

LOCAL DEVELOPMENT FRAMEWORK ADVISORY GROUP

Minutes of the meeting held on 31 January 2013 commencing at 5.30 pm

Present: Cllr. Mrs. Davison (Chairman)

Cllrs. Mrs. Cook, Davison, Fittock, Walshe, Mr. Czarnowski and Cllr. Parry

Apologies for absence were received from Cllrs. Mrs. Dawson

Cllrs. Brookbank, Mrs. Morris and Searles were also present.

19. Welcome

The Chairman welcomed everyone to the meeting.

20. Minutes

Resolved: That the minutes of the meeting of the Local Development Framework Advisory Group held on 9 October 2012 be approved and signed by the Chairman as a correct record.

21. Declarations of Interest

No declarations of interest were made.

22. Matters Arising including actions from last meeting

Following an action item it was noted that, following a request, the completed Annual Monitoring Report was on the agenda at the present meeting of the Group.

23. Allocations and Development Management Plan

The report advised that the Allocations and Development Management Plan was now suitable for submission for independent examination. The plan was formed from five separate draft allocation and development management consultation plans with the comments made and Officers' responses attached for the Group to consider.

The Acting Planning Policy Team Leader provided an update to Members on the latest amendments to the document since the agenda was published. Following discussions with an agent of the owner and the Town Council a revised development guidance and plan were tabled for the United House, Goldsel Road, Swanley site. In Policy LC2 the figure for ground floor Primary Retail Frontage to be maintained in A1 use in Swanley town centre should read 70% rather than 80%.

The Group considered each of the policies and appendices of the plan. Particular comments were made on the following matters:

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Policy LC1 – Sevenoaks Town Centre

Officers were asked how it was decided that 70% of ground floor Primary Retail Frontage in Sevenoaks Town Centre should be retained in A1 use. One Member raised concern that the level could be too high and suggested it was preferable for any vacant units to be occupied by residential, office or other uses rather than leave them empty. He proposed an exemption in very exceptional circumstances.

Officers explained that, despite the recession, the existing A1 frontage in the Sevenoaks Primary Shopping Area was at 71.05% and it was felt important to keep the retail focus in the Primary Frontage in Sevenoaks which was the primary town in the District. Officers stated that it was likely that Sevenoaks could sustain this level, especially given the imminent investment in the town from a major retailer. Sevenoaks had one of the lowest vacancy rates in the country for a town its size and those units which were empty were generally within the secondary retail areas. The secondary retail areas already included an exemption if it were shown the sites were no longer financially viable.

Officers advised the wording for any exception would be comparable to that in secondary retail areas. The Group was concerned that any such exception would be used more than originally intended and concluded that the policy should remain as drafted.

Policy LC2 – Swanley Town Centre

It was suggested by a Member that calculating retail frontage in Swanley may not appropriately reflect the whole town centre because a considerable proportion was dominated by a single supermarket. Officers had considered measuring use by units, floorspace and frontage and felt frontage was most appropriate. The former policies were based on units but this could have a significant detrimental effect on Swanley if the largest units closed. It could be difficult to define and measure floorspace. For these reasons, retail frontage had been considered the most appropriate measure.

Following consultation with those local ward Members for Swanley who were present, it was agreed to redefine the eastern side of the ASDA retail unit from Primary to Secondary Retail Frontage.

Green Belt Boundary Review

Although many requests for a review had been considered by Officers while preparing the Plan, only 2 were proposed in the document. Billings Hill Shaw, Hartley was to be included in the Green Belt as it was considered an anomaly to have been excluded. Warren Court, Halstead was to be removed from the Green Belt and included within the village envelope.

A Member, not on the Group, tabled comments submitted by Hextable Parish Council together with maps to request the removal from the Green Belt of a small piece of land within the Hextable Parish Council Complex. The piece of land was completely surrounded by development but there was widespread local support for the land to be available for development. Three options had been proposed to the Group. The Group agreed the Plan should be amended to remove the area shown as Option 2 in the Parish Council's consultation submission from the Green Belt.

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The representative from the Kent Association of Local Councils announced that during the same consultation exercise Sevenoaks Town Council had requested the removal of land to the front of the cemetery from the Green Belt. Officers did not feel it appropriate to redefine the status of the land as the land was important in preserving the openness of the Green Belt as it led on to another open space. The Town Council was asked to provide more support for its proposal in advance of the Cabinet meeting on 7 February 2013 when the Plan was to be considered further.

Housing Allocations

The impact of the development of Hitchen Hatch Lane car park was discussed. It was clarified that any development of the site was contingent on replacement car parking for Sevenoaks station.

It was intended that, should Council approve the Plan, it would go for public consultation in Spring 2013 before submission in Summer 2013, an examination and then the Inspector's report before possible adoption in early 2014.

Concern was raised that the Open Space designation for Broom Hill in Swanley could be pre-empted by extant planning applications. Officers agreed to provide Members a briefing note explaining the status of the Plan before and after inspection. The Plan would have only limited weight as an emerging plan prior to inspection.

Action 1: Officers to provide Members a briefing note explaining the status of the Allocations and Development Management Plan before and after inspection.

Public Sector Equality Duty

Members noted that there were no adverse equality impacts arising from the report but could have a positive impact in particular on those with limited mobility.

Resolved: That the Allocations and Development Management Plan with the officer amendments and a redefined eastern side of the ASDA retail unit (from Primary to Secondary Retail Frontage) and the removal of the area shown as Option 2 in Hextable Parish Council's consultation submission from the Green Belt be noted and supported and that the Plan, with these amendments, be recommended to Cabinet and Full Council for pre-submission publication.

24. Community Infrastructure Levy Charging Schedule

The Principal Planning Officer explained that the Community Infrastructure Levy (CIL) was a mechanism to secure funding from developers to provide infrastructure required to support development. It was intended that it would replace Section 106 arrangements for the majority of infrastructure required to support development. The CIL Charging Schedule was last considered by the Group on 7 June 2012 and the preliminary draft had gone for consultation between June and August 2012. Consequently further evidence had been commissioned, representations had been considered and amendments had been made.

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It was still intended that the CIL would only affect residential and retail development. Residential charges were still proposed at rates of £125 and £75 per sq m across the District based on wards. Supermarkets, superstores and retail warehousing would be subject to charges at £125 per sq m but other forms of development, including all other forms of retail development, would now be exempt. A further viability assessment had found that other forms of retail development could be made non-viable if subject to the CIL.

The Draft Infrastructure Plan had also been revised and now estimated a funding gap of £19million, reduced from £24million. The estimated cost of proposed flood defences in Edenbridge had fallen from £13million to £4.5million following discussions with the Environment Agency, with £1million potentially available as a grant from Flood Defence Aid. The Council did not need to specify projects the money would be spent on at this stage but an Implementation Plan that would address prioritisation of infrastructure would be brought back to Members at a future meeting.

The Government had recently announced that 15% of CIL monies collected would be distributed to the town or parish council in which the development would be taking place. This figure would rise to 25% where the town or parish council had a neighbourhood plan. Officers were not yet clear how these sums would be calculated as the regulations had not been published. They were unsure whether these sums to town and parish councils would be dependent on the rate at which CIL was charged in that area or whether an average may be taken, for example.

A Member raised concern that the residential charges based on wards were overly simplistic and failed to take account of significant differences within these areas. The Group was informed that consultants had assessed the viability of each ward based on incremental steps up to £250 per sq m. Although some areas within a ward could sustain higher figures, the proposals were set at figures a whole ward could sustain. Housing prices differed street-to-street but Government guidance was for the CIL charging schedule to be kept simple and ward boundaries were considered the most appropriate option. The only reasonable alternative was for a single residential CIL charge of £75 per sq m across the District but it was forecast this would reduce receipts by £1million (from £5-6 million in the period 2014-2026 to £4-5 million).

Another Member was concerned the lower CIL rate would incentivise development disproportionately in those wards but the Chairman disagreed and believed it to be a relatively minor consideration when compared to the Allocations and Development Management Plan. The representative from West Kent Housing on the Group considered that the different charging areas were reflective of different housing sub-markets within the District.

It was suggested by a Member, not on the Group, that Homes for Multiple Occupancy should be exempt from the CIL.

Officers agreed that reference to all town and parish councils should be included in the Open Space, Sport and Recreation column of the summary of infrastructure proposals in the Draft CIL Infrastructure Plan.

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Public Sector Equality Duty

Members noted that there were no adverse equality impacts arising from the report.

Resolved: That the following recommendation to Full Council be endorsed:

- (a) That the Community Infrastructure Levy Draft Charging Schedule is agreed for publication and submission for independent examination.
- (b) That the Portfolio Holder is authorised to agree minor presentational changes and detailed amendments to the Charging Schedule to assist the clarity of the document.
- (c) That the consultation document is published on the Council's website and made available to purchase in hard copy at a price to be agreed by the Portfolio Holder.

25. Local Development Framework - Annual Monitoring Report - Update

It was noted that the draft Annual Monitoring report had been seen by the Group at its last meeting and the report had been submitted to the Department of Communities and Local Government by 31 December 2012.

A Member observed that the Building for Life Assessment differed significantly with the views of the Members of the Development Control Committee on the ratings for Halstead Place School. The Group Manager Planning advised the assessments were made according to objective criteria and by an Officer who had received training in carrying out such assessments. The questions considered were limited but new assessments would be considering a wider range of concerns.

The Member also informed Officers that the design for Penlee, Hawthorns and Eden Lodge, Station Road Edenbridge was deliberate and took account of the development previously on site. The Member's comments were noted

The Chairman thanked the Planning Officer who produced the report for the hard work put into it.

Resolved: That the report be noted.

26. Any other business

There was no other business.

27. Date of next meeting 5 March 2013

The proposed date of the next meeting of the Advisory Group was noted.

THE MEETING WAS CONCLUDED AT 7.45 PM

CHAIRMAN

