

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
committee.services@tmbc.gov.uk

27 November 2017

To: MEMBERS OF THE PLANNING AND TRANSPORTATION ADVISORY BOARD

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Planning and Transportation Advisory Board to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 5th December, 2017 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

- | | | |
|----|--------------------------|-------|
| 1. | Apologies for absence | 5 - 6 |
| 2. | Declarations of interest | 7 - 8 |

3. Minutes 9 - 12

To confirm as a correct record the Notes of the meeting of the Planning and Transportation Advisory Board held on 25 July 2017

Matters for Recommendation to the Cabinet

4. Pre-Application Planning Advice Charging Regime and Building Control Application Fees 13 - 20
5. Planning for the Right Homes in the Right Places - Consultation Response 21 - 36
6. Local Plan Status and Update 37 - 44
7. Local Plan: Duty to Co-operate 45 - 52
8. Medway Flood Management Partnership 53 - 58
9. Urgent Items 59 - 60

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive

Matters for consideration in Private

10. Exclusion of Press and Public 61 - 62

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

PART 2 - PRIVATE

11. Urgent Items 63 - 64

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr D A S Davis (Chairman)
Cllr T Edmondston-Low (Vice-Chairman)

Cllr M A C Balfour
Cllr Mrs S M Barker
Cllr P F Bolt
Cllr V M C Branson
Cllr M O Davis
Cllr B T M Elks
Cllr D Keers

Cllr Mrs F A Kemp
Cllr R D Lancaster
Cllr M Parry-Waller
Cllr S C Perry
Cllr R V Roud
Cllr A K Sullivan
Cllr M Taylor

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Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

PLANNING AND TRANSPORTATION ADVISORY BOARD

Tuesday, 25th July, 2017

Present: Cllr D A S Davis (Chairman), Cllr T Edmondston-Low (Vice-Chairman), Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr P F Bolt, Cllr V M C Branson, Cllr M O Davis, Cllr D Keers, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr M Parry-Waller, Cllr S C Perry, Cllr R V Roud, Cllr A K Sullivan and Cllr M Taylor

Councillors Mrs J A Anderson, O C Baldock, R P Betts, M A Coffin, D J Cure, R W Dalton, N J Heslop, D Lettington, B J Luker, Mrs A S Oakley, L J O'Toole, M R Rhodes and T C Walker were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillor B T M Elks and also from Councillor H S Rogers, the Cabinet Member for Strategic Planning and Infrastructure

PE 17/9 DECLARATIONS OF INTEREST

Councillor M Davis declared an Other Significant Interest in items on the agenda, particularly the Local Plan Update, on the grounds of his status as a partner of Warners Solicitors. In accordance with the dispensation granted at Minute GP 16/19 (meeting of 20 October 2016), he remained in the meeting and addressed the Advisory Board but took no further part in the discussion or voting.

In the interests of transparency Councillor M Balfour indicated that he was the Cabinet Member for Planning, Highways, Transport and Waste at Kent County Council.

PE 17/10 MINUTES

RESOLVED: That the notes of the meeting of the Planning and Transportation Advisory Board held on 7 March 2017 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

PE 17/11 LOCAL PLAN UPDATE - REGULATION 18 CONSULTATION RESPONSE

Decision Notice D170054MEM

Further to Decision No D170029MEM, the report of the Director of Planning, Housing and Environmental Health provided an update following the consultation exercise carried out between 30 September

and 25 November 2016 on the emerging Local Plan. A summary was given of the main issues raised in the responses to the consultation together with suggestions on how they might be taken into account.

The report also updated progress in respect of the Local Plan evidence base and set out the next stages of the process. A revised timetable, necessitated by the calling of the General Election in June, was presented and proposed arrangements for Member workshops during the early autumn discussed. It was noted that adjustment of the dates of the September and November meetings of the Advisory Board might be required. An undertaking was given to advise Members when the position statement on the website was updated as further evidence became available.

RECOMMENDED: That the content of the report be noted and the revised Local Plan timetable set out at Annex 3 to the report be approved.

PE 17/12 DUTY TO CO-OPERATE

Decision Notice D170055MEM

The report of the Director of Planning, Housing and Environmental Health gave an update on progress in exercising the Duty to Co-operate with neighbouring local authorities and other relevant bodies on strategic cross boundary matters in the context of Local Plan preparation. Endorsement was sought of officer level comments submitted by the 12 June deadline in respect of the recent Regulation 18 public consultations for the emerging Tunbridge Wells Local Plan.

RECOMMENDED: That the update on the Duty to Co-operate be noted and the officer level comments in respect of the Issues and Options consultations for the emerging Tunbridge Wells Local Plan, as set out at Annex 1 to the report, be endorsed.

PE 17/13 TRANSPORTATION ISSUES

Decision Notice D170056MEM

The report of the Director of Planning, Housing and Environmental Health provided an update on a number of transportation issues relevant to the Borough, focusing on the South Eastern Rail Franchise consultation, proposals for a Lower Thames Crossing, planned improvements to Tonbridge Station forecourt and highway improvements to the A20/Hermitage Lane. Endorsement was sought of the officer level response submitted in respect of the Rail Franchise consultation by the 30 June deadline.

RECOMMENDED: That the content of the report be noted and the officer level comments in response to the South Eastern Rail Franchise consultation, as set out at Annex 1 to the report, be endorsed.

MATTERS FOR CONSIDERATION IN PRIVATE

PE 17/14 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 8.30 pm

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

05 December 2017

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 PRE-APPLICATION PLANNING APPLICATION CHARGING REGIME AND BUILDING CONTROL APPLICATION FEES

This report recommends some changes to the Pre-application Planning advice Charging Regime and an overall approach to Building Control Fees.

1.1 Introduction

- 1.1.1 The current Pre-Application Planning Advice Protocol and Charging regime was introduced on 1 April 2016 and updated again on 1 April 2017, following a detailed monitoring period and review process.
- 1.1.2 Further detailed monitoring has been carried out from 1 April 2017 to 1 November 2017, which includes a breakdown of time spent on all tasks associated with giving pre-application advice.

1.2 The current pre-application process

- 1.2.1 The Pre-application Protocol and fee structure, introduced on 1 April 2016 and updated on 1 April 2017, identifies five main categories:
 - 1. Householders: - includes proposals relating to individual houses and flats for residential purposes where the building affected is not a listed building.
 - 2. Minor development:- includes alterations to an existing building (not householder) where there is no increase in floor space, increase in floor space less than 499 sq.m., new or replacement shop fronts, new or replacement advertisements, alterations to a listed building, demolition of an unlisted building within a conservation area, proposals for Telecommunications Equipment, proposals for Air Conditioning / Ventilation Equipment, amendments to Previously Approved Schemes, discharge of conditions attached to permissions and 1 new residential unit.
 - 3. Medium development: - includes advice on 2 to 9 new residential units or the creation/change of use of up to 999 sq m floor space.

4. Major development: - includes advice on 10 to 99 new residential units or the creation/change of use of 1,000 to 9,999 sq m.
 5. Large/Strategic development: - includes advice on 100 or more new residential units or the creation/ change of use of 10,000 sq m or more floor space.
- 1.2.2 The charges for advice relate to the submission of one query only. Submissions that include multiple options, amended drawings submitted following a meeting/site visit and any additional matters not included with the original submission are viewed as new enquiries and are subject to a separate fee.
- 1.2.3 The Pre-Application Protocol identifies two categories where fees will not apply:
- Advice to third parties affected by the development and/or change of use
 - Disabled access improvements
- 1.2.4 The current Pre-Application Protocol offers a three option system as follows:
- A pre-application written response
 - A pre-application meeting at the Council offices, followed by a letter
 - A pre-application meeting on site, followed by a letter.
- 1.2.5 This system allows the prospective applicant to choose what level best suits their needs and budget. All three options have been used by prospective applicants during the monitoring period.
- 1.3 Proposed amendments**
- 1.3.1 The Pre-Application Protocol has been effective in delivering technical planning advice in a timely way since it was introduced in April 2016. Monitoring carried out this year has illustrated that the amendments implemented to the Protocol in April 2017 have been effective in addressing some of the minor issues experienced during the first year. Therefore no changes are proposed to the current Pre-Application Protocol at this time, but further monitoring will be carried out during 2017-2018 to ensure it works effectively, is kept up to date and meets the needs of the customers.
- 1.3.2 However, the monitoring carried out from April 2017 indicates that the fees should be adjusted in order to recover the full costs of providing advice, and it is therefore proposed that the Pre-Application Charging Schedule be amended to reflect this. For clarity the proposed Pre-Application Schedule for 2018-2019 is attached as Annex 1 and the existing Pre-Application Schedule is attached as **[Annex 2]**.
- 1.3.3 Should the proposed changes to charging schedule be considered acceptable, then they could be introduced on 1 April 2018.

1.4 Building Control Application Fees

- 1.4.1 Fees for building control applications should generally be set to cover the cost of fee earning elements of the service. The applications fees were last reviewed earlier this year and there is an ongoing review taking place to make an assessment of the most appropriate range of detailed fee charges moving forward. In setting fees we also need to be mindful that building control services are in direct competition with Approved Inspectors in the private sector and issues around maintaining market share are important considerations.
- 1.4.2 Members will also be aware that our building control services are provided through a partnership arrangement with Sevenoaks District Council, overseen by a Management Board. At present it is considered that the most prudent approach might be to aim at a fee increase amounting to approximately a 3% increase across the range of application types, but at this stage further detailed work is needed to set the precise fee scales. Consequently it is suggested that the Director of Planning, Housing and Environmental Health is given delegated authority to agree the detailed fee scales within this overall context in liaison with Sevenoaks through the Management Board.

1.5 Legal Implications

- 1.5.1 The Local Government Act 2003 provides the power for local authorities to charge for discretionary services (as defined in the Local Government Act 1999). Discretionary services are those services that an authority has the power but not a duty to provide, such as pre-application planning advice. An authority may charge where the person who receives the service has agreed to its provision. The power to charge under this provision does not apply where the power to provide the service in question already benefits from a charging power or is subject to an express prohibition from charging.
- 1.5.2 The Local Government Act 2003 places a duty on authorities to ensure that, taken one year with another, the income from charges for each kind of discretionary service does not exceed the costs of provision. An authority may set charges as it thinks fit, and may, in particular, charge only certain people for a service or charge different people different amounts.
- 1.5.3 Local authorities are required to have regard for any guidance that may be issued by the Secretary of State in terms of carrying out their functions under the 2003 Act. Section 93(7) of the Act provides that certain prohibitions in other legislation preventing authorities from raising money are specifically dis-applied in relation to the exercise of the charging power.
- 1.5.4 Local Planning Authorities therefore have powers to recover the costs of pre-application advice in recognition of the time officers have to spend researching information in order to provide answers to prospective developers or applicants

- 1.5.5 As far as Building Control is concerned the Council should set fees at a level to cover reasonable costs in providing the fee earning elements of providing the service.

1.6 Financial and Value for Money Considerations

- 1.6.1 The current level of cost recovery for providing pre-application planning advice is projected to be £62,490 for 2017/18, based on actual cost recovery of £31,245 for April to September, which breaks down to an average cost recovery of £5,207 per month. This is a notable increase on the costs recovered in £2016/17, which was £52,100, equivalent to an average of £4,342 per month.
- 1.6.2 The projected cost recovery on pre-application fees is still considerably below the £100,000 estimated cost for delivering this service. However, the cost of providing advice to third parties makes up a notable proportion of the shortfall and, mindful of their position, it is considered inappropriate to introduce a charging regime for them.
- 1.6.3 It is appropriate to review the protocol and charging schedule every year, to ensure the evidence base is up to date. This will ensure that we are responsive to the needs of the customer and that the charging schedule is fairly applied

1.7 Risk Assessment

- 1.7.1 Robust monitoring should be carried out every year to ensure the protocol and charging schedule in place is based on up to date evidence

1.8 Equality Impact Assessment

- 1.8.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.9 Recommendations

- 1.9.1 It is recommended to Cabinet to **APPROVE** the updated Pre-application charging regime for planning at [**Annex 1**]
- 1.9.2 The Director of Planning, Housing and Environmental Health be given authority to set the detailed building control application fee scales, within a general guide of a 3 % increase.

Background papers:

contact: Louise Reid

Nil

Steve Humphrey
Director of Planning, Housing and Environmental Health

Annex 1

Tonbridge and Malling Borough Council Pre-application charging schedule 2018/2019				
	Type of Development	Fee for written advice only	Fee for a meeting at the Council Offices and letter	Fee for a meeting on site and letter
1	Householder development	£96 £80 + VAT	£156 £130 + VAT	£252 £210 + VAT
2	Minor development	£126 £105 + VAT	£252 £210 + VAT	£312 £260 + VAT
3	Medium development	£228 £190 + VAT	£252 £210 + VAT	£312 £260 + VAT
4	Major development	£498 £415 + VAT	£618 £515 + VAT	£684 £570 +VAT
5	Large Scale/Strategic Development	Site visit/meeting and written response option only £1,116 £930 + VAT		
Exemptions				
<ul style="list-style-type: none"> • Advice to third parties affected by development proposals • Disabled access 				
Notes				
<ul style="list-style-type: none"> • The charges set out above relate to each separate query submitted to the Council • Further queries and variations raised following the issue of advice by the Council will be subject to a new fee 				

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Annex 2

Tonbridge and Malling Borough Council Pre-application charging schedule 2017/18				
	Type of Development	Fee for written advice only	Fee for a meeting at the Council Offices and letter	Fee for a meeting on site and letter
1	Householder development	£78 £65 + VAT	£144 £120 + VAT	£240 £200 + VAT
2	Minor development	£120 £100 + VAT	£240 £200 + VAT	£300 £250 + VAT
3	Medium development	£180 £150 + VAT	£240 £200 + VAT	£300 £250 + VAT
4	Major development	£480 £400 + VAT	£600 £500 + VAT	£660 £550 + VAT
5	Large Scale/Strategic Development/Planning Briefs/Master Planning	Site visit/meeting and written response option only £1,080 £900 + VAT		
Exemptions				
<ul style="list-style-type: none"> • Advice to third parties affected by development proposals • Disabled access 				
Notes				
<ul style="list-style-type: none"> • The charges set out above relate to each separate query submitted to the Council. They include research time on each query • Further queries and variations raised following the issue of advice by the Council will be subject to a new fee, including further meetings and site visits • Fees are calculated on the following time periods for site visits and meetings: <ul style="list-style-type: none"> ○ Categories 1, 2 and 3 – not to exceed 30 minutes ○ Category 4 – not to exceed 60 minutes ○ Category 5 – not normally to exceed 150 minutes 				

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

05 December 2017

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

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

1 PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES – CONSULTATION RESPONSE

This report seeks endorsement for the response to the Department for Communities and Local Government in respect of the recent consultation.

1.1 Introduction

1.1.1 The Government published a Housing White Paper entitled 'Fixing Our Broken Housing Market' in February setting out a number of proposed planning reforms, which were reported to this Board in March. Some of these were subject to further consultation before being incorporated into a revised version of the National Planning Policy Framework, first published in March 2012.

1.1.2 The latest consultation was published on 14th September with comments invited up to the 9th November. Views were sought to 19 set questions relating to a number of proposed changes including:

- A proposed approach to calculating local housing need
- Statements of Common Ground
- Planning for a mix of housing needs
- Neighbourhood Planning
- Viability assessments
- Planning fees and
- Other issues

1.1.3 The proposals raise a number of concerns, particularly in relation to the proposed approach to calculating housing needs. These have been set out in the full response appended to this report for endorsement. Bearing in mind the

importance and high profile of this subject, the response has already been sent to all Members and an opportunity was taken to make a short presentation to the Parish Partnership Panel recently.

1.1.4 The consultation introduces uncertainty to the Local Plan process going forward and this is explained in more detail in the following report 'Local Plan Status and Update'.

1.1.5 Another proposal is to introduce Statements of Common Ground to complement the Duty to Cooperate. The implications of this new requirement are examined in more detail in another report on this agenda.

1.2 Legal Implications

1.2.1 There are no legal implications arising directly from this report although the planning reforms that are the subject of the consultation will come into force when the National Planning Policy Framework is revised expected to be in the spring of 2018 and the Local Plan will have to take these into account.

1.3 Financial and Value for Money Considerations

1.3.1 The introduction of a standardised method of calculating housing need for Local Plans will have financial implications for updating Local Plan evidence to take account of any uplift.

1.4 Risk Assessment

1.4.1 The delay to the Local Plan timetable as a result of the proposed changes will increase the risk of the development plan becoming out of date.

1.5 Recommendations

1.5.1 That Annex 1 to this report, subject to any additional comments by the Board, be recommended to Cabinet for endorsement as this Council's formal response to the consultation.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and policy Framework.

Background papers:

Nil

contact: Ian Bailey
Planning Policy Manager
Louise Reid
Head of Planning

Steve Humphrey
Director of Planning, Housing and Environmental Health

ANNEX 1

Planning for the right homes in the right places: consultation proposals – Response on behalf of TMBC

The consultation ‘strongly encourages’ responses to an on-line survey to 19 set questions. Where this is not possible a pro forma may be completed and emailed with the option of including additional information or evidence. This will be the preferred option for us because we can make some general comments in a covering e-mail and in response to the proposed standardised methodology for assessing housing needs we may wish to refer to and append a copy of our evidence on deliverability.

General Comments

There are numerous references throughout the consultation document to the Government not wishing to add burdens on Local Planning Authorities or delaying plan making as a result of the proposals. Unfortunately, the uncertainty around the new housing needs assessment is having just that effect. Until there is clarity over what Government’s intentions are and what the housing need figure will be, Local Planning Authorities unable to submit their plans by 31st March may have to consider revisiting evidence to take account of the new figures, reassess sites that have been submitted under Call for Sites and carry out further rounds of consultation. For us this will slow our local plan down considerably whatever the outcome of the consultation. It is an unwelcome intervention at a time when the Borough Council was making very good progress, to reflect our traditional track record of progressive development planning.

Those few Authorities who are able submit before the deadline and are able to continue with their current needs assessments will at best have to review their Local Plans as soon as they are adopted. So in any event the implications are significant and may result in a Local Plan that is effectively out of date as soon as it is published. With the cost of preparing Local Plans running well into six figures at a time when local authority budgets are under huge pressure the consultation has caused much wider concern than simply planning matters.

The Borough Council’s overall view is that the consultation proposals are unrealistic and of little practical use in speeding up or increasing the supply of housing. Even though the proposed approach draws on affordability principles, it does not address the actual reasons for poor performance – simply setting new and probably unachievable needs assessments does not change delivery.

Question 1 (a)

Do you agree with the proposed standard approach to assessing local housing need? If not, what alternative approach or other factors should be considered?

No, for reasons that will be explained below. But first it may be helpful to set the scene with some context. Tonbridge and Malling has a good track record of housing delivery despite being heavily constrained (77% Metropolitan Green Belt and AoNB designations) consistently delivering over and above the targets set by the former South East Plan and being able to demonstrate a five year housing land supply.

It also has a good track record for getting development plans in place (the Tonbridge and Malling Local Development Framework adopted between 2007-10 was one of the first in the country to comprise a complete set of documents). Preparation on the new Local Plan started soon after the publication of the NPPF in 2012 and we have put a lot of time and resources into preparing our evidence base particularly the Strategic Housing Market Assessment working closely with neighbouring authorities and using the same consultants G L Hearn and Partners. This has been updated regularly to take account of revised sub-national population and household projections and to take on board on-going national planning reforms. We are satisfied that the methodology used is robust and fit for purpose.

Over the last 15 years, a complete economic cycle, we have delivered on average 605 new dwellings net of demolition per year. Our South East Plan housing target was 450 per year. Our latest Objectively Assessed Need (OAN) for new homes is 696. We have now prepared complementary evidence for new infrastructure and for mitigating the potential impacts of this level of growth and consulted on a proposed development strategy for our new Local Plan that could fully meet our OAN across two housing market areas, one of which is almost entirely designated as Metropolitan Green Belt where we will demonstrate exceptional circumstances for managed Green Belt land release.

Our current Local Plan timetable had anticipated us carrying out a Regulation 19 consultation in respect of a draft Local Plan for submission early in 2018, with submission later in the year, but after the 31st March, which is the date that the new methodology is expected to come into force.

The proposed standardised methodology would result in our OAN increasing from 696 to 859 per year an increase of 23%. Over the 20 year Local Plan period this equates to an additional 3,260 dwellings. To deliver this level of housing growth would require a growth rate of 1.6%, which has never been achieved in Tonbridge and Malling or indeed by any Local Authority in England over the period 2001-16. It is in simple terms undeliverable, unless there were to be intervention in the housing and construction market unprecedented in recent times. .

This level of increase will require us to revisit our evidence, reassess sites that have been submitted under Call for Sites and re-consult on them resulting in an unavoidable delay in preparing the Local Plan at a time when we were making very sound progress. A delay such as this will result in extending the period that we rely on our adopted Local Development Framework, increasing the likelihood of challenge to the good planning principles and guidance that it affords us.

If we accept the standardised OAN as a given and that there will be unmet need we then turn to the duty to cooperate and negotiate with neighbouring authorities within the two housing market areas to agree where the unmet need can be accommodated. However, we already know that our neighbours to the west (Sevenoaks and Tunbridge Wells) cannot meet their current OAN let alone the need generated by the standardised methodology which would see further increases.

Our neighbour to the east is Maidstone who are about to adopt their Local Plan based on an OAN of 883 per year. There is a requirement that their Local Plan is reviewed and adopted by 2021, so plan preparation will resume immediately. The standardised methodology generates a need for Maidstone of 1,236, one of the highest increases in Kent. It is unlikely that Maidstone will be able to meet its own need going forward. In fact the story is the same across Kent. In London the standardised methodology results in an uplift from 49,000 new homes a year to 72,000 resulting in an annual shortfall of 23,000. It is anticipated that the Mayor and GLA will be looking to meet this shortfall in the wider south east or beyond when the new London Plan is published for consultations later this year.

Therefore, applying the new standardised methodology will result in significant unmet need with no realistic prospect of this being addressed through the duty to cooperate or within the rest of the Tonbridge and Malling housing market areas, Kent or much of London and the south east.

Notwithstanding the implications for Tonbridge and Malling's Local Plan there are a number of concerns we have with the proposed methodology:

Deliverability

As noted above the levels of growth on a sustained basis required to meet the needs generated by the standardised methodology are unprecedented. If we were to include sufficient sites in our Local Plan to meet those needs there is little prospect of the levels of delivery being realised. All this would achieve would be failure to meet the new Housing Delivery Test. We strongly believe therefore that deliverability or the capacity of the development sector within an area to build new homes should be factored into the standardised methodology. We have commissioned our consultants G L Hearn and Partners to assess this capacity for Tonbridge and Malling as part of our Local Plan evidence base a copy of which is appended for information.

Increasing Affordability

The aim of embedding an affordability uplift into the standardised methodology is admirable. However, this doesn't take into consideration the influence that the London housing market has on affordability in the wider south east. The premise that increasing housing supply will increase affordability simply does not apply to those authorities that are in close proximity to London. Increasing the supply of market housing will not have a significant impact on prices, even if developers were willing and able to deliver at the rates necessary to meet the needs generated by the standardised methodology.

Moreover the majority of lower cost home ownership models proposed in the Housing White Paper will not (at 80% market rates) be affordable for most of those in need of affordable housing in areas in the wider south east like Tonbridge and Malling.

Consistency of Approach

By using a baseline household growth assumption the standardised methodology has the effect of 'penalising' those Local Planning Authorities that have had a good track record of delivery in the past while 'rewarding' those that have been less successful. As noted Tonbridge and Malling has had a good record of delivery and has been looking to build on that success, but the standardised methodology would have the effect of increasing housing needs beyond what has ever been achieved in the past, while other authorities not dissimilar to Tonbridge and Malling have had much smaller increases or in some cases a reduction in their OAN.

This can be illustrated by comparing Tonbridge and Malling with South Oxfordshire. Both authorities are quite similar in terms of constraints (i.e. Green Belt, National Parks, Areas of Outstanding Natural Beauty or Sites of Special Scientific Interest) with Tonbridge & Malling covered by 77% whilst South Oxfordshire is covered by 65%. In addition, the housing affordability ratio for both districts is the same at 11.3.

However, the average household growth for the ten year period 2016-2026 for South Oxfordshire is 424.3 per annum (see DCLG 2014-based Household Projections). This compares to an average annual household growth for Tonbridge & Malling for the same period of 613.6, a difference of +189.3. This has a significant effect on the outcome of the standardised methodology calculation because this figure represents the baseline. What this means is that South Oxfordshire's OAN reduces from a range of 725-825 to 617 per year, while Tonbridge and Malling's OAN increases from 696 to 859, which is capped at 40% (the actual figure would be higher at 894). This is a difference of 242 dwellings per annum.

Given that the 2014-based DCLG Household Projections reflect housing delivery performance during the trend period of 2009-14, the methodology is, in effect, penalising authorities that planned positively, i.e. supported growth, during this timeframe, whilst perversely rewarding authorities that delivered less, in comparison, to help boost housing supply. Essentially the expectation is that growth should continue to go to growth whilst areas of comparatively low delivery should not be required to contribute significantly to the agenda of boosting the supply of housing in the future.

Alternative Approaches

You have also asked for our views on what alternative approach or other factors should be considered:

There should be a deliverability test to ensure that the need figures being generated are realistic. One of the tests of soundness in the NPPF requires Local Plans to be 'effective' i.e. deliverable over the Plan period (para.182). As noted, the rates of growth required to meet the proposed OAN for Tonbridge and Malling are unprecedented on a sustained basis. If the

Government's intention is that unmet need should be resolved through the duty to cooperate then the deliverability test should be applied to the wider area. For Tonbridge and Malling the opportunities for other Local Authorities taking on unmet need is unlikely for the reasons set out above.

Similarly, aspirations for addressing affordability in local housing markets should be proportionate and viable. In the case of wider south east authorities like Tonbridge and Malling there should be some recognition of the influence of the London Housing market on local house prices. The physical constraints on delivery capacity already explained in these comments mean that the levels of delivery necessary to outweigh the influence of London and reduce house prices will effectively never be achieved. A way to properly address the affordability gap is necessary to accompany a new approach to overall needs assessment. That will require recognition in the NPPF that the definition of affordable housing must be changed to place a greater burden on new development to provide homes that are truly affordable in local areas. This requires a return to models of tenure and definitions of affordable housing that are substantially below the current affordable rental level, accompanied by a shift in Local Housing Allowance rates to a level more realistic in a local market context.

For a consistent and fairer approach the methodology should factor in historic shortfalls in delivery rather than use a projection figure that reflects recent trends. The most recent household projections are based on sub national population projections calculated from trends over the previous 5-6 years. Factoring in an allowance for addressing historic shortfalls using a longer trend period would address the inconsistent approach illustrated above.

In response to the consultation some have suggested that constraints should be factored into the methodology before needs are assessed. We do not think this is appropriate as the starting point should be to assess genuine needs and then plan to meet those needs as far as possible within the Local Plan taking constraints fully into account at that planning stage. If there is still unmet need to then working with others might be one way to address it. However, there should be recognition of the fact that in parts of London and the south east, Tonbridge and Malling included, there will be no sustainable solutions to meeting unmet need, especially if, in practice, the nearest authorities with capacity are hundreds of miles away from where the needs arise.

Question 1(b)

How can information on local housing need be made more transparent?

In Tonbridge and Malling the latest OAN figures are published on our website in the Strategic Housing Market Assessment, which in turn is updated regularly. We also publish Local Plan updates called Position Statements, which highlight the current OAN.

Delivery, commitments and the five year housing land supply position are published annually in the Annual Monitoring Report, which again is available on the Council's website.

We believe this to be a satisfactory way of sharing this information.

Question 2

Do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?

The two year period is in effect what Local Planning Authorities work to in practice now, since the sub national population projections and household projections are reviewed every two years, usually requiring Strategic Housing Market Assessments to be revised.

Arguably, all Local Plan evidence should be 'fixed' at the point of submission to enable the process to swiftly conclude to adoption. Any significant developments could be addressed in the Inspector's report and main modifications at the point of formal public examination.

Setting a 2 year limit seems unnecessary. It should apply until the Local Plan is adopted especially as once the Plan is submitted the Local Planning Authority has little control over the timing of the remaining stages (appointment of an Inspector, arranging a pre-inquiry meeting, inquiry, writing Inspector's report etc.).

Question 3

Do you agree that we should amend national planning policy so that a sound plan should identify local housing needs using a clear and justified method?

Yes. This is of course already current practice. Local Planning Authorities have to demonstrate to an Inspector that their Local Plans and the evidence on which they are based, including their SHMAs, is sound. It is highly questionable whether there is any need to actually introduce a Standardised Methodology. We are not aware of a significant delay being caused by local approaches. In fact the very nature of planning and needs assessment demands locally sensitive approaches to such matters which deserve to be debated through local plans.

If Local Planning Authorities retain the discretion to apply a different methodology to the standardised approach being consulted on, National Planning Guidance explaining what might constitute compelling reasons for doing so would be required, otherwise the debate at Public Examinations will be bogged down with argument, which could be far greater than any current delay in the system.

Question 4

Do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from the Planning Inspectors?

Subject to the comments and suggestions made in respect of Question 1(a) being taken into consideration before the standardised method is implemented.

Paragraph 47 of the consultation document explains the expectation that in arguing for a different approach and demonstrating this to the Inspector that the plan-making body should clearly set out how they have demonstrated joint working.

Clarification is sought as to what is meant by this. If a Local Planning Authority wishes to make the case for using a different methodology resulting in a lower OAN than the standard method, why would it be necessary to demonstrate joint working?

If the case is accepted by the Inspector there would be no unmet need (assuming this would be the difference between the standard and local methods).

Question 5(a)

Do you agree that the Secretary of State should have discretion to defer the period for using the baseline for some local planning authorities? If so, how best could this be achieved, what minimum requirements should be in place before the Secretary of State may exercise this discretion, and for how long should such deferral be permitted?

Yes. In the case of Tonbridge and Malling, which has a good record of housing delivery and has made good progress in preparing a new Local Plan that can potentially meet all of the objectively assessed needs despite being heavily constrained, the Secretary of State may wish to consider an extension to the end of July 2018 to enable this plan to be submitted in its current form.

Question 5(b)

Do you consider that authorities that have an adopted joint local plan, or which are covered by an adopted spatial development strategy, should be able to assess their five year land supply and/or be measured for the purposes of the Housing Delivery Test, across the area as a whole?

Question 5 (c)

Do you consider that authorities that are not able to use the new method for calculating local housing need should be able to use an existing or an emerging local plan figure for housing need for the purposes of calculating five year land supply and to be measured for the purposes of the Housing Delivery Test?

Questions 5b and 5c apply to areas with joint plans and/or where Local Planning Authorities do not align with administrative boundaries.

The proposals seem reasonable.

Question 6

Do you agree with the proposed transitional arrangements for introducing the standard approach for calculating local housing need?

No. As noted, above the requirement to apply the standardised methodology from 31st March 2018 or the publication of the NPPF (whichever is the later), will mean that Tonbridge and Malling's Local Plan will be delayed by approximately 6-9 months.

The proposed deadline will not incentivise Local Authorities like Tonbridge and Malling to submit their Local Plan any faster as it ignores the fact that Local Plan processes take time. Only those Authorities that were anticipating submitting their Local Plans within a few months of the 31st March will have any prospect of meeting the deadline. In any event those authorities are quite likely to have to commence a review straight away to address a changed housing need assessment and so their efforts will be, to a large degree, in vain.

Local Plan progress is monitored by the DCLG. If the objective of setting a deadline is genuinely to encourage Local Planning Authorities to accelerate their plans then a date that captures the greatest number of Plans within a reasonable response period should be applied.

Question 7(a)

Do you agree with the proposed administrative arrangements for preparing the statement of common ground?

No. Paragraph 69 acknowledges that housing market areas sometimes overlap and that the NPPF will be amended to ensure Local Planning Authorities use agreed housing market areas to develop statements of common ground.

Tonbridge and Malling has five neighbouring Local Planning Authorities and comprises two housing market areas, one to the west with Sevenoaks and Tunbridge Wells and one to the east with Maidstone. There is very limited 'fit' with the remaining neighbouring authorities in Gravesham and Medway. Tonbridge and Malling would therefore be looking to prepare two statements of common ground as proposed.

However, Medway has used a different housing market area analysis, representing a higher tier that overlaps with Maidstone and Tonbridge and Malling. We have drawn this to Medway's attention and made comments in respect of the emerging Medway Local Plan.

There may be some merit in the Government setting HMAs in same way that the standardised methodology has been set to ensure a consistent approach.

Question 7(b)

How do you consider a statement of common ground should be implemented in areas where there is a Mayor with strategic plan-making powers?

Question 7(c)

Do you consider there to be a role for directly elected Mayors without strategic plan-making powers, in the production of a statement of common ground?

In respect of the London Mayor and the GLA, might this not be the time to review the Greater London Act 1999 and the Duty to Inform to bring these matters into line with the Duty to Cooperate and Statements of Common Ground?

Question 8

Do you agree that the proposed content and timescales for publication of the statement of common ground are appropriate and will support more effective co-operation on strategic cross-boundary planning matters?

Until the issues raised in respect of the standardised methodology and the potential for meeting unmet housing needs in London and the wider south east as set out in answer to question 1(a) above are clarified preparing and agreeing statements of common ground will be challenging. The timescales for introducing the requirements should take this into consideration.

Question 9(a)

Do you agree with the proposal to amend the tests of soundness to include that:

i) plans should be prepared based on a strategy informed by agreements over the wider area; and

ii) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground?

No. The requirement to satisfy the Duty to Cooperate is already in place and it is clear that statements of common ground will become the main evidence for demonstrating that there is agreement on cross boundary issues including meeting unmet housing needs, so the imposition of additional tests is unnecessary.

Question 9(b)

Do you agree to the proposed transitional arrangements for amending the tests of soundness to ensure effective co-operation?

No. See response to Question 9(a).

Question 10(a)

Do you have any suggestions on how to streamline the process for identifying the housing need for individual groups and what evidence could be used to help plan to meet the needs of particular groups?

In March 2016 DCLG published draft Guidance for reviews of housing needs for caravans and houseboats, but this has not been finalised to date. In the absence of guidance for assessing the needs for Gypsies and Travellers since the review of the Planning Policy for Traveller Sites in August 2015, this may be an opportunity to incorporate the PPTS into the NPPF as was originally intended and address this gap in current guidance.

Question 10(b)

Do you agree that the current definition of older people within the National Planning Policy Framework is still fit-for-purpose?

Yes, with the possible inclusion of end of life needs for example hospices?

Older people: People over retirement age, including the active, newly-retired through to the very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialised housing for those with support or care needs. (extract from NPPF Glossary).

Question 11(a)

Should a local plan set out the housing need for designated neighbourhood planning areas and parished areas within the area?

No and this would in any event be difficult to implement in practice. A simple apportionment of the standardised OAN (proposed in paragraph 99 of the consultation document) may not take into account proposals being brought forward through the Local Plan process that require larger allocations in some areas, for example, in order to deliver significant infrastructure.

If a larger proportion of the housing need is being met in this way, how will figures in Neighbourhood Plans be adjusted to ensure that the overall housing need is met?

In some rural parishes with a high level of constraints a simple apportionment may be much higher than can be accommodated in the neighbourhood planning area.

If Local and Neighbourhood Plans are prepared at different times, which Plan takes precedence if there are different housing need assumptions for a neighbourhood planning area?

It should remain the case that Local Plans should set clear strategic policy for the preparation of Neighbourhood plans and not be any more prescriptive.

How will unparished areas be factored into the formula?

Question 11(b)

Do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied on as a basis for calculating housing need?

No. See response to 11(a).

Question 12

Do you agree that local plans should identify the infrastructure and affordable housing needed, how these will be funded and the contributions developers will be expected to make?

Yes. This is already addressed through Local Plan policies and allocations and in Infrastructure Delivery Plans.

Question 13

In reviewing guidance on testing plans and policies for viability, what amendments could be made to improve current practice?

Clearer guidance and greater transparency in preparing viability assessments would be welcomed. As this process can only realistically be carried out towards the end of plan making there is a risk of delays if there is uncertainty in how these assessments are carried out.

Question 14

Do you agree that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage?

Yes.

Question 15

How can Government ensure that infrastructure providers, including housing associations, are engaged throughout the process, including in circumstances where a viability assessment may be required?

Engagement with infrastructure providers throughout the Local Plan process is already seen as good practice. This could be formalised in National Planning Practice Guidance.

Insofar as Housing Associations are concerned, there needs to be a system whereby greater certainty can be gained on the delivery of affordable housing. Housing Associations can only be expected to have such confidence if they can readily see a finance stream available to them to sustain and plan future provision alongside Local Plan programmes. Consequently, the availability of a potential funding stream to subsidise truly affordable housing at significantly less than market value needs to be in place for HAs to bid against. This will be complimentary to the proposals of the consultation paper that are substantially to address the affordability gap.

Question 16

What factors should we take into account in updating guidance to encourage viability assessments to be simpler, quicker and more transparent, for example through a standardised report or summary format?

There would be some merit in such an approach.

Question 17(a)

Do you agree that local planning authorities should set out in plans how they will monitor and report on planning agreements to help ensure that communities can easily understand what infrastructure and affordable housing has been secured and delivered through developer contributions?

Yes.

Question 17(b)

What factors should we take into account in preparing guidance on a standard approach to monitoring and reporting planning obligations?

Commercial confidentiality may be an issue for some planning agreements. Guidance could assist in setting out the limitations of reporting sensitive information.

Question 17(c)

How can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?

Perhaps a similar approach to the presentation of information on Brownfield Registers could be applied to monitoring planning obligations?

Question 18(a)

Do you agree that a further 20 per cent fee increase should be applied to those local planning authorities who are delivering the homes their communities need? What should be the criteria to measure this?

If the standard methodology for assessing OAN is implemented as proposed in this consultation, the ability of most Local Planning Authorities in London and the south east to deliver this need and therefore qualify for the additional 20% will be negligible.

That is not to say that additional resources for planning departments in these areas is not needed, in fact the cost of living in the south east is a deterrent for recruitment so arguably there should be a stronger case for introducing a higher planning fee in these areas.

The costs of providing a good standard and value for money planning service should not only be judged against development performance. The satisfaction and efficiency achieved by a planning department is about a wide range of matters, quite often unrelated to housing development. Fees should be set in order to meet the estimated costs of providing good planning services and a proper approach to regular fee review built in.

Question 18(b)

Do you think there are more appropriate circumstances when a local planning authority should be able to charge the further 20 per cent? If so, do you have views on how these circumstances could work in practice?

Perhaps consideration should be given to inverting the incentive i.e. where housing targets are not being met and it can be demonstrated that the main reason for this underperformance is lack of resources in planning departments, then fees should be increased?

Question 18(c)

Should any additional fee increase be applied nationally once all local planning authorities meet the required criteria, or only to individual authorities who meet them?

See response to question 18(b).

Question 18(d)

Are there any other issues we should consider in developing a framework for this additional fee increase?

Penalising those Local Planning Authorities that are not likely to meet the standardised method for calculating OAN with lower planning fees is unfair as it is weighted in favour of those Authorities that have underperformed in the past and places greater burdens on those that have (see response to question 1(a) above).

If the aim of higher fees is to help and support planning departments a different set of criteria is needed to address poor performance where additional resources can really make a difference.

Question 19

Having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?

This is an issue that has been addressed the South East England Councils (SEEC) see – ‘Unlock the Housing Blockers: Tackling unimplemented planning permissions and housing delivery in the south east’ – January 2017.

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

05 December 2017

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 LOCAL PLAN STATUS AND UPDATE

This report provides an update on the Local Plan progress and the implications of the recent Government consultation 'Planning for the Right Homes in the Right Places' for the timetable.

1.1 Introduction

- 1.1.1 Good progress has been made on preparing the new Local Plan for Tonbridge and Malling, which has been demonstrated through the regular updates to this Board since the launch of the National Planning Policy Framework (NPPF) in March 2012. The Board meeting in July this year received a report setting out the main themes arising from the first major public consultation exercise that took place in the autumn of 2016 and an update on the remaining evidence required to draft the plan itself.
- 1.1.2 In September and October all Members were invited to a series of informal briefings preparing for the next stages in the process towards agreeing the proposed development strategy for delivering the identified housing and employment needs for the Borough and the draft Local Plan document itself.
- 1.1.3 Officers had anticipated bringing final drafts of the strategy Local Plan to this Board meeting for approval in December and January respectively. The next major public consultation on the draft Local Plan was then due to begin as soon as practicably possible after the meeting of the full Council in February 2018. Allowing for a 'good practice' period of consultation of 8 weeks and associated procedures would have meant the Local Plan could have been submitted in May/June.
- 1.1.4 In September the Government published a consultation document bringing forward some of the proposed national planning reforms set out in the Housing White Paper in February this year. The Council's response is set out in the previous report to this Board. One of the proposals, to establish a standardised methodology for calculating future housing needs in Local Plans has the effect of increasing the number of new homes Tonbridge and Malling would have to plan

for by 163 units a year, or 3,260 additional homes over the Plan period. As explained in that report, this has had the effect of introducing a significant degree of uncertainty into the process. There are also implications for updating the evidence base and the timetable.

- 1.1.5 The proposal is only a consultation at the present time, but it is anticipated that the new methodology will have to be applied when the new NPPF is published in the spring of 2018. The Government has indicated that those Local Planning Authorities that have submitted their Plans by this date or the 31st March, whichever is the later, can incorporate their existing objectively assessed needs into the submitted Plan.
- 1.1.6 This option is not feasible for the Tonbridge and Malling Local Plan as following the necessary steps to get the Local Plan to submission would take us beyond the 31st March and into May as indicated by the current timetable.
- 1.1.7 Even if it had been possible to submit the Plan in time the implication would have been that a review would have had to begin almost immediately to take account of the additional needs. It is also not clear how the requirement to ensure a five year housing land supply would operate post adoption of a Local Plan based on a lower objectively assessed need than the standard methodology indicates. Presumably the adopted Plan would carry significant weight in decision making, but it is less certain what weight a significant difference between the housing need assumptions would carry in the event of an appeal?
- 1.1.8 The remainder of this report considers some options for a revised timetable and an update on the ongoing work towards preparing and updating the evidence base.
- 1.1.9 It is expected that the Government will make an announcement before the end of the year on the consultation that closed on the 9th November. Subject to any confirmation of how the Government is likely to proceed it is anticipated that the Board meeting scheduled for January 2018 will include a revised timetable for consideration.

1.2 Implications for the Local Plan Timetable

- 1.2.1 Incorporating the new housing need figures into the Local Plan
- 1.2.2 To submit a Local Plan to the Secretary of State the Local Planning Authority must be satisfied that the Plan is sound. Part of the test of soundness is that the Plan is deliverable. As noted in the response to the recent Government consultation, we have concerns as to whether the level of new housing need proposed is in fact deliverable.
- 1.2.3 The Tonbridge and Malling Housing Delivery Study prepared by G L Hearn and Partners examined past delivery rates and future expectations across the two housing market areas that Tonbridge and Malling forms part of. It then applied this

analysis to the existing committed supply and estimated housing needs of the Local Planning Authorities making up the two Housing Market Areas that cover parts of the borough.

- 1.2.4 It concluded that in the Maidstone Housing Market Area (which includes the northern part of the borough) an average annual growth rate of 1.5% of the existing housing stock for the period 2016-31 would be needed to meet objectively assessed needs. Although this is higher than has been achieved historically (Over the period 2001-2016, 1.1% was achieved in Maidstone and 1.2% in T&M), the consultants felt that while this was 'ambitious' it was 'potentially achievable', but noted that there were some significant risks involved, especially if the housing market were to weaken, for example, due to uncertainty arising from the Brexit process.
- 1.2.5 Looking at growth rates across the country as a whole the best performing Local Planning Authorities outside London have achieved on average an annual growth rate of 1.5% over the last 15 years. Some have seen higher rates than this in individual years, but this level of growth is unsustainable over the longer term. Another concern expressed by the consultants is that the trajectories for future housing supply in the Maidstone Housing Market Area for the first 5 years (2016-21) equates to 1.9% growth, which is considered to be 'particularly ambitious'.
- 1.2.6 The Study also added a cautionary note that this scale of growth offered only modest scope for introducing further supply in the Maidstone Housing Market Area until at least the mid-2020s.
- 1.2.7 Applying the standardised methodology for Maidstone and T&M would see an increase of 353 additional dwellings per year in Maidstone (7,060 additional over 20 years) and approximately half of the additional 163 dwellings per year (3,260 over 20 years) in T&M making a total of approximately 435 extra dwellings per year (8,690 over the 20 year plan period) for the Maidstone Housing Market Area.
- 1.2.8 The conclusions of the G L Hearn Housing Delivery Study indicate that this level of uplift would not be deliverable over the longer term.
- 1.2.9 Turning to the West Kent Housing Market Area, which includes Tunbridge Wells and Sevenoaks as well as the southern and western part of T&M, the consultants acknowledged that there are differences in that the area is characterised by national planning constraints, such as Green Belt and Areas of Outstanding Natural Beauty. Historically delivery rates have been low reflecting the level of constraints (Over the period 2001-2016, 0.6% and 0.9% was achieved in Sevenoaks and Tunbridge Wells respectively and 1.2% in T&M).
- 1.2.10 To meet future needs based on current assessments a growth rate across the Housing Market Area of 1.2% would need to be achieved over the period 2016-31. This is considerably higher than historic rates of delivery and due to the level of constraints this is unlikely to be sustained over the longer term. This is illustrated by the fact that both Tunbridge Wells and Sevenoaks have indicated recently

through their Regulation 18 consultations that neither expect to meet their current identified needs due in large part to the constraints identified.

- 1.2.11 Factoring in the uplift from the recent consultation, Sevenoaks would see an increase of 78 dwellings per year (1,560 over a 20 year period) and Tunbridge Wells would see an increase of 44 (880 over 20 years). Together with half of the uplifted need for T&M of 82 per year (1,620 over 20 years) this would mean that the West Kent Housing Market Area would need to meet an additional 204 dwellings per year or 4,080 over the 20 year plan period.
- 1.2.12 The G L Hearn study felt that because this housing market was strong it could potentially deliver at a higher rate, but that would require significant and additional release of Green Belt land. Currently, the proposed strategy in T&M's The Way Forward suggests a proportionate release of Green Belt in the West Kent Housing Market Area to meet the needs arising in this part of the borough. Sevenoaks have taken a different approach and are proposing to release no Green Belt in their emerging Local Plan (93% of the District is Green Belt). Tunbridge Wells are still considering growth strategies, but have less flexibility in adjusting Areas of Outstanding Natural Beauty designations (70% of the borough is within the Weald AONB, 22% is Green Belt).
- 1.2.13 In Sevenoaks' recent Local Plan consultation it was suggested that there could be unmet need in excess of 200 dwellings per year. Assuming for argument's sake that there is a similar level of unmet need for Tunbridge Wells and adding the uplift from the standardised methodology for all three Authorities, this would equate to an additional housing need of approximately 600 additional dwellings per year or 12,000 over a twenty year period across the West Kent Housing Market Area.
- 1.2.14 If Sevenoaks and Tunbridge Wells approached T&M to take their unmet need this could be in the region of 522 extra dwellings per year. Adding this to the new need estimate for T&M of 859 per year would require us to deliver 1,381 new homes a year (27,620 over 20 years). This would be the equivalent of 2.6% of our housing stock, which has never been achieved by any Local Planning Authority. To put this into context the highest level of delivery ever achieved in T&M as a whole was 977 in 2004/5, or 1.8% of the total housing stock. The average over the last 15 years is 605 (1.1% of housing stock). In that context the situation looks completely unrealistic unless there were to be accompanied intervention in the property market on a scale not seen in recent decades.
- 1.2.15 In summary, the standardised methodology results in a level of housing that is simply undeliverable in any reasonable analysis.
- 1.2.16 The proposed strategy in The Way Forward allowed for some flexibility in so far as the identified sites had the potential to deliver more housing than the residual need of 6,000. Members will recall that this was based on a developable area adjusted by high level constraints and an average density of 30 dwellings per

hectare. The crude estimated yield on this basis was in the region of 10,000 dwellings, but at that stage did not take into account land take for infrastructure or any adjustments following the Regulation 18 consultation and new evidence to support the strategy. The realistic yield from the sites already contained in the potential development strategy is expected to be closer to 7,000.

1.2.17 There are options for increasing the yield, for example, by increasing the average density to 40 dwellings per hectare, by expanding existing sites or introducing sites previously discounted earlier in the process. The first two options may not require further consultations as the principle of development has been established in those areas. However the last of these options may require a further round of Regulation 18 consultation, which would inevitably extend the timetable further.

1.2.18 Updating the Evidence Base

1.2.19 The Local Plan evidence base plays an important part in the process of demonstrating that the Plan is sound. Our evidence has been based on an objectively assessed housing need of 696 new dwellings per year or 13,920 new dwellings over the 20 year plan period from 2011-31. As noted in The Way Forward last autumn once homes delivered, under construction or granted planning permission since 2011 are taken into account the residual need, for which sites need to be identified, is in the region of 6,000 new homes.

1.2.20 The evidence assesses the need for new infrastructure to accompany this growth, including, but not exclusively, highway capacity, school places and access to health care facilities and also to mitigate any impacts from the new development, for example, on air quality.

1.2.21 This work has proved very difficult to progress in any event because it relies on responses from other agencies and in some cases complex modelling work which has regrettably delayed matters to some degree. If we have to now plan for up to an additional 3,260 dwellings this will require us to revisit the evidence, which will take time and have a cost implication.

1.2.22 Managing Uncertainty

1.2.23 The Government has not made any comment since the consultation closed on the 9th November and until they have considered the responses and decided how to take these into consideration there remains some uncertainty. The Government may decide to implement the changes as proposed, or they may decide to amend some of the details or extend the transitional period. It is unlikely that they will decide to do nothing.

1.2.24 The Government advises Local Planning Authorities to prepare their Local Plans based on the most up to date planning guidance available. We are continuing to follow this advice and are currently focusing on completing and where necessary updating the evidence base.

1.2.25 It is too early to propose a detailed revised timetable for the Local Plan, but assuming the refreshed NPPF is published in March 2018, we anticipate bringing a revised strategy to the March meeting of the Board and a draft Local Plan for approval to the June meeting. This would then be endorsed by full Council in July and the Regulation 19 public consultation could start soon afterwards. Assuming an extended consultation period to allow for the summer holiday period, a submission date in late September or October would seem possible. This would represent a delay of 4-5 months on the current timetable meaning adoption later in 2019 than the current estimate of April would still be achievable.

1.3 Implications for the Five Year Housing Land Supply

1.3.1 In the year to 31st March 2017 the five year housing land supply fell from 5.3 to 4.7 years. This represents a small drop in the identified supply (199 dwellings) and can be explained in part by where we are in the development plan cycle. Because most of the allocated sites in the current Local Development Framework are nearing completion and before the new sites in the emerging Local Plan are adopted.

1.3.2 4.7 years supply is still a healthy position and does not mean that all of the policies in the LDF are suddenly out of date, but it does mean that developers will argue that their sites are needed to come forward to bolster housing supply. The information was included in the latest edition of the Annual Monitoring Report published in October.

1.3.3 If the new objectively assessed housing need is applied from next spring this would have the effect of reducing the five year housing land supply further. An additional 163 dwellings per year would add 815 dwellings to the 5 year housing land supply.

1.4 Local Plan Evidence Progress

1.4.1 Work is continuing in respect of the evidence base for the Local Plan including the following elements:

1.4.2 VISUM Modelling of the A20 Corridor

1.4.3 Preliminary results of the transport modelling of the A20 corridor being carried out by the consultants Amey are being supplemented by more detailed work on specific junctions, which is expected to be completed soon. The work has been complex and thrown up further issues to be modelled. However, a full report should be available by the end of December.

1.4.4 Transport Assessment

1.4.5 The consultants Mott MacDonald have been appointed to carry out a Transport Assessment for the rest of the borough. Progress has been slightly delayed by

traffic count arrangements but this is expected to be completed early in the new year.

1.4.6 Air Quality Assessment

1.4.7 This piece of evidence relies on the outputs of the Transport Assessment and therefore will follow on from that piece of work. For this reason Mott Macdonald are also preparing this piece of evidence.

1.4.8 Habitats Regulations Assessment

1.4.9 The recent findings of the Wealden Judgement in respect of the potential impact of future growth on the Ashdown Forest has required additional evidence to be prepared to take into consideration any similar impacts on any other sensitive habitats, including Special Areas of Conservation.

1.4.10 Employment Land Review

1.4.11 This piece of evidence is in the process of being revised to take into account changes in permitted development rights that have seen a number of offices converted to residential and also other developments that have taken place since the previous report was prepared in December 2014. This is nearing completion.

1.4.12 Gypsy and Traveller Accommodation Assessment

1.4.13 The GTAA is also being revised by the consultants Arc4. The surveys have been completed and a report is being drafted.

1.4.14 Sustainability Assessment

1.4.15 This is an ongoing part of the evidence base and will be updated when the proposed strategy is agreed.

1.4.16 Infrastructure Delivery Plan

1.4.17 Officers have been working with key infrastructure providers throughout the plan making process and will complete the IDP when the proposed strategy is agreed. This relies significantly on other agencies such as KCC, various parts of the Health Service, transport operators and service providers.

1.4.18 Viability Assessment

1.4.19 It is necessary for the tests of soundness to demonstrate that the Local Plan is viable. This will also be completed once the strategy is agreed.

1.5 **Concluding Remarks**

1.5.1 This report has set out the implications of the recent Government consultation 'Planning for the Right Homes in the Right Places' on the Local Plan timetable and

also the 5 year housing land supply. It is anticipated that a revised timetable will be brought back to the next meeting of this Board for approval in January 2018.

- 1.5.2 Further updates on the evidence base will be provided to future meetings of the Board in due course.

1.6 Legal Implications

- 1.6.1 It is important that the Local Authority has an up to date development plan for the purposes of long term future planning and determining planning applications. The Council needs to ensure that it continue to comply with the regulations governing the sustainability appraisal process and the habitats regulations assessment.

1.7 Financial and Value for Money Considerations

- 1.7.1 There are costs arising from the preparation and updating of the evidence base using consultants, but these can be met from the Local Plan budget.

1.8 Risk Assessment

- 1.8.1 The risks associated with failing to prepare and keep up to date a robust, sound Local Plan include loss of local control over development decisions and increasing number of successful appeals and possible intervention by the Secretary of State.

Background papers:

Nil

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Steve Humphrey
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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

05 December 2017

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

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

1 LOCAL PLAN: DUTY TO COOPERATE

This report seeks endorsement of a response to the recent Sevenoaks District Council Local Plan consultation required by Regulation 18 of the Town and Country Planning Regulations and provides an update of other matters relating to the Duty.

1.1 Introduction

1.1.1 The Duty to Cooperate requires Local Planning Authorities and other Duty to Cooperate bodies to work collaboratively to address cross boundary issues in preparing their Local Plans. During the summer Sevenoaks District Council published an Issues and Options consultation on their Local Plan and invited comments. Annex 1 to this report sets out the detailed response to Sevenoaks District Council sent on the 4th October before the consultation deadline for endorsement.

1.1.2 In addition to Local Plan preparation, we are continuing to work with neighbouring Authorities and Kent County Council over various cross boundary matters, which contribute to meeting the Duty.

1.1.3 The recent DCLG consultation 'Planning for the Right Homes in the Right Places' sought views on a proposal to introduce new Statements of Common Ground, which will complement the Duty to Cooperate process. Once introduced these will be a more formal record of what the relevant cross boundary issues are and how they will be addressed. A response to the proposals is set out in more detail in an earlier report on this agenda.

1.2 Sevenoaks Local Plan Consultation Response

1.2.1 The response to the Issues and Options consultation welcomes the fact that Sevenoaks District Council have used the same consultants to prepare their objectively assessed needs for new housing (G L Hearn and partners), which is not dissimilar to that for Tonbridge and Malling (620 and 696 per year

respectively). However, the proposed strategy for meeting future needs differs insofar as the Local Plan is proposing no releases of Green Belt land. The document acknowledges that some releases may be included later in the process if exceptional circumstances can be made by those promoting the sites.

- 1.2.2 Even with the proposed releases the conclusion is that Sevenoaks will be a significant way adrift from meeting its identified housing needs.
- 1.2.3 The approach taken by Tonbridge and Malling is as far as possible to try to meet housing needs where they arise in the relevant Housing Market Area, which results in making the case for Green Belt releases in the West Kent Housing Market Area. The National Planning Policy Framework allows Local Planning Authorities to explore this possibility when Local Plans are prepared.
- 1.2.4 The issue for the Duty to Cooperate is that should Sevenoaks District subsequently approach T&M to take on some of its unmet housing need, would that be a fair and proportionate way forward if one Authority had not explored every opportunity before making the request.
- 1.2.5 This has been relayed to Sevenoaks District in the response attached at Annex 1.
- 1.2.6 If the standardised methodology for assessing housing need proposed in the recent DCLG consultation is introduced next spring, the issue of taking on unmet need may become academic. This is explained further in another report on this agenda.

1.3 Statements of Common Ground

- 1.3.1 Should the proposal to introduce Statements of Common Ground be introduced next spring with the publication of the revised NPPF, the Government expects draft Statements to be prepared within 6 months and final versions agreed within 12 months. The Statements will become additional tests of soundness for Local Plans to be considered by Inspectors prior to Local Plan Inquiries commencing.
- 1.3.2 Since the tests of soundness cannot be amended retrospectively once Inspectors have received a submitted Local Plan they will be very important considerations for Local Planning Authorities preparing their Local Plans in future.
- 1.3.3 While the Duty to Cooperate has often been described as 'not a duty to agree', the new Statements of Common Ground are in effect an agreement between Authorities on how to address cross boundary issues, including, but not exclusively, unmet housing need.
- 1.3.4 The Planning Advisory Service has invited Tonbridge and Malling, Tunbridge Wells and Sevenoaks Councils to become a Statement of Common Ground pilot, which would provide access to a facilitator to prepare draft statements by next spring and final versions by the autumn of 2018. This is currently being considered by the three Authorities.

1.4 Legal Implications

- 1.4.1 The Duty to Cooperate has to met in order for Local Plans to found sound at Local Plan inquiries. Failure to do so usually results in the Local Plan process being halted while the matter is addressed. This has resulted in delays in other Local Plan process across the country and the Government is introducing Statements of Common Ground to try and resolve this issue.

1.5 Financial and Value for Money Considerations

- 1.5.1 There are no financial implications arising from the response to Sevenoaks District Council's Local Plan Regulation 18 consultation. There may be some value for money benefits from taking up the offer from PAS to become a DCLG pilot study. This is a task that will have to be addressed once the NPPF is republished next spring, has the benefit of an additional resource in the form of the offered facilitation and will help the three West Kent Authorities fulfil the Duty to Cooperate.

1.6 Risk Assessment

- 1.6.1 Failure to demonstrate that the Duty to Cooperate has been met can lead to Local Plan processes being stalled or taken back a stage resulting in delays and costs.

1.7 Recommendations

- 1.7.1 That the contents of the report be noted and that the response at Annex 1 be recommended for endorsement.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and policy Framework.

Background papers:

Nil

contact: Ian Bailey
Planning Policy Manager/
Louise Reid
Head of Planning

Steve Humphrey
Director of Planning, Housing and Environmental Health

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ANNEX 1

Contact	Ian Bailey
Email	ian.bailey@tmbc.gov.uk
Your ref.	
Our ref.	
Date	4th October 2017

Dear Planning Policy Team,

Re: Sevenoaks Local Plan – Issues and Options Consultation

Thank you for the opportunity to respond to the above consultation. I am pleased to submit the Borough Council's response. As you would expect these focus on the strategic matters that are common issues to both of our Councils. As ever we would be happy to discuss these with you further.

Identifying and Addressing Objectively Assessed Needs for new Housing (OAN)

We welcome the fact that the District Council has used the same consultants (G L Hearn and Partners) in preparing the Strategic Housing Market Assessment, which ensures a consistent approach across the West Kent Housing Market Area (HMA), together with Tunbridge Wells Borough Council. The OAN for Sevenoaks District over the twenty year Local Plan period of 620 new dwellings per annum is not dissimilar to that for Tonbridge and Malling at 696.

We acknowledge that planning to meet these needs is challenging, particularly for Local Authorities like those of us making up the West Kent HMA that are characterised by extensive Metropolitan Green Belt and Areas of Outstanding Natural Beauty designations.

As you will appreciate from our own consultations last year, we have sought to reflect National Planning Guidance by proposing a development strategy that seeks to meet our needs where they arise.

Planning Policy, Gibson Building, Gibson Drive, Kings Hill, West Malling,
Kent ME19 4LZ

Director of Planning, Housing & Environmental Health:
Steve Humphrey (MRTPI)
Chief Planning Officer: Louise Reid (MRTPI)

Have you tried
contacting us at
[www.tmbc.gov.uk/
do-it-online?](http://www.tmbc.gov.uk/do-it-online?)

In the case of that part of the borough in the West Kent HMA, which like Sevenoaks District is almost exclusively Green Belt outside the settlement boundaries, this will necessitate the removal of some sites from the Green Belt designation. We believe that there are exceptional circumstances for doing so, to deliver growth where it is needed and provide new opportunities for essential infrastructure.

National Planning Guidance states that unmet need is not a very special circumstance for allowing development in the Green Belt once boundaries are established, but it does not prohibit exceptional circumstances being properly demonstrated to address development needs when preparing a Local Plan. Indeed, we believe this to be a more sustainable solution than seeking to meet those needs beyond the Housing Market Area and potentially beyond the borough boundary altogether.

This is different to the approach proposed in the Sevenoaks Local Plan Issues and Options consultation, which seeks to preserve the Green Belt designation, covering 93% of the District. The preferred strategy is to meet as much of the need for new housing (and also identified needs for additional employment land) by intensifying development within built confines and by utilising (locally defined) brownfield sites in the Green Belt. The consequence of this approach is that there will be a significant amount of unmet housing need of up to a third of the OAN. This may increase further if the current Government consultation on a standardised methodology of calculating OAN is implemented in the spring of next year. As currently proposed this will increase the annual OAN for the District by 75 units (1,875 over the plan period).

Included in the consultation is also the potential to include a limited number of sites promoted by others in the Green Belt, subject to those parties demonstrating exceptional circumstances. Fundamentally, it is for the Planning Authority at the Plan-Making stage to assess any sites such as these and others in the Green Belt, in terms of any exceptional circumstances, rather than other parties. It is not clear how this exercise will be done or how, at this consultation stage, consultees can judge if these sites, or others may well attract exceptional circumstances given the extent of development needs to be considered.

Paragraph 5.4 of the consultation document notes that discussions already taking place under the Duty to Cooperate will be continued and escalated and that there will be a balance between how much can be achieved from options within the highly constrained Sevenoaks District and what might be achieved elsewhere in neighbouring authorities.

Tonbridge and Malling welcomes the opportunity to continue constructive and helpful engagement through the Duty to Co-operate over cross boundary issues and the forthcoming Statement of Common Ground, also the subject of Government consultations at the time of writing. The different approaches to meeting each Authority's future housing needs will be an important matter for further discussion.

There is an assumption in paragraph 5.1 that if the full housing need is not going to be met within the District, then this will translate into less need for employment land or retail capacity. This implies that whichever authority takes on that unmet need will also be bound to address these needs, but that is not identified as a cross boundary issue.

At this stage and based on the evidence available it is highly unlikely that there would be supportable reasons or indeed the capacity for meeting any unmet need from Sevenoaks in

Tonbridge and Malling. In terms of capacity, should the standardised methodology for calculating OAN be implemented next year as proposed, the prospect of redistributing growth to adjoining areas, or potentially in the rest of Kent, would be even more difficult to justify. This implies that all Local Planning Authorities facing the same or similar challenges may have to revisit their strategies to ensure as much of the need is delivered as possible.

As a critical friend, Tonbridge and Malling would like to make the following comments in respect of the suggested way forward.

In our opinion, the proposal to maximise the use of brownfield sites in the Green Belt for meeting future needs without removing the designation carries a degree of risk. If the assumption is that these sites will remain within the Green Belt, development will only be acceptable if it reflects the footprint and quantum of the original development, so the potential contribution to meeting needs will be less than if the sites were to be taken out of the Green Belt.

Moreover if those sites have not been used for a predominantly residential use in the past, they may be in unsustainable locations requiring future residents to travel long distances for services, infrastructure and work. As they are likely to be small scale they will not generate sufficient developer contributions to deliver their own infrastructure. Above all else they may not be the most suitable sites compared with alternatives, should a decision to release Green Belt land be considered.

Finally, by using a 'local' definition of brownfield that is contrary to the glossary definition of previously developed land in the NPPF, there is a potential conflict with the establishment of a Brownfield Register. The Registers, which are due to be in place this December, will include sites that are considered suitable for residential and meet the definition of previously developed land, with its exceptions, as set out in the NPPF. This begs the question, why the same exceptions do not apply in the case of the Local Plan?

The proposal to reconsider whether a limited amount of Green Belt release could be incorporated subject to exceptional circumstances being demonstrated through Neighbourhood Plans and by promoters also carries a degree of risk. Only the District Council through a review of its Local Plan can remove Green Belt designations. There is no procedure for Neighbourhood Plans to do so.

If the District Council subsequently decides to accept that there are exceptional circumstances and wishes to include these sites in the Local Plan, this raises the question of whether there may have been other more suitable sites that should have been considered and contribute to meeting the unmet housing need. It could be argued therefore that all options have not been fully explored before concluding that the needs cannot be met.

Paragraph 84 of the NPPF provides the context for this:

“When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channeling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.”

Paragraph 6.2 of the consultation document states that there is a Government requirement to investigate all reasonable alternatives to identify new homes to meet identified need. One of the purposes of the Sustainability Appraisal (SA), which is a critical part of the Local Plan process, is to assess alternatives. If these sites have not been promoted by the District Council and only been incorporated later in the process, how can the SA process be consistently applied? This could also be said for the removal of the Swanley/Hextable option of a new settlement before the Issues and Options stage. It is unfortunate that comments are not invited in respect of the Interim SA and Habitats Regulations Assessment at the same time as the Issues and Options, which would make this part of the process more apparent.

In addition to these specific comments, there are a number of more general observations as follows.

The proposed timetable is commendable but very ambitious, with a second Regulation 18 consultation programmed for the spring of 2018 and a Regulation 19 consultation in the summer. Please take this observation as an entirely constructive comment and it is of course for you to determine the process to be followed working within the Regulations, but this does not appear to allow sufficient time to consider and take into consideration the response to the Regulation 18 consultations. The timetable may also be lengthened to take into consideration the implications of the introduction of a standardised methodology for calculating housing need and other planning reforms expected to come into force on publication of the revised NPPF in the spring of 2018. The Sub National Population Projections and household projections will also be revised from May 2018. These changes may require the evidence base to be revisited.

It is noted that some of the Housing White Paper proposals have been treated as though they are already national planning policy (e.g. para 7.2 in respect of Green Belt policy) – although the status is acknowledged in the Glossary (page 93). Of course, as you will be aware, in the event that the proposals in the White Paper are implemented we will be obliged to seek views on whether neighbouring authorities will be able to take any of our housing need before we proceed with any Green Belt sites.

I hope these comments are of assistance.

Yours sincerely



Ian Bailey
Planning Policy Manager
Direct line: 01732 876061

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

05 December 2017

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 MEDWAY FLOOD MANAGEMENT PARTNERSHIP

This report outlines the direction of Medway Flood Action Plan prepared by the Medway Flood Partnership.

1.1 Introduction

- 1.1.1 Members may be aware that the Medway Flood Partnership was formed at the beginning of this year. Its objective is, in summary, to consider in a rounded way approaches to mitigate and prevent flooding in the Medway catchment.
- 1.1.2 The partnership is based on collaborative working between various organisations all of whom have an influence on the subject one way or another. The focus of the partnership is not solely on supporting capital works to prevent flooding, although support for schemes such as the improvement of the Leigh Flood Storage Area and other key schemes are undoubtedly central to the Partnership's ambition. Rather, the Partnership also has an interest in land management, watercourse management, and sustainable solutions to flood mitigation.
- 1.1.3 The Partnership has promoted its work through the preparation of an Action Plan which was launched on 1st December. The Action Plan was not available at the time this agenda was prepared but will be made available to Members via various means as soon as possible.
- 1.1.4 Attached at **[Annex 1]** is the latest 'bulletin' from the Partnership which provides some useful background and a position statement.
- 1.1.5 The Council is represented on the Partnership's strategic group by the Director of Planning, Housing and Environmental Health and we have supported the project with some occasional technical assistance. Thus far the Partnership has fulfilled a valuable role in promoting schemes and good practice across the catchment area and it is hoped that further progress can be more readily made in various ways with the Partnership's support.

1.2 Legal Implications

1.2.1 There are none arising from this report

1.3 Financial and Value for Money Considerations

1.3.1 Our input to this initiative amounts to support in kind and is a worthwhile investment of effort to keep a high profile focus on an issue that is extremely important to various and significant parts of the Borough.

1.3.2 The Council has, of course, already committed £500,000 towards the project to improve of the Leigh Barrier and the linked flood defence works at Hildenborough.

1.4 Risk Assessment

1.4.1 The practical risks associated with flooding are of course catastrophic as has been experienced locally. Steps that can be made to reduce the risk of flooding must be welcome in whatever guise. The Partnership and it's Action Plan works towards raising awareness, lobbying and focussing on practical measures.

Background papers:

contact: Steve Humphrey

The Medway Flood Action Plan – to be formally published 1st December 2017



Medway Flood Partnership Action Plan Launch

The Medway catchment

The Medway catchment includes all land draining into the Rivers Medway, Beult, Teise and Eden as well their tributaries. Over 9,000 properties across the Medway catchment are at risk of river flooding.

The Leigh Flood Storage Area was built following the flood in 1968 to reduce the risk of flooding to 1,200 homes and businesses in Tonbridge. Hildenborough and East Peckham are also significant populated areas at risk of flooding from the River Medway. Yalding and Collier Street sit at the confluence of the Rivers Beult, Teise and Medway. This makes managing flood risk particularly challenging for these communities as they have the potential to flood from any or all of these rivers. Flooding is a frequent occurrence, for example an event giving flood depths of over a metre occurs in Yalding roughly every 10 years.

During the December 2013 flood event, approximately 965 homes were flooded across the Medway catchment, devastating peoples' homes and livelihoods.

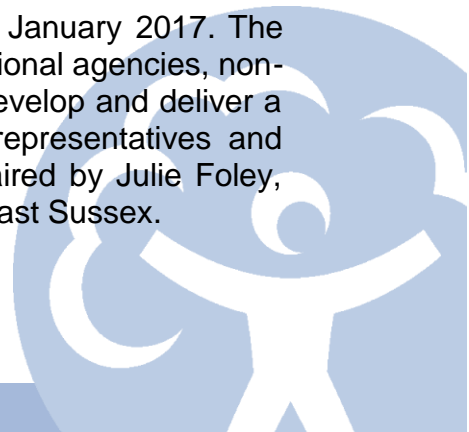
Since the 2013 flood the Environment Agency and its partners have spent over £9.8million managing flood risk around the catchment. In addition, partners have been investing in maintenance of river channels and supporting community preparedness and capacity building.

Traditionally flood risk management has referred to investing in new or improving existing flood defences. Whilst engineered flood solutions have an important role to play, they cannot always prevent flooding and aren't always suitable. Equally, they are not the only way to manage flood risk. Natural flood management offers opportunities to slow the flow of floodwaters and reduce flood levels. And community resilience and preparedness can speed up the recovery time for individuals and communities after flooding.

This will require a joint, partnership approach to ensure we are prioritising and communicating with the relevant local stakeholders.

Medway Flood Partnership

To address this we established a Medway Flood Partnership in January 2017. The Medway Flood Partnership is bringing together local partners, national agencies, non-governmental organisations and community representatives to develop and deliver a Medway Flood Action Plan. The Partnership involves senior representatives and practitioners from all the partner organisations and is being chaired by Julie Foley, Environment Agency Area Director for Kent, South London and East Sussex.



The Partnership members are:

Country Land and Business Association
Forestry Commission
Kent Association of Local Councils
Maidstone Borough Council
Natural England
South East Rivers Trust
Tonbridge and Malling Borough Council
Upper Medway Internal Drainage Board

Environment Agency
Joint Parish Flood Group
Kent County Council
National Farmers Union
Sevenoaks District Council
Southern Water
Tunbridge Wells Borough Council



Map of the Medway Flood Partnership area

The Partnership has agreed the following objectives:

- Develop a shared understanding of the strategic challenges and opportunities within the catchment and the need for collaboration to address them
- Develop a shared action plan for the next 5 years, and a 25 year vision for the future
- Improve communications and engagement by adopting a joined up approach to engagement with communities, government and MPs
- Broker strategic solutions to problems identified through the partnership
- Identify the inter-relationships between partner projects and ensure coordination between them

The Defra Minister Dr Thérèse Coffey MP announced her support for the partnership in Parliament on 22 November 2016 at an adjournment debate attended by Tom Tugendhat MP and Helen Grant MP.

Medway Flood Action Plan – key messages

- We are launching the Medway Flood Action Plan on 1 December 2017.
- It sets out a 5 year plan with funded and planned actions that partners will be committing to within the context of a 25 year vision for the future. It has three key work streams led by partner organisations:
 - Capital Investment and Maintenance – led by the Environment Agency
 - Community Resilience – led by Kent County Council
 - Natural Flood Management – led by South East Rivers Trust and Natural England
- The partnership is taking an integrated, catchment-wide approach to managing flood risk across the Medway catchment. In addition to improving existing flood protection and providing new defences, we are looking at ways to slow the flow of floodwaters and reduce flood levels through natural flood management. We are also seeking to improve community preparedness and resilience through emergency planning.
- Over the next 5 years, fully funded schemes within the Medway Flood Action Plan will reduce the risk of flooding to over 1,700 homes along the River Medway. Together we will also be exploring further opportunities for schemes that help to reduce flood risk and improve the local environment.
- The action plan is a ‘living document’ that will be regularly monitored and reviewed by the Medway Flood Partnership to make sure that actions are delivered and new information and ideas are incorporated.
- The Medway Flood Action Plan is a milestone in addressing flood risk in the Medway catchment, but it is part of a longer journey with the partnership, communities and with individuals to build awareness and preparedness for flooding, and identify and develop more actions which can help to reduce flood risk.

Medway Flood Partnership - key messages

- Many organisations are involved in managing flood risk and communities also have a role. Reducing the risk of flooding in the Medway catchment is a complex problem that can only be solved by working in partnership.
- The Medway Flood Partnership brings many organisations together to take an integrated approach to managing flood risk across the Medway catchment.
- Our long term 25 year vision for the Medway Flood Partnership is: “to continue to reduce flood risk and create better places for people, properties and businesses.”

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Agenda Item 9

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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Agenda Item 10

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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Agenda Item 11

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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