

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

20 October 2008

Report of the Director of Planning Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 SOUTH EAST PLAN

Summary

The Government's proposed changes to the South East Plan were published in July and are currently the subject of consultation until the 24 October. This report considers the main aspects of the proposed changes that are important for Tonbridge and Malling and some matters of more general relevance.

1.1 Introduction

1.1.1 The draft South East Plan was submitted to Government in March 2006 by the South East of England Regional Assembly (SEERA) and an Examination in Public was held between November 2006 and March 2007. The Examination Panel's report and recommendations were published in August 2007. We now have the Government's response to the Panel's recommendations including its proposed changes to the draft South East Plan, published in July. The current consultation documents are on deposit at the Council offices and are available through the website of the Government Office for the South East.

1.2 Proposed Level of Housing Development

1.2.1 The submitted draft Plan included a proposal for 28,900 homes per annum for the South East Region. The Panel's recommendation was for this to rise to 32,000 homes per annum and the Government has now proposed a level of 33,124 homes per annum.

1.2.2 In Kent (including Medway) the annual provision has risen to 6,971 new homes per annum with the total provision over the 20-year Plan period rising from 122,000 in the draft Plan to 139,420 in the Government's proposed changes representing an overall increase of 17,420 or 14%, consistent with the level of increase across the region as a whole.

1.2.3 For Tonbridge and Malling the increase from the draft Plan to the figures now published by the Secretary of State is 425 per annum to 450 per annum a total of 9,000 new homes during the Plan Period up to the year 2026. In terms of our

current land supply, this is unlikely to give rise to significant difficulties due to the Council's forward thinking over the years in identifying land for future development. However, in the context of the current housing market, there is little prospect of these levels being reached in the next few years. This factor in itself could store up difficulties for the time when the housing market responds positively if we are required to then meet the likely shortfall that will have arisen during the intervening period. Moreover, if current market conditions persist some of the currently allocated land for development in the Borough may be seen to have questionable viability due to its particular characteristics in a difficult market and consequently the Council's ability to maintain its housing land supply could be questioned and alternative sites put forward.

- 1.2.4 Across Kent there are more challenging figures that are likely to be contested by the County Council and several districts. Notably at Maidstone there has been a change from the draft Plan figure of 8,200 dwellings to a new figure of over 11,000 representing a 35% increase during the Plan period. There is serious doubt whether this level of development in the Plan period is deliverable within the context of Maidstone's emerging Local Development Framework and if that is indeed the case it could raise significant pressure for alternative development proposals on the periphery of Maidstone in areas where both Maidstone and this Borough Council have strongly resisted new development.

1.3 Revised Approach to 'Minimum' Housing Targets

- 1.3.1 Importantly the Government has changed the emphasis on the housing figures by describing them as a "minimum annual average". Although regional housing figures have never been a ceiling, this change effectively opens the door to greater levels of development by default without fully recognising other important policy and practical considerations. The Government's changes include a requirement for councils to test higher levels of development in their Local Development Frameworks. This approach flies in the face of the 'plan and manage' approach to future development and seems to make it very challenging for investment planning to match potential levels of development that might emerge. This whole approach is bound to create uncertainty for local communities and those directly responsible for providing infrastructure and managing local services.

1.4 Infrastructure Provision

- 1.4.1 The "conditional approach" adopted by SEERA towards infrastructure provision in the draft Plan, with development being reliant upon the provision of new infrastructure, has been deleted. This important change provides no comfort that the poor state of existing infrastructure in many areas will be resolved or that the necessary infrastructure will be forthcoming to accompany the increased housing levels proposed across the region. Moreover, there does not appear to be any recognition or assessment of the implications for infrastructure delivery of the 14%

increase in housing provision now proposed over and above the submitted draft Plan.

- 1.4.2 The sustainability appraisal of the proposed changes makes it clear that several concerns were raised about the Secretary of State's proposed alterations including the fact that the focus on new development will mean that existing infrastructure deficits are unlikely to be dealt with and the fact that the absence of a 'conditionality' policy could mean that development might proceed without adequate infrastructure. Instead there appears to be a strong and unrealistic reliance on achieving behavioural change to relieve pressure on infrastructure, particularly transport. This issue goes to the heart of much of the concern held about new development levels in this Borough and further afield.

1.5 Strategic Gaps

- 1.5.1 The Government proposes that the draft Plan policy on Strategic Gaps is deleted despite a Panel recommendation for its retention, albeit in an amended form. This is a very important matter for the Borough Council. In the context of our Local Development Framework the Inspector supported the approach to the definition of the Strategic Gap separating the Medway Gap area from Maidstone and the Medway Towns and as a consequence our statutory documents incorporate policies which we have promoted strongly and used successfully.
- 1.5.2 This policy has been an important place-shaping tool locally and regionally that districts have used over the years to ensure that the separate identity of communities is protected and that important open areas are retained in accessible locations for local residents. In view of the fact that the Panel put their mind to this policy and made some suggested changes in support of the Policy, it seems unreasonable that the Secretary of State should delete the policy entirely. I believe that this approach is flawed particularly as the change seems to be based upon more on intrinsic landscape quality whereas our case and that of many others across the south east is that the strategic gap policy is more about the particular functioning of settlements and settlement separation which seems to have been lost.

1.6 Regional Hubs and Town Centres

- 1.6.1 The Government changes confirm the role of Tonbridge/Tunbridge Wells as a regional hub and as a centre for significant change which is consistent with the Council's adopted planning strategy for Tonbridge town centre.
- 1.6.2 The new policy on the Tonbridge/Tunbridge Wells hub reflects the way it has been promoted by the Borough Councils and the County Council. However, the supporting text refers to investment being made in improved links with East Sussex, Gatwick and Maidstone along with sustainable transport links between the two towns. This is all very well, but does not reflect current changes in railway timetabling which are having the reverse affect particularly on the Tonbridge to Gatwick/London line and also conflicts with the lack of any priority given to the

continued improvement of the A228 at Colts Hill, a major link between Maidstone and Tonbridge/Tunbridge Wells.

1.7 General Conclusions

- 1.7.1 The commentary above highlights the main areas on which it is recommended that the Borough Council should raise concerns and objections. These have to be translated onto the pro-forma that the Government has provided. It is worth recording that the Plan as proposed includes other policies which are consistent with the Borough Council's general planning and development strategy. That is to be expected as there was a major input to SEERA's original draft Plan by the members and officers of the Kent Districts and the County Council. Nevertheless, the changes highlighted in this report do give rise to considerable concern for the future notwithstanding the fact that development pressures are likely to be at a relatively low ebb at least in the short to medium term.

1.8 Next Steps

- 1.8.1 Following the Secretary of State's consideration of the response to consultation the next stage will be its final approval probably in the early part of 2009. At that point the statutory policies of the Kent and Medway Structure Plan 2006 will cease to have effect unless Government agrees that there is a case for policies to be saved beyond that point. That is a matter that will be addressed by the County Council in the light of the final shape of the South East Plan.
- 1.8.2 The Board should also be aware that Government are keen to secure an early review of the Plan with a view to achieving even higher levels of housing growth. This will be based upon advice issued in the summer by the National Housing and Planning Advice Unit which indicated a new range of housing provision up to 49,700 homes per annum, to be tested. There is, therefore, a clear presumption behind the forthcoming review of the Plan towards a further increase in housing requirements which will clearly be a matter that will eventually need the most careful scrutiny.

1.9 Legal Implications

- 1.9.1 The emerging South East Plan is a material consideration for planning decisions and its weight in development control and in influencing future iterations of the Council's Local Development Framework will be increased when it is finally approved.

1.10 Financial and Value for Money Considerations

- 1.10.1 There are none directly arising from this report.

1.11 Risk Assessment

1.11.1 It is important for the Borough Council along with other local authorities in Kent to make efforts to ensure that Government is made aware of the local consequences of its policy proposals. In particular it is important that the Government's approach to the "minimum" housing figures at the level now proposed and the diluted approach to infrastructure provision are highlighted as real practical risks in accommodating the levels of development both in the current market and financial conditions and in the future.

1.12 Recommendations

1.12.1 The Board are asked **TO ENDORSE** the concerns and objections raised in this report and that these **BE FORMALLY SUBMITTED** to the Secretary of State in response to the consultation on the proposed changes to the South East Plan.

Background papers:

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The South East Plan – Secretary of State's Proposed Changes
Schedule of Changes and Reasoned Justification –
GOSE July

The South East Plan – Secretary of State's Proposed Changes Comparison Document – GOSE July 2008.

Regional Spatial Strategy for the South East:
Sustainability Appraisal – Scott Wilson (for GOSE) July 2008.

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