

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**PLANNING and TRANSPORTATION ADVISORY BOARD**

**27 May 2009**

**Report of the Director of Planning Transport and Leisure**

**Part 1- Public**

**Matters for Information**

**1 SOUTH EAST PLAN – THE REGIONAL SPATIAL STRATEGY FOR SOUTH EAST ENGLAND**

**Summary**

**This report acknowledges and comments briefly on the publication of the final version of the South East Plan on the 6 May.**

**1.1 Background**

- 1.1.1 The final version of the South East Plan, the Regional Spatial Strategy (RSS) for South East England, has now been published by the Secretary of State for Communities and Local Government.
- 1.1.2 The final South East Plan builds on the draft prepared by the South East England Regional Assembly (SEERA) which was submitted to the Secretary of State in March 2006. The draft Plan was the subject of an Examination in Public conducted by an Independent Panel who reported to the Secretary of State in August 2007, following which the Government published proposed changes which were the subject of further consultation during the autumn of 2008.
- 1.1.3 The preparation of the Plan has been a long and often controversial process but now that it is published it forms part of the statutory development plan for every local authority in the region and sets the framework for the production of Local Development Frameworks and Local Transport Plans. It includes a range of planning and transport policies for the region for the period up to 2026. One particular implication of the publication of the South East Plan is that the Kent and Medway Structure Plan will cease to be part of the statutory development plan in July. Consequently until any new arrangements and further plans are put in place at the regional level the South East Plan is an important document and must be given considerable weight in the determination of major planning applications and Local Development Frameworks must be in general conformity with the Plan.

**1.2 Consultation and Changes**

- 1.2.1 The Borough Council has taken the opportunity to make representations on the emerging South East Plan at various stages. These have ranged from comments

on the overall housing figures down to quite detailed matters that will affect our own planning and development policy in Tonbridge and Malling.

### **1.3 Housing Provision**

- 1.3.1 In the original draft Plan prepared by SEERA a provision of 28,900 dwellings per annum were proposed for the region. The Government's proposed changes, following the public examination, included the provision of 33,125 dwellings. The final Plan has a reduced figure of 32,700 per annum with the main reductions in areas of Surrey and Sussex. The overall housing provision figure for Kent remains the same and the annual provision for the Borough of 450 dwellings per annum is also unaltered. The Borough Council did not challenge that rate of housing provision due primarily to the well planned supply of land for future development in the Borough. In terms of physical land supply that remains the case, although of course in the current market circumstances actual progress with housing development has slowed radically. It remains to be seen how the effect of this downturn will be dealt with through monitoring against the South East Plan policy provisions.
- 1.3.2 Importantly, references to housing allocations being 'minima' have now been removed from the policy following strong objections by many planning authorities including the Borough Council. To be precise the words 'at least' have been removed from the policy H1 which allocates the number of dwellings to each area. That said there have also been changes to the supporting text which state that the availability of an annual provision or local trajectory number should not in itself be a reason for rejecting a planning application. Of course such an approach has always been the case and it seems that these words have merely been included, rather unnecessarily, as a reminder.
- 1.3.3 More locally the Borough Council raised objections to the level of housing provision proposed for the Maidstone area. This was based largely on a concern that the deliverability of over 11,000 dwellings during the Plan period was impractical and if not met could lead to increased pressures for housing development in the north part of Tonbridge and Malling. The objection on this point has not led to any changes and the level of housing provision for Maidstone remains as previously proposed. One objection that has been met however is that the symbol on the key diagram in the Plan indicating Maidstone's status of growth point that was previously shown cartographically to lie to the west of Maidstone has now been changed to the east. This is in line with what is now emerging as the major focus for new development activity in the Maidstone area (the key diagram from the Plan is attached to this report for convenience).

### **1.4 Strategic Gaps**

- 1.4.1 In the draft Plan submitted by SEERA strategic gaps as a policy concept was included in order to avoid coalescence between settlements. This approach, which was supported by many local planning authorities and forms a particular

local planning tool in this Borough, was taken out following the Examination in Public and the proposed changes by Government. Further representations seeking to reinstate this policy, have not been supported by the Secretary of State. This is disappointing if not wholly surprising bearing in mind the Government's approach to this issue in recent times. I believe, however, there remains some inconsistency between various parts of the Plan as published, not least because there are still references to this concept in the sub-regional parts of the Plan. For example, in dealing with the Maidstone area there is a reference to the need to avoid coalescence between Maidstone and the Medway towns. There is a similar provision in the way the Plan deals with the Kent Thames Gateway area. The Borough Council's adopted Local Development Framework does of course include policies concerning the identification and protection of strategic gaps and whilst there is no overall policy dealing with this subject now in the South East Plan, there does appear to be some latitude around the interpretation of these more local references in the Plan. We will need to carefully examine this matter in the first review of the LDF.

## **1.5 Hubs and Spokes**

- 1.5.1 The South East Plan designates Tonbridge/Tunbridge Wells as a regional hub. The Plan says that "to support its role as a hub new infrastructure investment should include improvements to links with East Sussex and Crawley/Gatwick and Maidstone". It also says that in order that the full potential of the regional hubs might be realised they must be supported by a network of regional spokes. However, throughout its life to date there has been no regional spoke shown between Tonbridge/Tunbridge Wells and Maidstone. This seemed to be a glaring omission which the Borough Council sought to change. It is pleasing to note success in that the key diagram now includes this regional spoke and consequently policy T8 of the Plan which gives a priority to improvements and investment now applies. This is important as a matter of policy in recognition of the significance of the A228 and the Medway Valley line and the linkages that they perform. This should be a helpful addition to the support sought for ongoing improvements to the A228, for example at Colts Hill, and rail investment strategy noting the importance of the Gatwick access issue which the Borough Council has been promoting.

## **1.6 Infrastructure**

- 1.6.1 The proposed changes policy on infrastructure and implementation has been retained with minor amendments. Many local authorities and the Regional Assembly strongly objected to the deletion of the conditional approach to infrastructure. However this has not been reinstated. The policy instead makes it clear that where new development creates a need for additional infrastructure a programme of delivery should be agreed before development begins.

## **1.7 Conclusions**

- 1.7.1 In overall terms there has been little significant alteration to the Plan since the Government's proposed changes were published. Locally it is considered that some important points of clarification have been achieved following the Borough Council's representations.

## **1.8 Legal Implications**

- 1.8.1 The South East Plan now forms part of the Statutory Development Plan and is a significant material consideration for the preparation of Local Development Frameworks and in the consideration of major planning applications.

## **1.9 Financial and Value for Money Considerations**

- 1.9.1 There none as a direct result of this report.

## **1.10 Risk Assessment**

- 1.10.1 There is some speculation that the decision by the Secretary of State to publish the Plan in its current form will be the subject of legal challenge and a close watch will be kept on any situation that develops

Background papers:

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The South East Plan Companion Document 2008

The South East Plan May 2009

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