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## LOCAL DEVELOPMENT FRAMEWORK PANEL

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 18 June 2015 from 7.00 - 8.10 pm.

**PRESENT:** Councillors Mike Baldock, Bobbin (substitute for Councillor Prescott), Andy Booth, Richard Darby, Gerry Lewin (Chairman), Bryan Mulhern (Vice-Chairman), George Samuel, Ghlin Whelan (substitute for Councillor Roger Truelove), and John Wright.

**OFFICERS PRESENT:** Alan Best, Gill Harris and Kellie MacKenzie.

**ALSO IN ATTENDANCE:** Councillors Roger Clark, Mike Henderson and Mike Whiting.

**APOLOGIES:** Councillors Prescott and Roger Truelove.

### 77 ELECTION OF CHAIRMAN

**Resolved:** *That Councillor Gerry Lewin be elected Chairman for the Municipal Year 2015/16.*

### 78 ELECTION OF VICE-CHAIRMAN

**Resolved:** *That Councillor Bryan Mulhern be elected Vice-Chairman for the Municipal Year 2015/16.*

### 79 MINUTES

The Minutes of the Meeting held on 2 March 2015 (Minutes Nos. 522 – 525) were taken as read, approved and signed by the Chairman as a correct record.

### 80 DECLARATIONS OF INTEREST

No interests were declared.

A Member queried whether in respect of agenda item 6 (Draft Faversham Town Heritage, Landscape Setting and Characterisation Study May 2015) what the legal position was for any Member owning a property within the areas marked red or orange on the map contained within the report for that item.

The Chairman explained that the Member should seek advice from legal in the first instance, and that for this meeting he would not require any Member to make a declaration in that respect as this was a general, not specific, piece of work.

### 81 DRAFT FAVERSHAM TOWN HERITAGE, LANDSCAPE SETTING AND CHARACTERISATION STUDY MAY 2015

The Principal Planner introduced the report which considered the second area of evidence, drawing upon landscape and heritage evidence the consultants had

defined a landscape and heritage setting for the town to inform future more detailed work and decision making.

The Principal Planner explained that Turley Heritage Consultants had been commissioned to undertake this study in support of the forthcoming local plan examination, which had arisen from the Settlement Strategy of the Local Plan which developed a Planning Strategy for the Faversham and Thames Gateway areas of the Borough. The Planning Advisory Service had highlighted the need for the Strategy to be more clearly articulated and evidenced and the commissioned work was part of that action intended to represent impartial technical evidence to back-up the arguments advanced. This work would support the Settlement Strategy and also provide technical support for Development Control officers when considering planning applications.

The Principal Planner reported that the appointed consultants, Turley Heritage, had prepared the report in consultation with Swale Borough Council (SBC) officers including SBC's Conservation Officer, Kent County Council (KCC) Archaeology and Historic England. In response to a query, the Principal Planner advised that Historic England had not provided any comments. Minor points raised by KCC Archaeology were included in Appendix I of the report.

The Principal Planner stated that the specific aim of the study, set out on Page 2 of the report, was to determine the extent of the character of Faversham and how much it derived itself from its surroundings. The study had involved the merging of: landscape character assessments; and historic heritage significance assessments. The Principal Planner stated the importance of recognising that this was a strategic level document and a prompt for further site-based work rather than a decision making document.

The Principal Planner drew attention to the key map, on page 4 of the report, which set out the different character areas and sub-areas of the study area. He stated that at a strategic level, the map identified some variances between high level contribution and moderate contribution areas. The Principal Planner explained that the strategic level of the study was not necessarily saying all development in Faversham would take place in the yellow areas and none in the red areas of the map, but simply provided context within which further analysis could take place.

The Principal Planner stated that the study provided some useful assistance for the Settlement Strategy of the Local Plan and clearly indicated that historic importance was an issue for the town and an important context for potential development. The Principal Planner advised that as this work had been carried out post-submission of the Local Plan it was important to move this piece of work forward swiftly so that it could be made available to the Examination.

A Member requested the following information: who had authorised the commissioning of the report?; what was the cost of the study?; aside from SBC officers who had inputted into the report?; and what process of consultation had there been with the public?.

The Chairman advised that the information would be forwarded to the Member.

Members raised the following points: why had similar study reports for Sittingbourne and the Isle of Sheppey not been commissioned?; when would the other study referred to in 1.1a be submitted and would it be considered by the LDF Panel?; A2 limit was flawed in the opening statement of the report as development north of A2, Gillingham and Gravesend was similarly developed; given the housing pressures, concern that blanketing land south of the A2 for non-development would put more pressure on the northern part of Faversham; concern about the red zone halfway along the A2 into the orange zone and unsure that this area needed to be protected; consider the study was flawed which would undermine the Local Plan; nothing to support creek development; building houses south of A2 released pressure on the creek and sensitive areas and if you put all housing on north would be detrimental to the creek and marina; document implied that SBC were saying to the Planning Inspector we do not want houses in Faversham, but we do in Sittingbourne and the Isle of Sheppey; welcomed the document as it enhanced and informed the Inspector of SBC plans moving forward; Faversham was a unique town and it was crucial that it was protected; important to recognise that Turley Heritage were professionals within their field; and pleased that document accommodated change and development between the A251 and Salters Lane and did not support presumption for development of land south of the A2.

The Principal Planner explained that that the document would support the Local Plan submitted to the Secretary of State for approval, and the main aim of the document was to look at the setting of Faversham, not particular areas such as Faversham creek or where development should or should not be allowed. Faversham was unlike the Medway towns and Sittingbourne in that it did not have development north and south of the A2.

A Member, drew attention to paragraphs 2.10 and 2.11 of the main report. He asked that officers strengthen the statement made in 2.11, 'Elsewhere, the road is a broad area of transition between suburban and rural characters'. He explained that five roads ran south from the A2 between Brenley roundabout and Ospringe which were all leading out into the countryside and he considered it was crucial that this aspect was kept.

In response to a query, the Principal Planner advised that the Selling Road area was not included in the red zone, probably because the appreciation of countryside beyond that area was weakened, unlike the strip between Salters Lane and Ashford Road where there was a clear view from the conservation area. He agreed to raise the point with the consultants.

Councillor Mike Baldock moved a motion for a recorded vote. This was seconded by Councillor Richard Darby. On being put to the vote the motion was not agreed.

The Chairman moved the motion to note the report which was seconded. On being put to the vote the motion was agreed. Councillor Mike Baldock requested that it be recorded that he voted against the motion to note the report.

***Recommended: That the Panel note the draft study and agree to its publication as post submission evidence to the Local Plan and that officers be delegated authority to amend wording subject to further comments from Members by 4.30pm Friday 19 June 2015.***

**82 LOCAL PLAN SUBMISSION AND FORTHCOMING EXAMINATION IN PUBLIC - VERBAL UPDATE**

The Spatial Planning Manager gave a verbal update on progress on the Local Plan submission and forthcoming Examination in Public.

The Spatial Planning Manager stated that the Local Plan was published on 19 December 2014. There was then a 6-week public consultation period before the document was finally submitted to the Planning Inspectorate. She stated that following that public consultation, 810 representations from 144 individuals and bodies were received and they had all been sent to the Inspector to consider. She noted that this was fewer than the previous public consultation undertaken in August 2013 where 1,600 points from 342 individuals and bodies had been received. Most of the representations received from the final public consultation had been from developers in respect of developer targets being too low and raising consequent queries on the soundness of the plan.

The Spatial Planning Manager reported that the Local Plan, its supporting strategy documents and all the evidence base was submitted on 11 April 2015. The Secretary of State had appointed Mrs Sue Turner to conduct the examination. The Spatial Planning Manager explained that Mrs Turner was a very experienced Inspector who had recently considered the Chichester Local Plan. The Chichester Local Plan had been found sound, subject to modifications.

The Spatial Planning Manager further reported that a Programme Officer had also been appointed to assist the Inspector with the examination. The Spatial Planning Manager explained that the Programme Officer's role was to help the Inspector with practical arrangements and her contact details were on SBC's website: [www.swale.gov.uk/local-plan-submission-and-examination/](http://www.swale.gov.uk/local-plan-submission-and-examination/). All correspondence had to go via the Programme Officer as officers, and participants in the Examination may not contact the Inspector direct.

The Spatial Planning Manager outlined the following items that could also be viewed via the website: library of documents that would form the background for the examination; statutory required documents; evidence base; and technical supporting documents. The Spatial Planning Manager advised that officers would continually update the website as the examination progressed. The Spatial Planning Manager stated that the Inspector had already made notes which were prefixed ID/ and drew attention to ID/3 and ID/4 where the Inspector had expressed concern about developer targets and the justification for these. The Inspector had noted that the issues around developer targets were complex and she was content to hold the examination in public and explore those issues and let participants put their cases forward.

The Spatial Planning Manager advised that the Inspector had requested further evidence and justification on housing need issues and land supply and officers were working on that. She explained that specifically officers needed to address changes in government planning guidance that had occurred even since the Local Plan had been submitted. The Spatial Planning explained that the new ONS household projections that came out in March 2015 and the Government Planning Guidance had changed and officers needed to look at and provide commentary on

that work. The Inspector would need to look at the result of that work and other evidence from our own Strategic Housing Land Availability Assessment. She would then use those pieces of evidence to decide whether or not the plan was sound as it was; whether it could be made sound with modifications; or fundamentally unsound and beyond the scope of modifications to make it so.

The Spatial Planning Manager reported that a Pre-hearing would be held at 2pm on Monday 22 June 2015 in the Council Chamber, Swale House. She explained that this was basically a housekeeping meeting where the Inspector introduced herself and explained how she would run the Examination and programme for receipt of written statements. The Inspector would focus only on soundness issues. The Spatial Planning Manager stated that all Members could attend the pre-hearing and any of the hearing sessions which were set to commence at the start of September 2015 as observers.

The Chairman stated that he had liaised with the Head of Planning about how details of the hearing sessions and information as the Examination progressed would be communicated to Members.

Members raised the following points: website was extremely helpful and well detailed and pleased some of the comments made had been discussed in detail by the LDF Panel; recommend Members look at the Chichester Local Plan as there were similarities with the Swale Local Plan; and transparency through the process was crucial.

In response to queries from a Member, the Spatial Planning Manager advised that you would only be able to speak at the hearings if you had made representations on the submission draft Local Plan. Members would not be able to just turn up and speak. With regard to the Gypsy and Traveller Policy, the Inspector had queried why this had been split between Local Plan Part 1 and Part 2 and also how we intended to meet that through Policy CP3 and Policy DM10. Officers had also picked-up work on Part 2 with another call for sites.

In response to a query, the Spatial Planning Manager stated that officers were disappointed about the extent of comments made by the Planning Inspector for the Brogdale appeal, in respect of the draft Local Plan Gypsy and Traveller policy insofar as the comments appeared to go further than necessary in determining the appeal at hand. She stated that officers would need to prepare evidence on how SBC's proposed policy approach would meet the identified need for the Local Plan Examination hearings.

A Member requested that a Briefing Note for Members be circulated outlining the programme and providing hearing dates and the rules of engagement. Officers agreed to provide this. Dates and agenda might be subject to change as a result of new work and possibly as a result of discussions at the hearings themselves, so frequent check backs to the website were advised.

The Chairman thanked the Spatial Planning Manager for the update.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel