

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**PLANNING and TRANSPORTATION ADVISORY BOARD**

**18 November 2009**

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

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

**1 VEHICLE PARKING STANDARDS**

**Summary**

**Vehicle Parking Standards were previously set out in Supplementary Planning Guidance (SPG4) which relied upon the Kent and Medway Structure Plan (KMSP) which is now no longer in force.**

**A Statement in the Managing Development and the Environment DPD (MDE DPD) makes it clear that, notwithstanding the demise of the KMSP, the Borough Council will continue to apply the standards in SPG4 until such time as they are superseded by a new Supplementary Planning Document to be prepared pursuant to a policy in the MDE DPD. SPG4 has to be read alongside later Government advice in PPS3 and the Manual for Streets which have now been interpreted locally by a document prepared as a supplement to Kent Design. This report seeks to clarify the current situation and the status of the Vehicle Parking Standards that apply.**

**1.1 Introduction**

- 1.1.1 Vehicle Parking Standards have been established on a County-wide basis and are included in a Supplementary Planning Document (SPG4) to the Kent and Medway Structure Plan (KMSP). These are the standards that the Borough Council has been applying over the past few years but paying regard to Government advice published since the original preparation of SPG4. The most notable changes in advice are in PPS3 (2006) and the Manual for Streets (2007) which deal with parking predominantly for residential use. (English Partnerships (now Housing and Communities Agency) has also published a very useful compendium of examples in "Car Parking – what works where".)**
- 1.1.2 Since the demise of the Structure Plan in July this year there has been some question about the status and application of the Kent Vehicle Parking Standards since effectively SPG4 fell when the Structure Plan ceased to have effect. The Borough Council's position is that it has included a proposed new Policy in the submitted MDE DPD (Policy SQ8) which provides a context for the preparation of**

a Supplementary Planning Document (SPD) containing new parking standards. This would most likely be done on a County-wide basis and officer-level overtures to this effect have already been made.

- 1.1.3 In the meantime, para 6.4.22 of the submitted MDE DPD makes it clear that the Council will continue to apply the Kent Vehicle Parking Standards set out in SPG4 until such time as a new SPD is prepared. However, given that the MDE DPD still effectively has draft status until such time as the Inspector has found it to be sound, and notwithstanding the fact that it has been adopted as a material consideration for Development Control, for the avoidance of doubt, it is recommended that the Council formally resolves to adopt SPG4 (as amended) on an interim basis, for Development Control purposes, until such time as new standards can be produced and adopted.
- 1.1.4 However, the Vehicle Parking Standards in SPG4 will still have to be read in conjunction with later Government advice. In this respect, Kent Highways Services (on behalf of the Kent Design Initiative) has produced a supplement to Kent Design in respect of car parking in residential areas, having regard to the most recent version of PPS3 – Housing. This allows, importantly, for more local determination of appropriate standards than the previous requirement of a maximum of 1.5 cars per unit on average across the Borough and Manual for Streets.
- 1.1.5 It is the application of the former policy that has led to a number of recent developments in the Borough that are patently deficient in off-street parking which is now leading to operational problems. (Examples of where this has been experienced are at Holborough and the second and third residential phases of Kings Hill which were approved by the Secretary of State subject to a condition limiting the parking to 1.5 spaces on average).
- 1.1.6 To bring things up-to-date, the provisions of SPG4 now need to be considered alongside: :
- the latest version of PPS 3
  - the Manual for Streets
  - satisfaction surveys of occupied schemes around the County (Kent Design Guide Review: Interim Guidance Note 1 – Quality Audits) and
  - Kent Design Guide Review: Interim Guidance Note 3 – Residential Parking (IGN3) (which flows out of the above documents).
- 1.1.7 The Combination of SPG4 as updated by IGN3 represents the best and most up-to-date local assessment of appropriate parking provision. These two documents should be now formally adopted for Development Control purposes. However it must be remembered that at present neither has been adopted pursuant to a current Development Plan, with the necessary stages of consultation, and

therefore they cannot have the same weight that SPG4 held before the demise of the Structure Plan. Nevertheless, they present the best and most up-to-date and practical information. However, like the MDE DPD itself at the present time, they may only be used as guidance.

- 1.1.8 The key factor with IGN3 is that it has been prepared following an in depth review of the 'evidence base' from recent developments and, most importantly the results from feedback on parking issues from the residents of some of the most recent developments across the County.
- 1.1.9 The substance of this revised guidance on residential parking is set out in **Annex 1** and the full document is circulated separately with the agenda.
- 1.1.10 The Kent Design team has also carried-out some other study work aimed at bringing the local advice on visibility splays in-line with Manual for Streets. This work is embodied in Kent Design Guide Review: Interim Guidance Note 2 (IGN2) – Visibility and it would likewise be appropriate for this document to be adopted for Development Control purposes. IGN2 is also circulated separately with the agenda.

## **1.2 Legal Implications**

- 1.2.1 As these documents have not been produced in accordance with formal procedures for the preparation of SPD they cannot be relied upon entirely to form the basis of any refusal of planning permission.

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

- 1.3.1 None.

## **1.4 Risk Assessment**

- 1.4.1 None subject to appropriate use of the documents as guidance and in informing judgements on planning applications.

## **1.5 Recommendation**

- 1.5.1 That SPG4 and IGN3 **BE ADOPTED** for the purposes of the assessment of parking in development control until standards are finally adopted pursuant to MDE DPD Policy SQ8
- 1.5.2 That IGN2 (Visibility) **BE ADOPTED** for the purposes of development control.

The Director of Planning Transport and Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

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Nil

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