

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

25 February 2008

Report of the Director of Planning Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 TONBRIDGE CENTRAL AREA ACTION PLAN

Summary

The Inspector's Report into the Public Examination of the Tonbridge Central Area Action Plan has been received. The Inspector has found the Area Action Plan to be sound subject to certain relatively minor changes. The Area Action Plan must therefore now be adopted taking on board her recommendations. Overall, this is excellent news for the Borough and is supportive of the planning strategy that the Council has carefully prepared for the town centre.

1.1 Introduction

- 1.1.1 The Tonbridge Central Area Action Plan (TCAAP) was submitted to the Secretary of State on 1 September 2006 at the same time as the Core Strategy and the Development Land Allocations Development Plan Document (DPD). A Public Examination of the TCAAP took place on 23 and 24 October 2007. The Inspector's Report has now been received and, subject to certain changes, she has found the Area Action Plan to be sound. Her recommendations are binding. The TCAAP must therefore be recommended to Council on 22 April 2008 for adoption incorporating the changes she proposes.
- 1.1.2 Copies of the Report may be viewed at the Council Offices and other deposit points throughout the Borough. It is on the Council's Website and is available for sale. Because it is fairly short it is reproduced in full under **ANNEX A** to this report.
- 1.1.3 I anticipate receiving the Inspector's Report into the Development Land Allocations DPD by the end of February. This will be reported directly to Cabinet on 2 April and assuming that it is found to be sound this too will be recommended for adoption to Council on 22 April.

1.2 The Inspector's Recommendations

- 1.2.1 The Inspector has found the TCAAP to be sound subject to a number of changes being made. The majority of these changes are of a minor technical nature and were put forward by your officers during the course of the Public Examination in

response to representations (see **Appendices 1 and 2** to her report). The only significant change is the incorporation of new text and Annexes to more fully address the issues of Implementation and Monitoring. The inspector had identified some areas for clarification and detail in this respect and invited the Council to indicate how it would address the issue to ensure that the plan was sound. The Inspector has indicated that with these changes she is satisfied that the plan now meets the required test of soundness.

- 1.2.2 The only change put forward by the Council in response to representations which the Inspector has not accepted is a requirement that in any redevelopment of the station area at least the existing level of commuter parking should be retained. Her view was that this was not a matter that could be specified in advance of a detailed proposal coming forward. It therefore remains for the Council to deal with in liaison with a developer if and when a scheme came forward.
- 1.2.3 In terms of other recommendations she has endorsed the view that retail uses should be concentrated in the core of the central area to complement the High Street and should not extend to the east side of Avenue de Puy. In terms of traffic and transport she has found the transport strategy to be sound recognising that some of the assumptions about reducing the rate of growth of traffic by using “smarter choices” are challenging. Overall, she found the objective of diverting traffic away from the High Street during off-peak periods to be desirable, practical and achievable. She did not consider it sound to include a proposal for a Hadlow Road Bypass on the basis that it is not justified in traffic terms and there was no prospect of its being funded during the lifetime of the plan. She recognised that land was safeguarded for the London Road/Hadlow Road link but accepted that it was subject to funding and not a prerequisite to the implementation of the wider strategy.
- 1.2.4 Overall this is very good news for the Council. It is one of very few Area Action Plans in the whole Country to be found to be sound and is the first in Kent. This now provides a confident basis for bringing forward new development and regeneration proposals in the centre of town, including the Council’s own proposals for the Botany Area in conjunction with Sainsburys. It also provides a sound basis for the County Council to now bring forward its transport proposals for improving traffic, safety and air quality conditions in the central area.

1.3 Legal Implications

- 1.3.1 In accordance with Section 23 of the Planning and Compulsory Purchase Act the Council must now resolve to adopt the TCAAP incorporating the binding recommendations of the Inspector. In accordance with the Regulations, as soon as reasonably practicable after the TCAAP is adopted, the Council must:
- Publish the Inspector’s Report, make it available for inspection, include it on the Website and notify those who have asked to be notified (this has

already been done. In fact, everyone who has commented on the plan has been notified).

- The TCAAP as adopted must also be placed on deposit and on the Website together with an Adoption Statement which formally announces the adoption of the plan and indicates that any person aggrieved by that decision may make an application to the High Court to challenge the plan's adoption on a point of law.
- The adopted plan must be accompanied by a Final Sustainability Report which must assess the implications of any changes made by the Inspector.

1.4 Financial and Value for Money Considerations

- 1.4.1 The cost of the Public Examination, including the Inspector's fees, falls upon the Borough Council. Although I do not yet know exactly what these costs will be they are intended to be fully covered by the Planning Delivery Grant.

1.5 Risk Assessment

- 1.5.1 None.

1.6 Recommendations

- 1.6.1 That Cabinet be recommended to recommend to Council that it resolves to adopt the Tonbridge Central Area Action Plan as recommended to be changed by the Inspector as set out under Appendices 1 and 2 to her report.

Background papers:

contact: Brian Gates

Submitted TCAAP

Position Statements and other background documents submitted to the Public Examination

Steve Humphrey

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