those sites. The assessment would then feed back into the overall site assessments that would be taken where all the various constraints were considered and a judgement on which site was more suitable than others. Furthermore, Members were reminded that following the consultation around the settlement hierarchy, feedback received included that the council should be looking to do more around village settlements in the Green Belt as some of rural communities felt that their future potential growth was being stifled by not supporting the facilities that were fundamental to those future of those areas, and this needed to be considered.

In response to further questions Members were advised that it was anticipated that that more biodiversity net gain (BNG) would be secured through development sites.

Resolved: That the report be noted.

### 25. Fawkham Neighbourhood Plan - Decision Statement and Next Steps

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The Senior Planner presented the report, which set out the direction of travel for the Fawkham Neighbourhood Plan. The officer outlined the process the Plan had gone through. The Examiner's final report was received on 24 October 2024, which recommended that the Plan proceeded to referendum subject to 16 recommended modifications. Should it be agreed by Cabinet, the referendum would likely be held in late January or early February 2025.

In response to questions, the officer explained that the lack of references in the Plan to housing density had been raised with Fawkham Parish Council by the Examiner and the Council, but it was not required. Housing density considerations in Fawkham parish would revert to the Local Plan and national policy.

Resolved: that

- a) the Examiners Final Report on the Fawkham Neighbourhood Plan be noted; and
- b) That the draft Decision Statement, and proposal to progress to Referendum, be considered.

### 26. Infrastructure Funding Statement - Priorities

The Infrastructure Delivery Officer presented the report, which detailed the income and expenditure information for CIL and Section 106 contributions, and the infrastructure priorities for the coming year within the new Infrastructure Funding Statement. These priorities were not binding but provided transparency to the public on the Council's spending intentions. They were determined through considering the Infrastructure Development Plan, the Local Plan, and what had been funded so far.

The proposed revisions to the NPPF meant that the infrastructure requirements of the Local Plan would likely change, and thus the priorities remained largely the same until clarification could be obtained. The Bat & Ball junction improvements priority had been removed as this had been secured through the s106 for the Sevenoaks Quarry site.

Members considered the report.

Resolved: That it be recommended to Cabinet that

- (a) That the criteria for prioritising infrastructure projects as set out in paragraph 6 should remain.
- (b) That the specific projects and types of infrastructure recommended in paragraphs 24-37 of the report are identified in the IFS as having a priority for full or partial funding.

### 27. Community Infrastructure Levy (CIL) Spending Board - Governance and Social Value Review

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The Principal Infrastructure Delivery Officer presented the report, which set out the annual review of CIL governance, and how social value could be incorporated to the procedure. It was found that, although a qualitative assessment of the social benefits of a project was already an element of the process, there was scope for a quantitative measure to be included in some circumstances. This could be done through the use of a social value engine, where appropriate, similar to the Community Grants Scheme process. It was also recommended that the CIL funding application form be restructured to make it more user friendly.

In response to questions, the officer advised that the data and proxies for the social value engine would be obtained from the applicant. It was noted that smaller organisations may not have this data available and it was emphasised that the engine only be deployed where it was sensible to do so. The Council stayed in contact with applicants to ensure they were kept updated regarding the process.

Members noted that the last CIL governance review resulted in a provision for 15% of the CIL money allocated to the CIL Spending Board to be set aside to spend outside of the timescales of the Board. It was moved and duly seconded that it also be recommended to Cabinet that this 15% be capped at £200,000, with any money over and above this amount being returned to the CIL Spending Board for allocation. Members felt that £200,000 was appropriate to ensure the CIL Spending Board pot be maintained, whilst allowing for emergency funding for a range of small projects or one significant project, between meetings of the Spending Board, if required. The motion was put to the vote and it was

Resolved: That it be recommended to Cabinet that

- a) Where appropriate and achievable, to incorporate a measure of social value in assessing the social, economic and environmental benefits of infrastructure projects put forward for CIL funding, as set out in paragraphs 12-15 of this report;
- b) To restructure the CIL funding application form to be more user friendly, as set out in Appendix A to the report; and
- c) That the 15% of the CIL money allocated to the CIL Spending Board set aside to spend outside of the timescales of the CIL Spending Board be capped at £200,000, with any money over and above this amount returned to the CIL Spending Board for allocation.

### 28. Work plan

Members noted that the Local Plan update would be coming to the next meeting.

THE MEETING WAS CONCLUDED AT 8.42 PM

CHAIRMAN