



**TONBRIDGE & MALLING
BOROUGH COUNCIL**

Nicolas Heslop
**Borough Councillor for Cage
Green, Tonbridge**
Leader of The Council

The Rt Hon Sir John Stanley MP
House of Commons
London SW1A 0AA

26 October 2012

Dear Sir John

Government Policy on Housing and Growth

We are writing to you on the subject of the Government's current policy direction on Housing and Growth as set out in the written statement issued by the Secretary of State for Communities and Local Government on 6 September.

The Borough Council's Cabinet gave some initial consideration to the range of policy initiatives put forward in the statement at its meeting on 10 October and we attach for your information and convenience a copy of the report submitted by the Director of Planning, Transport and Leisure and the Director of Health and Housing. We hope you will find this to be a helpful summary and analysis of the issues at stake as we see them in Tonbridge and Malling.

You will note from the report that although we support the general thrust of policy to stimulate the provision of appropriate housing and economic growth, there are some serious misgivings held about elements of the approach being promoted.

There are two particular areas of general concern regarding housing and planning that we collectively share.

The first of these relates to the overall approach to housing. Whilst we welcome the support indicated for investment in the private rented sector and other initiatives linked to assisting home ownership for first time buyers, we would not wish this to be to the detriment of the supply of affordable housing through our housing association partners. We remain to be convinced that the private rented sector is a sustainable solution for meeting affordable housing needs unless forming part of a broader affordable housing offer to meet the identified housing needs of the Borough. In particular we would wish to see any such investment provided in a way that enables the accommodation to be truly affordable (particularly in the light of the rapidly accelerating prices in the private rented market) and also include the safeguards, protections and local accessibility that is currently achieved through the provision of affordable housing provided by our Partner Registered Providers. The Council would not wish to see the new private rented and assisted purchase initiatives as a replacement of our traditional programme of social and affordable housing provision,

which has been carefully managed and regulated in terms of tenancy management, rent control and nomination rights to address our housing needs locally. Our practice and that of our partners in this field has generated significant success and a track record of delivery to the benefit of those needing real affordable housing opportunities in the Borough. The prospect is of that ability being diminished by recent proposals which are promoting lower affordable housing requirements being borne by re-negotiated planning obligations. This threatens our effective using of Section 106 agreements to implement delivery and is therefore also of grave concern to our Council. Whilst the Council may have some sympathy with regard to an emerging *national* picture of sites stalled by overly ambitious affordable housing requirements within historic S106 agreements, this does not reflect the more buoyant position within west Kent and in particular Tonbridge & Malling, where such renegotiations have not been sought and affordable housing provision remains an important tool in the economics of site delivery.

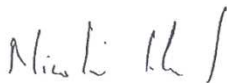
The second area of general concern is in respect of proposals to extend 'permitted development' limits. This has the potential to create considerable tensions between neighbours in residential areas, since the normal recourse for objecting to a proposal will be removed. It also has the potential to create real planning harm through overshadowing and overlooking; matters which are important to local residential amenity and the enjoyment of people's homes. It is quite apparent that most local authorities act properly and grant planning permission in a timely fashion, should that be the proper decision to make on a case by case basis. That is the way that planning, at the domestic level, has operated fairly soundly for decades. There is no evidence advanced to demonstrate that the need for planning permission is a deterrent or obstacle to appropriate development and it seems to the Council that the current levels of permitted development are appropriate.

As a tool for reducing 'red tape' and stimulating economic investment, extending permitted development tolerances for a three year period (although we appreciate that latest indications are that this period may be extended) is unlikely to have a significantly beneficial impact, since any proposals will still rely on there being sufficient disposable income and available finance in the economy to take on such projects. It is this that the Council believe is the major deterrent that homeowners face in improving property. Moreover, it may simply divert planning staff resources away from processing planning applications towards the investigation of more "alleged" breaches of planning control if neighbours are disgruntled by work under the new extended tolerances

The Borough Council is mindful that some of the initiatives outlined in the Secretary of State's statement will be the subject of detailed consultation which the Borough Council will engage in fully. In the meantime we were keen for you to be aware of the Council's views at this stage so that you might be able to provide support for the concerns raised.

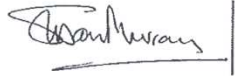
Since our Cabinet meeting we have become aware of the publication of the Growth and Infrastructure Bill – this Bill has the aim of encouraging development by removing barriers of administration. We will be asking our Officers to analyse the Bill as drafted to establish if any of the concerns raised above are amplified or nullified by that draft legislation.

Yours sincerely,



Leader of the Council

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