

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

25 May 2018

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 June, 2018 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 6 March 2018

Matters for Recommendation to the Cabinet

4. Local Plan 13 - 110

The report introduces a draft Local Plan document for consideration including a refined development strategy, policies and proposals for the purposes of carrying out a public consultation, as required by Regulation 19 of the Town and Country Planning Regulations 2012, later this year.

In addition, the report provides an update in respect of Local Plan evidence and other relevant matters relating to its preparation, such as meeting the requirements of the Duty to Cooperate.

5. National Planning Policy Consultation Response 111 - 128

This report summarises the key changes proposed in the recent consultations for a revised National Planning Policy Framework and seeks endorsement of the response returned by the deadline of 10th May 2018 appended to this report.

6. Urgent Items 129 - 130

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

7. Exclusion of Press and Public 131 - 132

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

8. Urgent Items 133 - 134

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 J L Botten (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 T Edmondston-Low
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, 6th March, 2018

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 Mrs F A Kemp, Cllr M Parry-Waller, Cllr S C Perry, Cllr A K Sullivan and Cllr M Taylor

Councillors Mrs J A Anderson, O C Baldock, D J Cure, N J Heslop, D Lettington, B J Luker, P J Montague, M R Rhodes, H S Rogers and T C Walker were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors D Keers and R D Lancaster

PE 18/1 DECLARATIONS OF INTEREST

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

PE 18/2 MINUTES

RESOLVED: That the notes of the meeting of the Planning and Transportation Advisory Board held on 5 December 2017 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

PE 18/3 LOCAL PLAN

Decision Notice D180021MEM

The report set out a revised timetable for preparing the Local Plan following the publication of 'Building the Right Homes in the Right Places' by the Government for consultation in September 2017. In addition, an update in respect of the most recent elements of the Local Plan evidence base that had been finalised or updated was provided.

Subsequent to the preparation of the report, Members were advised that a draft version of the revised National Planning Policy Framework (NPPF) had been published and was out for consultation until 10 May

2018, along with various other documents including one dealing with developer contributions.

Particular reference was made to the transitional arrangements proposed which provided for Local Plans submitted to the Secretary of State within 6 months of the final NPPF being published to be assessed under the current NPPF, rather than the proposed new standardised methodology for calculating housing need which would be a significantly higher figure for many local authorities.

For Tonbridge and Malling this meant that Objectively Assessed Needs of 696 new homes per year and associated evidence already prepared could continue to form the basis for the Borough's Local Plan.

It was proposed that every effort should be made to submit the Borough's Local Plan to the Secretary of State within the 6 month transitional period which was anticipated to be December 2018 at the latest.

Members welcomed the proposals related to transitional arrangements and committed to fully support the revised timetable and decision making process so that the ambition to submit the final Local Plan during this six month period was achievable.

A number of issues were discussed and Members expressed concern around infrastructure, the risks associated with Government imposing housing figures on local planning authorities, the shortfall in the five year supply of housing and proposals related to the green belt and level of density.

In response, the Advisory Board was reassured that the Borough Council recognised that appropriate infrastructure was vital and a viability study and infrastructure delivery plan would be under taken to inform the process. In addition, there was ongoing communication with a number of partners and infrastructure providers. A modelling exercise for the A20 corridor had been completed and published to the Borough Council's website.

Members also recognised the significant challenges around balancing and meeting housing need with the wishes of residents.

RECOMMENDED: That:

- (1) the progress on the Local Plan evidence base be noted;
- (2) the revised timetable for preparing the Local Plan, as summarised in the report and set out in Annex 1 be agreed, subject to:

every effort being made to submit the Local Plan to the Secretary of State by end of December 2018 to take advantage of the transitional arrangements proposed in the draft National Planning Policy Framework; and

- (3) the proposed new Local Plan be brought forward for consideration at the next two meetings of the Advisory Board and subsequently reported to Cabinet and Council in September 2018.

PE 18/4 NEW LONDON PLAN CONSULTATION

Decision Notice D180022MEM

The report summarised progress and next stages in the preparation of the new London Plan; highlighted some of the key issues for Tonbridge and Malling and the wider south east and sought endorsement of the officer level comments returned by the deadline of 2 March 2018.

Concerns raised in the officer level response related to the potential for any unmet housing need putting additional pressure on surrounding local planning authorities and the inability of London Boroughs to release Green Belt land.

Members supported the concerns submitted in the consultation response and were pleased to note that the 'duty to co-operate' did not extend to London boroughs, which removed the potential for housing numbers being exported to surrounding authorities.

RECOMMENDED: That:

- (1) the progress made in respect of preparing the draft London Plan be noted; and
- (2) the officer level responses (set out in Annex 1 to the report) be endorsed.

PE 18/5 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 8.40 pm

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

05 June 2018

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 LOCAL PLAN

This report introduces the draft Local Plan document for consideration including a refined development strategy, policies and proposals for the purposes of carrying out a public consultation as required by Regulation 19 of the Town and Country Planning Regulations 2012 later this year.

The report also provides an update in respect of Local Plan evidence and other relevant matters relating to the preparation of the Local Plan such as meeting the requirements of the Duty to Cooperate.

1.1 Introduction

- 1.1.1 At the March meeting of this Board Members were advised that the day before, on the 5th March, the Government had launched a public consultation exercise in respect of the revised National Planning Policy Framework (NPPF). The response to this consultation, which closed on 10th May, is the subject of another report on this agenda.
- 1.1.2 Crucially, the consultation introduced for the first time a proposed transitional period for the full implementation of the new NPPF. What this means is those Local Planning Authorities submitting a Local Plan to the Secretary of State within 6 months of the final publication of the NPPF, expected to be this summer, may proceed based on the current version of the NPPF and using the housing need calculations estimated by locally derived evidence rather than the standardised methodology being introduced in the revised NPPF.
- 1.1.3 Members will recall that the standardised methodology would have the effect of increasing our housing need to be addressed in the Local Plan by 23%, from 696 to 859 dwellings per year over the Local Plan period (2011-31). This would result in an increase of 3,640 additional dwellings having to be accommodated in the Plan or addressed elsewhere as unmet need. Notwithstanding the fact that this level of delivery has never been sustained in the past and our evidence states this would be challenging to say the least, such a change would have led to significant delays in the Local Plan timetable while evidence was updated. It would clearly

also present a much greater challenge in terms of identifying land for development.

- 1.1.4 Given the age of the existing LDF and the lack of a demonstrable 5 year housing land supply since 2017, such a delay would be highly undesirable.
- 1.1.5 The Board recommended an amendment to the Local Plan timetable to enable the Local Plan to be submitted within the transitional period, by the end of this year. This report introduces the draft Plan for consideration and a refined development strategy based on the version that was subject to public consultations in the autumn of 2016 required by Regulation 18 of the Town and Country Planning (Local Plans) Regulations. The refinements reflect the responses received during that consultation, Local Plan evidence as it has become available and other relevant information, such as changes in land ownership.
- 1.1.6 Inevitably at this stage in the work programme there remain some areas where a little further work is required. The Board will have a further opportunity to consider the draft Local Plan at the next meeting in July before making recommendations, for consideration by Cabinet and Full Council in September, to carry out further public consultations required by Regulation 19 of the Town and Country Planning Regulations and then submit the Local Plan to the Secretary of State.

1.2 The Draft Local Plan

- 1.2.1 The draft Local Plan document appended to this report (Annex 1) will eventually replace the suite of documents making up the current Local Development Framework (LDF). The Local Plan is a more succinct document than the LDF, which reflects Government Guidance that there should be no duplication of national policies already set out in the NPPF and that Local Plans should focus on strategic issues.
- 1.2.2 The policies in the Local Plan have been prepared in accordance with the NPPF and bring forward the most effective and most frequently used LDF policies, updated as necessary. There are also some new policies to address issues that have arisen since the last Plan was prepared and there are site specific policies for the major sites proposed as part of the development strategy, which will meet future needs for new homes, employment and infrastructure.

1.3 The Refined Development Strategy

- 1.3.1 The development strategy to accompany the Local Plan is based on that which was first published in The Way Forward consultation document in 2016, but there have been some changes to reflect some of the responses received, new evidence and other information since it was first proposed, which are summarised below. The strategy map can be seen at Annex 2 to this report.
- 1.3.2 It is important to note that this map does not represent the Local Plan Policies and Proposals Map, which will have other designations, such as Conservation Areas

and Areas of Outstanding Natural Beauty showing. At this stage only changes to the current Map have to be illustrated and subject to consultation, but those changes will reflect the refined strategy where appropriate once agreed.

- 1.3.3 The distribution of future development shown on the original proposed strategy map responded to the issues arising from the Local Plan evidence base, for example, the objectively assessed need for additional housing and employment and also addressed the guiding principles set out in the previous Regulation 18 consultation document “The Way Forward”.
- 1.3.4 It was estimated at the Regulation 18 stage that the sites put forward towards a potential development strategy, if implemented at an average density of 30 dwellings per hectare, could deliver approximately 10,000 new dwellings against a net housing need (once existing permissions and other sites in the pipeline have been taken into account) in the region of 6,000 new dwellings over the remaining Local Plan period up to 2031. At the time it was envisaged that some element of refinement would be inevitable as evidence and consultation responses were applied.
- 1.3.5 The refined strategy as now put forward has the potential to deliver much closer to the objectively assessed housing need, (which now includes an element of under delivery since the base date in 2011 equating to approximately 500 dwellings). The estimated housing yield now incorporated in the local plan document up to 2031 is 6,828 new dwellings, which is just over our Objectively Assessed Need.
- 1.3.6 The refinements reflect the fact that some proposed development areas have been reduced in size in response to Local Plan evidence or to reflect consultation responses and also takes into consideration land take for infrastructure. For the strategic development allocations, detailed inset plans are incorporated within the local plan document.
- 1.3.7 The strategy also shows proposals for additional employment sites. In The Way Forward our evidence suggested that up to an additional 33 Hectares of employment land would be needed over the Plan Period. The revised Employment Land Review increased this to 46.8 Hectares. The sites shown on the refined strategy equate to 32.8 Hectares. With intensification of planned and existing sites this is sufficient to meet our future employment needs.
- 1.3.8 The following sections summarise the key elements of the refined strategy and how they have changed from the strategy as proposed in The Way Forward. The policies in the Local Plan document itself will show the key development issues associated with each major site, including the need for key infrastructure.

Major Sites

1.3.9 Bushey Wood

1.3.10 The Bushey Wood Area of Opportunity was identified in the current development plan as having potential for meeting residential needs in the post 2021 period or earlier if there is any significant shortfall in strategic housing provision (Policy CP16 in the adopted Core Strategy refers). Consequently, an extension to the village of Eccles was included in the proposed strategy as a 'building block' to reflect that previous approach.

1.3.11 In the refined strategy the area shown has been altered to provide land for infrastructure improvements and taking this into consideration the current estimated housing yield for this site is 900 homes.

1.3.12 The Area of Opportunity designation is proposed to be retained in the new Local Plan and will be revisited when the Plan is revised.

1.3.13 South Aylesford

1.3.14 The significant area of potential development land shown at south Aylesford in The Way Forward was proposed in order to deliver significant new road infrastructure to address highway capacity issues as a result of committed development in the area, especially within Maidstone Borough along Hermitage Lane.

1.3.15 In The Way Forward this included a new relief road to bifurcate the traffic using the northern part of Hermitage Lane by utilising land at Whitepost Field and a new access to the south of Quarry Wood Retail Park to take pressure off the current and only access on the A20.

1.3.16 The results of the Visum modelling of the A20 Corridor confirmed that in the absence of any further interventions the developments and mitigations already committed will lead to further capacity issues locally up to the end of the Plan period in 2031.

1.3.17 The bifurcation of Hermitage Lane at Whitepost Field together with the committed improvements to Coldharbour Roundabout and Junction 5 of the M20 showed some improvement in journey times and capacity on the local highway network up to 2031.

1.3.18 The proposed alternative access to Quarry Wood was significantly less convincing. The modelling in this respect showed that the new infrastructure would not result in any significant improvement on traffic flows and queue lengths for those wishing to access and exit Quarry Wood and the impacts of accommodating the additional traffic generated by the associated housing development would add to the pressures on the system unless other improvements were forthcoming.

1.3.19 Consequently, the developable area at south Aylesford has been reduced from that shown in The Way Forward. Only those sites to the east of Hermitage Lane and for the most part to the north of the railway line (with the exception of land adjacent to Kent House) have been retained in the refined strategy together with the proposed relief road at Whitepost Field. These sites have an estimated yield of 1,000 dwellings compared with approximately 3,000 in the previous strategy.

The Whitepost Field site is the subject of a current planning application for up to 849 dwellings and includes the new relief road from Hermitage Lane to the Poppyfields/20-20 roundabout.

1.3.20 North of Kings Hill (Broadwater Farm)

1.3.21 A northern extension to Kings Hill was proposed in “The Way Forward” with an estimated capacity of approximately 1,000 new dwellings. This was considerably smaller than the site that had been proposed through the earlier Call for Sites exercise.

1.3.22 The developable area has not changed significantly in the refined strategy, although there have been some amendments to reflect road and field boundaries. The proposed yield has been reduced slightly to 900 dwellings in response to the results of the Visum modelling that identified some capacity issues at Junction 4 of the M20. A new access road from the A 228 at the railway station junction is proposed.

1.3.23 This site is also the proposed location for a new secondary school, which will be required to meet future needs.

1.3.24 Borough Green

1.3.25 The Way Forward showed the outline of a site submitted under the Call for Sites exercise by a consortium of land owners and the route of a relief road between the Dark Hill roundabout on the A25 and the A20 at Nepicar, to the south of Junction 2A of the M26. Although the entire route of the relief road was included, only the first phase of development was shown as a potential developable area.

1.3.26 Only the first phase was shown because there was some doubt over the ability of the remainder of the site to deliver houses within the plan period up to 2031 due to ongoing minerals extraction. The potential yield of the developable area shown was estimated to be 1,000 dwellings, with a total site capacity up to 3,500.

1.3.27 The refined strategy shows a second phase of developable area reflecting a new phasing plan that demonstrates that more of the site can be delivered during this plan period. The whole site is proposed to be removed from the Green Belt to enable the delivery the relief road at the earliest opportunity and safeguard land for future housing delivery during the next Local Plan.

1.3.28 The current yield for the first two phases of development during this Local Plan is estimated to be 1,720. The total yield is now expected to be in the region of 3,000 dwellings rather than the 3,500 suggested previously.

1.3.29 South Tonbridge

1.3.30 Three adjacent sites make up a developable area in south Tonbridge at Lower Haysden. One is a safeguarded site in the current development plan; the others have been brought forward through the current Local Plan process. There have been no significant changes to this area which is currently estimated to have a potential yield of 480 new dwellings.

1.3.31 Areas of Opportunity and Safeguarded Land

1.3.32 The refined strategy also proposes an additional Area of Opportunity at south Aylesford to the west of Hermitage Lane so that the development potential of this area can be revisited, but only in the event that planned and funded strategic highway improvements come forward.

1.3.33 The third phase of the development at Borough Green will be safeguarded for future development in the next Local Plan.

1.3.34 Green Belt Extension to the east of West Malling

1.3.35 The proposed Green Belt extension to the Ashton Way bypass east of West Malling was welcomed by many respondents during the Regulation 18 consultation exercise, but many of those expressions of support sought a more extensive extension beyond the bypass.

1.3.36 In response the exceptional circumstances for the proposed extension have been revisited and the strategy has been refined to extend the extension east to Watlingbury Road and north to the A20. The southern boundary will be formed by the proposed northern extension to Kings Hill (See Annex 3). This will provide a logical new boundary to the green belt, provide more certainty about the long term retention of the openness that characterises this area and will retain the important separation between the new settlement of Kings Hill and the historic villages of West Malling and East Malling.

1.3.37 Other Refinements

1.3.38 In addition to the major sites and the Green Belt extension, there have been a number of amendments to the proposed development sites in the smaller settlements.

1.3.39 Hadlow

1.3.40 The potential site to the north of Court Lane has been removed from this local plan due to the capacity of Court Lane and the junction with the A26 to

accommodate additional traffic. The site south of Court Lane has been retained with the estimated yield of all sites in Hadlow now at 247.

1.3.41 East Peckham

1.3.42 The potential site previously identified at Snoll Hatch Road has been removed due to concerns about practical delivery and flood risk, but a new site has been included at Church Lane. Estimated yield is now 58.

1.3.43 West Malling

1.3.44 The potential site at Offham Road has been reviewed, particularly in the light of traffic capacity and green belt impact and is scaled down accordingly. A site to the south of the A20 and to the north of the railway line at Brickfields has been included. The estimated yield is now 122.

1.3.45 East Malling Research (EMR)

1.3.46 Although a large area within the east of the EMR landholding has been removed from the development strategy, two other smaller areas have been included in the western part of the East Malling Research site recognising the reduced reliance on land based work at the EMR and to compliment the employment expansion also envisaged at the core of the EMR site. The estimated yield is 421.

1.4 Local Plan Evidence Update

1.4.1 Evidence to support local plans is required to demonstrate the soundness of proposals, especially when tested at the Public Examination. By its very nature the collection of evidence, in various forms, is an iterative process carried on throughout the plan making period. It provides a basis for the approach to the Plan, for example by identifying particular needs, such as for housing, but it is also work that constantly changes as thinking and preparation of proposals and policies progress and are tested.

1.4.2 As members will be aware there has been a substantial commitment to evidential work in association with the Plan. A wide range of matters have been covered and the following list demonstrates that commitment:

- A20 Baseline and VISUM studies
- Development Capacity Study
- Employment Needs and Economic Futures Forecasting
- Green Belt Study
- Green Infrastructure and Ecological Networks Report
- Gypsy and Traveller Accommodation Assessment
- Housing Delivery Study
- M25 & M26 Connectivity Study
- Open Space Study
- Strategic Flood Risk Assessment
- Strategic Housing and Employment Availability Study

- Strategic Housing Market Assessment
- Strategic Land Availability Assessment
- Surface Water Management Plan

(Completed Local Plan Evidence can be found on our website here:
www.tmbc.gov.uk/localplanevidence)

- 1.4.3 Recently added or soon to be added to the Local Plan evidence base include the following items:
- 1.4.4 Transport Assessment and Modelling
- 1.4.5 The borough-wide Transport Assessment prepared by the Council's consultants Mott Macdonald considers the potential transport impacts of the future development proposed in the Local Plan and explores mitigation measures to alleviate such impacts where necessary. It complements the strategic Visum modelling prepared by the consultants Amey along the A20 corridor between Leybourne and south Aylesford.
- 1.4.6 The assessment was based on background growth, committed and planned developments in the borough and surrounding areas covering a period of time between 2017 and 2031. Three scenarios were tested, 2017 existing, 2031 future base and future base plus Local Plan development.
- 1.4.7 Proposed measures for encouraging modal shift towards more sustainable methods of transport will complement the potential mitigation measures.
- 1.4.8 Air Quality Assessment
- 1.4.9 The Air Quality Assessment has also been prepared by Mott Macdonald utilising data collected for the Transport Assessment. In summary, the assessment has demonstrated that none of the strategic sites are predicted to exceed the relevant air quality objectives in any scenario.
- 1.4.10 Infrastructure Delivery Plan (IDP)
- 1.4.11 The Infrastructure Delivery Plan is being prepared in-house and sets out the infrastructure requirements to accompany the development proposed in the new Local Plan. It should be read in conjunction with the Viability Assessment.
- 1.4.12 Viability Assessment
- 1.4.13 The consultants HDH are preparing a whole plan viability assessment. This piece of evidence will demonstrate that the Local Plan is deliverable by assessing the costs of infrastructure and other Local Plan requirements.

1.4.14 Green Belt Study Part 2

1.4.15 This complementary piece of evidence assesses the parcels of land that are proposed to be removed or added to the Green Belt designation to provide a basis for demonstrating exceptional circumstances.

1.4.16 Sustainability Assessment

1.4.17 The Sustainability Assessment is a critical piece of evidence that is prepared alongside the Local Plan process. The report involves an appraisal of the Plan Objectives and policies including an analysis of the individual as well as the cumulative effects. This will be consulted upon by TMBC alongside the Reg.19 version of the Plan.

1.5 Duty to Cooperate and Statements of Common Ground

1.5.1 Meetings with neighbouring authorities (Maidstone, Medway, Gravesham, Sevenoaks and Tunbridge Wells) to discuss Local plan progress and cross boundary issues have continued throughout the Local Plan process. Portfolio Holder meetings have been held with Tunbridge Wells, Sevenoaks and Maidstone this year to ensure there is a good channel of communication at Member level.

1.5.2 Statements of Common Ground are being introduced under the revised NPPF. Local Planning Authorities will be expected to have drafts in place within six months of the publication of the NPPF this summer. Tonbridge and Malling, Sevenoaks and Tunbridge Wells have been working together as a pilot for Statements of Common Ground with assistance from the Planning Advisory Service, which will place us in a good position for meeting any future requirements.

1.6 Next Steps

1.6.1 Clearly the issues raised in this report and set out in the Local Plan document are important to the future of the Borough. The emergence of the local plan has been over a long period and there have been many reports of progress and consideration of the key issues during that time. We now face the challenge of submitting the Plan to the Secretary of State for Housing, Communities and Local Government by the end of the year, following a further period of consultation, to take advantage of the transitional arrangements introduced in the NPPF.

1.6.2 The Board will have a further opportunity to consider the draft Local Plan together with additional information and points of clarification at the next meeting on 24th July. The Board will then be invited to make recommendations to the special meetings of the Cabinet and Full Council arranged for 3rd and 12th September respectively. If Members at Full Council are minded to agree, the public consultation exercise required by Regulation 19 of the relevant Regulations will take place as soon as practicably possible after the meeting, anticipated to be

towards the end of September. The consultation will be open for a minimum of 6 weeks.

- 1.6.3 Once the consultation closes, estimated to be during November, any responses received will be collated, grouped into themes and given due consideration before being sent to the Secretary of State with the Local Plan documents. Once appointed the Local Plan Inspector will decide whether to address any issues including any arising as a result of the two public consultations exercises at the Local Plan Hearing, expected to take place in 2019.

1.7 Conclusion

- 1.7.1 This report provides Members with an update on the preparation of the Local Plan and provides a draft document and refined strategy for consideration. Inevitably given the timescales involved there will be further work on completing and updating evidence as the process moves on and there will be a further opportunity to consider the drafts at the next meeting of the Board in July before recommendations are made to Cabinet and Full Council in September.

1.8 Legal Implications

- 1.8.1 Planning law requires that planning applications are determined in accordance with the development plan unless other material considerations indicate otherwise. The Local Plan for Tonbridge and Malling will represent a significant part of the development for the borough and needs to be prepared in accordance with the NPPF and be kept up to date.
- 1.8.2 Failure to prepare a Local Plan or having a Plan that is out of date reduces the ability of the Local Planning Authority to manage development proposals that come forward.
- 1.8.3 A planning barrister has now been engaged initially to advise on the procedural and soundness issues to do with the draft plan and then to help prepare for the Public Examination which is likely to take place during next year

1.9 Financial and Value for Money Considerations

- 1.9.1 There are resource implications for preparing the Local Plan, but these can be accommodated within current budgets.
- 1.9.2 Preparing a Local Plan within the transitional period after the revised NPPF is published represents a potential cost saving for the Council as the alternative would be to update existing evidence and delay the adoption of the Local Plan while the implications of the uplift in housing need is addressed.
- 1.9.3 Having an up to date Plan at the earliest opportunity will also re-establish a five year housing land supply and provide a stronger basis for defending appeals.

1.10 Risk Assessment

1.10.1 Failure to submit a Local Plan within the transitional period will result in significantly higher risks associated with having an out dated Plan and the associated implications described in the sections above.

1.11 Recommendations

That the content of this report be noted and subject to addressing any matters raised or further clarification to be considered at the July meeting of this Board;

The Draft Local Plan be recommended for approval for the purposes of public consultations required under Regulation 19 of the Town and Country Planning (Local Plans) Regulations 2012 and submission to the Secretary of State under Regulation 22.

Background papers:

Nil

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

Steve Humphrey
Director of Housing, Planning and Environmental Health

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ANNEX 1

Tonbridge & Malling
Borough Council



Regulation 19 Pre-Submission
Publication
June 2018



Foreword

The Borough of Tonbridge and Malling is a diverse and characterful place. It includes areas of recent development and growth together with historic environments. Its geography is varied and the physical characteristics have and will continue to reflect patterns of land use and activity. It is a place where traditional and modern businesses thrive, where established and new communities have flourished but where pressures on community facilities, transport infrastructure and the environment are challenging.

The Borough Council, working with a wide range of partners, have embraced the benefit of strategic planning over decades. That has been beneficial in shaping development and properly addressing needs for homes, jobs and supporting facilities in a planned way. Moving forward the continuation of that approach is ever more challenging, but in providing a sustainable and planned approach to our borough and providing for local needs this Plan takes on that challenge.

This Local Plan relates closely to the borough and communities it will serve. It reflects national planning policy and shapes that locally, based on what is seen locally as the most important planning issues taking account of locally derived evidence. It is designed as a plan that is responsible in facing up to difficult choices and one which is based upon fostering care in the way we plan for this and future generations of Tonbridge and Malling. It provides a sound basis on which to judge planning applications, achieve investment and provide confidence about future development and future preservation where both are appropriate.

Locally based decisions about where and how development takes place are best framed locally – that is a key purpose of this plan.

Table of Contents

1. INTRODUCTION	1
1.1. What is the Local Plan?	1
1.2. How to use the Local Plan	2
1.3. What influences the Local Plan?	4
1.4. Spatial portrait	7
2. CHALLENGES & VISION	9
2.1. What are the challenges facing Tonbridge & Malling?	9
2.2. What is the vision for the borough?	9
3. STRATEGIC OBJECTIVES	10
3.1. What are the strategic objectives?	10
4. STRATEGIC POLICIES	11
4.1. What are the strategic policies?	11
4.2. What is the broad development strategy?	11
4.3. What is the settlement hierarchy?	13
4.4. What is the strategy for Tonbridge Town?	17
4.5. What is the strategy for retail development?	18
4.6. How will existing community services and transport be safeguarded?	20
4.7. How will the infrastructure requirements be delivered?	21
4.8. How will valued assets be protected?	21
4.9. How will a high quality environment be achieved?	24
4.10. How will climate change be taken account of?	26
4.11. How will air quality be addressed?	28
4.12. How will noise matters be addressed?	28
4.13. How will contamination be addressed?	29
4.14. How will sustainable transport be supported?	30
4.15. How will minerals and waste planning matters be addressed?	31
5. SUSTAINABLE GROWTH – WHERE DEVELOPMENT IS PLANNED	32
5.1. What is the spatial distribution of housing development?	32
5.2. How will long-term housing needs beyond the Plan period be addressed?	45
5.3. What is the spatial distribution of economic development?	46
5.4. How will the accommodation needs of Travellers and Travelling Showpeople be addressed?	49
6. MANAGING DEVELOPMENT – LOCAL REQUIREMENTS	52
6.1. How will development be managed?	52
7. MONITORING	60
7.1. How will the Local Plan be monitored?	60
8. APPENDICES	61

List of Policies

LP1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT	2
LP2: STRATEGIC OBJECTIVES	10
LP3: HOUSING PROVISION	12
LP4: ECONOMIC PROVISION	13
LP5: SETTLEMENT HIERARCHY	14
LP6: RURAL EXCEPTION SITES	17
LP7: TONBRIDGE TOWN	18
LP8: RETAIL DEVELOPMENT	19
LP9: SAFEGUARDING OF COMMUNITY SERVICES AND TRANSPORT	20
LP10: INFRASTRUCTURE REQUIREMENTS	21
LP11: DESIGNATED AREAS	22
LP12: AREAS OF OUTSTANDING NATURAL BEAUTY	23
LP13: LOCAL NATURAL ENVIRONMENT DESIGNATIONS	23
LP14: ACHIEVING A HIGH QUALITY ENVIRONMENT	24
LP15: RESIDENTIAL EXTENSIONS	25
LP16: SHOPFRONT DESIGN	25
LP17: FLOOD RISK	26
LP18: SUSTAINABLE DRAINAGE SYSTEMS (SUDS)	27
LP19: HABITAT PROTECTION AND CREATION	27
LP20: AIR QUALITY	28
LP21: NOISE QUALITY	29
LP22: CONTAMINATION	30
LP23: SUSTAINABLE TRANSPORT	30
LP24: MINERALS AND WASTE	31
LP25: HOUSING ALLOCATIONS - OVERVIEW	33
LP26: HOUSING ALLOCATIONS – POLICY REQUIREMENTS	34
LP27: STRATEGIC SITE – BUSHEY WOOD, ECCLES	36
LP28: STRATEGIC SITE – SOUTH AYLESFORD	37
LP29: STRATEGIC SITE – BOROUGH GREEN GARDENS	40
LP30: STRATEGIC SITE – BROADWATER FARM, NORTH OF KINGS HILL	43
LP31: STRATEGIC SITE – SOUTH-WEST TONBRIDGE	44
LP32: SAFEGUARDED LAND	46
LP33: AREAS OF OPPORTUNITY	46
LP34: EMPLOYMENT SITES AND LAND	47
LP35: EMPLOYMENT LAND ALLOCATIONS	49
LP36: OTHER EMPLOYMENT LAND OPPORTUNITIES	49
LP37: TRAVELLERS AND TRAVELLING SHOWPEOPLE	50
LP38: AFFORDABLE HOUSING	52

LP39: MIX OF HOUSING	54
LP40: PUBLICLY ACCESSIBLE OPEN SPACE	54
LP41: PARKING STANDARDS	56
LP42: INTERNAL SPACE STANDARD	58
LP43: WATER EFFICIENCY STANDARD	58
LP44: ACCESSIBILITY AND ADAPTABILITY STANDARD	58
LP45: SELF-BUILD AND CUSTOM HOUSE BUILDING	59

Tonbridge & Malling Borough Local Plan

1. Introduction

1.1. What is the Local Plan?

- 1.1.1. The Local Plan is a development plan document that sets out a vision and a framework for the future development of Tonbridge & Malling borough up to 2031.
- 1.1.2. The Local Plan represents the starting point for decision-taking on planning applications. It includes a suite of policies including borough-wide strategic policies, allocations and local standards. The purpose of these policies is to manage and facilitate sustainable development.
- 1.1.3. The Government's [National Planning Policy Framework](#) (NPPF) provides the high-level context for preparing Local Plans. This is supplemented by the Government's [Planning Practice Guidance](#) which sets out how to implement the policies in the NPPF. These have shaped the focus and content of this Local Plan.
- 1.1.4. The Council has a current suite of development plan documents in place (see list below). When this Local Plan is adopted, it will supersede these documents as the development plan for Tonbridge & Malling borough. These existing plans can be accessed from the Council's website: www.tmbc.gov.uk/developmentplan .
 - Core Strategy (September 2007)
 - Development Land Allocations (April 2008)
 - Tonbridge Central Area Action Plan (April 2008)
 - Managing Development & the Environment (April 2010)
 - Saved Policies (April 2010)

- 1.1.5. As highlighted above, the purpose of the Development Plan is to facilitate and manage sustainable development. There are three dimensions to sustainable development: economic; social; and environmental. The policies in the Local Plan seek opportunities to make a positive contribution to these dimensions. In essence, the **presumption in favour of sustainable development** lies at the heart of the Local Plan and should be seen as a golden thread running through it. This has been encapsulated in the following policy which makes clear the role of the Development Plan in decision-taking on planning applications:

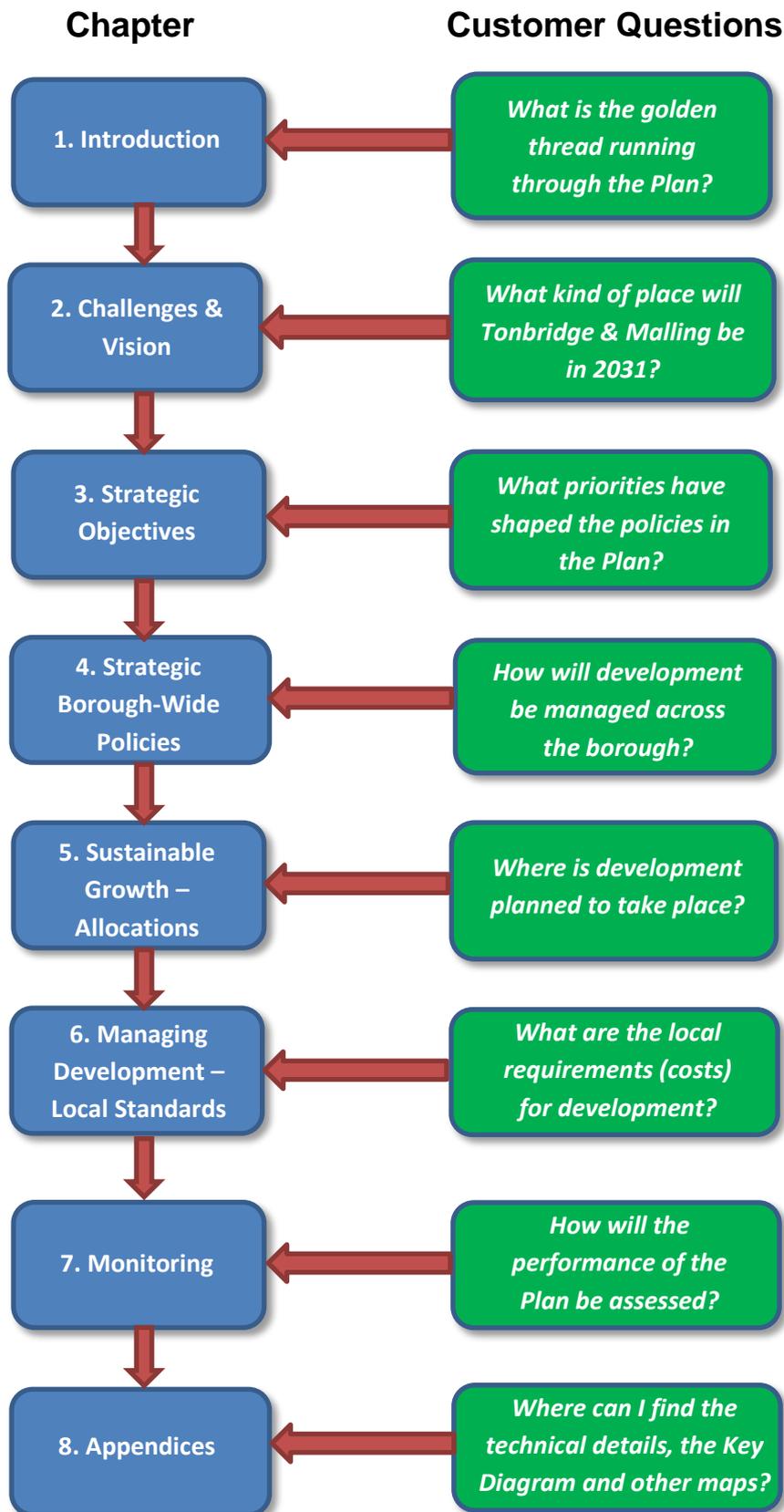
LP1: Presumption in Favour of Sustainable Development

1. At the heart of the strategy for Tonbridge & Malling is a desire to deliver sustainable development; growth that is not for its own sake, but growth that brings benefits for all sectors of the community - for existing residents, businesses and organisations as much as for new ones.
2. Planning applications that accord with the policies in this Development Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.
3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Borough Council will grant permission unless material considerations indicate otherwise – taking into account whether:
 - i. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
 - ii. Specific policies in that Framework indicate that development should be restricted.

1.2. How to use the Local Plan

- 1.2.1. Figure 1 sets out a helpful guide to the structure of the Local Plan with key customer questions pinned against particular chapters of the document.
- 1.2.2. The starting point for decision-taking on planning applications is the Development Plan. With this in mind, it is important to understand that policies contained within this Local Plan should not be read in isolation; they should be read alongside other policies in the Development Plan in order to comprehend the complete planning policy picture.

Figure 1: Tonbridge & Malling Local Plan Structure

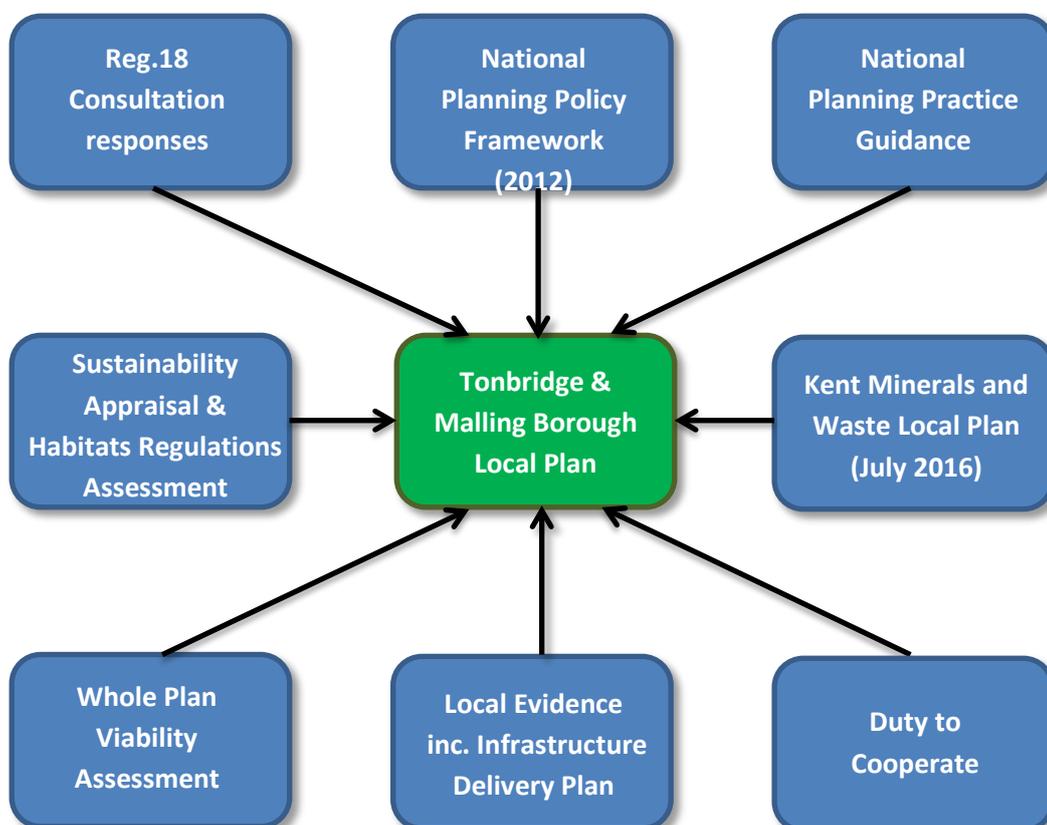


- 1.2.3. In addition, regard should be had to the Government’s NPPF. Whilst the NPPF does not form part of the Council’s development plan, it is a material consideration that will be taken account of during decision-taking on planning applications. The Local Plan does not reiterate policies that are already set out in the NPPF but where appropriate it applies them locally to respond to local circumstances. If the Local Plan is silent on a specific topic the default policy position is the NPPF.
- 1.2.4. It should be noted that the Council will expect, as part of the validation process for planning applications, assessments on a range of topics to help inform the decision-taking process and assess performance of the development proposal against the requirements of the policies contained within this Local Plan.
- 1.2.5. To help your understanding of key technical references in the Local Plan, there is a glossary of terms set out in **Appendix A**.

1.3. What influences the Local Plan?

- 1.3.1. There are a wide range of influences on the Local Plan and the policies contained within it. These are summarised in Figure 2.

Figure 2: Influences on the Local Plan



- 1.3.2. A few of the high-level influences have already been highlighted, namely the Government's National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG). In addition to these top-down influences, there are important bottom-up pieces of work that have made their mark on the Local Plan.

Evidence

- 1.3.3. Several pieces of evidence have shaped the development strategy and policies contained within this Local Plan. More details on the specific pieces of evidence are available on the Council's website:

www.tmbc.gov.uk/localplanevidence. Key pieces of evidence include (not exhaustive):

- Strategic Housing Market Assessment (SHMA)
- Employment Land Needs Assessment
- Gypsy and Traveller and Travelling Showperson Accommodation Assessment
- Strategic Land Availability Assessment (SLAA)
- Strategic Flood Risk Assessment (SFRA)
- Transport Assessment + A20 VISUM Study
- Air Quality Assessment
- Green Belt Study
- Green Infrastructure & Ecological Network Report
- Open Space Study
- Whole Plan Viability Assessment
- Infrastructure Delivery Plan

Sustainability Appraisal & Habitats Regulations Assessment

- 1.3.4. An important part of the plan-making process is the Sustainability Appraisal (SA). This effectively provides an audit of the environmental, social and economic credentials of the policies and their impacts, individually and

cumulatively. This is achieved by assessing the policies – and reasonable alternatives – against a range of objectives that cover the three dimensions of sustainable development. The SA was applied to the broad strategy options at the beginning of the process and then to the emerging policies and reasonable alternatives.

- 1.3.5. The Habitats Regulations Assessment focussed on the potential impact of the development strategy on sensitive habitats of international importance. This process also took account of committed development in neighbouring boroughs to understand the cumulative impacts.

Viability

- 1.3.6. It is important that the sustainable development identified in the Local Plan is not only aspirational but realistically deliverable. To make this assessment the viability of the development strategy, taking account of the local standards and typical infrastructure costs was undertaken. This tested the typical sites that are likely come forward for development. This is an important check on the effectiveness of the Local Plan.

Duty to Cooperate

- 1.3.7. Throughout the process of preparing the Local Plan on-going engagement with neighbouring planning authorities took place to fulfil the statutory Duty to Cooperate. This was an essential process given that some of the influences on the borough do not conveniently stop at the boundary edge. An example of joint working included the commissioning of the Strategic Housing Market Assessment with Maidstone Borough Council and Ashford borough Council. In addition, regular meetings took place at the officer and member level to identify common ground and any cross-boundary matters that needed to be explored.

Consultation

- 1.3.8. A key influence on the Local Plan is consultation. During the autumn of 2016 the Council consulted on the first stage of the Plan, the regulation 18 document entitled 'The Way Forward'. This involved engagement with a wide group of people and organisations including: local communities and their representatives; land owners; developers; businesses and statutory consultees. The responses received helped inform the preparation of this Local Plan.

Kent Minerals and Waste Local Plan

- 1.3.9. In addition to this Local Plan the Kent Minerals and Waste Local Plan (adopted July 2016) is an important part of the Development Plan. Issues including minerals safeguarding are important considerations during decision-taking on planning applications. Given the strong relationship between minerals and the delivery of new homes it is imperative that decisions do not put at risk the delivery of both Plans.
- 1.3.10. The wide range of influences on the Local Plan have, in combination, resulted in a Plan that addresses the expectations of the government whilst being truly local in nature.

1.4. Spatial portrait

- 1.4.1. Before proceeding with the detailed policies, it is helpful to take stock and paint a spatial portrait of the borough and its communities.

Table 1: Spatial Portrait

Area:	24, 013 ha
Strategic Location:	West Kent. Bordered by: Sevenoaks District (to the west); Tunbridge Wells Borough (south); Maidstone Borough (east); Medway (north); Gravesham Borough (north-west).
Transportation links:	Three motorways (M20, M26 and M2) cross the borough in the north. The A21 trunk road passes by the south and west of Tonbridge. Three train lines providing links to London and the north Kent line. Channel Tunnel Rail Link (channelled under the Kent Downs, no stations). High Speed 1 services stop at Snodland station
Population:	Total: 127,300 (mid-2016 estimate) Split: 48.9% Male; 51.1% Female Average age: 40.5 years Aged 0-15: 20.3% Aged 16-64: 61.1% Aged 65+: 18.6%
Urban/Rural Split:	Most of the borough is rural in character.

	<p>Largest rural settlements are West Malling, Borough Green, Hadlow, Hildenborough and East Peckham.</p> <p>Principal town: Tonbridge, located in the south-west of the borough.</p> <p>Other built-up urban areas: Kings Hill, Snodland, Aylesford/Ditton/Larkfield/Leybourne (known as the Medway Gap) and Walderslade (part) located in the north-east of the borough.</p>
Assets & Constraints:	<p>Special Areas of Conservation: North Downs Woodland; Peter's Pit (3.54% of the borough)</p> <p>Sites of Special Scientific Interest (SSSIs): 28 (1.32% of the borough)</p> <p>Areas of Outstanding Natural Beauty: Kent Downs and High Weald</p> <p>Ancient Woodland: 2,621 ha (11% of the borough)</p> <p>Conservation Areas: 60</p> <p>Scheduled Ancient Monuments: 25</p> <p>Listed Buildings: Approx. 1,400 listed buildings or structures</p> <p>Green Belt: Approx. 70% coverage of the borough</p>
Rivers:	<p>River Medway and its tributaries pass through the borough in the south and south-east (fluvial) and in the north-east (tidal stretch north of Allington Lock).</p> <p>River Bourne passes through the borough from the south-east to the north-west.</p>
Dwelling Stock:	<p>Total: 52,770 (as at 1 April 2016)</p> <p>Private sector: 44,310</p> <p>Private registered provider: 8,110</p> <p>Other public sector: 350</p> <p>Local Authority: 0</p>

2. Challenges & Vision

2.1. What are the challenges facing Tonbridge & Malling?

- 2.1.1. Section 1.3 of this Local Plan highlights several pieces of evidence that have exerted an influence on the preparation of this document. This section draws out the key challenges that this evidence presents.

Table 2: Key Challenges

<ul style="list-style-type: none"> • How to meet the varied housing needs of the growing population in the right places
<ul style="list-style-type: none"> • How to support the needs of the local economy so that it can continue to be competitive and create quality local jobs
<ul style="list-style-type: none"> • How to deliver essential infrastructure to support growth and create high quality environments
<ul style="list-style-type: none"> • How to deliver sustainable growth while protecting assets and avoid areas at high risk of flooding
<ul style="list-style-type: none"> • How to manage change in Tonbridge Town and local centres so that they can remain vital, competitive and an attractive place to work, meet and enjoy.

2.2. What is the vision for the borough?

By 2031 Tonbridge and Malling will be a place where sustainable growth is supported including new homes and jobs to help address the wide range of needs of the growing population and essential infrastructure to create a high quality environment for all. It will be a place where important heritage and natural environment assets are valued and Tonbridge Town Centre and other urban and rural centres are effectively adapting to change and are thriving and where there is a wide choice of travel opportunities to connect people and places across the borough and beyond.

3. Strategic Objectives

3.1. What are the strategic objectives?

- 3.1.1. Taking account of the influences on the Local Plan and the key challenges facing the borough and local communities, a set of objectives have been defined to set the strategic framework for the detailed policies that follow.

LP2: Strategic Objectives

Objective 1: Support the delivery of new homes balanced with economic growth to provide a stock of housing that meets the needs of the community, including the need for affordable housing.

Objective 2: Ensure new development is of a high quality design.

Objective 3: Enhance the vitality and viability of Tonbridge Town as the principal urban centre in the borough.

Objective 4: Support and strengthen the hierarchy of settlements to ensure development that takes place contributes to the sustainability of local communities and services.

Objective 5: Protect important natural and heritage assets.

Objective 6: Ensure adequate infrastructure is in place to support the needs of developments and communities.

Objective 7: Improve accessibility and connectivity including support for improvements to public transport, cyclists and pedestrians through new development.

Objective 8: Support opportunities to protect and where possible strengthen the existing Green Infrastructure and Ecological Network across the borough as illustrated on the map in [Appendix C](#) and defined in the Glossary.

Objective 9: Ensure development mitigates its impact on the environment and is resilient to the effects of climate change.

Objective 10: Support opportunities for future-proofing developments.

4. Strategic Policies

4.1. What are the strategic policies?

4.1.1. These policies are applicable, in the majority of cases, borough-wide. In decision-taking on planning applications, these strategic policies will be used alongside relevant site specific policies and local requirements. The policies are applicable to allocations set out in this Plan as well as other development proposals that may come forward during the plan-period.

4.2. What is the broad development strategy?

4.2.1. The influences on the Local Plan set out in section 1.3 above have shaped the broad development strategy for Tonbridge & Malling.

4.2.2. The initial consultation on the Local Plan in 'The Way Forward' included a set of principles to guide decision-making on which opportunities should be considered in more detail. These were:

1. Focussing opportunities adjacent to the principal urban areas of the Medway Gap and Tonbridge, in each housing market area
2. Focussing opportunities adjacent to a range of settlements across the borough to help support and sustain local communities, big and small
3. Locating new development in reasonable proximity to transport hubs, utilising and building upon existing infrastructure
4. Locating new development in the least constrained parts of the borough
5. To provide a mixed portfolio and location of sites, big and small, to meet a range of needs throughout the duration of the plan period up to 2031, over the short-term (up to 5 years), medium-term (6-10 years) and over the long-term (11-15 years).
6. To deliver a level of growth at key locations to facilitate significant improvements to support infrastructure, e.g. schools, highways and healthcare, for the benefit of local communities.
7. Focussing development on the contribution that larger potential sites could deliver in a proportionate way to meet wider plan objectives and ensure delivery in the plan period.

- 4.2.3. In refining the initial development strategy included in the Reg.18 document the Council took account of a wide range of evidence including: A20 VISUM Study; Sustainability Appraisal; Transport Assessment; the Air Quality and the Housing Delivery Study, together with the main issues raised during the initial consultation.
- 4.2.4. The outcome of these processes is the broad development strategy illustrated on the **Key Diagram in Appendix B**. This will address the Objectively Assessed Need (OAN) for housing within the borough (13,920 dwellings 2011-2031) across the two Housing Market Areas (HMAs) exerting an influence on Tonbridge & Malling (Maidstone HMA and Sevenoaks/Tunbridge Wells/Tonbridge HMA). It will also help address the need for jobs, significant highway infrastructure, healthcare, community and other local infrastructure and facilities.
- 4.2.5. The selection and allocation of strategic development sites reflect the development principles outlined in para. 4.2.2. The key components of the proposed development areas and how they are expected to be managed and delivered is set out within the policies for each of the strategic sites in Chapter 5.

LP3: Housing Provision

1. Provision is made in this Local Plan for at least **6,828** dwellings to address in full the Objectively Assessed Need for housing during the plan period up to 2031.
2. Major new housing development will be delivered at the following strategic sites, as defined on the proposals map, during the plan period up to 2031:
 - a. Bushey Wood, Eccles – 900 dwellings
 - b. East of Hermitage Lane, south Aylesford – 1,000 dwellings
 - c. North of Borough Green – 1,720 dwellings
 - d. Broadwater Farm, north of Kings Hill – 900 dwellings
 - e. South-west Tonbridge – 480 dwellings.
3. In addition to the strategic sites, new housing development will be delivered on sites across the borough, as defined on the proposals map, and in accordance with the policies in this Local Plan.

LP4: Economic Provision

Provision is made in this Local Plan for at least **32 ha** of additional employment land to address the needs of the borough during the plan period up to 2031.

4.3. What is the settlement hierarchy?

- 4.3.1. One of the influences on the development strategy in this Local Plan is the hierarchy of settlements which was established in the Council’s Local Development Framework.
- 4.3.2. The purpose of the hierarchy is to make it clear where development should be focussed and how much is considered acceptable. The hierarchy takes account of the range of services and facilities available, the size and character of the settlements and how settlements have evolved, particularly in more recent history. In essence, the Council will support development that focuses within settlements towards the top of the hierarchy, providing it is proportionate in scale and respectful of the character of the place and complies with the suite of policies in this Local Plan.

Figure 3: Settlement Hierarchy



LP5: Settlement Hierarchy

Urban Areas

1. Development will be concentrated within the confines of the following urban areas, as defined on the proposals map:
 - a. Tonbridge (including Hilden Park);
 - b. The Medway Gap (including Aylesford, Ditton, Larkfield, Leybourne areas);
 - c. Kings Hill;
 - d. Snodland; and
 - e. Walderslade (that part within the borough).

Rural Service Centres

2. Outside of the Urban Areas, the focus of development will be within the confines of the Rural Service Centres, as defined on the proposals map. The Rural Service Centres are:
 - a. Borough Green;
 - b. East Peckham;
 - c. Hadlow;
 - d. Hildenborough;
 - e. West Malling.

Other Rural Settlements

3. Within the confines of Other Rural Settlements, development will be restricted to development that is proportionate to the scale and appropriate to the character of the settlement. The Other Rural Settlements, as defined on the proposals map, are:
 - a. Addington
 - b. Addington Clearway
 - c. Aylesford Village
 - d. Birling
 - e. Blue Bell Hill
 - f. Burham
 - g. Crouch
 - o. Leybourne Chase
 - p. Mereworth
 - q. Offham
 - r. Peters Village
 - s. Platt
 - t. Plaxtol
 - u. Ryarsh

- | | |
|-------------------------|-------------------|
| h. Dunks Green | v. Snoll Hatch |
| i. East Malling Village | w. Trottiscliffe |
| j. Eccles | x. Wateringbury |
| k. Fairseat | y. West Peckham |
| l. Golden Green | z. Wouldham |
| m. Hale Street | aa. Wrotham Heath |
| n. Ightham | bb. Wrotham |

Note: Dunks Green, Fairseat, Leybourne Chase and Snoll Hatch are washed over with the Green Belt and development proposals in these settlements will be assessed against Policy LP11, and in the case of rural exception sites, Policies LP11 and LP6 in the Local Plan.

Development in Rural Areas

4. Development outside of the confines of the Urban Areas, Rural Service Centres and Other Rural Settlements but within the Green Belt will need to meet the requirements of Policy LP11, and in the case of rural exception sites, Policies LP11 and LP6 in the Local Plan.
5. Outside of the confines of the Urban Areas, Rural Service Centres and Other Rural Settlements development will be restricted to:
 - a. limited infilling development where it does not erode the identity of settlements or harm the setting or character of a settlement; or,
 - b. the one-for-one replacement, or appropriate extension, of an existing building provided it would be proportionate to the size of the existing building; or,
 - c. the conversion or change of use of an existing building; or
 - d. development that is necessary for the purposes of agriculture or forestry, including essential housing for farm or forestry workers; or
 - e. development required for the limited expansion of, or improvement to, an existing authorised employment use; or
 - f. development that secures the viability of a farm as an agricultural business; or
 - g. tourism and leisure development where it is evident that it will support the local economy and where there would be no

- unacceptable adverse impacts arising from lighting, traffic generation, activity at unsocial hours or noise; or
- h. equestrian related activities provided the following criteria are met:
 - i. where new or replacement buildings are proposed, it must be demonstrated that the re-use of existing buildings on-site for any equestrian-related use is not practicable; and
 - ii. proposals for the construction of new stable buildings and ancillary facilities are of a proportionate scale and an acceptable design to the locality ; and
 - iii. there is no adverse impact on amenity and environmental quality of residential or other sensitive uses due to smell, insect infestation, excessive noise, lighting or traffic generation; and
 - iv. there is no hazard to road safety; and
 - v. suitable provision is made for the protection and, where practicable, the enhancement of the existing public rights of way network which may be affected by the proposals, with full regard to the safety of users; or
 - i. community facility development where no suitable alternative accommodation is available within the confines of the urban areas, rural service centres or other rural settlements and where the proposal is essential to serve the settlement to which it relates, or
 - j. predominantly open recreation uses together with associated essential built infrastructure, having regard to Policy LP12 on the AONB.

Rural Exception Sites

- 4.3.3. The Strategic Housing Market Assessment (SHMA), in particular Table 45 in the March 2014 Report, has identified that the need for affordable housing in some rural parts of the borough is significant. To help address this the Council will apply a rural exception sites policy in accordance with the relevant policy in the NPPF on the Green Belt. This policy will support the limited development of homes in rural areas outside settlement confines that will address the identified need for affordable housing to provide for local households and in proven cases to assist local key worker needs, in

perpetuity where development would not normally be acceptable for housing, including the Green Belt.

LP6: Rural Exception Sites

1. Residential development on small sites outside of the confines of settlements in rural areas will be permitted provided that it is used solely for affordable housing in perpetuity, as defined by LP38, addressing an identified local need and it is proportionate and respectful of the local character in terms of design, scale, massing, density and materials.
2. The residential development proposal may include a small proportion of market housing where it can be demonstrated to the satisfaction of the Council that the market housing is essential to enable the delivery of the affordable housing units.

4.4. What is the strategy for Tonbridge Town?

- 4.4.1. Tonbridge has undergone a significant transformation in recent years. The population has been boosted by a number of residential developments in close proximity to the High Street. In addition, a rapid change in shopping habits has resulted in the evolution of the High Street in terms of the type and size of the retail offer.
- 4.4.2. As a result, the character of Tonbridge has and continues to evolve with the emergence of individual artisan retailing in the High Street area and varied investments just beyond the town centre.
- 4.4.3. It is evident that the rate of change for many of the activities taking place in Tonbridge is rapid and has proven to be quicker than the cycle of Local Plan-making itself.
- 4.4.4. With these changes in mind, the vision and subsequent policy for Tonbridge Town needs to provide flexibility for the area to seize opportunities to continue to evolve and adapt for the better whilst ensuring its identity and key assets are retained. The areas referred to in Policy LP7 are illustrated in Appendix D.

Town Vision

By 2031 Tonbridge Town will be responding and adapting effectively to change in retail and other trends and be a thriving place where people want to work, meet and enjoy. It will have retained important environmental and historic assets and maintained its individuality.

It will be an attractive, vibrant competitive place hosting a wide range of economic, social and cultural activities that are making a positive contribution to the local economy and making Tonbridge a destination of choice for local communities.

LP7: Tonbridge Town

1. In the primary and secondary retail areas within the Tonbridge town centre core, as defined on the proposals map, development that results in the intensification of retail, leisure and community uses will be supported provided that it is proportionate in scale and an acceptable design to its locality and does not result in unacceptable impacts on the highway network, air quality, and the amenity of the area. Change of use or conversion of upper floor units to residential and/or offices will be supported provided that it would create a suitable living and/or working environment.
2. In the broader Tonbridge central area outside of the town centre core, as defined on the proposals map, development will be supported where it can be demonstrated that it will maintain and where possible enhance the vitality and viability of the central area as a whole and provided it does not result in unacceptable impacts on the highway network, air quality, and the amenity of the area.

4.5. What is the strategy for retail development?

- 4.5.1. Tonbridge & Malling Borough has a wide range of centres offering a diverse range of shopping and service facilities. The Council's overarching objective is to provide for sustainable development in the borough. In terms of retailing the key to delivering this will be maintaining and enhancing the role of the borough's existing retail centres which act as a focal point for the communities they serve.

LP8: Retail Development

1. Retail development will be supported if it maintains or enhances the vitality and viability of existing town, district or local centres, as defined on the proposals map, and is proportionate in scale to the role of the centre in the retail hierarchy. Retail development will be supported if located in accordance with the following sequential test:
 - i. Town, district or local centres – within the confines as defined on the proposals map;
 - ii. Edge-of-centre sites, but only where it can be demonstrated that retail development cannot be accommodated within a town, district or local centre;
 - iii. Out-of-centre sites, but only where it can be demonstrated that retail development cannot be accommodated within or on the edge of a town, district or local centre.
2. Within Tonbridge Town Centre, development proposals will need to meet the requirements of Policy **LP7**.
3. Within the district and local retail centres a change of use at the ground floor that maintains and where possible enhances the vitality and functioning of the centre will be supported provided that it does not result in unacceptable impacts on the highway network, air quality, and the amenity of the area.
4. Within the district and local centres the change of use or conversion of units above the ground floor to residential and/or offices will be supported provided that it would create a suitable living and/or working environment.

Table 3: Retail Centres

Town Centre	Tonbridge
District Centres	Borough Green, Kings Hill Martin Square/Larkfield Snodland West Malling
Tonbridge Urban	Martin Hardie Way
Local Retail Centres	York Parade

Medway Gap Urban Local Retail Centres	Twisden Road, East Malling Premier Parade, Aylesford Woodlands Parade, Ditton Little Market Row, Leybourne
Rural Local Retail Centres:	East Peckham Hadlow Hildenborough
New Local Retail Centres	Leybourne Grange Peters Pit
Out-of-Centre Retail Facilities	Lunsford Park Quarry Wood, Aylesford Cannon Lane, Tonbridge
Individual local shops	within suburban areas and rural settlements

4.6. How will existing community services and transport be safeguarded?

- 4.6.1. For communities to be sustainable it is essential for a range of community services to be available. In addition to new provision, the Council will support the protection of viable community facilities that play an important role in the social infrastructure of the area.

LP9: Safeguarding of Community Services and Transport

Development that would result in the loss in whole or part of sites and premises currently or last used for the provision of community services, or recreation, leisure or cultural facilities, will only be permitted if:

- a. an alternative community service/facility of equivalent or better quality and scale to meet identified need is either available, or will be satisfactorily provided at an equally accessible location; or
- b. an enhancement to the nature and quality of an existing community service/facility will result from the development of part of that existing community service/facility; or
- c. the applicant has proved, to the satisfaction of the Council, that for the foreseeable future there is likely to be an absence of need or adequate support for the existing community service/facility. This will require the submission of evidence, which may include a viability assessment in an accessible format, which demonstrates that retaining the existing community service/facility is no longer viable.

CTRL – There is still an obligation to illustrate the alignment of the CTRL but the extent is now more narrowly drawn. We may not need a specific policy on it but a simple reference.

4.7. How will the infrastructure requirements be delivered?

- 4.7.1. As part of plan-making the Council engaged with a range of infrastructure providers to understand the essential infrastructure needed to support the development strategy. This included: education, healthcare, roads, adult social care and other community facilities and also broadband provision. This information has been brought together in the **Infrastructure Delivery Plan** that has been prepared to inform but is not part of the Development Plan.

LP10: Infrastructure Requirements

Development will be required to provide for the necessary infrastructure to meet the needs of the development to make the development acceptable in planning terms.

4.8. How will valued assets be protected?

Designated Areas

- 4.8.1. Within the borough of Tonbridge & Malling there is a range of important designated areas. These designations perform various roles including: protecting and supporting ecology and biodiversity; understanding risks of flooding; and looking after heritage assets. The majority of designations covered by Policy LP11 are those that are identified at the international and national level by bodies other than Tonbridge & Malling Borough Council. In addition, the policy covers designations that are set by other pieces of legislation, for example Conservation Areas.
- 4.8.2. The Council recognises the value of these designations and the contribution they have and continue to make shaping the identity of places across the borough. Furthermore the Council recognises that the government policy set out in the NPPF is sufficiently detailed to protect the integrity of these designated areas. Given the local distinctiveness of the Areas of Outstanding Natural Beauty in the borough, the Council considers that these require a specific policy.

- 4.8.3. With this in mind the Council will continue to apply the relevant policy in the NPPF or whatever represents national planning policy at the time planning applications are made. If a proposal is in conflict with the relevant national policy then it will be in conflict with Policy LP11.

LP11: Designated Areas

1. For the following listed designations, as illustrated or defined on the proposals map, the Council will apply the relevant policy in the National Planning Policy Framework or whatever represents the relevant national planning policy at the time the planning application is determined.
 - Special Areas of Conservation (SAC)
 - Sites of Special Scientific Interest (SSSIs)
 - Green Belt
 - Historic Parks & Gardens
 - Scheduled Ancient Monuments
 - Conservation Areas
 - Areas at risk of flooding
2. For listed buildings and ancient woodland the Council will apply the policy in the National Planning Policy Framework or whatever represents the relevant national planning policy at the time the planning application is determined.
3. If a development proposal is in conflict with the relevant national policy then it will be in conflict with this Policy.

Areas of Outstanding Natural Beauty

- 4.8.4. Tonbridge & Malling borough contains part of two Areas of Outstanding Natural Beauty (AONBs): the Kent Downs and the High Weald. These areas are designated for the national importance of their landscape. Within AONBs the Government policy is to conserve and enhance their natural beauty.
- 4.8.5. For each of the AONBs a management plan has been prepared which has been adopted by the Council as a material consideration for decision-taking on planning applications. Development proposals will be required to have regard to the policies in these plans.

LP12: Areas of Outstanding Natural Beauty

1. Areas of Outstanding Natural Beauty (AONBs) are nationally designated landscapes and as such have the highest status of landscape protection. The Kent Downs and High Weald AONBs, as illustrated on the proposals map, should be conserved and where appropriate enhanced in accordance with their landscape significance.
2. Major development within the AONBs will only be permitted in exceptional circumstances and where it can be demonstrated that it is in the public interest.
3. Other development within the AONBs and their settings will be permitted provided that:
 - a. the location, form, scale, materials and design would conserve or enhance the character of the landscape; and
 - b. the development would conserve or enhance the special qualities, distinctive character and tranquillity of the AONB; and
 - c. the development has regard to the relevant AONB Management Plan and any associated guidance.

Local Natural Environment Designations

- 4.8.6. In addition to international and national designations there is a range of local designations that perform similar roles, in some respects, but at a smaller scale and with a more localised purpose and interest. Even though they feature at the lower end of the hierarchy of designated sites this does not mean that they are not important or should not be looked after. There are also greenspaces at the local level such as publicly accessible open spaces and allotments which make a significant contribution to the health and well-being of local communities.

LP13: Local Natural Environment Designations

1. Development must protect and where possible enhance the following, as illustrated or defined on the proposals map:
 - Local Sites (Local Wildlife Sites (LWS), and Regionally Important Geological Sites (RIGS));
 - Local Nature Reserves (LNR));

- Publicly accessible open spaces;
 - Allotments.
2. Development must protect and where possible enhance Priority Habitats.
 3. Development of existing publicly accessible open spaces and allotments, as defined on the proposals map, will only be permitted if a replacement site is provided which is equivalent or better in terms of quantity, quality and accessibility. The replacement site should, where practicable, be located where it can provide opportunities to strengthen the wider Green Infrastructure and Ecological Network as illustrated in **Appendix C.**

4.9. How will a high quality environment be achieved?

Achieving a High Quality Environment

- 4.9.1. A high quality, well designed development can enhance the sense of place and identity of an area and can bring significant benefits to the local environment and economy. Well-designed places can help reduce crime and disorder through natural surveillance and create secure environments. With this in mind, planning applicants should have regard to guidance in ‘Secured by Design’ or whatever represents good practice at the time the application is made. A high quality environment can make a positive contribution to the well-being of residents and visitors.

LP14: Achieving a High Quality Environment

1. Development must:
 - a. protect the local distinctiveness of the area including the setting and pattern of the settlement and its historical and architectural interest and the landscape character; and
 - b. protect the amenity of the local area; and
 - c. be well designed and of a high quality in terms of detailing and use of materials and through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings.

2. Development should, where practicable and proportionate, be designed to:
 - a. deter crime and reduce the fear of crime;
 - b. maximise opportunities for healthy active lifestyle choices including access to open spaces; and
 - c. maximise opportunities for achieving net biodiversity gains.

Residential Extensions

- 4.9.2. Extensions to dwellings can have a significant impact on the street scene and the amenity and character of the area in terms of design, proportion and massing. With this in mind, the Council has prepared a technical guide highlighting potential local impacts of extensions and how these can be sensitively addressed. **This is set out in Appendix XX.**

LP15: Residential Extensions

Extensions to residential properties will be required to have regard to the technical guide on local impacts **as set out in Appendix XX** and will be permitted unless they result in an adverse impact on the character of the building or the street scene in terms of form, scale, design and materials or an adverse impact on residential amenity.

Shopfront Design

- 4.9.3. Shopfronts can have a significant impact on the character of an area since they are at ground floor level and they are the part of the building most seen both by pedestrians and from passing vehicles. It is therefore important that any new shopfronts or alterations are respectful of the building and local character.

LP16: Shopfront Design

Proposals for new shopfronts or alterations to existing ones should respect the character, proportions, period and design of the individual building, of the local context and of the wider area, with particular regard to detailing of fascias, windows and doors, use of material and form of any illumination.

4.10. How will climate change be taken account of?

Flood risk

- 4.10.1. The increased likelihood of flooding is widely recognised as one of the key consequences of climate change in the UK. Severe flooding has, from time to time, been a key concern in Tonbridge & Malling causing distress to many local communities and damage to properties and infrastructure. The Council with its partners have striven to bring forward capital proposals to address issues and is working in partnership with other agencies to mitigate flood risk through other means.
- 4.10.2. The Council has responded to the issue of flood risk during the preparation of the Local Plan by pursuing a development strategy that avoids areas at high risk of flooding, particularly for residential development. This assessment took account of an allowance for climate change over the plan period and the likely effect this will have on the flows of watercourses.
- 4.10.3. In determining planning applications the Council will apply the requirements of the Government's policy in the NPPF and the PPG on flood risk.

LP17: Flood Risk

1. In determining planning applications, the Council will apply the policy on flood risk in the National Planning Policy Framework or whatever represents national planning policy on flood risk at the time the planning application is determined.
2. If a development proposal is in conflict with the relevant national policy then it will be in conflict with this Policy.

Sustainable Drainage Systems (SuDS)

- 4.10.4. One of the consequences of climate change is an increased likelihood of more intensive rainfall. In urban environments where natural infiltration has been limited, this can result in flash flooding caused by rain water rushing off impermeable surfaces and overwhelming existing water management networks. As highlighted above, this has been a significant issue for several communities across the borough in recent years, causing distress and damage to properties. Sustainable Drainage Systems (SuDS) can, if effectively designed and planned for, mitigate these impacts by attenuating flows and enable greater natural infiltration.

LP18: Sustainable Drainage Systems (SuDS)

Sustainable Drainage Systems (SuDS) for the management of run-off must be provided for as part of major development.

Habitat Protection and Creation

- 4.10.5. Climate change can have an effect on the integrity of existing habitats and the ability of wildlife to create new habitats.
- 4.10.6. With this in mind, the Council has prepared a Green Infrastructure and Ecological Network diagram (see [Appendix C](#)). This diagram reflects a range of natural environment assets that provide existing homes for wildlife. The Principal Green Corridors (PGCs) provide opportunities for species and habitats to migrate along as they adapt to the negative effects of climate change. To help enhance and strengthen the Network and the PGCs, individual developments should include effective mitigation that makes space for nature by including, as an integral part of the building, opportunities to house wildlife, for example the integration of concealed nest boxes as part of the external brick work. This policy will be applied to major development as defined in national legislation.

LP19: Habitat Protection and Creation

1. Major development within the Principal Green Corridors identified on the Green Infrastructure and Ecological Network diagram (see [Appendix C](#)) should, where practicable and proportionate, include effective mitigation that provides opportunities for habitat creation, taking account of the habitat and species of the Biodiversity Opportunity Areas.
2. Major development should, where practicable and proportionate, include effective mitigation that makes space for nature by including, as an integral part of the external building fabric, opportunities for habitat creation for birds.

4.11. How will air quality be addressed?

Air Quality

- 4.11.1. Air quality is vitally important to the quality of life. Developments, if not properly planned and designed, can contribute to the deterioration of air quality which can harm the health of residents, workers and visitors to Tonbridge & Malling. Even though advancements in technologies such as cleaner and even zero emission cars will help alleviate, to an extent, current problems there is still a need to ensure developments do not, individually or cumulatively result in a worsening of levels of air quality.
- 4.11.2. The Air Quality Assessment prepared in support of the making of the Local Plan concluded that the key strategic sites that feature in the development strategy are suitable for the introduction of receptors, including people.

LP20: Air Quality

Developments, either individually or cumulatively with other proposals or existing uses in the vicinity, that could directly or indirectly result in material additional air pollutants and worsening levels of air quality within the area surrounding the development site or impact on the existing Air Quality Management Area will not be permitted unless evidenced, specific, detailed measures to offset or mitigate any potential impacts, to the satisfaction of the Council, are included as part of the proposal.

4.12. How will noise matters be addressed?

Noise Quality

- 4.12.1. Noise can have an adverse impact on health and therefore the quality of life. This can include noise from new developments impacting on existing communities and environments. It can also include noise from existing activities that may have an adverse impact on people living and/or working in the new development itself, if it is not properly planned.
- 4.12.2. With this in mind, it is important that the Local Plan effectively addresses the issue of noise to help ensure the quality of life of existing and future communities is not adversely affected.

LP21: Noise Quality

1. Development will only be permitted if it can be demonstrated, to the satisfaction of the Council having regard to the relevant British Standards and other relevant national guidance and good practice at the time the planning application is determined, that it is located, designed and controlled to minimise the impact of noise on neighbouring properties and the prevailing acoustic environment.
2. Noise sensitive development, such as residential, will only be permitted in close proximity to noise generating activity if it can be demonstrated, to the satisfaction of the Council having regard to the relevant British Standards and other relevant national guidance and good practice at the time the planning application is determined, that it is designed to reduce the impact of noise from the local environment to an acceptable level.

4.13. How will contamination be addressed?

Contamination

- 4.13.1. In identifying sites for development it is important to be mindful of previous activities that may have taken place on the land and the legacy they may have left behind. Ahead of the approval and commencement of development, it is important that the issue of contamination is thoroughly investigated and understood. Equally it is important that adequate remediation is identified and implemented to make safe the environment.
- 4.13.2. Parts of the borough are characterised by land where previous extraction has taken place and land fill of one form or another has followed. These have often been well regulated but in other cases less so. The Borough Council has good experience in addressing the issues arising from land which has previously been used for activities which pose a risk of contamination. The NPPF provides a sound degree of high level policy dealing with ground conditions and pollution which makes it clear what is to be done when considering development where such issues are found. As well as requiring the development allocations to investigate and remediate contamination, this Local Plan also includes a strategic policy addressing the issue.

LP22: Contamination

1. Development proposals located on or near sites which have previously been used for activities which pose a risk of land contamination will be required to submit a contamination survey as part of the planning application assessing the nature and extent of contamination and potential risks to human health and the local environment.
2. Where unacceptable risks are identified, a proposed remediation scheme, with arrangements for implementation, validation, monitoring and maintenance will be required to be submitted to the Council.

4.14. How will sustainable transport be supported?

Sustainable Transport

- 4.14.1. A key part of the vision for Tonbridge & Malling in 2031 is the provision of a wide choice of travel opportunities to connect people and places across the borough and beyond.
- 4.14.2. Sustainable transport solutions can achieve a wide range of benefits. Not only are there health, well-being and environmental benefits associated with walking and cycling but encouraging alternatives to the car can help reduce congestion and delays which can be harmful to the functioning of the local and wider economy. Ensuring that there is a wide choice of travel opportunities can help achieve a more inclusive society.
- 4.14.3. With this in mind, this Local Plan supports the pursuit and integration of sustainable transport solutions where practicable and proportionate to the proposed development.

LP23: Sustainable Transport

The Council will work in partnership with Kent County Council, Highways England, transport providers and other key stakeholders to ensure that developments:

1. are designed so that opportunities for sustainable transport modes are maximised, where practicable, reflecting the amount of movement generated, the nature and location of the site and its relationship with existing centres and public transport nodes and recognising that solutions and measures will vary from urban to rural locations; and

2. make the necessary contributions to the improvement of existing, and provision of new, transport schemes that lead to improvements in accessibility and give priority to the needs of pedestrians, cyclists, users of public transport, car sharers and users of low and ultra-low emission vehicles; and
3. include measures, where practicable and proportionate, for non-car use such as on-site cycle parking; and
4. are consistent with, and contribute to the implementation of the Kent Local Transport Plan; and
5. include the submission of Transport Assessments and Travel Plans where significant amounts of movement would be generated; and
6. contribute to transport infrastructure improvements, where proportionate, having regard to the Infrastructure Delivery Plan; and
7. provide, where practicable and proportionate, new and improved footpaths, bridleways and cycleways, provided there would be no significant effect on areas of importance for nature conservation; and
8. make provision for car parking, having regard to the type of development and its location, in accordance with the Parking Standards Policy **LP41**; and
9. meet the requirements of the Local Plan Air Quality Policy **LP20**.

4.15. How will minerals and waste planning matters be addressed?

- 4.15.1. Kent County Council's Minerals and Waste Local Plan, adopted in July 2016, forms part of the Council's Development Plan. This means that development proposed within Tonbridge & Malling Borough will need to comply with the relevant policies in the Minerals and Waste Local Plan as well as the policies contained within this Local Plan.

LP24: Minerals and Waste

Development will be required to comply with the relevant policies in the adopted Kent Minerals and Waste Local Plan and with the relevant policies of any additional minerals and waste development plan documents that are adopted at the time the planning application is determined.

5. Sustainable Growth – where development is planned

5.1. What is the spatial distribution of housing development?

5.1.1. Earlier chapters have set out the various influences on the development strategy, the key challenges presented by the evidence and a set of strategic objectives. All of these have, in combination resulted in the identification of the following development land allocations.

Housing Allocations

5.1.2. The following table takes stock of the current pipeline of housing development and what this means in terms of what the Local Plan needs to provide for in terms of additional land for residential development.

5.1.3. The Strategic Housing Market Assessment (SHMA) (September 2016) identifies that the Objectively Assessed Need (OAN) for the borough for the plan period (2011-2031) is 13,920 dwellings. The SHMA identifies the housing need derived from a range of locally based factors such as birth rates and longer life expectancy, as well as building in other factors such as net-migration. This level of OAN works out at 696 dwellings per annum (dpa). In addition the SHMA identifies that the need for affordable housing is 277 dpa.

Table 4: Housing Land Supply Position (as at 1 April 2017)

Housing need (gross) (2011-31)	13,920 (696 dwellings per annum)
Completions**	3,675 dwellings
Extant planning permissions*	3,674 dwellings
Demolitions expected***	-78 dwellings
Small sites windfall estimate^	616 dwelling
Shortfall accrued since 2011^^	-501 dwellings
Local Plan net requirement	6,534 dwellings

* As at 31 March 2017

** From 1 April 2011 up to 31 March 2017

*** Associated with extant planning permissions

[^] Projected supply of 44 dwellings per annum from small sites (fewer than 5 dwellings) for the remainder of the Local Plan period

^{^^} As measured against the annualised requirement of 696 dwellings per annum

5.1.4. Policy **LP25** sets out the housing allocations that have been identified to address the net requirement in Table 4. The starting point for calculating the yields was an assumption of 30 dwellings per hectare based upon the potential developable area. This has been refined taking account of the evidence base, including the Infrastructure Delivery Plan.

LP25: Housing Allocations - Overview

The following sites, as defined on the proposals map, are allocated for residential development during the plan period up to 2031:

a	Bushey Wood Phase 1, Eccles	900
b	Rear of Robin Hood Lane, Blue Bell Hill	26
c	109 Hall Road, Aylesford	5
d	Oil Depot, Station Road, Aylesford	14
e	Nu-Venture Coaches, Mill Hall, Aylesford	8
f	Land off Oakapple Lane, Barming	118
g	South Aylesford (east of Hermitage Lane)	1,000
h	Borough Green Gardens Phase 1A + 1B	1,720
i	Southways, Staleys Road, Borough Green	7
j	Bell Lane, Burham	26
k	Land off Cobdown Close, Ditton	9
l	Station Road, Ditton	6
m	North of London Road, Ditton	13
n	East Malling Research Station (Small Parcel)	23
o	East Malling Research Station (Ditton edge)	216
p	East Malling Research Station (Parkside)	205
q	Barfield House, Teston Rd, Offham	15
r	Park House, 110-112 Mill Street, East Malling	5
s	Court Lane Nurseries, Hadlow	66
t	South of Church Lane, East Peckham	35
u	Carpenters Lane, Hadlow	25
v	Church Lane, East Peckham	23
w	North of The Paddock, Hadlow	156
x	Land at Stocks Green Road, Hildenborough	105
y	Kings Hill - remainder	65
z	North of Kings Hill	825
aa	Adjacent Larkfield Library	9
bb	Tonbridge Farm	54
cc	North of Dryhill Park Road, Tonbridge	44
dd	South West Tonbridge	480
ee	South of Vauxhall Gardens, Tonbridge	61
ff	Coblans Nursery, Trench Road, Tonbridge	352

gg	Drayton Road Industrial Estate, Tonbridge	51
hh	East of Offham Road, West Malling	12
ii	Rear of London Road and Town Hill, West Malling	110
jj	Land at Howlands Allotments, Wrotham	39
	TOTAL	6,828

The phasing for development is set out in Appendix E.

5.1.5. Each of these allocations will be required to meet the requirements of the other policies in the Local Plan.

LP26: Housing Allocations – Policy Requirements

Residential development on the sites allocated in policy LP25 will be expected to meet the requirements of the other policies in the Local Plan.

Strategic Sites - General

5.1.6. Within Policy LP25 five strategic sites have been identified for residential development. These are:

- Bushey Wood, Eccles
- South Aylesford
- Borough Green Gardens
- Broadwater Farm, north of Kings Hill
- South-West Tonbridge

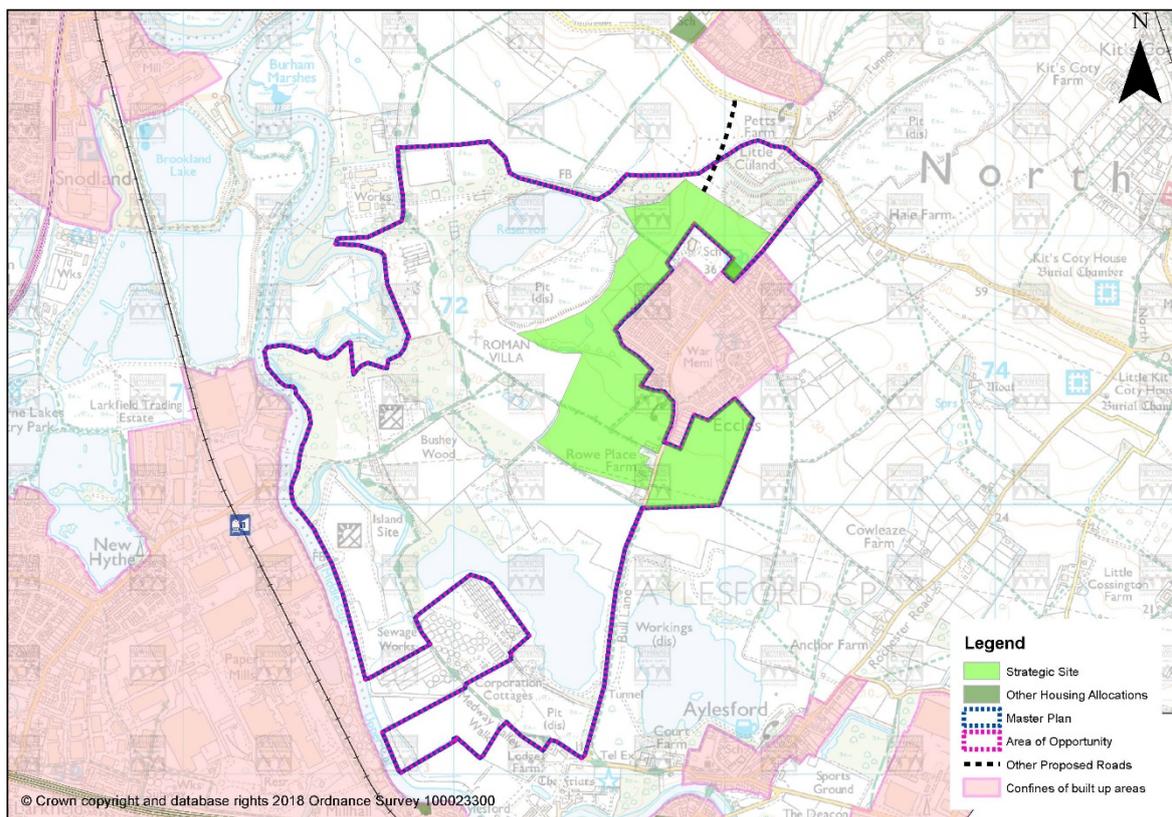
5.1.7. The following section of the Local Plan includes policies setting out the specific requirements for each of these sites.

Strategic Housing Sites – Bushey Wood

5.1.8. This strategic site was identified in the LDF as an area of opportunity to meet the longer term housing needs of the borough. The Council has taken the decision that now is an appropriate time to bring forward some of this area of opportunity for development.

- 5.1.9. The masterplan area identified on the proposals map will deliver homes during and beyond the plan period. Phase 1 will deliver approximately 900 dwellings and these are expected to be completed by 2031. Phase 2 is anticipated to deliver approximately 614 dwellings in the post-plan period. In order to effectively plan for this strategic site, Phases 1 and 2 are included in a masterplan area, as defined on the proposals map, which is subject to Policy **LP27**. Phase 2 has been identified as an Area of Opportunity to meet the longer-term development needs of the borough (see Policy LP **33**).
- 5.1.10. To help manage the master-planning of this site, a Planning Performance Agreement (PPA) will be expected. This will be prepared and agreed between the Borough Council and the applicant and will cover such matters as timescales, actions and resources. The PPA is considered essential to achieve the objectives of the policy.

Figure 4: Bushey Wood, Eccles Masterplan Area



LP27: Strategic Site – Bushey Wood, Eccles

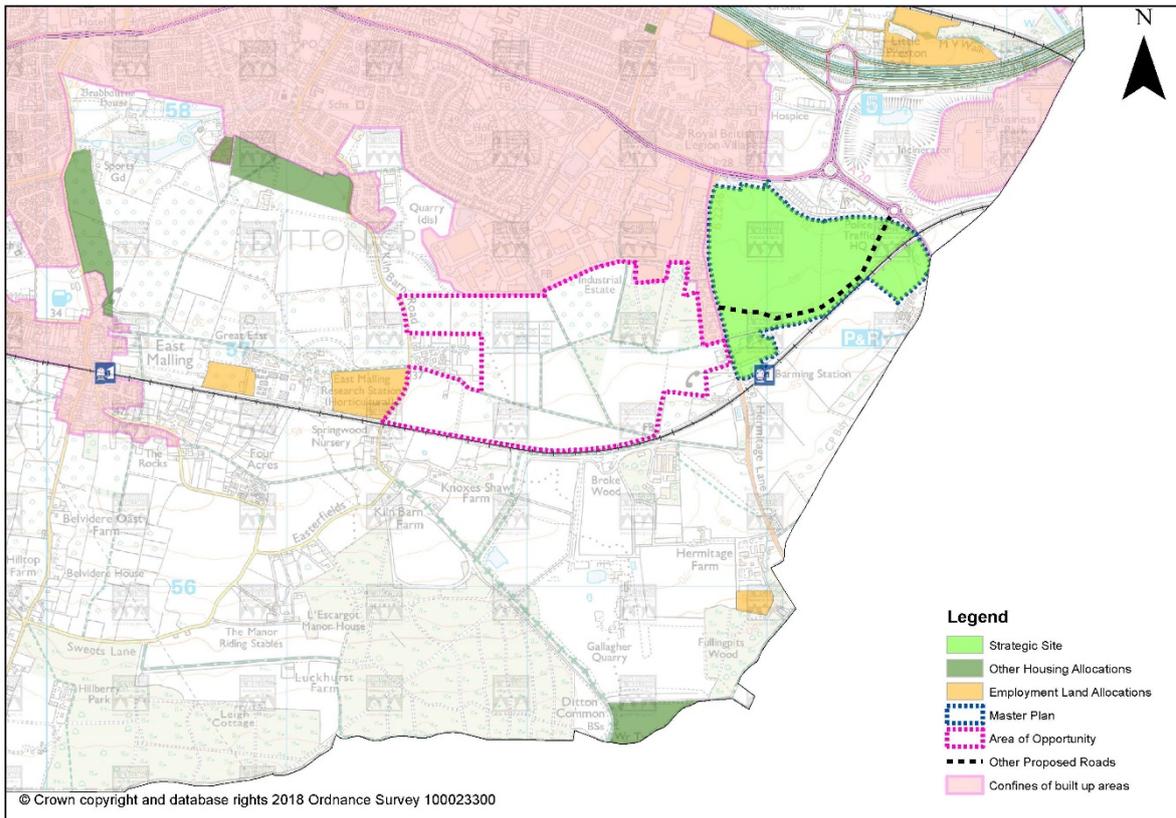
1. Bushey Wood, Eccles, as defined on the proposals map, is allocated and identified as an area of opportunity for development of approximately 1,514 dwellings. 900 dwellings are expected to be completed by 2031, with the remainder built in the post-plan period.
2. The prospective applicant should prepare a masterplan, to the satisfaction of the Council, reflecting the phasing outlined in Appendix E and addressing the full requirements of the other policies in the Local Plan and delivering the necessary infrastructure to meet the needs of the development as identified in the Infrastructure Delivery Plan.
3. The masterplan needs to make provision for key pieces of infrastructure necessary to support the development including:
 - primary school – 2 form entry
 - secondary education – proportionate contribution to provision of a new school in the north-east part of the borough
 - road links to Bull Lane (north and south) and Court Road
 - allotments & playing fields – replacement provision
4. The masterplan needs to be prepared and completed in advance of the formal submission of the planning application. It shall be accompanied by a Planning Performance Agreement.
5. Development will be required to respect the setting of the Kent Downs Area of Outstanding Natural Beauty in terms of design, scale, massing and materials having regard to the landscape character and the relevant policies in the Kent Downs AONB management plan.
6. Development should, where possible, maximise opportunities for net biodiversity gains on site.

Strategic Site – South Aylesford

- 5.1.11. This site is located in the north-east part of the borough in the Maidstone Housing Market Area and provides an opportunity to deliver additional highway infrastructure, as well as homes, to relieve congestion at existing junctions and, as a consequence, alleviate impacts on air quality. Opportunities should be maximised to enable safe sustainable travel to Barming Station and Maidstone Hospital which are in close proximity of the site.

5.1.12. To help manage the master-planning of this site, a Planning Performance Agreement (PPA) will be expected. This will be prepared and agreed between the Borough Council and the applicant and will cover such matters as timescales, actions and resources. The PPA is considered essential to achieve the objectives of the policy.

Figure 5: South Aylesford Masterplan Area



LP28: Strategic Site – South Aylesford

1. South Aylesford, as defined on the proposals map, is allocated for development of approximately **1,000** dwellings.
2. The prospective applicant should prepare a masterplan, to the satisfaction of the Council, reflecting the phasing outlined in **Appendix E** and addressing the full requirements of the other policies in the Local Plan and delivering the necessary infrastructure to meet the needs of the development as identified in the Infrastructure Delivery Plan.
3. The masterplan needs to make provision for key pieces of infrastructure necessary to support the development including:

- primary school – 2 form entry
 - secondary education – proportionate contribution to provision of a new school in the north-east part of the borough
 - link road - between Hermitage Lane and the 20/20 roundabout on the A20
 - highways – a proportionate contribution to improvements to the A20/Hall Road/Mills Road junction to mitigate impacts of the development
 - highways – a proportionate contribution to improvements at the southern end of Hermitage Lane at and leading to the junction between Fountain Lane and the A26 Tonbridge Road to mitigate impacts of the development
 - healthcare
4. The link road between Hermitage Lane and the 20/20 roundabout on the A20, as illustrated on the proposals map, will be required to be completed and open before or by no later than the completion of 15% of the total number of dwellings within the masterplan area.
 5. The masterplan needs to be prepared and completed in advance of the formal submission of the planning application. It shall be accompanied by a Planning Performance Agreement.
 6. Development should, where possible, maximise opportunities for net biodiversity gains on site.
 7. The development will be required to provide a wide range of opportunities for safe sustainable travel to Barming railway station and Maidstone Hospital.

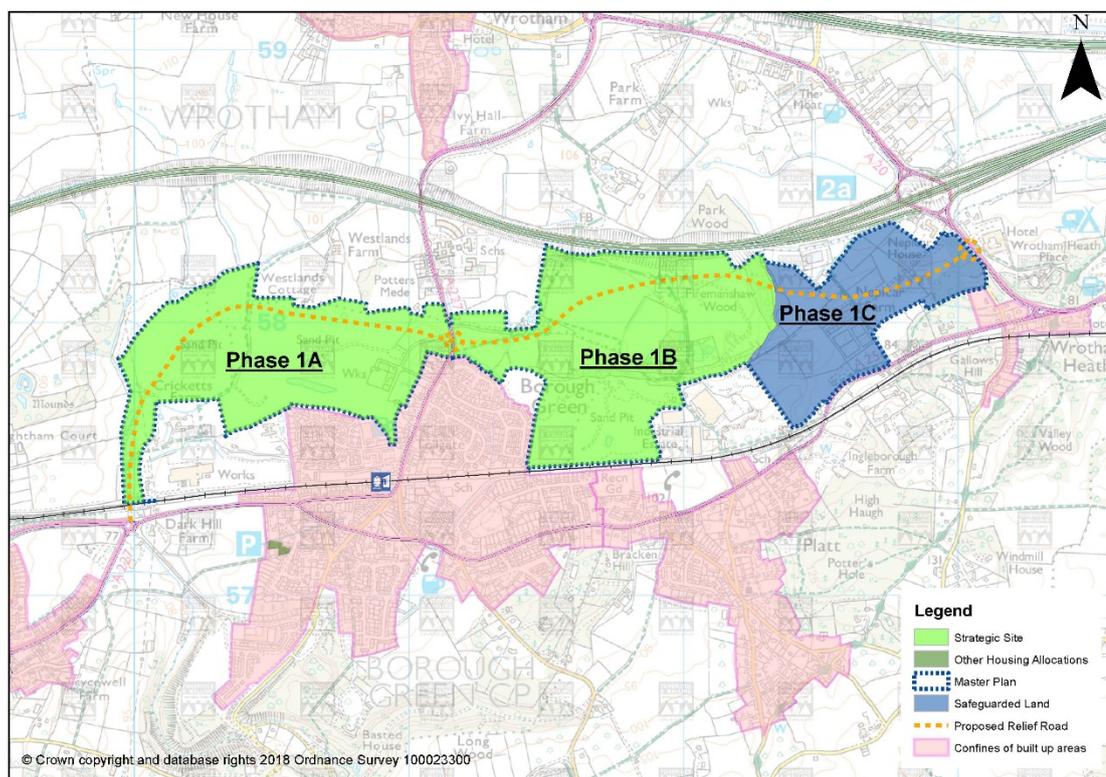
Strategic Site – Borough Green Gardens

- 5.1.13. This site is located in the Sevenoaks/Tonbridge/Tunbridge Wells Housing Market Area and provides an opportunity to deliver not just a significant number of homes but also a relief road for Borough Green as an integral part of the development. This relief road will effectively operate as the highway to carry traffic that currently passes through the rural service centre along the A25, thereby improving traffic conditions, air quality and pedestrian safety and general environmental conditions within Borough Green. In order for the

community to enjoy these benefits it is important that the relief road is delivered in advance of the majority of the homes being completed.

- 5.1.14. This strategic allocation will provide a significant degree of sustainable development on currently 'despoiled' and inaccessible land that is well contained. It is capable of increasing the vitality of Borough Green centre by adding a significant population to support the local economy and services and can take advantage of the main line railway services.
- 5.1.15. The masterplan area identified on the proposals map will deliver homes during and beyond the plan period and make available new employment land. The majority of Phases 1A and 1B, 1,720 dwellings, are expected to be completed by 2031. The residual amount of Phases 1A and 1B, 380 dwellings, is anticipated to be delivered in the post-plan period along with Phase 1C, 900 dwellings. In order to effectively plan for this strategic site, Phases 1A, 1B and 1C are included in a masterplan area, as defined on the proposals map, which is subject to Policy LP30. Phase 1C has been taken out of the Green Belt and is identified as Safeguard Land to meet the longer-term development needs of the borough (see [Policy LP 32](#)).
- 5.1.16. To help manage the master-planning of this site, a Planning Performance Agreement (PPA) will be expected. This will be prepared and agreed between the Borough Council and the applicant and will cover such matters as timescales, actions and resources. The PPA is considered essential to achieve the objectives of the policy.

Figure 6: Borough Green Gardens Masterplan Area



LP29: Strategic Site – Borough Green Gardens

1. Borough Green Gardens, as defined on the proposals map, is allocated and safeguarded for development of approximately 3,000 dwellings. 1,720 dwellings are expected to be completed by 2031, with the remainder built in the post-plan period. The site will also provide for 2 ha of new employment land.
2. The prospective applicant should prepare a masterplan, to the satisfaction of the Council, reflecting the phasing outlined in **Appendix E** and addressing the full requirements of the other policies in the Local Plan and delivering the necessary infrastructure to meet the needs of the development as identified in the Infrastructure Delivery Plan.
3. The masterplan needs to make provision for key pieces of infrastructure necessary to support the development including:
 - a relief road as an integral part of the development – linking the A25 in the west to the A20 in the east at Nepicar providing relief along the A25 through Borough Green
 - 2 primary schools – 1 x 2 form entry; 1 x 3 form entry

- secondary education – proportionate contribution to provision of a new school in the north-east part of the borough
 - healthcare
4. The relief road linking the A25 in the west to the A20 in the east, as illustrated on the proposals map, will be required to be completed and open before or by no later than the completion of 15% of the total number of dwellings within the masterplan area.
 5. The masterplan needs to be prepared and completed in advance of the formal submission of the planning application. It shall be accompanied by a Planning Performance Agreement.
 6. Development within the Kent Downs Area of Outstanding Natural Beauty (AONB) will be required to protect the landscape and scenic beauty of the AONB having regard to the landscape character and the relevant policies in the Kent Downs AONB management plan and complying with the requirements of Policy LP12.
 7. Development outside of the Kent Downs Area of Outstanding Natural Beauty (AONB) will be required to respect the setting of the AONB in terms of design, scale, massing and materials having regard to the landscape character and the relevant policies in the Kent Downs AONB management plan and complying with the requirements of Policy LP12.
 8. Development should, where possible, maximise opportunities for net biodiversity gains on site.
 9. The development will be required to provide a wide range of opportunities for safe sustainable travel to Borough Green railway station and the centre of the settlement.

Strategic Site – Broadwater Farm, north of Kings Hill

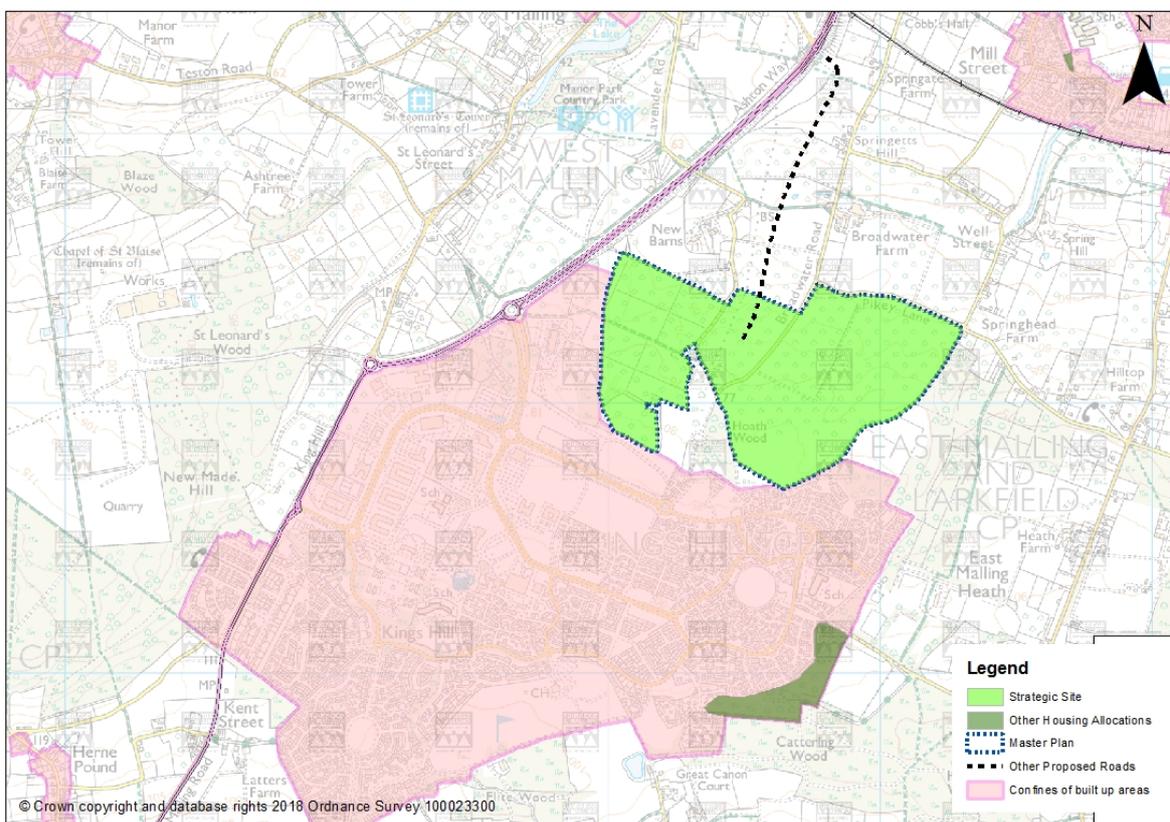
- 5.1.17. This strategic site is located in close proximity to the established settlement of Kings Hill and near to West Malling railway station with good services to London and junction 4 of the M20 with access to the wider strategic road network.
- 5.1.18. Taking account of the evidence and the input from infrastructure providers, plus the proximity of heritage assets, it is considered that approximately 900 homes could be developed at this location during the plan period. What is critical is the need to include pedestrian and cycle links to Kings Hill and the services and facilities it has to offer plus a wide range of opportunities for safe sustainable travel to the railway station at West Malling. In addition,

protecting the setting of the New Barns and Broadwater Farm Conservation Area is important.

5.1.19. The proposed development will be served by new access from the A228 at the junction with the railway station access road.

5.1.20. To help manage the master-planning of this site, a Planning Performance Agreement (PPA) will be expected. This will be prepared and agreed between the Borough Council and the applicant and will cover such matters as timescales, actions and resources. The PPA is considered essential to achieve the objectives of the policy.

Figure 7: Broadwater Farm, north of Kings Hill Masterplan Area



LP30: Strategic Site – Broadwater Farm, north of Kings Hill

1. Broadwater Farm, north of Kings Hill, as defined on the proposals map, is allocated for development of approximately 900 dwellings.
2. The prospective applicant should prepare a masterplan, to the satisfaction of the Council, reflecting the phasing outlined in **Appendix E** and addressing the full requirements of the other policies in the Local Plan and delivering the necessary infrastructure to meet the needs of the development as identified in the Infrastructure Delivery Plan.
3. The masterplan needs to make provision for key pieces of infrastructure necessary to support the development including:
 - primary school – 2 form entry
 - secondary school - **land for, and a proportionate contribution to, a 6 form entry school**
 - link road to the A228 opposite the station approach
4. The masterplan needs to be prepared and completed in advance of the formal submission of the planning application. It shall be accompanied by a Planning Performance Agreement.
5. The development will be required to provide links with Kings Hill to enable residents to have safe access the services and facilities the existing settlement has to offer.
6. The development will be required to provide a wide range of opportunities for safe sustainable travel to West Malling railway station.
7. Development should, where possible, maximise opportunities for net biodiversity gains on site.

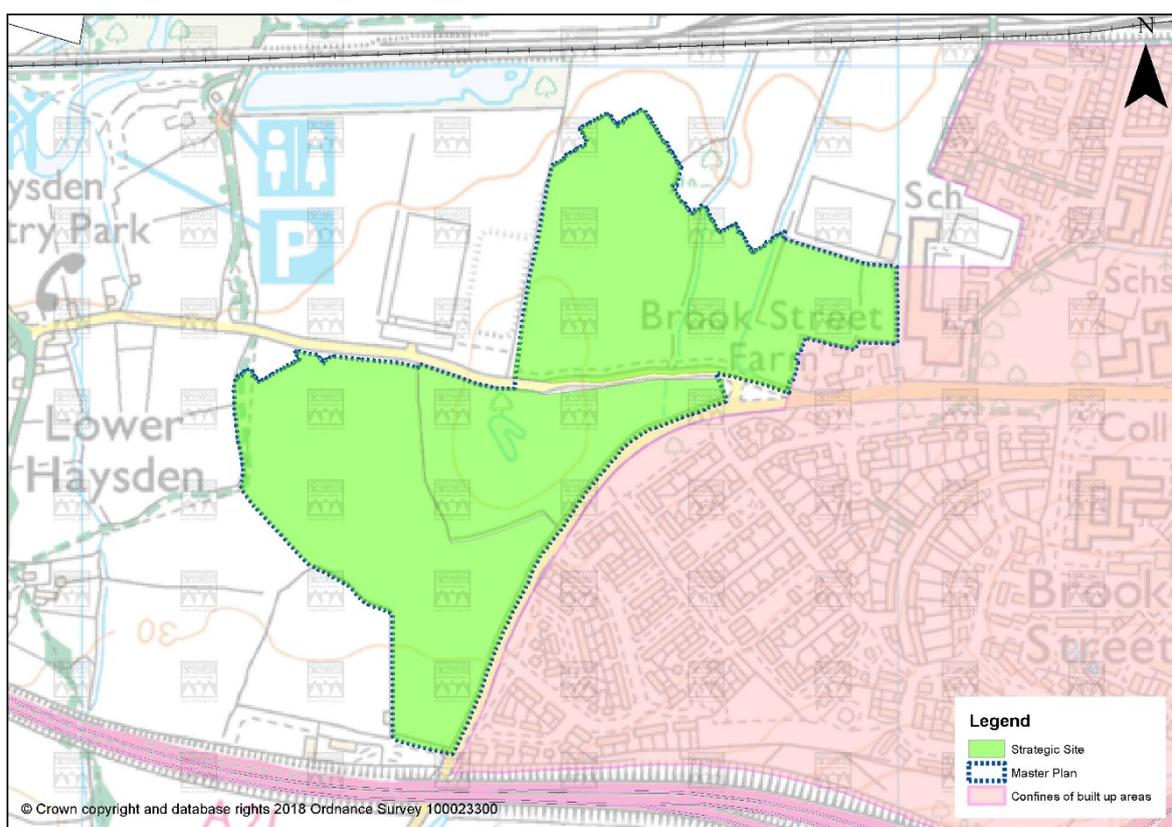
Strategic Site – South-west Tonbridge

- 5.1.21. This strategic site is located in close proximity to Tonbridge, the principal town in the borough. It includes land that was safeguarded in the LDF to meet the longer term housing needs of the borough. Now that we are reaching the end of the timeframe for the adopted development plan (2021) the Council has taken the decision to bring forward this safeguarded land for development.
- 5.1.22. Taking account of the evidence and the character of the area and the current level of activity it is considered that approximately 480 dwellings could be developed at this location during the plan period. The site is located within

close proximity to the town centre and Tonbridge railway station which enjoys good train services to London. In addition, existing cycle routes, for example, the Tonbridge to Penshurst Place path, are close by. With these in mind, opportunities should be maximised to offer a wide range of safe, sustainable travel options to the town centre.

5.1.23. To help manage the master-planning of this site, a Planning Performance Agreement (PPA) will be expected. This will be prepared and agreed between the Borough Council and the applicant and will cover such matters as timescales, actions and resources. The PPA is considered essential to achieve the objectives of the policy.

Figure 8: South-West Tonbridge Masterplan Area



LP31: Strategic Site – South-West Tonbridge

1. South-west Tonbridge, as defined on the proposals map, is allocated for development of approximately 480 dwellings.
2. The prospective applicant should prepare a masterplan, to the satisfaction of the Council, reflecting the phasing outlined in Appendix E and addressing the full requirements of the other policies in the Local

Plan and delivering the necessary infrastructure to meet the needs of the development as identified in the Infrastructure Delivery Plan.

3. The masterplan needs to make provision for key pieces of infrastructure necessary to support the development including:
 - primary school – 2 form entry, either within south-west Tonbridge or Tonbridge Town
 - secondary education – proportionate contribution to expansion of existing provision in the wider Tonbridge area
 - Mitigation at the junction of Brook Street and Quarry Hill
4. The masterplan needs to be prepared and completed in advance of the formal submission of the planning application. It shall be accompanied by a Planning Performance Agreement.
5. The development will be required to provide a wide range of opportunities for safe sustainable travel to Tonbridge Town Centre including the railway station and existing established cycle routes.
6. Development should, where possible, maximise opportunities for net biodiversity gains on site.

5.2. How will long-term housing needs beyond the Plan period be addressed?

- 5.2.1. This Local Plan focuses on the period up to 2031. In addition to effectively addressing the assessed needs for development within this timeframe, it is important that the Plan also has regard to how longer-term development needs stretching beyond this period may be addressed, at least in part.
- 5.2.2. The Council has adopted two approaches to addressing longer-term development needs:
 1. Identifying land between the confines of a settlement and the Green Belt and safeguarding it to address longer-term development needs.
 2. Identifying areas of opportunity in parts of the borough outside of the Green Belt to address longer-term development needs.

LP32: Safeguarded Land

1. The following area, as defined on the proposals map, is safeguarded land to help address future longer-term development needs of the borough beyond 2031:
 - a. Land north-east of Borough Green (Phase 1C of Borough Green Gardens Strategic Housing Allocation).
2. This area can only be released for development as part of the masterplan for the strategic allocation in accordance with Policy LP29.

LP33: Areas of Opportunity

1. The following areas, as defined on the proposals map, are identified as areas of opportunity to help address the future longer-term development needs of the borough beyond 2031:
 - a. Bushey Wood, Eccles
 - b. East Malling Research Station, south Aylesford & Ditton
2. Land at East Malling Research Station can only be released for development in the post plan period once significant improvements to the A20/Mills Road/Hall Road junction have been implemented to the satisfaction of Kent County Council and the link between Hermitage Lane and the A20 at the 20/20 roundabout as required by Policy LP28 is complete and open and improvements to Junction 5 of the M20 motorway have been implemented..

5.3. What is the spatial distribution of economic development?

- 5.3.1. In addition to planning for homes, it is important that the Local Plan identifies opportunities for economic growth to provide job opportunities for the growing population and support for existing local businesses.
- 5.3.2. The Employment Land Review Update (November 2017) identifies a net need of 46.8 hectares of employment land that the Local Plan needs to address. Through the Call for Sites exercise the Council has identified approximately 32.8 hectares of additional employment land. It is anticipated that during the plan period there will be opportunities for the intensification of employment activity on some existing sites to help address the shortfall of need.

- 5.3.3. In addition to identifying new opportunities, it is important that existing employment sites are protected where there is a reasonable prospect of that site being used for that purpose during the lifetime of the Local Plan.
- 5.3.4. The Council recognises the need for a range of employment premises in terms of quality and size. Within existing employment areas, there is scope for intensification of development to provide for additional floorspace.

LP34: Employment Sites and Land

1. The following existing areas, as defined on the proposals map, are safeguarded for employment purposes for business (B1), general industrial (B2) and warehousing/distribution (B8) use:
 - a. Holborough, Snodland, with a quality of development reflecting the gateway status of the site
 - b. Land east of the bypass, Snodland
 - c. Ham Hill, Snodland
 - d. New Hythe area, Larkfield
 - e. Forstal Road, Aylesford (part)
 - f. Quarry Wood (west of Mills Road) including Priory Park
 - g. 20/20 Estate, Aylesford (part)
 - h. Branbridges, East Peckham
 - i. Bourne Enterprise Centre, Borough Green
 - j. Tonbridge Industrial Estate, (outside the area within the Central Tonbridge Area Action Plan).
 - k. Laker Road, Bridgewood
 - l. Little Preston, Aylesford
 - m. Lower Bell, Aylesford
 - n. Hall Road, Aylesford
 - o. Platt Industrial Estate
 - p. Long Pond Works, Borough Green
 - q. Works, south of Cricketts Farm, Ightham

The following sites are located within the Green Belt and are also subject to the requirements of Policy LP11:

 - r. The Alders Mereworth

- s. East of Tonbridge Road, Little Mill, East Peckham
- t. Nepicar Area West, London Road
- u. Winsor Works, London Road, Addington
- v. Tower Garage, Wrotham Hill, Wrotham

Areas suitable for Business Use (B1) only:

- w. North of Station Approach, Borough Green
- x. North of Fairfield Road, Borough Green
- y. Hermitage Lane, Aylesford, to be accessed only from Hermitage Lane
- z. Rockfort Road, Snodland

Mixed use areas:

- aa. Kings Hill - high quality, campus style Business Park suitable for offices, research and development and light industrial use (B1) including also hotel, conference, education and training and commercial leisure uses as part of the wider Kings Hill mixed-use development.
 - bb. East Malling Research Station (main site) – suitable for offices, research and development and light industrial manufacturing (B1) including conference, education and training and any other uses that can be demonstrated to be related to, or support the operation of, the Research Station.
 - cc. Bradbourne, East Malling – suitable for offices, research and development (B1), conference, education and training.
2. Development that results in the intensification of employment uses on the sites listed in this policy will be permitted provided that it is of an acceptable design to the locality and does not result in unacceptable impacts on the highway network, air quality and the amenity of the area and where it complies with the other policies in the Local Plan.
 3. Development of the sites listed in this policy for non-employment uses will only be permitted where there is no reasonable prospect of the site being used for the identified purpose and it is of an acceptable design to the locality and does not result in unacceptable impacts on the highway network, air quality and the amenity of the area and where it complies with the other policies in the Local Plan.

LP35: Employment Land Allocations

1. The following sites, as defined on the proposals map, are allocated for employment development:
 - a. Land South of Hermitage Court, Hermitage Lane (B1)
 - b. North of M20 Junction 5, Coldharbour Lane (B1 and B8)
 - c. North of RBLI Warehouse, Aylesford (B1 and B8)
 - d. Rochester Road, Borstal (B2 and B8)
 - e. East Malling Research Station (East) (B1)
 - f. East Malling Research Station (West) (B1)
 - g. Branbridges Wharf, East Peckham (B1 and B2)
 - h. Little Postern, Postern Lane, Tonbridge (B2 and B8)
 - i. Munday Works, Tonbridge (B1 and B2)
2. Development of the listed sites for employment uses will only be permitted where it is of an acceptable design to the locality and does not result in unacceptable impacts on the highway network, air quality and the amenity of the area and where it complies with the other policies in the Local Plan.

LP36: Other Employment Land Opportunities

Development for employment uses on sites that do not feature in Policies LP34 and LP35 will be permitted provided that it does not result in unacceptable impacts on the highway network, air quality and the amenity of the area and where it complies with the other policies in the Local Plan.

5.4. How will the accommodation needs of Travellers and Travelling Showpeople be addressed?

- 5.4.1. In August 2015 the Government published Planning Policy for Traveller Sites. This policy defines Travellers as '*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such*'.

- 5.4.2. The Borough Council commissioned specialist consultants to undertake an assessment of the accommodation needs of Travellers and Travelling Showpeople in the Borough (February 2018). The report concludes that the accommodation needs for the remaining plan period from 2017/18 to 2030/31 is for a PPTS need of 16 pitches and an additional two plots for Travelling Showperson for the same period.
- 5.4.3. A need for a transit site for between 6 and 10 pitches has also been identified.
- 5.4.4. Within Tonbridge and Malling Borough, there are a number of sites with permanent planning permission outside of the Green Belt. It is proposed that these sites are safeguarded specifically for traveller accommodation. These include both public and private sites and may have the potential to be intensified or redeveloped to provide additional traveller accommodation subject to proposals meeting the criteria in the policy set out below. Any new sites, including proposals for a transit site, should also comply with the criteria in the policy below.

LP37: Travellers and Travelling Showpeople

1. The following sites, as identified on the proposals map, are safeguarded for the provision of accommodation for Travellers as defined in national policy.
 - i. Windmill Lane, Teston Road, West Malling
 - ii. Coldharbour Lane, Aylesford
 - iii. Orchard Place, Teston Road, Offham, West Malling
 - iv. Land at Orchard Farm, Well Street, East Malling
 - v. Old Orchard, Rochester Road, Aylesford
2. The following sites, as identified on the proposals map, are safeguarded for the provision of accommodation for Travelling Showpeople:
 - i. Redgates, Snodland
 - ii. Greengates, Snodland
3. Redevelopment or intensification of the sites listed in parts 1 and 2 for Traveller and Travelling Showpeople accommodation or the development of new sites for Traveller or Travelling Showpeople accommodation will only be permitted if all of the following criteria are met:

- a. Residential or rural amenity is not prejudiced as a result of visual intrusion, excessive noise, lighting, traffic generation or activity at unsocial hours; and
 - b. The site respects the scale of, and does not dominate, the nearest settled community; and
 - c. The site can adequately be accessed by vehicles towing caravans and there is safe pedestrian and cycle access to the site; and
 - d. The site is reasonably accessible to shops, schools and other community facilities on foot, by cycle or public transport; and
 - e. The site has or will have a supply of essential services such as mains gas and electricity, water, sewerage and drainage and waste disposal; and
 - f. The site is not located in an area at high risk of flooding; and
 - g. The layout of the site, its associated facilities and landscaping will be designed to a high standard including pitches, hardstandings, amenity blocks, amenity and play spaces and boundary treatments.
4. Development of sites for Gypsy and Traveller accommodation or for Travelling Showpeople accommodation in the Green Belt will not be permitted unless very special circumstances can be demonstrated and the development complies with the other policies in the Local Plan.

6. Managing Development – local requirements

6.1. How will development be managed?

- 6.1.1. In addition to the strategic borough-wide policies set out in chapter 4, the Council will apply a range of local requirements to development in order to ensure high quality environments are delivered.
- 6.1.2. The requirements set out in the policies in this chapter have been informed by the viability assessment of the whole Plan. This piece of evidence demonstrates that the standards set out in this chapter will not, alone or in combination, put at risk the deliverability of the development strategy.
- 6.1.3. In setting the thresholds for many of the requirements the Council has had regard to the Government’s objective of enabling small scale developers to be able to access and take an active part in local housing markets as well taking account of the outputs from the viability work.

Affordable Housing

- 6.1.4. The Strategic Housing Market Assessment (SHMA) has identified a need for affordable housing of 277 dwellings per annum. The assessment has concluded that the split should be 70% affordable/social rent and 30% intermediate tenures.

LP38: Affordable Housing

1. Affordable housing provision will be sought as part of residential development outside of the Areas of Outstanding Natural Beauty of 11 dwellings or more or which have a combined gross floorspace of greater than 1,000 square metres (gross internal area), at a level of XX% of the number of dwellings in the scheme.
2. Within the Areas of Outstanding Natural Beauty, affordable housing provision will be sought as part of residential development of 6 dwellings or more or which have a maximum combined gross floorspace of greater than 1,000 square metres (gross internal area), at a level of XX% of the number of dwellings in any scheme. For developments of between 6 and 10 dwellings affordable housing contributions will be sought in the form of a financial contribution commensurate to the level of provision which will be commuted until after completion of the units within the development.
3. The following tenure split will be sought:

- i. 70% rent that is affordable capped at the Local Housing Allowance
 - ii. 30% intermediate rent products, as defined in the National Planning Policy Framework
4. The type of affordable housing product that will be sought will be assessed on a case-by-case basis taking account of the local assessment of housing need.
5. Affordable housing will be provided on site unless circumstances demonstrate that this is not possible, in which case the affordable housing will be provided on an alternative site within the vicinity of the development site. A commuted sum commensurate to the affordable housing requirement will only be considered where it can be demonstrated that it cannot be provided on site or provision cannot be made on an alternative site within the vicinity of the development site.
6. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the existing gross floorspace will be deducted from the overall affordable housing contribution calculation.
7. Where a site is sub-divided, the amount of affordable housing that will be sought will reflect the provision that would have been achieved on the site as a whole had it come forward as a single scheme.
8. In exceptional circumstances, affordable housing may be provided on another site or by means of a commuted sum commensurate to the level of provision to be agreed by the Council.
9. Where an application does not meet the affordable housing requirements it will need to be supported by an open book viability assessment.
10. Affordable housing will be sought from new residential developments providing for all types of residential accommodation including specialist older persons, extra care and sheltered housing, other than residential care accommodation.

Mix of Housing

- 6.1.5. There are a range of factors which influence the demand for different sizes of homes including demographic changes, future growth in real earnings and households' ability to save, economic performance and housing affordability. The SHMA has identified indicative requirements for different dwelling sizes

across market and affordable housing that the Council will have regard to when implementing the following policy.

LP39: Mix of Housing

Major residential development of 10 or more units should provide a mix of dwelling types having regard to the evidence in the Strategic Housing Market Assessment.

Publicly Accessible Open Space

- 6.1.6. Publicly accessible open space as part of residential development can achieve many benefits. When it is well designed and forms an integral part of the development it can result in a high quality environment that can benefit the well-being of the residents. In addition the right open space at the right location can provide opportunities for residents of all ages to pursue active lifestyles for the benefit of their health. Furthermore, open space, particularly natural greenspaces, can make a positive contribution to the ecological network by providing opportunities for habitat creation.
- 6.1.7. As part of the evidence gathering, the Council referred to the Fields in Trust national benchmarks (2015), which provided a useful check on the emerging standards. The Council recognises that advancements in technology mean that artificial turf represents a genuine alternative to grassed surfaces for playing pitches. The durability of artificial turf means that it is a surface that can be used more intensively than traditional grassed pitches enabling more people to take part in active lifestyles. With this in mind the Council will be supportive, where appropriate, of the provision of artificial turfed playing pitches. **The standards feature in Appendix XX and the implementation process is outlined in Appendix XX.**

LP40: Publicly Accessible Open Space

1. Major residential development of 10 or more dwellings will be required to provide publicly accessible open space in accordance with the standards set out in **Appendix XX** and according to the implementation process outlined in **Appendix XX**.
2. Publicly accessible open space provision should, where practicable and proportionate, include opportunities for habitat creation to help

strengthen the wider Green Infrastructure and Ecological Network as illustrated on the diagram in [Appendix C](#).

3. Publicly accessible open space provision that includes artificial turfed playing pitches will be supported providing it does not conflict with the other criteria in this policy and other policies in the Local Plan. Where high quality durable artificial turfed pitches are provided as part of the publicly accessible open space provision the Council may be willing to compromise on the quantity standard provided it can be demonstrated that the playing pitches will be used more intensively than the grassed alternative.
4. Publicly accessible open space provision is required to be supported by a clear long-term management plan.

Parking Standards

- 6.1.8. Kent County Council, as the highways authority for Tonbridge & Malling, has produced a set of parking standards for residential development. These are known as Kent Design Guide Review: Interim Guidance Note 3. Given that there is no compelling evidence to justify any alternatives, the Council will continue to have regard to these standards when taking decisions on planning applications for residential development.
- 6.1.9. In addition to having regard to the standards as a material consideration, the Council will also take account of the proposed layout of development, the prevailing character of the area, the proposed mix of the development and proximity to public transport nodes when taking decisions on what amount of parking would be acceptable.
- 6.1.10. The Council is mindful of the growth in electric vehicle ownership and how this is likely to increase significantly during the duration of the Local Plan. Given that this Plan will manage the delivery of homes that will have a life span of several decades it makes sense that provisions are made in new development so that they can provide opportunities for home owners to charge electric vehicles if they wish to own such vehicles. Not only will this help with future proofing developments but also help to make a big difference in terms of improving air quality because of the zero emissions.
- 6.1.11. Including electric vehicle charging points as part of residential developments does raise the issue of energy management. There is a concern that the draw from the National Grid may be concentrated during the early evening

peak period when residents return home and plug in their vehicles. However, there are opportunities for the smart management of energy including Vehicle to Grid (V2G) which enables electric vehicles to act as a contributor to the National Grid at peak times whilst charging at off-peak times during the night. These opportunities are likely to be more wide-spread across the plan period as electric vehicle ownership increases, technologies advance and more products become available on the market.

- 6.1.12. For non-residential development the Council will also refer to Kent County Council, as the highways authority for Tonbridge & Malling, when taking decisions on parking provision and what is acceptable. The starting point will be Kent County Council's Kent Vehicle Parking Standards. As with residential development, the Council will seek the provision of opportunities for the charging of electric vehicles for employees and customers. The Council will also have regard to the proposed layout of development, the mix of the development and proximity to public transport nodes when taking decisions on what amount of parking would be acceptable.
- 6.1.13. In addition to parking provision for motorised-vehicles, it is important that developments make provision, where practicable and proportionate, for parking of non-motorised forms of transport, in particular cycle parking. To be an attractive option, the cycle parking facilities need to be sited in a convenient, safe, secure and sheltered location.

LP41: Parking Standards

1. Residential development will be required to meet the parking standards of Kent County Council, as the highways authority for Tonbridge & Malling borough, as set out in **Appendix XX**. The Council will apply these standards or whatever represents the parking standards of Kent County Council at the time the planning application is determined.
2. The Council will have regard to the layout of the development, the mix of dwellings, the character of the local area and the proximity of public transport nodes in addition to the parking standards for residential development set out in **Appendix XX** when determining what would represent an acceptable proportionate provision of parking.
3. Major residential development of 10 or more dwellings will be required to make provision of a charging point for electric vehicles as an integral part of the design of each individual property. The charging point will need to be secure and conveniently located to the parking area.

4. Non-residential development will be required to have regard to Kent County Council's relevant vehicle parking standards at the time the planning application is determined. The Council will have regard to the type, layout and mix of development, the character of the local area and the proximity of public transport nodes in addition to the relevant parking standards for the non-residential development when determining what would represent an acceptable proportionate provision of parking.
5. Non-residential development should, where practicable and proportionate, make provision for cycle parking facilities which should be sited in a convenient, safe, secure and sheltered location.

Housing Technical Standards

- 6.1.14. The government has created a new approach for the setting of technical standards for new housing. This rationalises the many differing existing standards into a simpler, streamlined system which will reduce burdens and help bring forward much needed new homes. The government set out its policy on the application of these standards in decision taking and plan making in a [written ministerial statement](#), which also withdraws the Code for Sustainable Homes aside from legacy cases.
- 6.1.15. Through the national [Planning Practice Guidance](#), the government has provided opportunities to introduce the nationally described internal space standard and exceed minimum standards required by Building Regulations in respect of access and water. The expectation is that this should be pursued through local plan-making, taking account of local evidence and viability. This is what the Council has done.

Housing Technical Standards: Internal Space Standard

- 6.1.16. The Council consulted on the inclusion of the Government's nationally described space standard for residential development at the Reg.18 stage of plan-making and assessed the viability of delivering homes built to this standard. The outcome of this process is that the Council will require residential development of 10 units or more to be built to the Government's nationally described internal space standard.

LP42: Internal Space Standard

Major residential development will be required to meet the Government's nationally described space standard.

Housing Technical Standards: Water Efficiency Standard

- 6.1.17. The Government recognises that managing the demand for water The Council consulted on the option of requiring new homes to meet the tighter optional Building Regulations standard on water efficiency at the Reg.18 stage of plan-making. The mandatory national standard in the Building Regulations at the time this Plan was prepared is 125 litres/person/day. The tighter optional requirement is 110 litres/person/day.

LP43: Water Efficiency Standard

New dwellings will be required to meet the Building Regulations optional requirement for tighter water efficiency of 110 litres/person/day.

Housing Technical Standards: Accessibility Standard

- 6.1.18. In planning for new homes it is important that inclusion and community cohesion is promoted and that safe, accessible environments are created.
- 6.1.19. With this in mind, the Council consulted on the option of requiring a proportion of new homes to provide enhanced accessibility or adaptability in accordance with the optional requirements of Part M – Category 2 of the Building Regulations (Accessibility and Adaptability). The government makes it very clear in the [Planning Practice Guidance](#) that Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

LP44: Accessibility and Adaptability Standard

Major residential development will be required to build 25% of the dwellings to the requirements of Part M4(2) (accessible and adaptable dwellings) of the Building Regulations.

Self-Build and Custom House Building

- 6.1.20. The expectation of the Government is that local council's should maintain a register of people interested in self-build or custom house building. As part of the response, the Local Plan needs to provide opportunities for those who have registered their interest to build or be involved in building their own project.
- 6.1.21. Taking account of the level of interest already expressed in self-build and custom house building it is considered that for the strategic housing allocations the requirement should be lowered, otherwise there is a danger of over provision.

LP45: Self-Build and Custom House Building

1. Residential development of 20 dwellings or more, with the exception of the strategic housing allocations as set out in policies LP27 to LP31, will be required to make provision for at least 5% of the serviced plots to be made available for self-build or custom house building.
2. Residential development on the strategic housing allocations as set in policies LP27 to LP31 will be required to make provision for at least 2% of the serviced plots to be made available for self-build or custom house building.
3. The self-build or custom house building projects will be required to be of a high quality design meeting the requirements of Policy LP14 in the Local Plan.
4. The serviced plots will need to be made available and marketed for self-build and custom house building projects for a period of at least 12 months, after which time the serviced plots can be developed for market housing.

Community Infrastructure Levy

- 6.1.22. This will be dependent upon the whole plan viability work. If we are minded to prioritise local requirements such as affordable housing and publicly accessible open spaces there may be little scope to introduce CIL.

7. Monitoring

7.1. How will the Local Plan be monitored?

7.1.1. The performance of the Local Plan will be monitored on a yearly basis through the Annual Monitoring Report (AMR). In particular a housing land supply position will be detailed to measure performance against the Objectively Assessed Need (OAN) for housing.

7.1.2. **Monitoring indicators** – We may need to consider a set of monitoring indicators to address other issues. The Inspector assessing the soundness of Maidstone's Local Plan required a large set of indicators as part of the post-examination modifications. These indicators could include:

- Number and nature of departures from the Local Plan granted consent per year
- appeals lost against the Local Plan
- the number of plots for self-build units consented per annum
- Successful delivery of the schemes in the IDP
- Progress on allocated housing sites per annum
- Number of plots for self-build units consented per annum
- Number and tenure of affordable homes delivered
- Total amount of class B employment floorspace consented/completed by type per annum
- Delivery of Gypsy and Traveller pitches
- Loss of designated sites
- Provision of Travel Plans

8. Appendices

We need a set of appendices addressing the following:

- Glossary of Terms – Similar to that used in the Reg.18 document
- Key Diagram
- Green Infrastructure and Ecological Network
- Tonbridge - central area and Town Centre Core
- Housing Trajectory (phasing)
- Special Areas of Conservation (SAC) – list to follow
- Sites of Special Scientific Interest (SSSIs) – list to follow
- Historic Parks & Gardens – list to follow
- Scheduled Ancient Monuments – list to follow
- Conservation Areas – list to follow
- Open spaces (publicly accessible) – list to follow
- Open space – standards plus a process for implementing the standards to follow
- Parking standards – standards to follow
- Residential Extensions: Technical Guidance – Based on Policy Annex PA4/12, Local Impact (to follow)

Appendix A: Glossary of Terms

Similar to the Glossary in the Reg.18 consultation document supplemented with additional terms referenced in this Local Plan. To follow.

Appendix B: Key Diagram

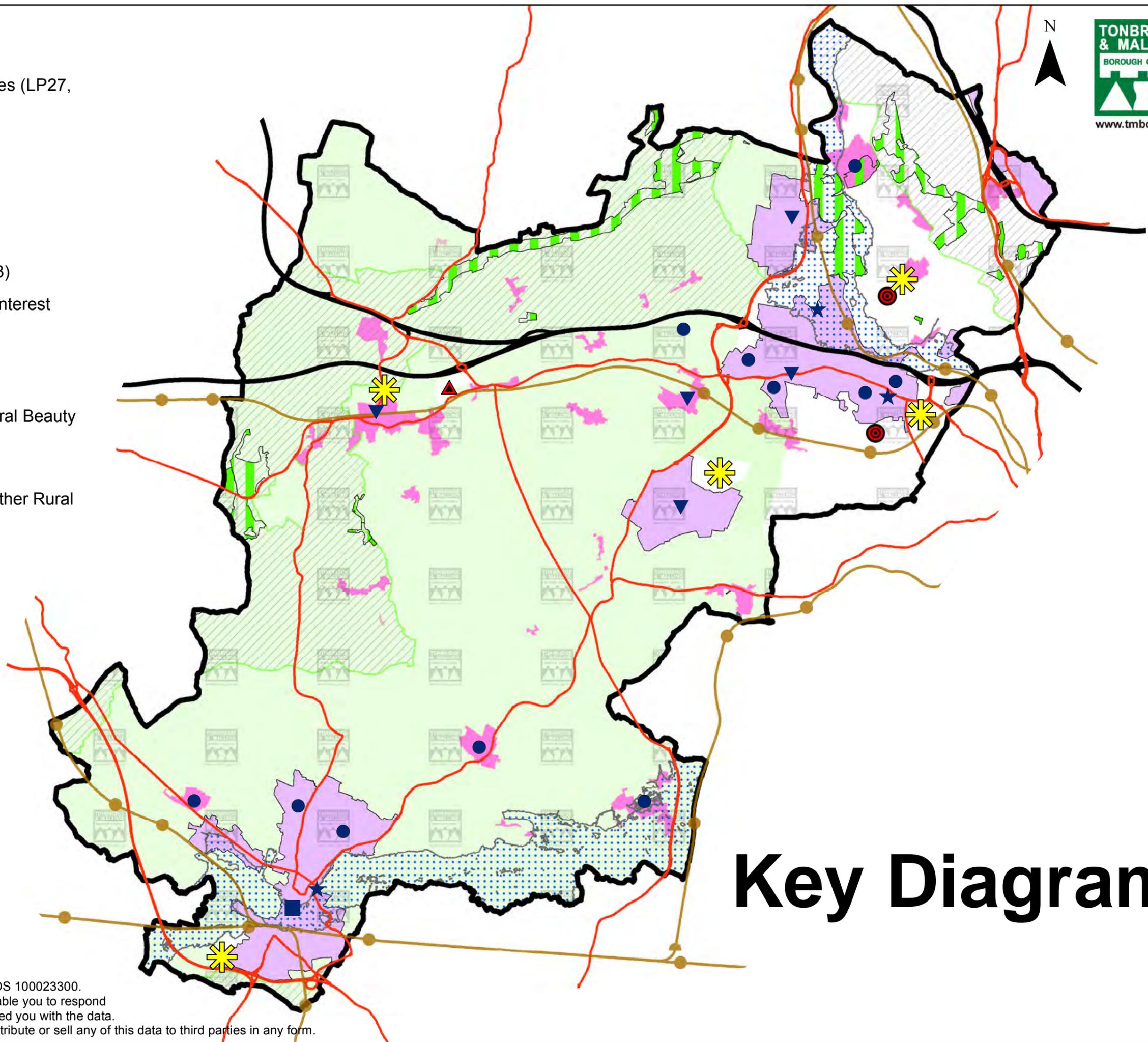


Key

-  Strategic Development Sites (LP27, LP28, LP29, LP30, LP31)
-  Safeguarded Land (LP32)
-  Railway lines
-  A Roads
-  Motorways
-  Areas of Opportunity (LP33)
-  Sites of Special Scientific Interest
-  Flood Risk (LP17)
-  Urban Areas (Policy LP5)
-  Areas of Outstanding Natural Beauty (LP12)
-  Green Belt (LP11)
-  Rural Service Centres & Other Rural Settlements (LP5)

Retail Hierarchy

-  Out-of-Centre
-  Local Centre
-  District Centre
-  Town Centre



Key Diagram

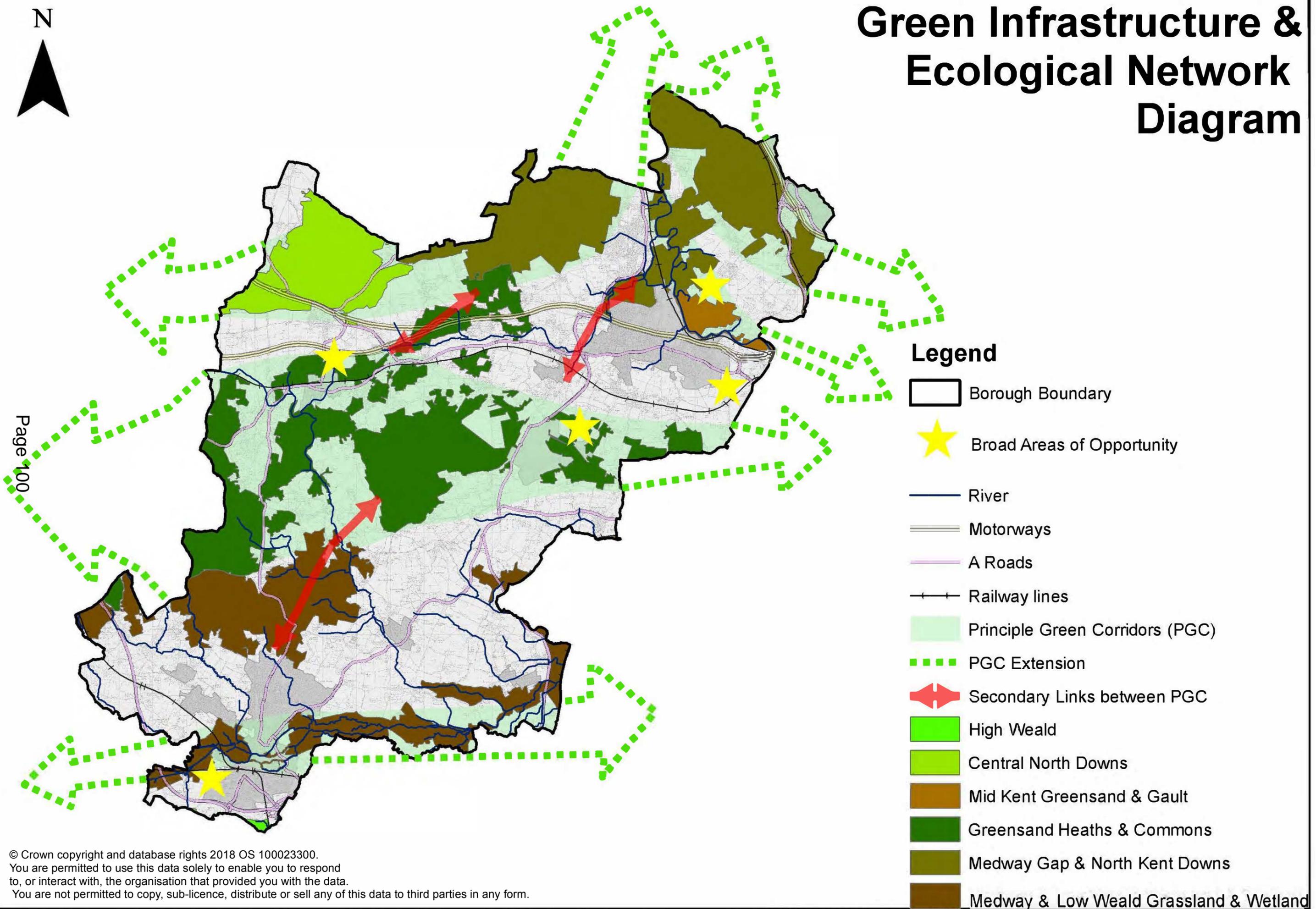
Appendix C: Green Infrastructure and Ecological Network

Green Infrastructure & Ecological Network Diagram

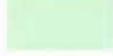
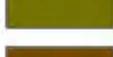
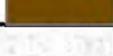
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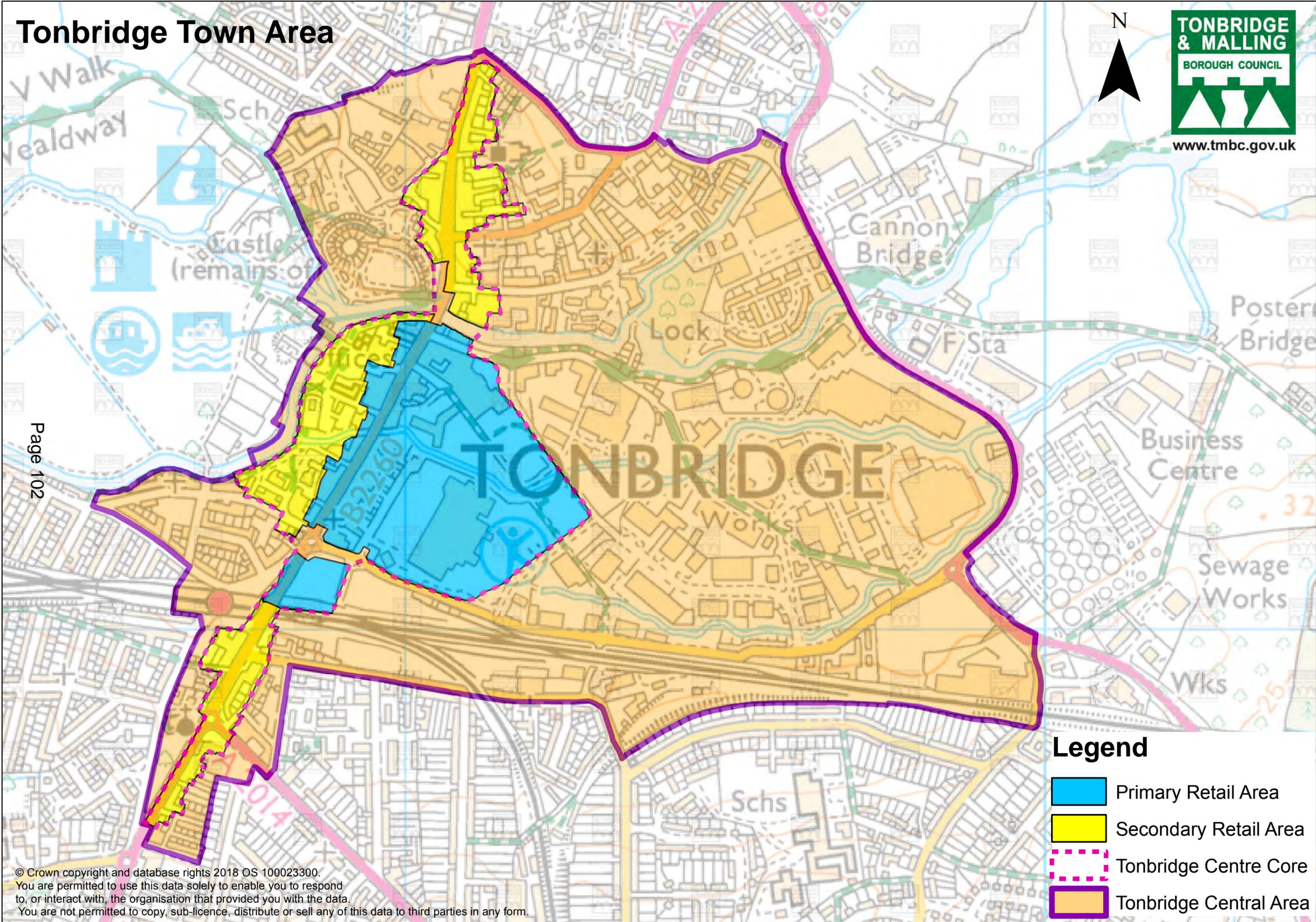
-  Borough Boundary
-  Broad Areas of Opportunity
-  River
-  Motorways
-  A Roads
-  Railway lines
-  Principle Green Corridors (PGC)
-  PGC Extension
-  Secondary Links between PGC
-  High Weald
-  Central North Downs
-  Mid Kent Greensand & Gault
-  Greensand Heaths & Commons
-  Medway Gap & North Kent Downs
-  Medway & Low Weald Grassland & Wetland

Appendix D: Tonbridge Central Area and Core

Tonbridge Town Area



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Page 102

Legend

-  Primary Retail Area
-  Secondary Retail Area
-  Tonbridge Centre Core
-  Tonbridge Central Area

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Appendix E: Housing Trajectory for LP25 Sites

Site Ref	Site Name	Ward	Yield	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	Up to 2031	Post 2031
a	Bushey Wood Phase 1, Eccles	Aylesford North and Walderslade	900						75	150	150	150	150	125	100	900	0
	Bushey Wood Phase 2, Eccles	Aylesford North and Walderslade	614														614
b	Rear of Robin Hood Lane, Blue Bell Hill	Aylesford North and Walderslade	26		26											26	0
c	109 Hall Road, Aylesford	Aylesford South	5				5									5	0
d	Oil Depot, Station Road, Aylesford	Aylesford South	14		14											14	0
e	Nu-Venture Coaches, Mill Hall, Aylesford	Aylesford South	8				8									8	0
f	Land off Oakapple Lane, Barming	Aylesford South	118		40	78										118	0
g	South Aylesford (east of Hermitage Lane)	Aylesford South	1,000				75	150	150	150	150	150	150	25		1,000	0
h	Borough Green Gardens Phase 1A + 1B	Borough Green and Long Mill	2,100						40	160	240	320	320	320	320	1,720	380
	Borough Green Gardens Phase 1C	Borough Green and Long Mill	900													0	900
i	Southways, Staleys Road, Borough Green	Borough Green and Long Mill Ward	7	7												7	0
j	Bell Lane, Burham	Burham and Wouldham	26						26							26	0
k	Land off Cobdown Close, Ditton	Ditton	9	9												9	0
l	Station Road, Ditton	Ditton	6	6												6	0
m	North of London Road, Ditton	Ditton	13	13												13	0
n	East Malling Research Station (Small Parcel)	Ditton	23		23											23	0
o	East Malling Research Station (Ditton edge)	Ditton	216		40	80	80	16								216	0
p	East Malling Research Station (Parkside)	Ditton	205		40	80	80	5								205	0
q	Barfield House, Teston Rd, Offham	Downs and Mereworth	15	15												15	0
r	Park House, 110-112 Mill Street, East Malling	East Malling	5		5											5	0
s	Court Lane Nurseries, Hadlow	Hadlow and East Peckham	66		40	26										66	0
t	South of Church Lane, East Peckham	Hadlow and East Peckham	35		35											35	0
u	Carpenters Lane, Hadlow	Hadlow and East Peckham	25		25											25	0
v	Church Lane, East Peckham	Hadlow and East Peckham	23		23											23	0
w	North of The Paddock, Hadlow	Hadlow and East Peckham	156		40	80	36									156	0
x	Land at Stocks Green Road, Hildenborough	Hildenborough	105		40	65										105	0
y	Kings Hill - remainder	Kings Hill	65		40	25										65	0
z	North of Kings Hill	Kings Hill/ East Malling	900				25	100	100	100	100	100	100	100	100	825	75
aa	Adjacent Larkfield Library	Larkfield South	9	9												9	0
bb	Tonbridge Farm	Tonbridge - Castle	54		40	14										54	0
cc	North of Dryhill Park Road, Tonbridge	Tonbridge - Castle	44		44											44	0

Site Ref	Site Name	Ward	Yield	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	Up to 2031	Post 2031
dd	South West Tonbridge	Tonbridge - Judd	480				40	80	80	80	80	80	40			480	0
ee	South of Vauxhall Gardens, Tonbridge	Tonbridge - Medway	61		40	21										61	0
ff	Coblands Nursery, Trench Road, Tonbridge	Tonbridge - Trench	352			40	80	80	80	72						352	0
gg	Drayton Road Industrial Estate, Tonbridge	Tonbridge - Vauxhall	51		40	11										51	0
hh	East of Offham Road, West Malling	West Malling and Leybourne	12	12												12	0
ii	Rear of London Road and Town Hill, West Malling	West Malling and Leybourne	110		40	70										110	0
jj	Land at Howlands Allotments, Wrotham	Wrotham, Ightham and Stansted	39		39											39	0
			8,796	71	674	590	429	431	551	712	720	800	760	570	520	6,828	1,968

Local Plan Team

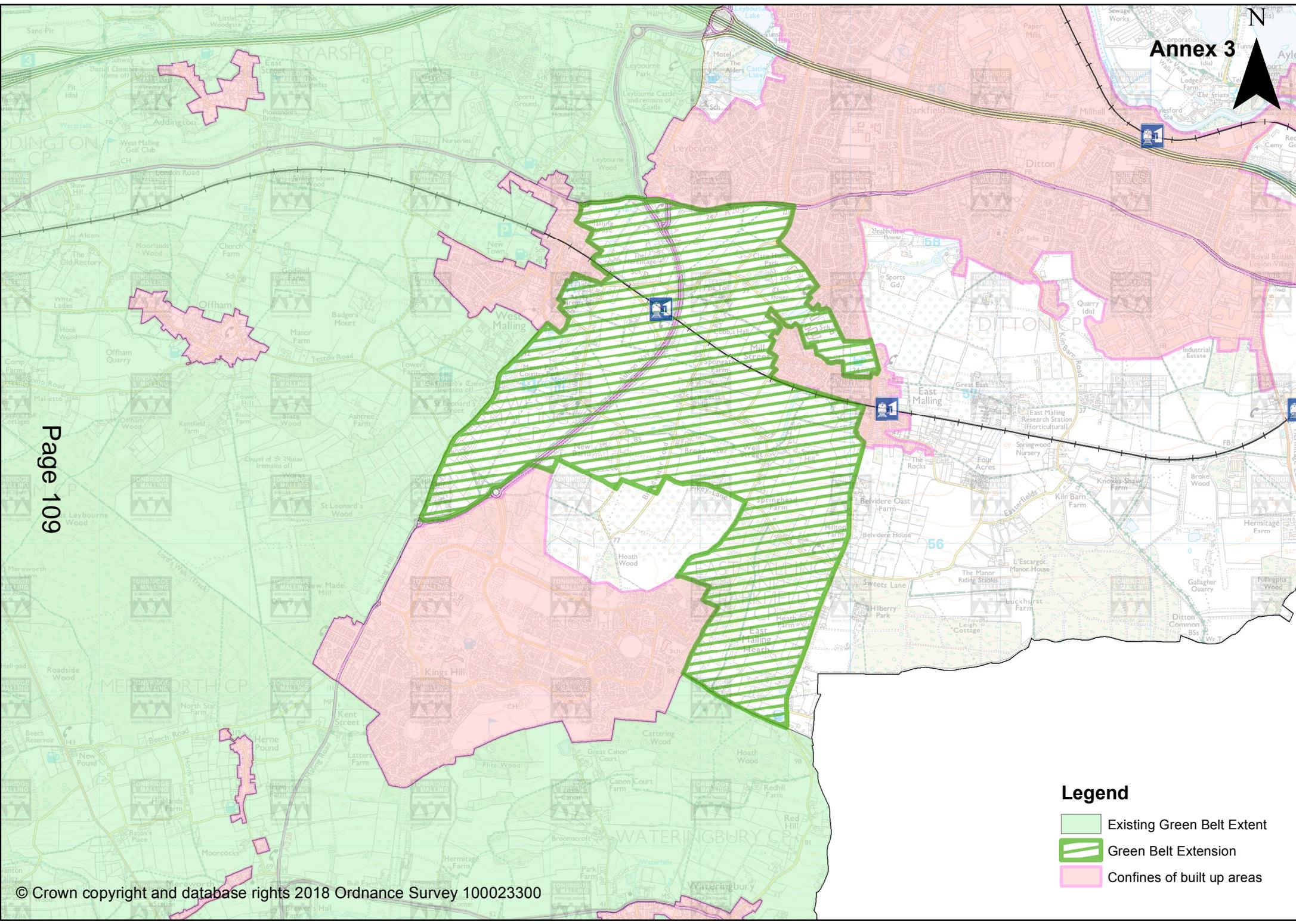
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Legend

-  Existing Green Belt Extent
-  Green Belt Extension
-  Confines of built up areas

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

05 June 2018

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 NATIONAL PLANNING POLICY CONSULTATION RESPONSE

This report summarises the key changes proposed in the recent consultations for a revised National Planning Policy Framework and seeks endorsement of the response returned by the deadline of 10th May 2018 appended to this report.

1.1 Introduction

- 1.1.1 On the 5th March 2018 the Government published a number of consultation documents for comment. The most important document is the draft revised wording of the National Planning Policy Framework (NPPF), which has not been revised since it was originally published in March 2012. The revised NPPF will introduce a number of planning reforms first suggested in last year's Housing White Paper and more recently in last autumn's consultation 'Planning for the Right Homes in the Right Places'.
- 1.1.2 Members were advised of the launch of the consultation exercise at the last meeting of the Board on 6th March and importantly the proposed transitional arrangements for introducing the revisions.
- 1.1.3 The Government invited comments to 43 set questions, which were completed and returned by the deadline. Endorsement is now sought for the comments found at Annex 1 to this report.

1.2 Summary of the main changes

- 1.2.1 There are no major surprises in the draft revised NPPF following the Government's earlier consultation proposals, with one exception, which is the introduction of a transitional period for the implementation of the majority of the new NPPF enabling those Local Planning Authorities who are able to submit a Local Plan to the Secretary of State within 6 months of final publication to rely on their own housing need assessments. This is set out in Annex 1 to the draft NPPF.

- 1.2.2 At the March meeting of this Board Members recommended amendments to the Local Plan timetable to submit the Local Plan in December, which is anticipated to be within this window of opportunity.
- 1.2.3 Paragraph 209 of the draft NPPF states that:
 ‘The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before [*this will be the date which is 6 months after the date of the final Framework’s publication*]. In these cases the examination will take no account of the new Framework.’
- 1.2.4 For determining planning applications, the revised NPPF will replace the current Framework as a material consideration on publication, expected to be during the summer.
- 1.2.5 The section on implementation goes on to explain that the proposed Housing Delivery Test will apply from November 2018.
- 1.2.6 The response appended to this report seeks clarification of how these matters will be taken into account alongside the Local Plan process, which will be based on the previous Framework.
- 1.2.7 The Council’s concerns in relation to the standardised methodology for calculating housing need are reiterated in response to question 11 as there appears to be no significant change to the way the methodology is applied. Unless there are any further amendments to methodology the anticipated uplift in housing need will have to be addressed when the Local plan is reviewed within five years of adoption.
- 1.2.8 The remainder of the responses either seek further clarification or reiterate concerns already expressed through earlier consultations.

1.3 Legal Implications

- 1.3.1 The revised NPPF will be a material consideration in determining planning applications where the development plan is silent or out of date and will replace the current Framework on final publication expected to be this summer.

1.4 Financial and Value for Money Considerations

- 1.4.1 There are no direct financial implications arising from this report. If the final NPPF includes the requirement that Local Plans are revised within 5 years of adoption there will be a resource implication for all Local Planning Authorities.

1.5 Risk Assessment

- 1.5.1 The Government will take into consideration any comments it receives. Not responding carries the risk that the Council’s concerns will not be included in this process.

1.6 Recommendations

- 1.6.1 That the content of this report be noted and Annex 1 be endorsed as the Council's formal response to this 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:

National Planning Policy Framework – Draft Text for Consultation (MHCLG March 2018)

contact: Ian Bailey
Planning Policy Manager

Chief Officer

Steve Humphrey Director of Housing, Planning and Environmental Health

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Consultation response form

This is the response form for the consultation on the draft revised National Planning Policy Framework. If you are responding by email or in writing, please reply using this questionnaire pro-forma, which should be read alongside the consultation document. The comment boxes will expand as you type. Required fields are indicated with an asterisk (*)

Your details

First name*	Ian
Family name (surname)*	Bailey
Title	Mr
Address	Tonbridge and Malling Borough Council, Council Offices, Gibson Drive, Kings Hill
City/Town*	West Malling
Postal code*	ME19 4LZ
Telephone Number	01732 876061
Email Address*	ian.bailey@tmbc.gov.uk

Are the views expressed on this consultation your own personal views or an official response from an organisation you represent?*

Organisational response

If you are responding on behalf of an organisation, please select the option which best describes your organisation. *

Local authority (including National Parks, Broads Authority, the Greater London Authority and London Boroughs)

If you selected other, please state the type of organisation

Local Authority

Please provide the name of the organisation (if applicable)

Tonbridge and Malling Borough Council

Chapter 1: Introduction

Question 1

Do you have any comments on the text of Chapter 1?

Paragraph 6 – Ministerial Statements – some further guidance as to when these may be material and/or the weight that should be attributed would be welcomed.

Chapter 2: Achieving sustainable development

Question 2

Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?

No

Please enter your comments here

Paragraph 11 (d) which states ‘..or the policies which are most important for determining the application are out of date..’ requires clarification. Read in conjunction with Paragraph 75 it seems clear that the ‘most important’ policies referred to relate to the supply of housing.

Footnote 7 to Paragraph 11 is contradictory where it concludes ‘It does not refer to policies in development plans’ – there will be policies in development plans relating to the designations listed at footnote 7 and Paragraph 2 of the NPPF confirms the plan-led approach.

The NPPF is a material consideration - it is not part of the development plan. The way this is worded suggests the policies in the NPPF, which are a material consideration, supersede the policies in the development plan.

Question 3

Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?

Yes

Please enter your comments here

[Click here to enter text.](#)

Question 4

Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

[Click here to enter text.](#)

Chapter 3: Plan-making

Question 5

Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

No

Please enter your comments here

Paragraphs 17-19 describing the documents that make up the development plan for an area is confusing for those unaware that in two tier areas Counties prepare 'strategic' Minerals and Waste Local Plans covering several Districts, while Districts prepare 'strategic' Local Plans for their area, but the development plan for a given District will comprise the Local Plan, any adopted Neighbourhood Plans and the relevant part of the Minerals and Waste Local Plan.

By not making the distinction, Minerals and Waste Local Plans might be overlooked.

Paragraph 23 – reviewing policies within 5 years or earlier ‘..if local housing need is expected to increase in the near future.’

There are two points to make in respect of this requirement. The first is to note that Local Plan preparation is a significant resource implication for Local Planning Authorities and this requirement will in effect require Local Plans to be constantly under review. The second point is to seek clarification as to what constitutes an earlier review should housing need be expected to increase. For example, the bi-annual publication of Sub-National Population and Household Projections would imply reviews being necessary every 24 months in some parts of the country.

Also, would this require an early review for those Local Planning Authorities submitting a Local Plan within the transitional period based on locally derived objectively assessed housing needs, even though those Plans will apply the previous Framework for Examination purposes?

Question 6

Do you have any other comments on the text of chapter 3?

[Click here to enter text.](#)

Chapter 4: Decision-making

Question 7

The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?

Not sure

Please enter your comments here

[Click here to enter text.](#)

Question 8

Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?

Yes

Please enter your comments here:

[Click here to enter text.](#)

Question 9

What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?

Please enter your comments below

What is required is a fresh look at the basis for viability assessment. This should include a more radical look at how land values are addressed. It is simply not right for the massive increases in landvalue as a result of planning permission rather than being captured in significant part to enable the provision of infrastructure that is required to fully mitigate development and provide the community infrastructure that is seen as deficient locally.

Question 10

Do you have any comments on the text of Chapter 4?

Paragraph 49 (c) refers to the weight attributable to policies in emerging Local Plans and the degree of consistency with the NPPF. Presumably, for those Local plans submitted within the transitional period, this means consistency with the previous NPPF?

I

Chapter 5: Delivering a wide choice of high quality homes

Question 11

What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

Please enter your comments here

In response to the proposed standardised methodology set out in Planning for the Right Homes in the Right Places last September Tonbridge and Malling raised a number of concerns regarding the derivation and the practical deliverability of the 23% uplift in housing need implied by the methodology and the inconsistencies compared to other Local Planning Authorities with similar affordability ratios (i.e. Tonbridge and Malling and South Oxfordshire). Most Local Authorities in Kent and the wider south east are facing similar challenges begging the question where will unmet need be accommodated? These concerns do not seem to have been addressed and we wish the consequences of the approach now to be properly considered.

Question 12

Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?

No

Please enter your comments here

If delivery is based on the standardised methodology and for the reasons states in respect of Q11 above then no.

Question 13

Do you agree with the new policy on exception sites for entry-level homes?

No

Please enter your comments here

Paragraph 72 (b) states that such sites should be adjacent to existing settlements and proportionate in size to them. Further guidance on what may constitute a proportionate extension may be would be welcomed.

Question 14

Do you have any other comments on the text of Chapter 5?

Paragraph 62 – travellers not meeting the definition under Annex 1 of the PPTS – in this context does ‘..identifying the size, type and tenure of homes..’ mean

caravans? In this respect we would welcome the Government revisiting the draft Guidance for Period Reviews for the need for Caravans and Houseboats, which was never finalised.

Paragraph 76 (b) refers to the five year supply of deliverable housing sites established either in a recently adopted Local Plan or in subsequent annual position statements which 'incorporate all the recommendations of the Secretary of State where the position on specific sites could not be agreed during the engagement process'. This engagement process appears to be a new requirement? Will there be further information on how this will be introduced and work in practice?

There needs to be a more direct planning policy approach to affordable housing provision which is not fully addressed and is sorely lacking in terms of ways in which planning policy can truly influence the affordability of homes, especially rented accommodation – please see comments made at question 43

Chapter 6: Building a strong, competitive economy

Question 15

Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?

Yes

Please enter your comments here

Paragraphs 84 and 85 supporting the growth of rural businesses are welcomed.

Question 16

Do you have any other comments on the text of chapter 6?

In Tonbridge and Malling some of the rural businesses that would benefit from the comment above are also located in the Green Belt. Clarification as to whether this would constitute Very Special Circumstances would be helpful.

Chapter 7: Ensuring the vitality of town centres

Question 17

Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?

Yes

Please enter your comments here

[Click here to enter text.](#)

Question 18

Do you have any other comments on the text of Chapter 7?

Paragraph 90 refers to impact assessments for leisure development outside town centres and that are not in accordance with an up to date Local Plan. Further guidance on what these assessments should address would be welcomed.

Paragraph 89 is unnecessary and could be removed.

Chapter 8: Promoting healthy and safe communities

Question 19

Do you have any comments on the new policies in Chapter 8 that have not already been consulted on?

[Click here to enter text.](#)

Question 20

Do you have any other comments on the text of Chapter 8?

Paragraph 95 refers to a sufficient choice of school places being available. Local Planning Authorities work closely with Education Authorities and developers to ensure there is adequate capacity to meet the needs arising from new developments, but this is already challenging given current funding mechanisms and particularly as permitted development is not required to contribute to this infrastructure. This paragraph implies that there will be spare capacity built in to facilitate more choice. This is unlikely to be achievable within the current limitations referred to.

Chapter 9: Promoting sustainable transport

Question 21

Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?

Yes

Please enter your comments here

Click here to enter text.

Question 22

Do you agree with the policy change that recognises the importance of general aviation facilities?

Yes

Please enter your comments here

Click here to enter text.

Question 23

Do you have any other comments on the text of Chapter 9?

No.

Chapter 10: Supporting high quality communications

Question 24

Do you have any comments on the text of Chapter 10?

No.

Chapter 11: Making effective use of land

Question 25

Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?

No

Please enter your comments here

Paragraph 118 (e) refers to the prospect of new PD rights for airspace above exiting residential and commercial properties. This presents a number of potential challenges for Local Planning Authorities, relating to parking, access, health and safety and the issues already raised in relation to infrastructure contributions, which would outweigh the increase in new homes delivered.

Question 26

Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing needs?

No

Please enter your comments here

Paragraph 123 (a) suggests including minimum densities for housing to ensure the most efficient use of land. Density of development should remain a local consideration taking into consideration wider planning considerations.

Question 27

Do you have any other comments on the text of Chapter 11?

No.

Chapter 12 : Achieving well-designed places

Question 28

Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?

No.

Question 29

Do you have any other comments on the text of Chapter 12?

No.

Chapter 13: Protecting the Green Belt

Question 30

Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are 'not inappropriate' in the Green Belt?

Not sure

Please enter your comments here

Paragraph 144 (g) refers to meeting an identified local affordable housing need. Would this be based on evidence of need prepared by a developer, the local community or by the Local Planning Authority?

Question 31

Do you have any other comments on the text of Chapter 13?

Paragraph 137 refers to compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. It is not clear how this can be achieved if the remaining Green Belt land is in private ownership and not related to the land that is proposed to be removed?

Paragraph 140 suggests Local planning Authorities should plan positively to enhance the beneficial use of Green Belt land for example by enhancing landscapes and visual amenity or improving damaged or derelict land. Notwithstanding the same concern as that expressed in relation to Para 137 above if the land owner is unwilling to cooperate, this sends a confusing message about the function of Green belt which is to preserve openness, not as is commonly misconceived, to have intrinsic landscape or amenity value, which are matters dealt with by other policies.

Paragraph 145 (e) is welcomed as it clarifies that material changes in the use of land that preserves the openness of the Green Belt while not conflicting with the purpose of including land within it should be allowed. The examples used are unnecessary.

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Question 32

Do you have any comments on the text of Chapter 14?

No.

Question 33

Does paragraph 149b need any further amendment to reflect the ambitions in the Clean Growth Strategy to reduce emissions from building?

No

[Click here to enter text.](#)

Chapter 15: Conserving and enhancing the natural environment

Question 34

Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25 Year Environment Plan

and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?

Yes

Please enter your comments here

[Click here to enter text.](#)

Question 35

Do you have any other comments on the text of Chapter 15?

No.

Chapter 16: Conserving and enhancing the historic environment

Question 36

Do you have any comments on the text of Chapter 16?

[Click here to enter text.](#)

Chapter 17: Facilitating the sustainable use of minerals

Question 37

Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text in this chapter?

No.

Question 38

Do you think that planning policy in minerals would be better contained in a separate document?

No

Please enter your comments here

The Minerals and Waste Local Plans form part of the development plan for an area so it is important that they are addressed in the same Framework. There should be a section addressing Waste though. In the previous NPPF paragraph 5 clarified that this would be addressed by the National Waste Management Plan for England. For completeness there should be a similar statement here.

Question 39

Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?

No

Please enter your comments here

[Click here to enter text.](#)

Transitional arrangements and consequential changes

Question 40

Do you agree with the proposed transitional arrangements?

Yes

Please enter your comments here

The introduction of a transitional period for the introduction of the NPPF is welcomed and Tonbridge and Malling anticipate being able to submit a Local Plan within this period. Assuming a number of other Local Planning Authorities are making arrangements to do the same, this does raise the question as to there being sufficient capacity in the Planning Inspectorate to ensure that there are no undue delays in appointing Inspectors in early 2019?

Paragraph 211 – Housing Delivery Test – for those Local Planning Authorities submitting a Local Plan during the transitional arrangements can it be confirmed that the HDT will apply the locally derived objectively assessed housing needs upon which those Local plans are based as opposed to the standardised methodology assessment of need?

Question 41

Do you think that any changes should be made to the Planning Policy for Traveller Sites as a result of the proposed changes to the Framework set out in the consultation document? If so, what changes should be made?

Yes

Please enter your comments here

As noted, Local Planning Authorities have been waiting for revised Guidance for assessing future needs for the Traveller community, both those who meet the definition and those who do not. In the light of the amendments to the NPPF this would be a useful addition to the NPPG.

Question 42

Do you think that any changes should be made to the Planning Policy for Waste as a result of the proposed changes to the Framework set out in the consultation document? If so, what changes should be made?

Yes

Please enter your comments here

See response to Q38 above.

Glossary

Question 43

Do you have any comments on the glossary?

Although ostensibly covered by the definition for Affordable housing for rent, the omission of 'social rent' within the affordable housing definition is very unfortunate omission. The ability of Local Planning and Housing Authorities to deliver rental models for those in most need of truly affordable options is greatly reduced by this factor. It is a proven fact that the current planning definition of affordable housing is simply not affordable due to a variety of reasons relating to the financing of housing and the benefit regime, for example. Until these matters are properly addressed the planning definition has little or very low impact of meeting the housing needs of those groups most needing assistance, including low earning family households.

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Agenda Item 6

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 7

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 8

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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