

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: Democratic Services
committee.services@tmbc.gov.uk

21 September 2020

To: MEMBERS OF THE PLANNING AND TRANSPORTATION ADVISORY BOARD

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at an extraordinary meeting of the Planning and Transportation Advisory Board to be held online via Microsoft Teams on Tuesday, 29th September, 2020 commencing at 7.30 pm. Information on how to observe the meeting will be published on the Council's website.

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

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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 R W Dalton (Chairman)
Cllr J L Botten (Vice-Chairman)

Cllr T Bishop
Cllr M D Boughton
Cllr V M C Branson
Cllr D J Cooper
Cllr D A S Davis
Cllr M O Davis
Cllr S A Hudson

Cllr D Keers
Cllr D W King
Cllr Mrs C B Langridge
Cllr H S Rogers
Cllr N G Stapleton
Cllr M Taylor
Cllr D Thornewell

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Apologies for absence

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Declarations of interest

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

29 September 2020

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 PLANNING FOR THE FUTURE AND OTHER PLANNING REFORMS

This report summarises the Government's current proposals for reforming the planning system and seeks approval for the draft responses annexed in order that the Council's views may be submitted for the 'Changes to the Current Planning System' and 'Planning for the Future' consultations by the deadlines of 1st and 29th October respectively.

1.1 Introduction

- 1.1.1 The Government announced earlier in the year that it would be reviewing the planning system as part of its aim to deliver at least 300,000 new homes per year to tackle the national housing crisis. Some changes, for example to permitted development rights have already come into force during September.
- 1.1.2 The two consultations that are the subject of this report were both launched on 6th August. The consultation into changes to the current planning system is for 8 weeks and closes on the 1st of October. These are seen as short term measures to improve the effectiveness of the existing system and therefore can be implemented sooner than those in the White Paper.
- 1.1.3 The Planning for the Future White Paper sets out proposals for a fundamental review of the planning system. The consultation runs for 12 weeks closing on the 29th October. Once these reforms have been agreed implementation will require new primary and secondary legislation to be passed to replace the existing system with that set out in the White Paper. This could take some time and presumably there will be some form of transitional arrangements to enable the planning function to operate in the meantime.
- 1.1.4 Both consultations seek comments on a number of set questions. These are set out in **Annexes 1 and 2** attached to this report together with some comments and suggested responses.
- 1.1.5 This report seeks approval of a response to both consultations by the deadlines to be agreed by the DPHEH in consultation with the Leader and Cabinet Member.

1.2 Changes to the Current Planning System

1.2.1 There are four proposals for changes to the current system for which views are sought:

- Revising the Standard Methodology for assessing Housing Need;
- Introducing the 'First Homes' initiative - a form of discounted market housing for first time buyers, key workers and local people;
- Extending the Government's Small Sites Policy - a temporary incentive for small to medium house builders by raising the threshold before developer contributions are required to 40 to 50 units; and
- Extending the concept of 'permission in principle' so that landowners and developers can secure the principle of development for housing on sites without having to work up detailed plans first.

Revising the Standard Methodology

1.2.2 The Government introduced a method of calculating housing need nationally when the National Planning Policy Framework was revised in 2018. It applies a formula based on household projections (revised every 2 years), past delivery rates and affordability. When originally introduced this had the effect of increasing Tonbridge and Malling's housing need by 23% or +159 dwellings per annum over and above our locally derived need.

1.2.3 As we submitted our Local Plan within the transitional window following the publication of the revised NPPF, once adopted our housing need will revert to the 696 per year in the Local Plan and with the new allocations in the Plan our 5 year housing land supply position will be restored. However, currently we are having to use the standard method for Development Management purposes. As of 31st March 2019 we have 2.6 years supply based on this calculation.

1.2.4 The consultants Lichfields have estimated what the implications would be for housing need figures for Local Authorities using the proposed revisions to the standard methodology. This generates an annual need of 1,440 units for Tonbridge and Malling. This is only an early estimation and is likely to change, for example as result of consultation responses, but if this remains the new housing need it will represent a doubling of the figure we currently have in the submitted Local Plan.

1.2.5 The reasons for this large number include the removal of the 40% cap and the greater role of affordability in the calculation. Another reason is the growth of households during the trend period for the projections. This explains why the figure for Maidstone is high (1,569) and the figure for Sevenoaks is comparatively low (820). Compared to our West Kent colleagues, we have enjoyed quite significant growth over recent years.

- 1.2.6 When the Standard Method was being consulted on in 2018 the Council raised the concern that such high numbers would not be deliverable and that this should be taken into consideration. Since 2018 the household projections upon which the method is based have been revised twice and in both cases (due to a downward trend in population growth) the overall number of dwellings being delivered in the country as a whole has dropped putting at risk the Government's aim of delivering at least 300,000 new homes a year.
- 1.2.7 The proposed revisions would restore the national target in England to over 300,000 once more, but how Local Authorities, particularly in London and the South East will be able to deliver such high numbers is less clear, especially as other proposed reforms in the Planning White Paper (removal of the Duty to Cooperate and a move to zonal planning growth/renewal/protection) seem to reduce those chances even further.
- 1.2.8 Kent's Conservative MPs, including those for Tonbridge and Malling have expressed their concerns regarding the scale of the increase in a joint letter to the Secretary of State and requested a meeting.
- 1.2.9 As noted, this is not an issue for the Local Plan because it was submitted under the transitional arrangements. Once the Plan is adopted, it is considered up-to-date for five years, by which point the review should be completed. This means that for at least five years from adoption the position in the Plan is considered to be up-to-date and the basis for judging housing land supply. However, when the Local Plan is reviewed it will have to be based on the new national planning system being introduced by these reforms. This will include planning for a level of housing need generated by the standard methodology.

First Homes

- 1.2.10 This initiative is a new affordable home ownership tool introduced by the Government effectively replacing the previous Starter Homes proposals.
- 1.2.11 The Government intends to set out in policy that a minimum of 25 per cent of all affordable housing units secured through developer contributions should be First Homes. This will be a national threshold, set out in planning policy. Initially these will be secured through section 106 planning obligations but, under proposed reforms, these would subsequently be secured through the new Infrastructure Levy. They will be made available to first time buyers, local people and key workers.
- 1.2.12 For the remaining 75% of affordable housing secured through developer contributions, there are two broad options:
- Option 1: Where a local authority has a policy on affordable housing tenure mix, that policy should be followed, but with First Homes delivering a minimum of 25% of the affordable housing products.

Option 2: A local authority and developer can negotiate the tenure mix for the remaining 75% of units.

- 1.2.13 Level of discount - The minimum discount for First Homes should be 30% from market price which will be set by an independent registered valuer. The valuation should assume the home is sold as an open market dwelling without restrictions. Local authorities will have discretion to increase the discount to 40% or 50%. This would need to be evidenced in the local plan making process.
- 1.2.14 An initial observation, as with the previous Start Homes proposal, is that this requirement will effectively reduce the ability of Local Authorities to provide truly affordable housing to those most in need as in areas like London and the south east a 30% discount of market value is still out of reach for most of those requiring affordable housing.

Small Sites Planning Policy

- 1.2.15 To encourage and support small and medium sized builders the Government proposes to introduce a temporary incentive by raising the threshold before developer contributions are required to 40 to 50 units, initially for a period of 18 months, to assist recovery from the Covid-19 restrictions.
- 1.2.16 This will undoubtedly help small and medium developers and potentially deliver more housing nationally in the short term, but it does raise a number of questions in terms of how infrastructure to accompany such developments will be funded in the absence of developer contributions, particularly in areas where a number of proposals at the upper end of the new threshold are made at the same time.

Extending Permission in Principle to major sites

- 1.2.17 The concept of Permission in Principle has been in place since 2018. It is currently restricted to minor development (up to 10 units) and usually applies to brownfield sites.
- 1.2.18 The Government proposes to remove the restriction in the current Permission in Principle regulations on major development. This will enable applications for Permission in Principle to be made for a far wider range of sites, enabling more landowners and developers to use this route to secure permission for housing development.
- 1.2.19 The existing restrictions in the Permission in Principle Regulations relating to Environmental Impact Assessment (EIA) and Habitats requirements will remain, reflecting the fact that Permission in Principle is granted on the basis of limited technical information and there is not sufficient environmental information for these requirements to be accurately assessed at the point of decision.
- 1.2.20 This means Permission in Principle by application will not in practice be a route to permission for large sites capable of delivering more than 150 dwellings or more

than 5 hectares – the EIA Regulations 2017 Schedule 2 threshold for urban development, save where a screening opinion has been obtained which concluded the proposal was not EIA development.

- 1.2.21 Similarly, Permission in Principle will not be suitable for sites in areas where, applying the Conservation of Species and Habitats Regulations 2017, there is a probability or risk that the project is likely to have a significant effect on a European site, unless the application was accompanied by an appropriate assessment demonstrating there was unlikely to be significant impact on the site.

So in effect, the proposal is to relax the current threshold meaning on suitable sites (e.g. brownfield sites) permission in principle could be extended for proposals of up to 150 dwellings or sites of up to 5 hectares. Views are sought.

1.3 Planning for the Future White Paper

- 1.3.1 The 84 page document includes Forewords by the Prime Minister and the Secretary of State, both of which are quite critical of the current planning system describing it as ‘outdated and ineffective’ and requiring ‘radical reform’.
- 1.3.2 Essentially the aim is to simplify and speed up the planning process for both plan making and development management. Some of the main proposals for achieving this can be summarised as follows:

A new approach to plan making

- Local Plans will in future focus on zoning, identifying areas for growth, renewal and protection, with growth areas having permission in principle for development (effectively outline planning permission);
- Local Plans to be accessible and web-based;
- A new single ‘Sustainable Development’ test to replace the current soundness and legal compliance tests;
- A new way to resolve cross boundary issues without the Duty to Cooperate (there are no proposals on what might replace this – views are sought);
- Housing requirements to be set nationally;
- New statutory timetable for preparing plans within 30 months;
- Views are sought as to whether Neighbourhood Plans should be retained in the new system;
- Whether there should be a stronger emphasis on the build-out of developments and if so what measures should be employed.

Development Management

- Development Management policies to be set nationally;
- Greater use of technology across the board, for engagement/consultations on plan making and planning applications;
- New settlements to be considered using the Nationally Significant Infrastructure Projects (NSIP) regime;
- Views sought on priorities for good design and sustainability for your local area;
- Proposed ‘fast track’ for ‘beautiful developments’;
- Proposal to replace CIL and S106 with a new Infrastructure Levy. Views are sought on whether levels should be set nationally or locally; whether the rates should be higher or stay the same; and should it be extended to changes of use through permitted development.

1.3.3 There are 26 set questions in all, some of which are sub-divided. The proposals only apply to England.

1.4 Summary and Conclusions

1.4.1 This report has summarised the main elements of the Government’s latest proposals for planning reform launched for consultation on 6th August.

1.4.2 A proposed response to the set questions for each of the two consultation exercises can be found in the attached Annexes for approval.

1.5 Legal Implications

1.5.1 There are no immediate legal implications arising from this national consultation exercise, but the Council should take the opportunity to raise any concerns arising from the proposed changes as potentially this could result in a completely new planning system in due course.

1.5.2 The consultations do not have any adverse implications for the Council’s emerging Local Plan. The Plan was submitted to the Secretary of State in accordance with the transitional arrangements attached to the revised NPPF in 2018 and the examination process will continue. Once the Plan is adopted it will represent an up to date plan until such time as it is reviewed.

1.6 Financial and Value for Money Considerations

1.6.1 There are no direct financial implications arising from this consultation. However, if the reforms are implemented as proposed there will be financial implications for the Council, which will need to be revisited at that time, for example, in terms of how developer contributions will function in the future.

1.7 Risk Assessment

- 1.7.1 There is a risk to the Council that its views and concerns will not be taken into account if the responses to these two consultations are not submitted by the published deadlines.

1.8 Equality Impact Assessment

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

1.9 Policy Considerations

- 1.9.1 The proposed reforms of the planning system could have significant policy considerations if and when they are finalised and implemented by Government.

1.10 Recommendations

- 1.10.1 That the content of this report be **NOTED** and that the DPHEH in consultation with the Leader of the Council and Portfolio Holder for Strategic Planning and Infrastructure **AGREE** and **SUBMIT** responses based on the attached Annexes and alterations as agreed by Members by the Government's deadlines of 1st and 29th October.

Background papers:

Nil

contact: Ian Bailey
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Eleanor Hoyle
Director of Planning Housing and Environmental Health

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Annex 1: Changes to the current planning system – Consultation on changes to planning policy and regulations

Set Questions	SUGGESTED T&M RESPONSE
Revising the standard methodology for calculating housing need	
<p>Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?</p>	<p>No comment. The introduction of a proportion of the housing stock to the baseline figure is aimed at areas where household growth is projected to be static or low resulting in a correspondingly low baseline. This would have no impact on Tonbridge and Malling because household projections are the higher figure (579 compared to 272).</p> <p>It could be argued that if an area is expected to have low household growth, why should the housing need target be increased in this way? The Government believes that household projections alone are not an accurate measure of housing need and may not take into account other factors such as concealed households (for example, grown up children living with parents for longer because they cannot access housing of their own due to lack of supply or affordability).</p>
<p>Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.</p>	<p>Not necessarily. There doesn't seem to be any rationale for setting the stock element of the baseline at 0.5%. The consultation document notes that 1% of the total housing stock in England was delivered last year, but there is no explanation why this is not being applied.</p> <p>If the baseline element were to be raised to 1%, this could provide a greater proportion of the Government's target of 300,000 new homes annually and the methodology could then be adjusted to reduce pressure on those areas with undeliverable levels of need.</p>
<p>Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.</p>	<p>No. Using the median earnings figure does not take into account joint income families or other sources of funding (e.g. parental support). This has the effect of generating a larger gap/bigger ratio when set against median house price.</p>

<p>Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.</p>	<p>Yes. Using 10 years has the advantage of taking into consideration economic cycles (i.e. recessions and periods of accelerated growth).</p>
<p>Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.</p>	<p>No. While affordability is a key issue for Tonbridge and Malling and in many parts of London and South East, the application of the proposed weighting to the standard method generates such significant uplifts in the housing need figure, that they become undeliverable. The Council's response when the Standard Methodology was first proposed in 2018 raised the concern that the higher need figures generated would be difficult to sustain year on year over a plan period.</p> <p>The proposed revisions, including the removal of the 40% cap, would have the effect of increasing the numbers even further.</p> <p>The methodology is based on the premise that increasing the supply of housing by this extent will lower the price, but in reality that will never be achieved while the vast majority of the housing that is delivered is by the private sector. Developers and their investors will not build at rates that will significantly erode their profit margins.</p> <p>Equally, the methodology does not take into account the influence of the London Housing market on house prices in the wider South East.</p>
<p>Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:</p>	
<p>Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?</p>	<p>In normal circumstances, this would seem to be a reasonable transitional period (the Tonbridge and Malling Local Plan was submitted within 6 months of the close of the Regulation 19 consultation). However, with the current restrictions in place due Covid-19 some Local Authorities will struggle to meet this deadline, failure to do so would require revising the housing need calculations, site allocations etc.</p>

	As Tonbridge and Malling is at the Examination stage of Plan Making, these changes will not apply to the current Local Plan, but will be applied at the first review.
Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?	See Answer to Q6 – under the current restrictions this might be a challenging timescale for some, leading to further delays in plan making.
If not, please explain why. Are there particular circumstances which need to be catered for?	See answer to Q6 above.
First Homes	
Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):	The Government is not inviting comments on its First Homes policy and requirement as this was the subject of an earlier consultation, instead the question assumes that New Homes <u>will</u> replace 25% of other affordable housing products and is only seeking a view on how to reapportion the remaining 75% of the affordable housing requirement.
i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.	For the adopted affordable housing policy CP17 and the emerging policy LP39 in the Local Plan, this would replace the 30% intermediate housing requirement with 25% First Homes, leaving 5% for other intermediate housing products such as shared ownership.
ii) Negotiation between a local authority and developer.	Option 1 broadly adjusts the remainder to reflect the proportions in the adopted policy, while Option 2 invites the Local Authority to renegotiate the tenure mix with the developer on a case by case basis. The Government prefers Option1 as Option 2 could lead to further delays in implementation.
iii) Other (please specify)	Since the 70% for social rented (in the case of the adopted CP17) or 70% capped at Local Housing Allowance in LP39 are the products most likely to be needed for those unable to access market housing, any

	<p>renegotiation leading to a reduction of these products to facilitate more intermediate housing units would have the effect of reducing the most affordable products. Therefore, there seems little point in favouring Option 2.</p> <p>However, First Homes, while an improvement on the previous Starter Homes initiative, will not be affordable for many local residents. The median house price in Tonbridge and Malling in September 2019 was £350,000. Taking into account the Government’s default 30% market reduction for a ‘First Home’ product would reduce this to £245,000. To obtain a mortgage based on 4 times annual earnings would require a salary of £61,250. This compares to median gross workplace based earnings for T&M in Sept 2019 of £29,697.</p> <p>While First Homes would be initially reserved for local people, if the homes are not taken up within 3 months they can then be offered to any first time buyer in England.</p> <p>This could have the effect of encouraging first time buyers from London, or other parts of the south east where salaries are higher to take up these homes, while at the same time reducing the ability of the Local Authority to meet local needs for affordable housing.</p>
<p>With regards to current exemptions from delivery of affordable home ownership products:</p>	
<p>Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to apply to this First Homes requirement?</p>	<p>Paragraph 64 of the NPPF states that at least 10% of dwellings on major housing sites should be for affordable home ownership, but there are some exemptions for schemes that are exclusively build to rent, specialist accommodation, self-build, in cases where the scheme is exclusively for affordable housing or exception sites.</p> <p>The question is whether these exemptions should also apply in respect of the First Homes requirement.</p>

	<p><u>Comment:</u> The approach in the NPPF should be consistently applied, unless and until the NPPF is revised or replaced by the planning reforms in the White Paper.</p>
<p>Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.</p>	<p>See answer to Q9.</p>
<p>Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.</p>	<p>See answer to Q9.</p>
<p>Local plans and transitional arrangements</p>	
<p>Q12: Do you agree with the proposed approach to transitional arrangements set out above?</p>	<p>See answer to Q6.</p>
<p>Level of discount</p>	
<p>Q13: Do you agree with the proposed approach to different levels of discount?</p>	<p>The First Homes minimum discount from the market value will be 30%, but there is some discretion for Local Authorities to set this higher at 40 or 50%, if this can be supported by evidence that there is a need for the higher discount and that the schemes would be viable.</p> <p><u>Comment:</u> Given the concerns expressed in response to Q8, this additional flexibility should be retained.</p>
<p>Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?</p>	<p>The Government proposes to introduce a new exceptions site policy for First Homes. Sites could include other forms of affordable housing if a need is identified and also some market housing to ensure viability.</p> <p><u>Comment:</u> It is unclear why this policy is felt necessary given the concerns expressed in the response to Q8.</p>
<p>Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?</p>	<p>The size threshold of no more than 1 hectare or 5% of the existing settlement for entry level exception sites set out in the NPPF is proposed to be removed for this new policy.</p>

	<u>Comment:</u> The thresholds should be retained. Larger sites should be brought through the Local Plan process.
Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?	Yes.
Small Sites Planning Policy	
For each of these questions, please provide reasons and / or evidence for your views (if possible):	
Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period? (see question 18 for comments on level of threshold)	<p>No. While recognising that the proposed measures would undoubtedly assist small and medium scale builders recover from the impacts of the Covid restrictions, this would be contrary to the messages on affordability used to justify the revisions to the standard methodology and the introduction of the First Homes initiative.</p> <p>Although proposed to be time limited to 18 months, this could have significant implications for the delivery of affordable homes and other infrastructure.</p> <p>If as a result of this policy housing affordability declined over the 18 month period Tonbridge and Malling could be looking at an even higher housing need figure when applying the standardised methodology.</p>
Q18: What is the appropriate level of small sites threshold? i) Up to 40 homes ii) Up to 50 homes iii) Other (please specify)	See response to Q17.
Q19: Do you agree with the proposed approach to the site size threshold?	See response to Q17.
Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?	See response to Q17.
Q21: Do you agree with the proposed approach to minimising threshold effects?	Yes, but only if these measures are to be introduced.

	(This would prevent the breaking up larger sites to just under the threshold to avoid the developer contributions)
Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?	Yes. (The proposal is to keep the existing thresholds in rural area)
Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?	Some form of Government sponsored, short term financial assistance would be preferable to sacrificing affordable housing and infrastructure contributions.
Extending Permission in Principle to major sites	
Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?	No. The nature of major developments are such that this regime does not allow for sufficient assessment of the various issues that could arise particularly when considering the impacts connected to up to 150 units. In any event, PiP is not a planning permission and the subsequent technical details consent may not necessarily be easily achieved particularly when dealing with major developments. As such, rather than speed up meaningful decision making, these would be best thought of as buying the opportunity to put forward a site allocation to achieve some certainty and add value and allow SMEs to better seek to de-risk sites in order to obtain funding, rather than being a sleek, cost-effective two stage process
Q25: Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.	Yes, in order to take a view on land uses proposed in a holistic manner
Q26: Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?	Yes.
Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.	No. Whilst this would provide greater clarity to the applicant and Local Planning Authority about the scale of housing development that is acceptable for the site, it would add to the complexity of the

	determination of the application. In addition, it would start to bring design issues into the PiP process as well as result in a need to identify zones within a site with differing height parameters, effectively diluting the original aims and objectives of the PiP process itself. To do so would result in the process being far more akin to that available via the outline planning permission route.
<p>Q28: Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:</p> <p>i) required to publish a notice in a local newspaper? ii) subject to a general requirement to publicise the application or iii) both? iv) disagree If you disagree, please state your reasons.</p>	<p>Disagree. Publication in newspapers incurs an additional financial and resource cost to Local Planning Authorities and also results in a delay to timescales which are already limited in these cases. Broader publication of such applications would unfairly raise the expectations of local communities in seeking to influence the outcomes of these decisions in a manner that would be frustrating and confusing.</p> <p>No mention is made of introducing neighbour notification, notwithstanding the very significant increase in the scale of development that can be granted in PiP</p>
<p>Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?</p>	Yes.
<p>Q30: What level of flat fee do you consider appropriate, and why?</p>	No comment other than to highlight that whilst the Permission in Principle regime allows for a streamlined process for developers, it still places a resourcing burden upon Local Planning Authorities to administer, publicise and assess/determine these submissions. It is therefore crucial that the fee schedule suitably recognises this.
<p>Q31: Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.</p>	Yes.
<p>Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.</p>	It is misguided to assume that the lack of uptake in obtaining Permissions in Principle is derived from a lack of knowledge or understanding of how these work. Notwithstanding this, any guidance should be focused on local communities so that they can properly understand the limitations of the process for their purposes i.e.: making representations on material planning considerations

<p>Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?</p>	<p>Drawbacks include potential resourcing implications for Local Planning Authorities, confusion amongst local communities about how they can influence development</p>
<p>Q34: To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible.</p>	<p>Unlikely. Since the provisions were introduced, Tonbridge and Malling Borough Council have received only one such submission and that was for a scheme of up to 3 dwellings on a small portion of land in a rural location. Developers promoting larger schemes will likely want the assurance of knowing at an earlier stage in the process what limitations and conditions would be required.</p>
<p>Q35: In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on people who share characteristics protected under the Public Sector Equality Duty? If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact?</p>	<p>No.</p>

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Annex 2: Planning White Paper – Planning for the Future

Set Questions	SUGGESTED T&M RESPONSE
Q1. What three words do you associate most with the planning system in England?	Q1-4 are aimed at individuals rather than Local Planning Authorities. No Comment
Q2. Do you get involved with planning decisions in your local area? [Yes / No] 2(a). If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]	No Comment
Q3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]	No Comment
Q4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]	Policy LP2 of the submitted Local Plan sets out 10 Strategic Objectives that cover all of the suggestions listed.
A new approach to plan-making	
Proposal 1: The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas	

<p>suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.</p>	
<p>Q5. Do you agree that Local Plans should be simplified in line with our proposals?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure. While there is some merit in the Government’s aim to simplify Local Plans and accelerate the process of plan making, the proposal to zone all land in a Local Planning Authority for either growth, renewal or protection will be controversial and take time to resolve.</p> <p>The Government also wants to rethink how local communities are engaged in the process from the outset and achieve a greater degree of consensus.</p> <p>Given that growth areas will effectively have permission in principle for development it will be extremely challenging to achieve consensus of any kind in less than 30 months.</p>
<p>Proposal 2: Development management policies established at national scale and an altered role for Local Plans</p>	
<p>Q6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure. This would effectively change the role of national planning policy in the form of the NPPF from a material consideration to a binding policy.</p> <p>If the nationally set policies could be designed in a way that they can be applied to all Local Planning Authorities without adjusting for local circumstances, this would save time in plan making and provide a more consistent approach to development management across England.</p> <p>However, it is difficult to understand how such a one size approach will fit all given the diversity of landscapes, development pressures and planning constraints there are across the country.</p>
<p>Proposal 3: Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness</p>	
<p>Q7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?</p>	<p>Q7a - Yes. The current legal tests of soundness have become disproportionate in terms of the evidence needed to demonstrate that they have been met and over complicated. Many people engaging in the preparation of a Local Plan are baffled by the level of technical detail</p>

<p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>Q7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?</p>	<p>required to justify that the Habitats Regulations Assessment is sound, for example.</p> <p>Some of these tests cannot be made sound retrospectively by Main Modification (e.g. the Duty to Cooperate) so there is a risk that years of plan making can be lost if these tests are not met.</p> <p>A single sustainable development test has the potential to be simpler, but there are no details as yet.</p> <p>Q7b – Clearly the Duty to Cooperate has not been fit for purpose since its introduction in 2012. This has been due to the fact that neighbouring Local Planning Authorities are rarely at the same stage of plan making at the same time and resolving the main cross boundary issue of meeting neighbour’s housing need is controversial and extremely challenging particularly in areas of constraint and with the sorts of numbers generated by the Standard method.</p> <p>Some form of regional or sub-regional approach to strategic planning should be reintroduced to tackle these wider than single borough issues.</p>
<p>Proposal 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.</p>	
<p>Q8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Q8a – The introduction of a housing target set by a higher body and to be planned for locally is not new. In the past Regional Planning Bodies and County Structure Plans used to distribute these to Local Planning Authorities, but crucially, those upper tier planning bodies took into consideration where growth could best be accommodated across the wider area allowing designated areas to have a degree of protection, while other</p>

Q8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

[Yes / No / Not sure. Please provide supporting statement.]

areas could have concentrations of growth and investment to assist regeneration.

The issue with a Standard Method, set to deliver over 300,000 new houses every year, is that the mechanism for that redistribution of growth is not being addressed and in the absence of the Duty to Cooperate, there does not seem to be any way that Local Planning Authorities in London and the South East will be able to meet their needs.

To work, either a new upper tier planning role needs to be introduced to replace the Duty to Cooperate as suggesting in response to Q7 or the way that the Standard Method is calculated has to include a reality check in the form of how deliverable these targets are. Since the Government is committed to delivering over 300,000 new homes per year, the former solution would appear to be the preferred option.

Q8b – No. Affordability is a critical issue that needs to be positively addressed through the planning system particularly in areas like Tonbridge and Malling, but increasing housing supply to the extent that will be necessary to bring house prices down is not sustainable or deliverable. It also assumes that house builders will build at rates that will erode their profit margins, which is unlikely to happen.

Affordability should be retained in the methodology, but there should be a reality check for deliverability built into the algorithm.

The ‘densification’ of existing urban areas to meet future needs seems contrary to other aims of the White Paper and is based on the assumption that existing infrastructure in urban areas has sufficient capacity to take additional growth, when the opposite is often more the case.

Properly planned new towns and villages would be an approach that is more consistent with the aims and objectives of the White Paper.

A streamlined development management process with automatic planning permission for schemes in line with plans	
Proposal 5: Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.	
<p>Q9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>Q9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>Q9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Q9a – Yes but there is limited detail as to how these designations would be decided and what evidence will underpin those decisions. There is also a lack of information on how elected Members and stakeholders would be involved in detailed consent processes, given the front loading of consultation activity to the plan making stage when designations would be proposed, consulted on and agreed. In general there is a lack of information on the potential roles for elected Members and other community representatives.</p> <p>Q9b – as above.</p> <p>Q9c – Yes. See response to Q8b above.</p>
Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology	
<p>Q10. Do you agree with our proposals to make decision-making faster and more certain?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes in principle but Local Planning Authorities need to be fully resourced in order to ensure they can meet the demands that this would place on them.</p>

A new interactive, web-based map standard for planning documents	
Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.	
Q11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]	Yes. More should be made of digital solutions to reach a wider (younger) audience and this has been demonstrated during the recent pandemic restrictions. However, some members of our local communities will not be comfortable or even able to access the discussion in this way, so some form of alternative means should be retained.
A streamlined, more engaging plan-making process	
Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.	
Q12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]	No. There is insufficient detail to make a considered judgement, but 30 months seems too short a time period to properly engage with communities and take on board their responses for something as fundamental as adopting planning 'zones' for growth, renewal and protection across the whole Borough.
Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools	
Q13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]	Q13a - Not sure. There is insufficient detail in the White Paper to fully understand how neighbourhood plans would fit into a zonal planning system and what sort of timescales neighbourhood planning forums would be working to (presumably not 30 months like the proposed Local Plan timetables).
Q13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?	Q13b – The use of more digital tools might be challenging for some neighbourhood planning forums.

Speeding up the delivery of development	
Proposal 10: A stronger emphasis on build out through planning	
<p>Q14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes. This has been discussed at length and potential solutions proposed. For example, requiring Council Tax to be paid on dwellings with planning permission that have not been completed within a reasonable timeframe.</p>
<p>Q15. What do you think about the design of new development that has happened recently in your area?</p> <p>[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]</p>	<p>Other – TMBC works hard to ensure that all new developments are well designed in accordance with adopted policy and the requirements of the NPPF but it is clear that in many cases this is frustrated by developers need to “value engineer” schemes or where they take a cynical view that design only needs to be “good enough” to secure a grant of planning permission, particularly when faced with the need to apply the presumption in favour of sustainable development in the absence of a five year housing land supply. This has also been apparent in certain appeal decisions across the Borough.</p>
<p>Q16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?</p> <p>[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]</p>	<p>It should be a combination of all of the options given dependant on the circumstances of the sites and nature of developments.</p>
Proposals	
Creating frameworks for quality	
Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.	
<p>Q17. Do you agree with our proposals for improving the production and use of design guides and codes?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes – however question is raised as to what the evidential basis for this will be and therefore resultant credibility. It will also be important to ensure that any such guides/codes recognise the importance of innovation and do not simply seek to impose rigid or unrealistic parameters upon new development.</p>

<p>Proposal 12: To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.</p>	
<p>Q18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes – given the subjectivity surrounding what is “beautiful”, this is a particularly difficult area to deliver on and is likely to divide opinion. Having a new body in place and Chief Officers for design and place making will assist in bringing about levels of consensus and engendering discussions around coding and guides to ensure they are a constructive tool rather than a means by which to stifle development. However, there is a lack of information about how these would be kept current, how stakeholders including elected Members would input into them and what mechanisms would be sufficient to prove local popularity of design codes.</p>
<p>Proposal 13: To further embed national leadership on delivering better places, we will consider how Homes England’s strategic objectives can give greater emphasis to delivering beautiful places.</p>	
<p>Q19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes. See comments above.</p>
<p>A fast-track for beauty</p>	
<p>Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.</p>	
<p>Q20. Do you agree with our proposals for implementing a fast-track for beauty?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure – high quality development must be just that in all respects, it is not diluted into a single quantifiable aspect – there may be technical issues arising that must be addressed in order to ensure high quality in all respects and this can take time particularly where statutory consultees need to input into schemes.</p>

Effective stewardship and enhancement of our natural and historic environment	
Proposal 15: We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.	We would support measures to allow climate issues to be more fully considered in the planning process. However, how these requirements are balanced against other priorities such as those laid out in Q21 below is a complex issue.
Proposal 16: We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.	
Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century	We assume that such buildings and areas would fall within the ‘protect’ designation in zonal planning terms and support the need to consider how these areas are best managed. However, conserving and enhancing those buildings and areas should not necessarily be as a result of no development at all but should rather be a combination of protection and high quality, complementary development where this meets with locally supported design codes.
Proposal 18: To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.	
<p>Q21. When new development happens in your area, what is your priority for what comes with it?</p> <p>[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don’t know / Other – please specify]</p>	Whilst affordable housing and Infrastructure are priorities, this should not be at the expense of design, green space or commercial provision, because the overarching aim to create and enhance places.
Proposals	
A consolidated Infrastructure Levy	
Proposal 19: The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a	

<p>threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.</p>	
<p>Q22(a). Should the government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>Q22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?</p> <p>[Nationally at a single rate / Nationally at an area-specific rate / Locally]</p> <p>Q22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?</p> <p>[Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]</p> <p>Q22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Q22a - Yes, insofar as this would simplify the securing of developer contributions.</p> <p>Q22b – Either nationally at an area specific rate, depending on the size of that area and how it takes into account similarities in LPAs within it in terms of affordability and viability, or locally to allow for these variations.</p> <p>Q22c – More. If this is not the case, the range of requirements already in place under CIL/s106 and the addition of commitments to more infrastructure and climate change mitigation will not be achievable.</p> <p>Q22d – Yes.</p>
<p>Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights</p>	
<p>Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes, as more and more development is coming through this route.</p>
<p>Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision</p>	

<p>Alternative option: We could seek to introduce further requirements around the delivery of affordable housing.</p>	
<p>Q24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>Q24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a ‘right to purchase’ at discounted rates for local authorities?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>Q24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>Q24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Q24a - Yes.</p> <p>Q24b – Not sure. This is likely to depend on how the individual authority manages its affordable housing stock and therefore a range of options need to be available. In addition to this, the ‘in-kind’ value of affordable housing will vary hugely between LPAs.</p> <p>Q24c – Yes. The ‘in-kind value’ of the affordable housing would need to be managed at the same geographic level as the Levy.</p> <p>Q24d – Yes. If a value is set for the affordable housing being delivered that can be measured within the wider Levy requirement, the ‘in-kind’ contribution needs to have some benchmarks in terms of space standards and quality of product.</p>
<p>Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy</p>	
<p>Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>Q25(a). If yes, should an affordable housing ‘ring-fence’ be developed?</p>	<p>Q25 – Yes. Whilst having an agreed process governing how projects/priorities should be considered for inclusion on the ‘spending list’ for a Levy, it should be within the remit of an LPA and its stakeholders, most importantly its elected Members, to decide as far as possible what is included within that list and what priority it is given.</p> <p>Q25a – Yes. In order to ensure that an appropriate supply of affordable housing can be secured in the long term.</p>

[Yes / No / Not sure. Please provide supporting statement.]	
Proposal 23: As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms.	
Proposal 24: We will seek to strengthen enforcement powers and sanctions	More detail would be required to assess this proposal; however, if LPAs have the opportunity to carry out more enforcement and fund ongoing enforcement activity from that to ensure that the planning framework and design codes that are supported by the local community are delivered on, this would be welcomed.
What happens next	
Equalities impacts	
Q26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?	No.



**TONBRIDGE & MALLING
BOROUGH COUNCIL**

Nicolas Heslop

**Borough Councillor for Cage
Green, Tonbridge**

Leader of The Council

The Rt Hon Robert Jenrick MP
Secretary of State for Housing, Communities and Local Government

By Email: robert.jenrick.mp@parliament.uk

18 September 2020

Dear Robert,

Following the organisation of an extraordinary meeting of our Planning & Transportation Advisory Board, which we decided to hold given the strength of feeling amongst our Members and community stakeholders, we have submitted a response to the consultation on Changes to the Current Planning System. However, the nature of the consultation questions is such that we felt it necessary to send this letter to you in addition, as there was strong feeling amongst our Members that we were not able to fully explain our concerns in that format.

TMBC has delivered extremely well against government housing targets and previous targets set by former regional planning bodies and county Structure Plans and it now seems as though our strategic approach to utilising sustainable brownfield sites and considering the spread of our developments is resulting in us being penalised with unachievable targets.

The Council's latest Housing Land Supply position as of 31st March 2019 illustrates this. The Local Development Framework Core Strategy was adopted in 2007 and sought to deliver 6,375 dwellings over a 15 year plan period or an average of 425 per year. In the first five years 2006/7 to 2010/11 3,210 homes were built, an average of 642 a year or 151% of the target. In the following five years 2011/12 to 2015/16 2,845 were built or an average of 569 per year (+134%). The reduction explained in part by the effects of the global economic recession that began in 2008. In the current five year period 2016/17 to 2020/21, we only have figures for the first three years 2016/17 to 2018/19, during which 2,451 homes were completed or an average of 817 per year. This illustrates that housing delivery has been consistently strong in Tonbridge and Malling, despite being within an area of constraint.

https://www.tmbc.gov.uk/_data/assets/pdf_file/0003/926760/Housing_Land_Supply_Position_2018-19_Final.pdf (see Table 1)

The sheer scale of the increase required for TMBC, which would see our annual figure rise from 696 (as part of the transitional arrangements under which we

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submitted our Local Plan, which has its hearing stages in the next few months) to around 1440, is simply unsustainable. When coupled with a potential reduction in contributions due to the small site exemption threshold being raised, our already challenged local transport, health, education and community infrastructure will not be able to sustainably meet the needs of existing and new residents.

We also recognise concerns from other local authorities who have seen their numbers reduced who would like to see more growth in their areas because there is economic gain to be had that their area is in need of. There might be potential for some regional discussions about housing numbers but there is no discussion of this in the consultation document.

This potential increase in housing delivery requirements then has a significant impact on how achievable the zonal planning approach mentioned in the White Paper, which we will be responding to separately, is going to be. An initial assessment suggests that with the constraints we have including 71% Green Belt and 2 AONBs and their settings means that our current annual OAN of 696 will only be achieved through very careful strategic planning, but a target of double that will not be possible utilising a zonal system that restricts development significantly in some areas whilst still having a meaningful approach to strategic planning. We are by no means the only local planning authority to be in this position. We would favour a full review of measures to protect the best of our countryside and biodiversity whilst allowing sustainable development to occur.

We also have concerns about the First Homes proposals, which will not provide more of the most needed types of affordable housing. The nature of areas such as Tonbridge and Malling, within easy commuting distance of London, will make the very short timescale in which the properties can be restricted for local buyers at a larger discount a sales disincentive for developers, who will potentially limit their marketing and wait for the opportunity to sell to buyers moving out of London who can meet the costs at the national standard 30% discount only.

Yours sincerely,

Nicolas Heslop
Borough Councillor, Cage Green Ward
Leader & Cabinet Member for Economic Regeneration
Tonbridge & Malling Borough Council

David Lettington
Borough Councillor, Snodland West and Holborough Lakes Ward
Cabinet Member for Strategic Planning and Infrastructure
Tonbridge & Malling Borough Council

Agenda Item 4

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 5

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 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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