

LOCAL PLANNING AND ENVIRONMENT ADVISORY COMMITTEE

Minutes of the meeting held on 1 July 2014 commencing at 7.00 pm

Present: Cllr. Mrs. Hunter (Chairman)

Cllr. Searles (Vice Chairman)

Cllrs. Ball, Butler, Gaywood, Horwood, Piper, Scholey and Williamson

Apologies for absence were received from Cllrs. Dickins, Mrs. Purves and Mrs. Sargeant

Cllrs. Edwards-Winsor, Mrs. Morris and Mrs. Parkin were also present.

1. Appointment of Chairman

Resolved: That Cllr. Mrs Hunter be appointed as Chairman of the Committee for the ensuing municipal year.

(Cllr. Mrs. Hunter in the Chair)

2. Appointment of Vice Chairman

Resolved: That Cllr. Searles be appointed as Vice-Chairman of the Committee for the ensuing municipal year.

3. Minutes

Cllr Williamson noted under Minute Item 36, Gypsies and Traveller Plan – Site Options Consultation, that the minutes did not reflect the consideration of the site at Fort Halsted. Officers agreed to consider their notes and add an additional comment.

Resolved: That the minutes of the meeting of the Committee held on 25 March 2014, be agreed subject to an additional comment on Fort Halsted as detailed above. An amended copy of the minutes to be drawn up and signed as a correct by the Chairman at the next meeting of the Committee.

4. Declarations of interest

No additional declarations of interest were made.

5. Actions from Previous Meeting

The Chairman noted there were no formal actions, however there had been an intention for Officers to arrange a workshop of the Community Infrastructure Levy (CIL). The Chief Planning Officer advised that the workshop would not be practicable prior to the

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consideration of the Gypsies and Travellers Plan consultation, however it could feed into the CIL Governance Arrangements item due to be considered on 23 October 2014.

6. Update from Portfolio Holder

The Portfolio Holder for Local Planning & Environment updated the Committee on his work since being appointed Portfolio Holder in May 2014. He highlighted the impact of possible airport construction or expansion, from Gatwick on the south of the District, Heathrow on the east or Cliffe on the north. He had carried out a tour of possible Gypsy and Traveller sites and would be looking at the sites named through the consultation, which currently stood at 40. During this period the Planning Inspector had been considering the Council's proposed Allocations and Development Management Plan (ADMP).

7. Referrals from Cabinet or the Audit Committee

There were none.

8. Confirmation of working groups

The Chairman advised that at the meeting of the Housing and Community Safety Advisory Committee held on 11 February 2014 it was resolved that a joint working group with the Local Planning & Environment Advisory Committee be set up to consider Squaring the Housing Circle in using the planning system to provide more properties of the type needed within the District. Membership was to be three Members from each Advisory Committee. The Committee was asked to agree terms of reference and membership for the Working Group.

The Chairman confirmed that Cllrs. Piper, Searles and Williamson had volunteered to become members of the working group. No further nominations were made.

Resolved: That the terms of reference of the joint advisory committee 'Squaring the Housing Circle' Working Group be agreed and the membership from this Advisory Committee be confirmed as Cllrs. Piper, Searles and Williamson.

9. Pest Control Service - Results of Competition Exercise

The Chief Officer Environmental and Operational Services introduced a report which explained that, following the decision of Cabinet on 5 December 2013, the Pest Control Service had been exposed to competition for a possible three year contract. Quotations were invited for return on 4 June 2014 and were opened on the same day. A quotation was submitted by the Direct Services in-house Pest Control Team.

The Head of Direct Services confirmed that the tender submission from the in-house Direct Services Team had been the most economically advantageous based upon the weighting of 60% financial and 40% other factors including technical merit.

One of the submissions proposed payments to Council per treatment and so would require additional contact monitoring costs to ensure the contractor reimbursed the Council correctly. That submission also included the raising of fees for customers by up to 30% for certain treatments, which could reduce the use of the service and therefore

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the income received. The Chairman noted that the current service charges included multiple visits until the pest was eradicated.

The Chief Officer Environmental & Operational Services brought Members' attention to the work of the Strategy & Performance Advisory Committee's Communications Working Group, which had proposed a targeted marketing campaign from the Pest Control Service to improve income.

It was proposed by Cllr Gaywood and duly seconded that a Members' working group be established to consider the quotations further. The Portfolio Holder for Local Planning & Environment reminded the Committee that the service had not carried out any active marketing in the past. The Chief Officer Environmental & Operational Services was confident the marketing would generate additional income. The motion was lost.

An alteration to the recommendation was agreed that a report on the income of the service following the marketing of the service be reported back to the Committee in 12 months with a review to take place in 3 years. Members noted the income was heavily based on seasonal variations.

Public Sector Equality Duty

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

Resolved: That

- a) it be recommended to Cabinet that, following the evaluation of the competition exercise for the Pest Control Service, the service continue to be delivered by Sevenoaks Direct Services;
- b) a report on the income of the Pest Control Service be presented to the Advisory Committee in 12 months' time; and
- c) a further review of the Pest Control Service be undertaken in 3 years' time.

10. Update on the Allocations and Development Management Plan

The Joint Planning Policy Team Leader presented a report, together with supplemental papers, which updated Members on the Allocations and Development Management Plan (ADMP). It was examined by the Planning Inspector in March 2014 and the Inspector's initial findings were set out in the report. The principal modifications would need to be subject to six weeks of public consultation.

An update on proposed amendments to Policy EMP3 on Fort Halstead were tabled for Members consideration. The Planning Policy Team Leader confirmed that the Inspector had requested that 12 main amendments be made to the ADMP, for it to be found sound. The vast majority of these were fairly minor with three more significant. In Policy MM6 there was to be the release of strategic land in Edenbridge which would make a contribution towards meeting the District's housing needs and was in neither the Green Belt nor an AONB. In Policy MM8 the Inspector sought clarity on the mix of development at Fort Halstead as 450 residential units was found be required to make the employment

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land viable. The Inspector also sought the Council's opinion on the impact of a recent court case. The Council had sought legal advice concerning the case and the Inspector's recommendation following this was that the Council should begin a new Strategic Housing Market Assessment (SHMA), which could trigger a review of the Core Strategy. All proposed changes would be sent for consultation.

In response to a question, the Chief Planning Officer confirmed Officers could be made available for drop-ins in Edenbridge, Sevenoaks and Swanley during the consultation to deal with questions from members of the public. It was confirmed that the modifications were proposed by the Inspector rather than the Council.

Members raised concerns that developers may try to avoid requirements for social housing and infrastructure development. Officers confirmed that they used section 106 agreements to achieve these but legislative changes meant that arguments of viability could be used to reduce developers' obligations. From 4 August 2014 developments would be subject to CIL payments, which were not subject to flexibility due to viability considerations.

A Member raised concerns that development of Fort Halsted together with any crematorium and any Gypsy and Traveller site would mean excessive density was being proposed for the Polhill area until the infrastructure was improved. The roads in the area were moving and were subject to flooding.

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) the main modifications to the ADMP be agreed and published for consultation (along with the Sustainability Appraisal) during a six week period to be agreed by the Portfolio Holder;
- b) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments to the consultation document to assist their clarity; and
- c) the consultation document be published on the Council's website and made available to purchase in hard copy at a price to be agreed by the Portfolio Holder.

(Cllr. Williamson voted against the motion)

11. Local Development Scheme Review

The Joint Planning Policy Team Leader presented a report that explained that the Local Development Scheme (LDS) set the work programme for the development of Local Plan (formerly Local Development Framework) documents. The latest formally adopted version of the Local Development Scheme was agreed by Cabinet in March 2012 and was out of date. Given current uncertainties over the timetables for the preparation of the Allocations and Development Management Plan and the Gypsy and Traveller Plan, it

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was recommended that the Council postpone the agreement and adoption of a new Local Development Scheme until Autumn 2014. It was recommended that the Council now undertake a new Strategic Housing Market Assessment to begin the process of addressing concerns expressed about the Core Strategy housing target through the Broom Hill appeal decisions and the ADMP examination (as in item 10.).

The Joint Planning Policy Team Leader further advised that Brandon Lewis MP, at the Department for Communities and Local Government had advised that national policies relating to Gypsy and Traveller sites in the Green Belt may be amended and so Officers were unsure of the impact these changes would have on the preparation of the Gypsy and Traveller Plan. The Committee was advised that Cabinet would be considering the proposed Gypsy and Traveller plan after the consultation on 11 September 2014 and so an extra meeting of this Advisory Committee could be arranged to advise the Cabinet. The Inspector for the ADMP would be more confident of finding the Plan sound were the Council to commit that a new SHMA be undertaken. This could be the first step to a review of the Core Strategy, if necessary.

A Member proposed that the Timberden Farm, Shoreham site be removed from the Gypsy and Traveller Consultation due to the burden comments were putting on Officers' workload. The Chairman advised that any alterations would prejudice the consultation process and that the Committee had already made its recommendations to the Cabinet. It was not the only site which had been recommended for removal. The Portfolio Holder for Local Planning & Environment added that the consideration of the consultation was already being brought forward from November to September 2014.

A Member queried whether the Council could adopt Government guidance of providing a five year supply rather than the proposed 15 years. Officers indicated that the plan would need to show a rolling five year supply and so the consultation process would need to take place each year. Absence of an appropriate supply would amount to a material consideration in future planning applications for Gypsy and Traveller sites.

Members and the public were reminded that all comments on the Gypsy and Traveller Site Consultation could be submitted into the formal consultation.

Public Sector Equality Duty

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

Resolved: It be recommended to Cabinet that

- a) the Council undertake a new Strategic Housing Market Assessment (SHMA) to identify its objectively assessed housing need, following the publication of new Government household projections later in Autumn 2014, and that this, and its comparison with the Core Strategy housing target, form the first step in considering the need to review or partially review the Core Strategy; and
- b) the Local Development Scheme be reconsidered in Autumn 2014, once the likely timetable for the adoption of the Allocations and Development Management Plan (ADMP) was clear and once the Gypsy and Traveller Site

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Options consultation was closed and an initial assessment of comments had been carried out.

12. Work Plan

The Committee agreed that an additional meeting of the Committee be held on 3 September 2014 for the consideration of the consultation response Gypsy and Traveller Site Plan.

At the request of the Chairman, the Chief Planning Officer proposed additional items for the Committee's work plan which were agreed as follows:

- 23 October 2014 - Local Enforcement Plan and an item on crematoria in the District;
- 27 January 2015 - local listing of buildings of historic interest, an update on climate change matters, a review of Direct Services and Sustainable Drainage (SuDS) with an invitation to the Kent County Council Officer Bronwyn Phillips; and
- 24 March 2015 - the Council's Affordable Housing Policy including its successes and problems and viability arguments with an Authority Monitoring Report to contribute to that item, and service performance.

The Chief Planning Officer advised that there had been delays in producing Conservation Area Management Plans, however there was only a single Officer post to carry out to work.

Action 1: The Chief Planning Officer to circulate to Members a list of proposed Conservation Area Management Plans and the date they may be presented to the Committee.

THE MEETING WAS CONCLUDED AT 8.48 PM

CHAIRMAN