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TONBRIDGE & MALLING BOROUGH COUNCIL

EXECUTIVE SERVICES

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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

13 October 2025

To: MEMBERS OF THE HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Housing and Planning Scrutiny Select Committee to be held in the Council Chamber, Gibson Drive, Kings Hill on Tuesday, 21st October, 2025 commencing at 7.30 pm.

Members of the Committee are required to attend in person. Other Members may attend in person or participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website.

Yours faithfully

DAMIAN ROBERTS

Chief Executive

A G E N D A

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PART 1 - PUBLIC

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Members are reminded of their obligation under the Council's Code of Conduct to disclose any Disclosable Pecuniary Interests and Other Significant Interests in any matter(s) to be considered or being considered at the meeting. These are explained in the Code of Conduct on the Council's website at Code of conduct for members – Tonbridge and Malling Borough Council (tmbc.gov.uk).

Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting.

5. Minutes 13 - 24

To confirm as a correct record the Notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 15 July 2025.

Matters for Recommendation to the Cabinet

6. Local Plan Regulation 18 Consultation (10 November - 22 December 2025) 25 - 512

This report seeks approval of the Tonbridge and Malling Regulation 18 Local Plan document to be published for public consultation. Once agreed, the consultation will run for the statutorily required six-week period, between Monday 10th November and Monday 22nd December 2025.

Local Plan evidence and documentation is available on the website and can be accessed at: https://www.tmbc.gov.uk/localplan-evidence.

Please note that a low-resolution version of the Annexe 1 (Tonbridge and Malling Draft Local Plan) is included in this main agenda and a high-resolution version of the individual Chapters are published as supplements due to the large size of the files.

Matters submitted for Information

7. Work Programme 2025/26 513 - 516

The Work Programme setting out matters to be scrutinised during 2025/26 is attached for information. Members can suggest future items by liaising with the Chair of the Committee.

8. Urgent Items 517 - 518

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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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.

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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 D W King (Chair)
Cllr Mrs S Bell (Vice-Chair)

Cllr G C Bridge
Cllr R W Dalton
Cllr D A S Davis
Cllr P M Hickmott
Cllr M A J Hood
Cllr R W G Oliver
Cllr W E Palmer
Cllr R V Roud
Cllr K B Tanner
Cllr D Thornewell
Cllr C J Williams

GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED

(1) Most of the Borough Council meetings are livestreamed, unless there is exempt or confidential business being discussed, giving residents the opportunity to see decision making in action. These can be watched via our YouTube channel. When it is not possible to livestream meetings they are recorded and uploaded as soon as possible:

https://www.youtube.com/channel/UCPp-IJlSNgoF-ugSzxjAPfw/featured

(2) There are no fire drills planned during the time a meeting is being held. For the benefit of those in the meeting room, the fire alarm is a long continuous bell and the exits are via the doors used to enter the room. An officer on site will lead any evacuation.

(3) Should you need this agenda or any of the reports in a different format, or have any other queries concerning the meeting, please contact Democratic Services on committee.services@tmbc.gov.uk in the first instance.

Attendance:

- Members of the Committee are required to attend in person and be present in the meeting room. Only these Members are able to move/ second or amend motions, and vote.
- Other Members of the Council can join via MS Teams and can take part in any discussion and ask questions, when invited to do so by the Chair, but cannot move/ second or amend motions or vote on any matters. Members participating remotely are reminded that this does not count towards their formal committee attendance.
- Occasionally, Members of the Committee are unable to attend in person and may join via MS Teams in the same way as other Members. However, they are unable to move/ second or amend motions or vote on any matters if they are not present in the meeting room. As with other Members joining via MS Teams, this does not count towards their formal committee attendance.
- Officers can participate in person or online.

- Members of the public addressing an Area Planning Committee should attend in person. However, arrangements to participate online can be considered in certain circumstances. Please contact committee.services@tmbc.gov.uk for further information.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is done as a roll call and confirms attendance of voting Members.

Ground Rules:

The meeting will operate under the following ground rules:

- Members in the Chamber should indicate to speak in the usual way and use the fixed microphones in front of them. These need to be switched on when speaking or comments will not be heard by those participating online. Please switch off microphones when not speaking.
- If there any technical issues the meeting will be adjourned to try and rectify them. If this is not possible there are a number of options that can be taken to enable the meeting to continue. These will be explained if it becomes necessary.

For those Members participating online:

- please request to speak using the 'chat or hand raised function';
- please turn off cameras and microphones when not speaking;
- please do not use the 'chat function' for other matters as comments can be seen by all;
- Members may wish to blur the background on their camera using the facility on Microsoft teams.
- Please avoid distractions and general chat if not addressing the meeting
- Please remember to turn off or silence mobile phones

Voting:

Voting may be undertaken by way of a roll call and each Member should verbally respond For, Against, Abstain. The vote will be noted and announced by the Democratic Services Officer.

Alternatively, votes may be taken by general affirmation if it seems that there is agreement amongst Members. The Chairman will announce the outcome of the vote for those participating and viewing online.

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Housing and Planning Scrutiny Select Committee – Substitute Members (if required)					
	Conservative	**Liberal Democratic**	**Green**	**Ind. Kent Alliance**	**Labour**
1	Robert Cannon	Bill Banks	Lee Athwal		Angus Bennison
2	Luke Chapman	Tim Bishop	Kath Barton		
3	Sarah Hudson	Frani Hoskins	Anna Cope		
4	Mark Rhodes	Anita Oakley	Steve Crisp		
5	Keith Tunstall	Michelle Tatton	Bethan Parry		
Members of Cabinet cannot be appointed as a substitute to this Committee					

May 2025

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE

MINUTES

Tuesday, 15th July, 2025

Present: Cllr D W King (Chair), Cllr Mrs S Bell (Vice-Chair), Cllr G C Bridge, Cllr R W Dalton, Cllr P M Hickmott, Cllr M A J Hood, Cllr R W G Oliver, Cllr W E Palmer, Cllr K B Tanner, Cllr D Thornewell, Cllr C J Williams, Cllr R I B Cannon (substitute) and Cllr F A Hoskins (substitute)

Councillors A G Bennison, Mrs M Tatton, M Taylor, R P Betts*, M D Boughton*, L Chapman*, S Crisp*, Mrs A S Oakley* and M R Rhodes* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors D A S Davis and R V Roud.

HP 25/27 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute Members were recorded as set out below:

- Councillor R Cannon substituted for Councillor D Davis
- Councillor F Hoskins substituted for Councillor R Roud

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

HP 25/28 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

HP 25/29 MINUTES

RESOLVED: That the notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 20 May 2025 be approved as a correct record and signed by the Chair.

HP 25/30 KENT DOWNS NATIONAL LANDSCAPE - OUTSIDE BODY UPDATE

Representatives from the Kent Downs National Landscape, one of the Borough Council's outside bodies, provided Members with an overview of their organisation, particularly their role in planning.

Formerly known as Areas of Outstanding Natural Beauty, National Landscapes were nationally statutorily designated landscapes, on a par with National Parks, both aiming to conserve and enhance natural beauty.

Kent Downs National Landscape was in partnership with 12 local authorities, with Tonbridge and Malling Borough Council being one of them and having a Member representative and an officer representative sitting on their Advisory Committee.

During the presentation, particular reference was made to a statutory Kent Downs Management Plan, required under Section 89 of the Countryside and Rights of Way Act 2000, which Kent Downs National Landscape was seeking to deliver in consultation with all the local authorities in the area in the next 18 months.

Despite their limited role in Planning, Kent Downs National Landscape mainly focused on inputs to Local Plans and other strategies, including providing consultation responses, guidance documents and training. A further explanation was provided in respect of the Section 85 duty under the Countryside and Right of Way Act 2000 and how it should be complied with by the decision maker within the context of their Local Plans and Enforcement function.

Members welcomed the introduction and raised questions over the weight that was given to the response from the National Landscape in the determination of a planning application. It was recognised that, although not being a statutory consultee and having statutory planning function, the National Landscape would always seek to influence and advise on potential harm and their response was a key consideration taken into account by the Local Planning Authority, especially their advice provided on statutory requirements.

MATTERS FOR RECOMMENDATION TO THE CABINET

HP 25/31 PROPOSAL FOR MONTHLY MEMBER BRIEFING SESSIONS ON PRE-APPLICATION DEVELOPMENT PROPOSALS

Consideration was given to a proposal to establish regular, officer-chaired briefing sessions for Members, providing early visibility of major development proposals progressing through the pre-application

process. The aim was to enhance Member engagement while maintaining the confidentiality and integrity of the planning process.

As highlighted to Members, this new category of early Member engagement session service was intended solely for major and strategic development proposals and, in order to be eligible for participation, a scheme must fall within one of the qualifying categories and must either be currently undergoing or had recently completed one of the Council's formal pre-application services. Detailed qualifying criteria and proposed fees were set out in Section 4 of the report and in Annex 1 attached to the report.

Furthermore, within the proposal there was provision for an optional follow-up session, subject to a discounted fee, which could provide an opportunity for a revised scheme to be presented, demonstrating how the earlier Member feedback had been taken into account in the design development process.

Following a benchmarking exercise, the cost of presentation to Members for each scheme was proposed to be £1000 for an initial presentation and £500 for each follow-up presentation, and it was noted that these were compliant with the relevant legislation under the Local Government Act 2003.

A proposed structure and details of the operation of the sessions were set out in Section 5 of the report. With regard to the membership for these sessions, given that there was scope for all Members to be invited so that they could have a strategic oversight of the developments within the borough, particularly in the case of a planning application in one planning committee area having impact on another area, Members supported that invitation of the sessions be sent to all Members.

In addition, Members were reminded that information shared during these sessions should not be disclosed to the public at this stage and that they should keep an open mind throughout the session. In response to concerns raised by Members in respect of the risk of pre-determination, it was clarified that as Members were not making decisions at these sessions but only providing advice based on their local knowledge, pre-determination was not considered an issue within this proposal.

Members welcomed the introduction of this early-stage engagement opportunity, which would allow them to raise key planning issues, highlight local sensitivities, with the potential to influence the direction of development while changes could still be readily accommodated.

Finally, due regard was given to the finance and value for money consideration, the risk assessment and the legal implications outlined in the report.

It was proposed by Councillor King (Chair), seconded by Councillor Dalton and the Housing and Planning Scrutiny Select Committee

RECOMMENDED*: That the proposed approach to Council, indicating support for the establishment of monthly briefing sessions and the introduction of the proposed fees, which would supplement the existing pre-application services and as set out in Annex 1, be endorsed.

***Recommended to Cabinet**

HP 25/32 HERITAGE INFORMATION AND ADVICE TO SUPPORT THE LOCAL PLAN INCLUDING INFORMATION IN RELATION TO CONSERVATION AREAS

The report of the Director of Planning, Housing and Environmental Health set out the approach the Council should take in relation to obtaining heritage information and evidence to support the emerging Local Plan, including progressing work on Conservation Area Statements and Appraisals. In doing so, the report also considered advice from the Heritage Strategy [Annex 2], which was produced in 2024 to support the Local Plan.

Members acknowledged that information and evidence on heritage matters, including Conservation Area Statements / Appraisals, would provide information to help inform future change, development and design with regard to the sensitivities of the borough's historic environment and its unique character, ensuring that development could make a positive contribution to local character and distinctiveness as set out in paragraph 203 of the National Planning Policy Framework.

Careful consideration was given to a Conservation Area Appraisal / Statement Priority List, attached at Annex 1, which set out each Conservation Area within the borough, the size of the Conservation Area and whether a Conservation Area Appraisal already existed and the date of the Appraisal, where one had been undertaken previously. It was noted that out of the 60 Conservations Areas within the borough, 20 Areas had an Appraisal that detailed the aspects of their character which made them significant, although 16 of these were published between 2001 and 2011, and the remaining 40 Areas did not currently have a Statement or Appraisal at all.

Members appreciated that obtaining full Conservation Area Appraisals, either new or updated, for 60 Conservation Areas was not achievable within the Local Plan timetable given the deadline to submit a plan by December 2026. Therefore, a list of priority areas for which Conservation Area Statements were required to be obtained to support the emerging Local Plan were proposed in a table under paragraph 7.5.3 of the report.

Furthermore, Members recognised that where a Conservation Area Statement was prepared, it would be necessary to progress full Conservation Area Appraisals as well, as Conservation Area Statements were only a temporary measure to ensure that information was available in the absence of a full Conservation Area Appraisal, particularly for those Conservation Areas identified in Phase A and Phase B as set out in Annex 1. Therefore, an additional cost would be incurred should Members support producing Conservation Area Statements for all Conservation Areas that did not currently have a Conservation Area Appraisal rather than focusing on producing full Conservation Area Appraisals where necessary in the identified priority order. However, on the grounds of treating all Conservation Areas equally and ensuring up-to-date information, albeit in a brief form, was available for all the Conservation Areas to support the Local Plan process and development management functions, it was proposed by Councillor King (Chair) and seconded by Councillor Palmer that option (a) under paragraph 3.1.5 of the report be agreed by the Committee. Following a formal vote, there was majority support for the proposal.

Reference was also made to a draft Settlement Hierarchy [Annex 3], which set out the emerging settlement hierarchy and settlements considered to be sustainable.

Finally, due regard was given to the finance and value for money consideration, the risk assessment and the legal implications outlined in the report.

RECOMMENDED*: That

(1) the approach set out within this paper to progressing heritage information and evidence to support the Local Plan, be agreed;

(2) the approach to progressing Conservation Area Statements for those areas considered to be a priority to support the Local Plan, as set out in Table 3 under paragraph 7.5.3 or the report, be agreed;

(3) it be noted that, as part of the evidence gathering approach for the Local Plan, work would be progressed in relation to identifying any heritage issues as relevant to potential site allocations within the Local Plan process to ensure that sufficient information was provided at each key stage of the Local Plan process;

(4) the priority in progressing the additional work between the various Conservation Areas as set out in Annex 1, be agreed;

(5) short Conservation Area Statements be produced for all Conservation Areas that did not currently have a Conservation Area Appraisal as a starting point to ensure that information was

available for all Conservation Areas in the borough; it be noted that this would be at extra cost and would take both financial and staffing resource away from progressing full Conservation Area Appraisals for those that did not currently have one or where Appraisals required a review and update; and

(6) it be noted that the Heritage Strategy, attached at Annex 2, would be made publicly available follow this meeting of the Housing and Planning Scrutiny Select Committee on 15 July 2025.

*__Recommended to Cabinet__

HP 25/33 DEVELOPMENT OF A HOMELESSNESS AND ROUGH SLEEPING STRATEGY

(Decision Notice D250083MEM)

The report of the Director of Planning, Housing and Environmental Health outlined a proposal to develop a standalone Homelessness and Rough Sleeping Strategy, as required under the Homelessness Act 2021 and within the context of a UK wide housing crisis, setting out how the Council would continue to tackle this increase in demand, and to ensure homelessness was prevented at the earliest opportunity and a range of housing options were available for those who had lost their homes.

The proposed approach of undertaking a comprehensive evidence base review of the challenges faced at a national, regional and local levels by the district, involving key stakeholders including Members and key partners, which would then be used to inform the development of a draft strategy and an associated action plan, was supported by Members.

In addition, the proposed timetable leading to the adoption of the strategy by Cabinet on 3 March 2026, following consideration of a draft strategy by the Scrutiny Select Committee on 2 December 2025 before undertaking a public consultation in December 2025 / January 2026, was noted.

Finally, Members were pleased to note that a contract to deliver the Rough Sleeper Prevention and Recovery Services for the borough had been awarded to Porchlight until the end of the financial year pending further grant funding from the Government.

It was proposed by Councillor King (Chair), seconded by Councillor Dalton and the Housing and Planning Scrutiny Select Committee

RECOMMENDED*: That

(1) the approach to the development of a draft Homelessness and Rough Sleeping Strategy for consultation, be endorsed;

(2) the engagement of key stakeholders, including Members and key partners, to assist and inform the development of the draft strategy, be agreed; and

(3) the proposed timetable which aimed to present a draft strategy to Housing and Planning Scrutiny Select Committee on 2 December 2025 with a final draft following consultation to be presented to Cabinet on 3 March 2026, be agreed.

*__Decision taken by Cabinet Member for Housing, Environment and Economy__

HP 25/34 SPORTS FACILITIES EVIDENCE

The report of the Director of Planning, Housing and Environmental Health outlined the Council's emerging approach to maintaining and enhancing sports facilities in the borough through the adoption of the Indoor Sports Facilities Strategy [Annex 1] and the Playing Pitches and Outdoor Sports Facilities Strategy [Annex 2], which were evidence base progressed as part of the Local Plan process to ensure delivery of sustainable development to support existing and new communities.

It was noted that Sport England Guidance for progressing indoor sports strategies and playing pitch strategies provided a five-stage approach to assessments, of which Stage E provided an opportunity for monitoring and review of the assessments undertaken. In addition to accounting for increased housing need in support of the Local Plan process, Stage E also provided an opportunity to understand supply and demand changes in sports provision. There are a number of sports related developments under consideration in the borough at present, as outlined under paragraph 4.4 of the report.

Due regard was given to the proposal to adopt both Strategies as the Council's current policy position on Sports Facilities, in order to maximise the Council's ability to support and develop key facilities across the borough as well as to inform the negotiation of s106 agreement where development would impact on facility use and might therefore drive a requirement for a contribution towards enhancement or replacement.

Both the Indoor Sports Facilities Strategy and the Playing Pitches and Outdoor Sports Facilities Strategy were well received by Members, although concerns were raised in respect of the challenges faced by local sports clubs and teams in securing suitable facilities and the lack of support that the Borough Council was able to provide due to not having provision to deliver sports activities. It was hoped that adoption of the

strategies as the Council's policy position on sports facilities would facilitate the sports clubs and teams in seeking to meet their facility needs, and their views and comments received as part of the evidence base exercise through consultants during the Stage E review would be welcomed, however, the Borough Council would not be resourced to undertake a separate engagement exercise for an individual piece of evidence, which was acknowledged by Members.

It was proposed by Councillor King (Chair), seconded by Councillor Bell and the Housing and Planning Scrutiny Select Committee

RECOMMENDED*: That

(1) the Indoor Sports Facilities Strategy, set out in Annex 1, and the Playing Pitches and Outdoor Sports Facilities Strategy, set out in Annex 2, be endorsed and adopted as the Council's current policy position on sports facilities, subject to careful consideration of comments received from local sports teams; and

(2) the authority to publish Stage E reviews of these strategy reports to update the position to help inform the Local Plan and other Council workstreams, be delegated to the Director of Planning, Housing & Environmental Health, in consultation with the Cabinet Members for Planning and Community Services.

***Recommended to Cabinet**

HP 25/35 PLANNING TECHNICAL CONSULTATION RESPONSES

(Decision Notice D250084MEM)

The report of the Director of Planning, Housing and Environmental Health provided an update on the technical consultations that had been published by the Ministry of Housing, Communities and Local Government, relating to improving transparency and monitoring of building out of schemes and to proposed reforms to Planning Committees, including their size and which types of application could be considered by those committees.

It was noted that the response to the "Implementing measures to improve Build Out transparency: Technical consultation", attached at Annex 1, was submitted under delegated powers of the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Planning, due to the timescales involved. The fact that the Government was considering measures to ensure schemes were commenced and built out in a timely manner was welcomed by Members, although it was recognised that details around potential enforcement powers, in particular the power to decline to determine applications if a developer had failed to build out development

authorised by an earlier planning permission at a reasonable rate, were yet to be laid out by the Government.

The proposed draft response to the "Reform of Planning Committees: Technical Consultation" was set out at Annex 2. Members noted that this consultation proposed reforms to the size of Planning Committees, as well as suggesting that Members on a Planning Committee would be required to have a certified programme of training. It also considered a potential tiering scheme to determine which types of application would be able to be considered by a Planning Committee, if meeting certain locally set criteria, and which would be delegated to officers.

While appreciating the careful thought that had been given and efforts made by the Director of Planning, Housing and Environmental Health in drafting the response, Members had a lengthy discussion around the proposed response to a number of the questions in the consultation, and suggested strengthening the answers in respect of Question 2 (highlighting the exception of reserved matter approvals for both major and medium development categories from Tier A category), Question 3 (clarifying that Tonbridge and Malling should be in the 'smaller Local Planning Authority' category and therefore medium residential development should fall in Tier B), Question 5 (strengthening the application of exceptional circumstances in line with a mandate to be set by the Government to ensure consistency), Question 9 (highlighting confirmation of Tree Preservation Order should be included in Tier B as per the Council's existing policy), Question 11 (accepting the application of exceptional circumstances with enforcement decisions being delegated in the main under Tier A), Question 12 (emphasising the objection of Members to the restrictions being considered by the Government in respect of setting a maximum number for planning committee members for national consistency and removing the reference of the size of planning committee being an acknowledged issue from the response) and Question 15 (expanding the response to capture the different views of Members on mandatory training).

In order to meet the deadline for submitting a response to the "Reform of Planning Committees: Technical consultation" by 23 July 2025, it was proposed by Councillor Williams and seconded by Councillor King (Chair) that the draft response be amended to reflect the comments made above and a final version agreed in consultation with the Cabinet Member for Planning and the Chair of the Housing and Planning Scrutiny Select Committee before submission to the Government. This motion was supported unanimously by the Committee.

RECOMMENDED*: That

(1) the response to the "Implementing measures to improve Build Out transparency: Technical consultation", which was submitted ahead of the 7 July 2025 deadline by the Director of Planning,

Housing & Environmental Health in consultation with the Cabinet Member for Planning, be noted; and

(2) the draft response to the "Reform of Planning Committees: Technical consultation", as set out in Annex 2, be amended to take into account comments made by Members at the Housing and Planning Scrutiny Select Committee on 15 July 2025, in consultation with the Cabinet Member for Planning and the Chair of the Housing and Planning Scrutiny Select Committee, and the submission of a revised final response by the 23 July 2025 deadline, be approved.

***Decision taken by Cabinet Member for Planning**

MATTERS SUBMITTED FOR INFORMATION

HP 25/36 PROCEDURE ON AMENDMENTS TO PLANNING INCLUDING RESERVED MATTERS APPLICATIONS - UPDATE

The report of the Director of Planning, Housing and Environmental Health provided an update on implementation of the Procedure on making amendments to Planning including Reserved Matters applications, following approval for adoption by Cabinet on 7 January 2025.

Main scenarios where amendments could be accepted without a Planning Performance Agreement were set out in paragraph 4.5 of the report.

In general, Members welcomed the introduction of the revised procedure on amendments and recognised that, although having been applied at only one Area Planning Committee meeting so far, it had provided flexibility in securing improvements to a development scheme. Equally, officers were also, overall, supportive of the amended procedure given the greater discretion it presented, enabling constructive working with applicants to enhance the quality of proposals without requiring full resubmissions.

Given the discretionary nature of the amendment procedure, Members were reminded that officers were not obliged to accept all proposed changes, and significant or major amendments would be excluded from the process, ensuring that such proposals were appropriately channelled through formal pre-application discussions.

Finally, Members noted that implementation of the procedure would continue to be monitored in accordance with national guidance, taking into account any potential future changes to the planning policy or legislation, although a further report would only be brought back to the

Committee if the Procedure failed to meet its intended objectives or caused unintended negative consequences.

HP 25/37 OFFENCES UNDER THE TREE PRESERVATION LEGISLATION

The report of the Director of Planning, Housing and Environmental Health provided an overview of the offences under the tree preservation legislation, including the classification of such offences, distinguishing between summary offences and those triable either way and the potential penalties arising from non-compliance. Additionally, the report included information on the Felling Licence regime administered by the Forestry Commission, as well as the role of Kent Police's Wildlife Crime Unit in enforcing relevant legislation.

The detailed information provided in the report, including the enforcement work carried out by Planning officers in addressing tree related breaches, was greatly appreciated by Members.

In response to a query regarding replacement planting of removed, uprooted or destroyed trees protected under a Tree Preservation Order, it was clarified that in accordance with the legislation if the tree(s) were removed either in contravention of the Order or under specified exemptions, the Order would automatically apply to the replacement tree as it did to the original tree.

With regard to Members' desire for a complete review of all the areas protected under Tree Preservation Orders in order to establish which trees were protected when an Order was originally implemented, so as to provide updated evidence to support the emerging Local Plan, it was explained and acknowledged that the Council's Planning Services were not able to commit to such a request given their current resource allocation, however, consideration would be given to a Tree Preservation Order review if such opportunity arise in the future, for example, when the legislation would be introduced to allow local planning authorities to set their own planning application fees, within a framework of cost recovery.

HP 25/38 WORK PROGRAMME 2025/26

The Work Programme setting out matters to be scrutinised during 2025/26 was attached for information.

It was noted that the date of the next Committee meeting had been moved from 7 October to 21 October 2025 to accommodate preparation of the evidence base for the Local Plan. In addition, it was noted that an item on the agenda for the next meeting in respect of the work associated with the Private Sector offer had been deferred to the following meeting scheduled for 2 December 2025, in order that the Committee meeting in October 2025 could focus on the Local Plan.

Finally, Members were invited to suggest future matters by liaising with the Chair of the Committee.

MATTERS FOR CONSIDERATION IN PRIVATE

HP 25/39 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 10.30 pm

Housing and Planning Scrutiny Select Committee

21 October 2025

Part 1 - Public

Matters for Cabinet - Key Decision

Cabinet Member	Cllr Mike Taylor – Cabinet Member for Planning
Responsible Officer	Eleanor Hoyle – Director of Planning, Housing and Environmental Health
Report Author	Kelly Sharp – Planning Policy Manager

Local Plan Regulation 18 Consultation (10th November – 22nd December 2025)

1 Summary and Purpose of Report

1.1 This report seeks approval of the Tonbridge and Malling Regulation 18 Local Plan document to be published for public consultation. Once agreed, the consultation will run for the statutorily required six-week period, between Monday 10th November and Monday 22nd December 2025.

2 Corporate Strategy Priority Area

2.1 The report will contribute to the following Corporate Priorities:

- Efficient services for all our residents, maintaining an effective council.
- Sustaining a borough which cares for the environment.
- Improving housing options for local people whilst protecting our outdoor areas of importance.
- Efficient services for all our residents, maintaining an effective council.
- Investing in our local economy.

2.2 The Local Plan once progressed to adoption will be the key planning document for Tonbridge and Malling, setting out the Council's strategy for land use, therefore contributing to the achievement of all of the Council's Corporate Priorities.

3 Recommendations

3.1 Housing and Planning Scrutiny Select Committee is asked to recommend that Cabinet:

3.2 APPROVES the Tonbridge and Malling Regulation 18 Local Plan consultation document, Interim Sustainability Appraisal and Draft Active Travel Strategy for a 6-week public consultation between Monday 10th November and 22nd December 2025.

3.3 APPROVES delegated authority for the Director of Planning, Housing and Environmental Health to make minor changes to the Tonbridge and Malling Regulation 18 Local Plan document prior to consultation.

3.4 APPROVES delegated authority for the Director of Planning, Housing and Environmental Health to make minor changes to other supporting documentation shared with Members to date prior to consultation.

3.5 APPROVES delegated authority for the Director of Planning, Housing and Environmental Health to agree other supporting material to be produced for consultation including a number of Topic Papers. This would be in consultation with the Leader of the Council and the Cabinet Member for Planning.

3.6 APPROVES the amended Local Development Scheme (October 2025).

4 Introduction and Background

4.1 This report seeks approval of the Tonbridge and Malling Regulation 18 Local Plan document to be published for public consultation for a six-week period between Monday 10th November and Monday 22nd December 2025.

4.2 The Council consulted upon an early Regulation 18 Local Plan between 22nd September and 3rd November 2022. On the 6th of December 2022 meeting and 3rd July 2023 meeting of this Committee, members were presented with the findings of the Regulation 18 consultation.

4.3 Since this time, the Council progressed work on a second Regulation 18 Local Plan and was timetabled to consult upon this in summer 2024. However, the consultation was delayed due to the announcement of the then new Government (June 2024) that the National Planning Policy Framework (NPPF) would be updated by the end of the year. A decision was taken to pause work on the Local Plan to understand the implications of a new NPPF and to ensure that a Plan could progress in accordance with national planning policy and is ultimately a robust and sound Plan.

4.4 A revised NPPF was published in December 2024, and updates were also made to Planning Practice Guidance (PPG), including updated guidance released in February 2025 on how to address the changes made to national Green Belt policy in both plan-making and decision making.

4.5 Over the past year a number of reports have been brought to this Committee to ensure that the Committee has been kept up to date with the implications of a new NPPF and Local Plan progress, particularly in relation to obtaining evidence to

inform the Plan, Local Plan budget, Duty to Co-operate and also Local Plan engagement.

5 Tonbridge and Malling Draft Regulation 18 Local Plan

5.1 The Council has prepared a Regulation 18 Local Plan for public consultation. A DRAFT desktop published version of the consultation document is provided at Annexe 1[1].

5.2 The Plan has taken account of the previous consultation responses from residents and other interested parties, the December 2024 revised NPPF and associated PPG, internal engagement with relevant officers, external engagement with partners and engagement with members in accordance with the Engagement Strategy. The Regulation 18 Local Plan has also been informed by an up-to-date evidence base on key matters.

5.3 The Regulation 18 Local Plan is also supported by a digital Policies Map. This can be accessed here: https://tmbconline.maps.arcgis.com/apps/instant/basic/index.html?appid=bf790eafb3044ced9744fa6c7cfcfe74

5.4 The Policies Map shows the draft proposed housing and employment allocations amongst other policy matters such as proposed settlement confine boundaries, a proposed Green Gap, a new proposed Green Belt boundary, Town centre boundaries, for example.

5.5 In terms of the evidence that has informed and will support the Local Plan consultation, the Council and its consultants have worked at pace to meet Local Plan timelines. Whilst evidence has fully informed plan-making using outputs from work undertaken, some of the evidence reports themselves are still to be finalised. Those finalised ahead of the consultation are available to view on the Council's website: https://www.tmbc.gov.uk/local-plan/local-plan-evidence-topic-papers

5.6 As further reports are finalised these will also be added to our website to support the Local Plan consultation.

Format of the Local Plan consultation document

5.7 The Local Plan will look ahead to 2042 and will provide a long-term vision and growth strategy for the borough. Once adopted, it will provide a range of policies to help guide development, ensuring that the borough's needs and priorities are met. The Local Plan is structured around key themes and presents both strategic and non-strategic policies. The themes include climate change, the natural environment, the historic environment, design, housing, the economy, rural

[1] Please note that further minor revisions to the desk top published version of the Draft Local Plan consultation document will take place ahead of consultation where this will improve its content, this will include updating a number of photos and illustrations.

development and infrastructure. The Plan also puts forward draft proposed housing and employment allocations to meet the borough's needs. The Local Plan supports the Council's Corporate Strategy and responds to these spatially.

Housing and employment need

5.8 As stipulated by national planning policy (paragraph 11), Local Plans are required to provide a framework for meeting the needs of an area, aligning the provision of infrastructure and improving the environment and help to mitigate and adapt to climate change. One of the key areas for any Local Plan is to provide for the Government's objectively assessed needs for housing and other uses, as well as any unmet needs from other neighbouring areas.

5.9 The Government has confirmed that boosting housing supply across the country is a key priority. This has been reflected in the latest updates to the Government's standard method, which is the tool that national planning policy requires us to use to understand our minimum annual housing need figure. As a minimum, we are required by national policy to provide for our objectively assessed needs.

5.10 The latest standard method, introduced by the Government in December 2024 with March 2025 and May 2025 updates using the 2024 affordability ratio and housing stock dataset, identifies that the local plan must deliver 1,097 dwellings per year. This means that our housing need figure is to deliver 19,746 homes during the plan period between 2024 – 2042.

5.11 Given the constraints within the borough, such as 71% coverage of Green Belt and 27% coverage of National landscape as well as infrastructure constraints, extensive work has been undertaken to understand whether it is possible to meet our minimum housing need requirement. This has included understanding the many constraints, as well as undertaking a proactive approach to identify sites that could help to meet our growth requirements through numerous 'call for sites' exercises.

5.12 Members have previously advised us to seek to meet the Government's objectively assessed housing need and from the work we have undertaken we consider that it will be possible to deliver our objectively assessed housing need of 19,746 dwellings within the Plan period. The following table sets out how we will meet our housing need. Existing commitments and a windfall allowance will provide 7,154 dwellings. The Local Plan therefore seeks to allocate sites to deliver 12,664 dwellings.

6 Figure 5.1 Housing supply (table)

Housing supply	Number of dwellings if further sites to be tested are deliverable
Completions (from 1st April 2024-2025)	689
Extant permissions	4595
Windfall allowance	1870
Total	**7,154**
Potential site allocations	12,664
Total supply	19,818
Surplus	72
Dwellings per annum	1097

6.1 From the work we have undertaken, it is not possible to deliver our housing need without allocating sites within the Green Belt. There is capacity in 'non Green Belt' locations to deliver 4,756 dwellings. Given the existing commitments and windfall allowance, there is a shortfall of 7,908 dwellings. In accordance with the NPPF, we have therefore contacted neighbouring authorities to understand whether they are able to meet some or all of this unmet need. However, from engagement we consider that this will be unlikely that local authorities will be able to meet our unmet need. The Draft Regulation 18 Local Plan has therefore considered the potential contribution of Green Belt land within the borough to help meet this shortfall and to ensure that we can meet our minimum objectively assessed need. Duty to cooperate discussions will of course continue as the Plan evolves.

6.2 In relation to employment need, our evidence indicates that we should seek to deliver at a minimum 361,500 sqm of employment floorspace within the plan period. The Local Plan through existing commitments and through allocating sites, including through Green Belt release seeks to meet our employment need, allocating 78,700sqm of B2 and B8 floorspace and 56,580 sqm of office floorspace. Our office floorspace is slightly below our requirements of 60,500 sqm, however we will undertake further work to try and meet this shortfall as the plan progresses.

6.3 The National Planning Policy Framework (NPPF) requires local planning authorities to assess and plan for the housing needs of all residents, including Gypsies, Travellers and Travelling Showpeople. Our evidence indicates that we should make provision for an additional 33 pitches. In terms of site supply, the Council will explore a range of options to meet identified needs. It is most likely that needs can be met through the upgrading, enhancement or intensification of existing permanent and temporary authorised Gypsy and Traveller sites.

Spatial strategy

6.4 Chapter 5 of the Draft Regulation 18 Local Plan sets out the Local Plan spatial strategy providing the overarching framework for the distribution of development for the Local Plan period.

6.5 A key part of evidence that has helped to inform our spatial strategy is our settlement hierarchy. This has been updated since the last Regulation 18 consultation in 2022, which has involved engagement with members and Parish Council's on the methodology and data relating to services and facilities within settlements. This has allowed us to undertake detailed analysis of settlements and to understand the level of sustainability for each settlement, placing settlements in tiers. The settlement hierarchy does not define whether or not a settlement will be allocated future growth in itself, this is achieved by considering many other evidence bases, however it does help us understand the level of sustainability of a settlement. The Sustainable Settlement Study will be made available as part of the Local Plan consultation.

6.6 In summary, the draft spatial strategy seeks to deliver patterns of sustainable growth, whilst protecting the national landscape and its setting and protecting the Metropolitan Green Belt, taking into account that we are unable to deliver our housing need without releasing some Green Belt sites. Key to the spatial strategy is ensuring that development is directed to the right places and at the right time, to ensure that the necessary infrastructure is in place to support both new and existing communities. Overall, the draft spatial strategy seeks to allocate growth in and around our most sustainable towns and villages, where communities will have access to a wide range of services and facilities and sustainable transport options to larger settlements. Growth in these areas will also support existing communities by bringing forward new or improved infrastructure and community services and facilities. In addition, our spatial strategy also seeks to support smaller villages by providing some limited housing and employment growth.

6.7 Annexe 2 sets out the proposed allocated housing and employment growth by settlement to 2042. The focus of growth is within our most sustainable settlements i.e. Tier 1 – 4 settlements. In relation to Tier 5 settlements, or those settlements that would be considered as countryside, draft Policy SP1 (6) provides that the Local Plan will

> 'Maintain the role of our more rural settlements (Tier 5) through supporting appropriate growth to help sustain existing services and facilities or to sustain communities through appropriate small-scale housing that meets need, as supported by policies within this plan'.

6.8 Due to the constraints in the borough as well as a limited supply of land, delivering the spatial strategy in a way that meets our housing requirement will rely on bringing some large strategic allocations forward. There are seven sites proposed for allocation for 500 units or more within the Plan.

Site ID	Site Name / Address	Proposed Use	Yield (units)
BG1	Land North of Borough Green	Mixed	2000
MG4	Land East of Kiln Barn Road and west of Hermitage Lane, Aylesford	Residential	1300
SN1	Land North of Holborough Lakes, Snodland	Residential	1300
TO1	Land Northeast of Tonbridge	Residential	1671
KH1	Land at Broadwater Farm, Kings Hill	Residential	900
AY1	Land at Aylesford Lakes, Aylesford	Residential	800
HI2	Land off Stocks Green Road, Hildenborough	Residential	629

6.9 The largest of the strategic allocations is Land North of Borough Green. This site has capacity to deliver around 3,000 dwellings, alongside other community uses and infrastructure. Parts of the site (around half) is considered to be previously developed land given its former and current minerals extraction site. The site is located within the Green Belt but has been identified for potential release. For the purpose of the Regulation 18 consultation, we have identified that this site has the potential to deliver around 2,000 dwellings, with an additional 1,000 dwellings to be delivered post 2042.

6.10 Chapter 14 of the Regulation 18 Local Plan includes the draft proposed allocations. These allocations are required to meet the Government's standard methodology for housing need in the borough. However, these allocations are not set in stone at this stage. Should the Council receive evidence either as part of the consultation or as part of further testing then changes may be made ahead of Regulation 19. However, we would need to find alternative sites to meet the Government housing target, unless neighbouring authorities are able to meet any of our housing need.

Further testing of the spatial strategy

6.11 As with any Local Plan at Regulation 18 stage, we will be undertaking further testing of our Spatial Strategy to inform our Regulation 19 Local Plan. This will include further testing of all sites to confirm their deliverability in relation to constraints, viability and whether the necessary infrastructure can be provided to support the development, both on their own and cumulatively. Further testing alongside working with infrastructure providers will provide us the confidence about the deliverability of the spatial strategy for when we publish our Regulation

19 Local Plan. In addition, further work on masterplans and design codes will also be progressed as relevant.

Evidence base

6.12 Annexe 3 to this report provides a list of evidence base documents at section (A) that have been progressed by our external consultants to date. It also sets out the evidence and topic papers that have been progressed by officers at section (B). These documents will be provided alongside the Draft Regulation 18 Local Plan consultation and have informed the Local Plan and its policies to date.

6.13 There are a number of studies listed at section C of Annexe 3 that are either currently being progressed or will shortly be progressed. These will inform the Local Plan as it progresses from Regulation 18 to Regulation 19 stage.

6.14 To inform the Regulation 19 Pre-Submission version of the Local Plan, further updates to the evidence base will be required. The studies that we are aware of now are listed at Annexe 3, section D. Updates to other studies will be dependent on whether we need to undertake work on any additional sites, for example whether we will need further landscape, Green Belt or flood risk assessments. We may also need to progress further studies should we need further evidence to respond to matters that arise from consultation responses.

Sustainability Appraisal

6.15 It is a legislative requirement for Local Plans to be informed by a Sustainability Appraisal (SA). A SA is an iterative process progressed throughout plan-making to assess the likely effects of the Plan when considered against reasonable alternatives. The SA considers both the environmental effects as well as social and economic effects also. The Regulation 18 Local Plan Sustainability Appraisal will be made available alongside the Regulation 18 Local Plan for consultation.

Duty to Cooperate

6.16 Duty to Cooperate is a national requirement and to demonstrate effective and ongoing joint working, it is good practice for local authorities to keep an accurate record of engagement undertaken with neighbouring authorities and other bodies. A Duty to Cooperate update was taken to this Committee on 21st May 2024. The Duty to Cooperate Topic Paper will address this in further detail. The Duty to Cooperate will continue throughout the plan-making process.

Infrastructure

6.17 To inform the Regulation 18 Draft Local Plan the Council has engaged with infrastructure providers to ensure that growth proposed can be supported by both new and existing infrastructure. Detailed work has been undertaken to understand likely transport mitigation and this work alongside continued engagement with providers will continue as the Plan evolves towards the Regulation 19 stage. To

support the Draft Regulation 18 Local Plan an Interim Infrastructure Delivery Plan (IDP) is provided for consultation. This is a live document and will be further progressed alongside the Local Plan to ensure that the right level of infrastructure will be provided to support new and existing communities.

Draft Active Travel Strategy

6.18 A Draft Active Travel Strategy has been prepared in accordance with the Department for Transport's published Local Cycling and Walking Infrastructure Plan (LCWIP) guidance. This provides an evidence base for the improvement of existing and the development of future walking and cycling networks across the borough. It will also support external funding bids for these infrastructure schemes as opportunities become available. The Draft Active Travel Strategy will be provided alongside the Local Plan for consultation

Land Availability Assessment and Call for sites

6.19 Alongside the Local Plan Consultation we have published an Interim Land Availability Assessment. This is a technical study that identifies and assesses potential future land supply for housing and economic development to support plan-making. It evaluates sites based on their suitability, availability, and achievability for development.

6.20 Alongside the Draft Local Plan consultation we will be undertaking another 'call for sites'. This will involve inviting further submissions for land. Any sites submitted will feed into the Regulation 19 stage of the new local plan. The aim will be to understand whether there are any alternative options to deliver our housing and employment need and indeed whether it will be possible to provide a suitable buffer to our housing supply, should sites fall out of the process. The 'call for sites' will run at the same time as the Local Plan consultation.

Regulation 18 Consultation

6.21 The Regulation 18 consultation will take place between Monday 10th November and Monday 22nd December 2025 for the statutorily required six-week period.

6.22 The Consultation will meet the requirements of the Council's Statement of Community Involvement (2022) which sets out how and when the Council will consult during plan making.

6.23 We consider it important to engage with as wide a range and as many individuals and organisations who have an interest in the future of the borough as possible to help shape the Plan and to ensure that future development is delivered in a way that meets our communities and stakeholder's expectations.

6.24 The Local Plan Engagement Strategy sets out that we will use the following methods of engagement:

- Consultation / drop in sessions – We will hold up to three events across the borough where the community / stakeholders will be able to view information relating to the Local Plan, to find out how to respond to the consultation and to ask any questions to help inform consultation responses.

- Virtual exhibition - We will provide a virtual exhibition, where we can present information about the Local Plan as well as provide all Local Plan information. The virtual exhibition will also host videos and provide a link direct to the consultation. The virtual exhibition will be made available throughout the consultation and can be accessed by the community and stakeholders at any time and from anywhere.

- Digital consultation platform – The Council has procured a specialist digital platform called 'Commonplace' to engage with communities and stakeholders on the Local Plan. The digital platform will provide a 'one-stop-shop' for the consultation, providing information that is easy to navigate, making it easy for people to engage with the consultation as well as providing solutions so that all consultation responses can be analysed effectively, using both quantitative and qualitive techniques as well as understanding the nature of responses spatially. The software also provides an opportunity to keep communities and stakeholders on the Local Plan consultation database up to date on local plan progress and will allow the Council to promote and build awareness of the consultation to increase participation.

- Digital maps – The Council has procured specialist software to help understand the suitability and deliverability of sites for future development. This software will be used to present the Council's Land Availability Assessment evidence base and will provide an opportunity for landowners, agents and developers to engage in this process, including updating information that the Council may hold and also submitting new sites for consideration. It will be possible to see the outputs of the LAA digitally using this software and this will be made available during consultations.

- Video log (Vlog) – We will provide an 'explainer video' to introduce the Plan and to let people know what the consultation is about. We can also provide a video guide to help explain how to use the consultation system to help ensure that a high level of responses is received via this medium. These videos will be made available throughout the consultation via various means including our website, the consultation platform, the virtual exhibition and via social media.

6.25 Similar to the previous Regulation 18 Local Plan consultation, Parish briefings will be arranged. There will also be promotion of the consultation across multiple channels including social media, news outlets, the TMBC app and residents'

newsletter. Parish councils will be provided with posters, to encourage people to take part in the consultation.

Next steps

6.26 The Council has progressed much work to inform and produce a Draft Regulation 18 Local Plan for consultation. Following Committee, officers will progress the following:

- Prepare all consultation material, organise and attend consultation events and briefings and undertake the Regulation 18 Local Plan consultation;
- Consider the responses from the consultation and report on these to this Committee as well as provide a report alongside the Regulation 19 Local Plan setting out how responses have been addressed;
- Progress further evidence base work as required;
- Continue with Duty to Cooperate discussions and prepare Statements of Common Ground with Duty to Cooperate partners;
- Work with the Planning Advisory Service and Barristers to inform the Regulation 19 Draft Pre-Submission Local Plan;
- Consider any changes to national policy and legislation that may have implications for the emerging Local Plan.
- Progress work with key landowners and developers such as Masterplans or Design Codes as relevant and further work to confirm the deliverability of sites.
- Develop the Regulation 19 Draft Pre-submission Local Plan and present to this Committee and Full Council in summer 2026 to be approved for public consultation.
- Collate and submit representations on the Regulation 19 Pre-Submission Local Plan to the Secretary of State no later than December 2026 for Examination in Public.

7 Local Development Scheme

7.1 An updated Local Development Scheme (LDS) was approved by Cabinet in February 2025.

7.2 The LDS sets out the timetable for the Local Plan, setting out when the next stages in the plan process are expected. The LDS proposed a timetable for a second Regulation 18 consultation to take place in Quarter 3 (starting in October) in 2025. This report seeks approval to update the LDS to state (starting in

November). The consultation will still take place in quarter 3 as set out in the LDS and no other changes are proposed. The slight delay to the consultation start date is to allow evidence bases to be both available to support the Consultation as well as providing time for Officers to consider the outputs of evidence to inform the Draft Regulation 18 Local Plan as presented to this Committee.

7.3 A track changed version of the Local Development Scheme is provided at Annexe 4. Updates are provided on the front page, paragraph 1.2 and table 1 on page 10. If approved a clean version will be uploaded to the Council's website.

8 Other Options

8.1 The Council has already committed to preparing a new local plan, this step is an essential part of that process. Options previously considered included delaying the new local plan until the new plan-making system is enacted. However, the publication of the new plan-making regulations and secondary legislation has already been delayed, as has the consultation on new National Policies.

8.2 Should a Local Plan not be approved for Regulation 18 consultation, then this will expose the Council to a number of risks. Not progressing a Local Plan will likely result in intervention from central government, which could result in a plan being imposed with limited local influence. This would undermine the Council's ability to reflect community priorities and aspirations.

8.3 At present, due to the Borough's housing land supply position, the presumption in favour of sustainable development, as outlined in paragraph 11(d) of the National Planning Policy Framework (NPPF) applies. This means that planning permission should generally be granted unless the negative impacts clearly outweigh the benefits. A new Local Plan would help rebalance this position, giving the Council greater control over development outcomes. Not having a Plan in place will also open the door to more speculative development, particularly for housing sites, where the Council will be left without the necessary policy tools to defend decisions at appeal.

9 Benefits of progressing a Local Plan

9.1 Whilst preparing a Local Plan is a legal requirement, there are a number of benefits of having a Local Plan. This includes:

- Clarity on Growth and Protection: The new Local Plan will provide a clear spatial strategy, identifying where development should be directed and equally, where it should be resisted. This will help protect sensitive areas while guiding sustainable growth as well as ensuring a coordinated approach for infrastructure provision.

- Strengthening the Evidence Base: As the plan progresses, the publication of supporting evidence documents will begin to inform decision-making on

planning applications. This will enhance the development management process and provide a more robust basis for assessing proposals.

- Reducing Uncertainty for Communities: While preparing a Local Plan involves making difficult choices about where growth should occur, it also brings clarity. Many sites identified in the Land Availability Assessment (LAA) will be found unsuitable and excluded from allocation, offering reassurance to communities concerned about speculative development.

- Empowering Local Planning: An up-to-date Local Plan will provide a strong strategic foundation for Parish and Town Councils preparing Neighbourhood Development Plans. This will help ensure that local aspirations are aligned with broader planning objectives and supported by current policy.

- Government reorganisation: The future of strategic planning in Kent is currently uncertain due to ongoing Local Government Reorganisation (LGR). Having a Local Plan in place when the area becomes a unitary authority will ensure that local priorities are delivered effectively, and that the borough is well-positioned to respond to any future changes in governance.

10 Financial and Value for Money Considerations

10.1 The Local Plan Budget was approved by Full Council on 18th February 2025. Since this time, the Council applied for and was awarded £300k from Central Government to contribute to the costs for updating and progressing the Green Belt evidence to meet national planning policy requirements.

10.2 The local plan budget estimated costs up to Local Plan adoption. A budget review will take place shortly following the Regulation 18 consultation going live and any implications over that identified within the current budget will be reported to this Committee. This will include an up-to-date consideration of evidence that may be required to respond to matters that arise from consultation responses.

11 Risk Assessment

11.1 Consulting on a Regulation 18 Local Plan will bring the Council a stage further in the Local Plan process. Once a Local Plan is adopted, the current risks of not having an up-to-date Plan will be alleviated.

11.2 The Government are clear that it is unacceptable for LPAs to not make a Local Plan and have updated the intervention criteria for not progressing a local plan expediently given the criticality of local plans to the Government's housing and economic development agenda. The Government are also clear that plans should continue to be progressed under the existing planning system without delay and have provided transitional arrangements to achieve this where all plans will need

to be submitted no later than 12th December 2026. Other risks of not progressing a Local Plan include:

- Credibility with residents and stakeholders if not sticking to our agreed publication timetable;
- No time left to deliver a Local Plan under the current legislative requirements;
- Strips the borough of its protection from indiscriminate development;
- Significant public challenge of the Council as more sites come forward from developers;
- Significantly larger appeal £m costs in trying to defend decisions that are ultimately lost at appeal;
- Significant abortive work and associated costs that cannot be recovered or re-used;
- Unprotected as we enter the new Unitary thus making the borough more vulnerable to a disproportionate amount of housing;
- Staff turnover – significant risk of losing staff with impact on performance and reputation; and
- Delays tend to result in a higher housing target being allocated by Government.

11.3 The Risk Register has been updated and is provided at Annexe 5.

12 Legal Implications

12.1 Local Planning Authorities are required to prepare and keep an up-to-date development plan for their area. The Planning and Compulsory Purchase 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the requirements and the statutory process for the preparation of a Local Plan.

13 Consultation and Communications

13.1 The Council adopted a Statement of Community Involvement (SCI) in September 2022 and a Local Plan Engagement Strategy was adopted by Cabinet in December 2024. These documents set out the consultation and communication arrangements that will take place to deliver the Local Plan. At each consultation stage the Local Plan, alongside other relevant documents will be published and consulted upon to meet legislative requirements.

14 Implementation

14.1 The Local Plan is on-going work. The LDS has been updated and is also reported at this committee with the recommendation for approval. The LDS sets out the timelines of the Local Plan and other relevant documents.

15 Cross Cutting Issues

15.1 Climate Change and Biodiversity

15.1.1 Adaptation and resilience have been considered.

15.1.2 Climate change advice has not been sought in the preparation of the options and recommendations in this report. The Local Plan itself once adopted will seek to address climate change mitigation and adaptation and will seek to reduce carbon emissions as relevant to new and existing development.

15.2 Equalities and Diversity

15.2.1 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users.

15.2.2 The Draft Regulation 18 Local Plan itself has been subject to an Equalities Impact Assessment to ensure that its policies do not discriminate against those with protected characteristics.

15.2.3 The impact has been analysed and does not vary between groups of people.

15.3 Data Protection

15.3.1 The engagement strategy sets out how we will consult with communities and stakeholders including the use of software platforms. Data protection is a key consideration within the work we do. The Council holds information within databases to enable us to consult on the Local Plan as well as gather information for the Council's Local plan evidence, such as the Land Availability Assessment. and data protection consultation process. Databases are kept up to date and used to keep registered individuals, organisations and groups informed on the production of any planning policy documents. In order to accord with the requirements of the General Data Protection Regulations (GDPR) 2018, those wishing to take part in the consultation and / or be contacted in relation to community engagement and updates to the Local Plan, must register with TMBC. In compliance with GDPR, contact details cannot be shared.

Background Papers	Local Plan Engagement Strategy (HPSSC 3rd December 2024 https://democracy.tmbc.gov.uk/ieListDocuments.aspx?CId=465&MId=5962&Ver=4 Statement of Community Engagement (2022) Statement of Community Involvement (SCI) Regulation 18 Local Plan Consultation document (2022) https://www.tmbc.gov.uk/local-plan/regulation-18-consultation HPSSC 6th December 2022 Agenda for Housing and Planning Scrutiny Select Committee on Tuesday, 6th December, 2022, 7.30 pm HPSSC 18th July 2023 Agenda for Housing and Planning Scrutiny Select Committee on Tuesday, 18th July, 2023, 7.30 pm HPSSC 12th February 2025 Agenda for Housing and Planning Scrutiny Select Committee on Wednesday, 12th February, 2025, 7.30 pm
Annexes	Annexe 1 DRAFT desktop published Regulation 18 Local Plan Annexe 2 Proposed allocated housing and employment growth by settlement Annexe 3 List of evidence base documents progressed / due to be progressed Annexe 4 Local Development Scheme with track changes for ease of reference Annexe 5 Risk Register

Annexe 1









TONBRIDGE AND MALLING BOROUGH COUNCIL DRAFT LOCAL PLAN 2024 - 2042

Regulation 18 Consultation

DRAFT

TONBRIDGE AND MALLING BOROUGH COUNCIL DRAFT LOCAL PLAN 2024 - 2042

Regulation 18 Consultation

DRAFT

TONBRIDGE AND MALLING BOROUGH COUNCIL

DRAFT LOCAL PLAN

2024 - 2042

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Foreword

Securing a Local Plan is the single most important step Tonbridge and Malling Borough Council will make this decade to safeguard the future of our borough.

It's a decision we want to make jointly with everyone who cares about Tonbridge and Malling.

At its core, the plan is about delivering approximately 19,000 new homes - a target specified by the government. But that's not all. We must do this while making difficult decisions on where future growth goes whilst seeking to minimise impact on greenfield areas, delivering environmental improvement and preserving the character of our towns and villages.

Delivering a Local Plan is the only way to meet these multiple challenges.

Without a plan, we face a free-for-all in which developers can submit applications to build almost anywhere. Even when we refuse planning permission, applicants may well win on appeal because no up to date Local Plan is in place to steer development towards areas where it can be accommodated and is sustainable.

With a plan, we can take control of how our borough develops. We can ensure that the provision of new homes is managed to protect our valued assets. A key element of the plan also deals with providing the infrastructure needed to ensure local transport links and services are in place to support a growing population.

Saying no to development in general or pursuing parochial interests will weaken rather than strengthen our control. It's likely to simply stall the Local Plan process, leaving the door open to more speculative applications which harm our communities. Delivering a viable plan will require tough decisions in the interests of our whole borough and collective effort to find the best solution to the challenge we've been set.

This is not the final version of the plan, it's the start of a conversation about the future of our towns and villages. We fully expect it to evolve in light of further work to identify additional sites and the public feedback we receive.

As a council, we understand that the prospect of development will arouse strong feelings in areas affected. That's why we are consulting widely and will be listening closely to the feedback you provide.



Cabinet Member for Planning

Mike Taylor

Mike Taylor

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01 BACKGROUND TO THE LOCAL PLAN CONSULTATION

Introduction

1.1 A new Local Plan for Tonbridge and Malling Borough is being prepared.

1.2 The Local Plan will look ahead to 2042 and will provide a long-term vision and growth strategy for the borough. This will provide certainty for our communities, stakeholders and the development industry in relation to future housing and employment development, as well as the infrastructure required to support both existing and new communities.

1.3 The Local Plan, once adopted, will provide a range of policies to help guide development, ensuring that the borough's needs and priorities are met whilst also protecting the natural and built environment, alongside delivering on our climate change objectives, including our net zero ambition.







Previous consultation

1.4 An 'early stage' Regulation 18 public consultation was held between 22 September and 3 November 2022.

1.5 This consultation presented issues and options relating to the Local Plan vision and objectives, growth distribution and strategic matters and priorities for the borough. It provided the first opportunity for our local community including residents and businesses, stakeholders and partners to tell us what is important to help us progress the Local Plan further. You can view this previous consultation as well as the responses made on our Regulation 18 (Stage A) webpage.

Purpose of this consultation – Regulation 18 Stage 2

1.6 This is our second Regulation 18 consultation. It is a formal Local Plan consultation stage required by The Town and Country Planning (Local Planning) (England) Regulations 2012.

1.7 At this stage, the local planning authority continues to seek feedback from the local community, partners and stakeholders. This is to allow early input on the draft proposed policies and the growth strategy including proposed site allocations, before the Local Plan is finalised for publication (Regulation 19) and final consultation.

1.8 Following this consultation, the Plan is then submitted for independent examination to the Secretary of State for Housing, Communities and Local Government.

Key changes since our previous consultation

1.9 Since our previous consultation took place, much has changed that the council must take account of. This includes the Levelling Up and Regeneration Act (LURA) 2023 and two updates to the National Planning Policy Framework. The first was in December 2023 and the second more recently in December 2024 following the general election in June 2024. The Planning Practice Guidance (PPG) has also been updated.

1.10 In addition, the current Government published the Planning and Infrastructure Bill in March 2025 setting out how they will deliver their aim of building 1.5 million homes and deliver sustained economic growth. This includes measures such as bringing forward a more strategic approach to nature recovery, to unlock and accelerate growth and introducing strategic planning at a sub-regional level through the production of Spatial Development Strategies.

1.11 The Government has also indicated that there will shortly be a consultation on National Development Management Policies, and a new planning system is anticipated to be in place by autumn 2025/2026.

Impact of the December 2024 National Planning Policy Framework (NPPF)

1.12 The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) sets out the Government's planning policies and guidance for England and a framework for how these policies and guidance should be applied at a local level.

1.13 All Local Plans need to be in conformity with the NPPF to be able to progress successfully to adoption and be implemented.

1.14 The December 2024 NPPF, which came into immediate effect, and the national policy updates contained within it, has meant that we have had to reconsider many aspects of our emerging Local Plan that we were progressing since 2022. A key part of our work has centred on considering a significantly increased housing need figure for the borough, which increased by 29% from 839 to 1,097 dwellings per annum. Another key focus has been the important changes that were made to national Green Belt policy.

1.15 Such key changes have resulted in us having to reconsider both our policy and our approach to growth within the borough, to ensure new national policy and guidance is met. A key aspect of this is that we must meet our objectively assessed housing need figure, as per that derived from the Government's standard method, as a minimum.





Local Government reorganisation

1.16 The Government is pursuing Local Government reorganisation aiming to simplify the current two-tier system (county and districts/ boroughs) into unitary authorities. Whilst there is much to progress, the aim is to have unitary authorities in place by 1st April 2028. Once a new unitary authority is in place, it is likely that up-to-date adopted Local Plans will remain to be used until such a time that they are replaced. This could be before the end of our plan period in 2042. However, we are required by national guidance to plan for a minimum 15-year plan period from adoption of the Local Plan.

1.17 The future of strategic planning in Kent is therefore currently uncertain. However, we know that having a Local Plan in place when the area becomes a unitary authority will ensure that local priorities are delivered effectively, and that the borough is well-positioned to respond to any future changes in governance.

With change proposed, why should we progress a new Local Plan now?

1.18 The Government remains committed to its ambition of achieving universal Local Plan coverage and boosting housing supply and has made it clear that local planning authorities should continue to progress Local Plans, despite Government reorganisation.

1.19 Councils are required to submit their Local Plans by December 2026, under the current planning system. Should we not progress a Local Plan, then we would likely be subject to intervention from the Government, i.e. we could lose the ability to make key planning decisions about future growth in our borough. In addition, not getting a Local Plan in place as quickly as possible will also mean that we will continue to be open to speculative development, and we would not be able to provide any certainty to our communities on future growth. Also, without a 5-year housing land supply in place, which we do not have currently, it will continue to be very difficult to refuse speculative applications and win related appeals. Planning appeals are of course costly to defend.

1.20 The council therefore considers it very important to progress a Local Plan to ensure that we can deliver policies and a growth strategy that meets our vision, objectives and priorities and in a way where we can meet the needs of both existing and future communities. The alternative is to be without a plan for more years and witness further speculative development. This won't achieve our ambitions or priorities, and it will also be difficult to coordinate a strategic approach to growth and development including delivering much needed infrastructure provision.

Structure of this Document

1.21 The Local Plan is structured around key themes and presents both strategic and non-strategic policies.

1.22 The strategic policies set out the overarching approach and deal with major subject matters that are fundamental to decision making or provide the strategic approach that applications for development should take. A list of the Local Plan policies are presented in Figure 1.1. The strategic policies are highlighted in **bold**. Non-strategic policies generally add an additional layer of detail in relation to how development should be managed and delivered, to help inform decision-making.

1.23 Throughout the Plan we provide the context and justification for each policy as well as an explanation as to how the policy is intended to operate. Many policies refer to specific locations or areas, and as required we have defined these on the Local Plan Policies Map, which is also provided as part of this consultation.

Figure 1.1: Local Plan Policies (Strategic Policies are in bold)

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Local Plan Regulation 18 Consultation

1.24 We encourage everyone to take part in our consultation which will run from **10th November to 22nd December 2025** - we would really like to hear from you.

1.25 This Regulation 18 consultation Local Plan sets out our draft vision and objectives, a draft growth spatial strategy for the borough and provides both our strategic and development management policies on a range of planning matters including climate change, the natural environment, the historic environment, housing, the economy, design and infrastructure. It also identifies sites where we consider that future development should be delivered.

1.26 Details about the consultation including further information and how to make comments is available on our website.

1.27 This is your chance to feed into the Local Plan process ahead of us testing the draft proposals further and developing the Plan for its final publication stage in 2026.



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02 LOCAL PLAN CONTEXT

Legislative and Policy Framework

2.1 The preparation of this Local Plan is governed by a robust legal and policy framework.

2.2 In accordance with statutory requirements, the Plan must align with national planning policy and guidance, notably the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). These documents set out the Government's planning policies for England and provide a framework for their application at the local level and are a material planning consideration in planning decisions.





The Development Plan

2.3 Once adopted, the Local Plan will form part of the Development Plan for the borough. The Development Plan also includes the Kent Minerals and Waste Local Plan (2025) and any adopted Neighbourhood Plans.

2.4 The Kent Minerals and Waste Local Plan (2025) sets out the vision and strategy for waste management and mineral provision up until (and including) the year 2039. An important part of the strategy is the safeguarding of mineral resources, waste management and minerals infrastructure. The plan also contains several development management policies.

2.5 Neighbourhood Plans provide an opportunity for parishes and local communities to plan for their local community and reflect more local aspirations for their areas. Neighbourhood Plans must be prepared in general conformity with the strategic policies set out in the Adopted Development Plan. This currently includes the following:

- Core Strategy 2006-2021 (September 2007)
- Development Land Allocations DPD (April 2008)
- Tonbridge Central Area Action Plan (April 2008)
- Managing Development and the Environment DPD (April 2010)

2.6 However, this will change to the new Local Plan once adopted, as this will supersede the current Adopted Development Plan.

2.7 There are currently no adopted Neighbourhood Plans within the borough. However, the council will continue to provide support for communities wishing to prepare a Neighbourhood Plan.

2.8 The timetable for producing Development Plan Documents including this Local Plan is set out in the council's Local Development Scheme.

Sustainable Development

2.9 The primary purpose of the planning system is to contribute to sustainable development. This involves balancing various needs and interests, including economic, social and environmental considerations.

2.10 Ensuring sustainable development means 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'.

2.11 The Government has agreed to the United Nations 17 Sustainable Development Goals for the period to 2030, to address social progress, economic well-being and environmental protection. These are provided at Figure 2.1.

2.12 In relation to achieving sustainable development, the NPPF sets out that both Local Plans and planning decisions should apply a *'presumption in favour of sustainable development'.* For plan-making this means that we need to promote a sustainable pattern of growth that meets the needs of our area (including housing, infrastructure and other uses), whilst improving our environment and mitigating and adapting to climate change. This has been a key consideration in our plan-making. For decision taking, it will mean that planning applications that accord with our Plan, once adopted, will be approved, unless material considerations indicate otherwise.



Figure 2.1: United Nations Sustainable Development Goals

Progressing a Local Plan and Plan-Making

2.28 Plan-making is a multi-stage process and includes several key stages and aspects.

Understanding local priorities and ambitions

2.13 Developing a Local Plan provides an opportunity to consider local priorities and ambitions of the Council and its partners and consider how to respond to these spatially.

2.14 This draft Local Plan therefore supports the Council's Corporate Strategy, which sets out the council's aims and priorities up to 2027. It also considers a range of other Council and partner organisation strategies.

Evidence base

2.15 To meet national planning policy, Local Plan policies must be based on current, relevant, and robust evidence.

2.16 We have progressed and published a number of studies to support the emerging draft Plan at this stage. As the Local Plan is progressed further, we will gather more information and evidence to ensure that the Local Plan that we publish at Regulation 19 stage is robust.

2.17 This will include further testing of the emerging growth strategy, including further liaison with developers and infrastructure providers. Our emerging evidence base is available to view on our website as part of this consultation.

Sustainability Appraisal and Habitats Regulations Assessment

2.18 As part of the plan-making process, we are required to undertake a Sustainability Appraisal (SA) and a Habitats Regulations Assessment (HRA).

2.19 SA evaluates the Plan's social, economic, and environmental impacts, ensuring it promotes sustainability. It's an integral part of the plan-making process, ensuring the Plan contributes to sustainable development.

2.20 The HRA focuses on the potential impacts of the Local Plan on protected international and European wildlife sites. It involves a screening assessment to identify potential significant effects, and if necessary, a more detailed "Appropriate Assessment". The SA and HRA processes are both iterative, meaning that they are revisited and refined throughout the Plan's development. The findings of the HRA, including any mitigation measures, may inform the SA, and vice versa.

2.21 We have published an SA Scoping Report and a Sustainability Appraisal alongside our Draft Local Plan. We have also published an Interim HRA. The SA and HRA have informed the Regulation 18 draft Local Plan and form part of this Local Plan consultation.





Equality Impact Assessment

2.22 As part of the plan-making process, we have undertaken an Equalities Impact Assessment (EqIA).

2.23 The EqIA is a way to help identify the likely or actual effects of policies upon all people and sectors of the community.

2.24 The aim of the assessment is to ensure that any negative consequences for those people with protected characteristics as defined by the Equality Act 2010 are eliminated or minimised, and opportunities for promoting equality are maximised.

Duty to Cooperate

2.25 The duty to cooperate is a legal obligation for local planning authorities and other bodies in England to work together on strategic planning matters that cross administrative boundaries.

2.26 It was introduced by the Localism Act 2011 and aims to ensure that cross-boundary issues are addressed effectively during the plan-making process.

2.27 Tonbridge and Malling Borough Council have a number of duty to cooperate partners. We have been working with our partners and will continue to do so as we progress the Plan further. We have published a Duty to Cooperate Topic Paper which summarises the engagement that we have undertaken to date on strategic cross boundary matters with neighbouring local authorities, stakeholders and external organisations.



03

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03 SPATIAL CHARACTERISTICS OF OUR BOROUGH

Location

3.1 Tonbridge and Malling Borough is located in the South East region of the country and is one of twelve local councils within the county of Kent.

3.2 Tonbridge and Malling borders the districts of Gravesham, Sevenoaks, Tunbridge Wells, and Maidstone, in addition to the Medway Unitary Authority. Immediately to the east of the borough lies the County town of Maidstone. Sevenoaks lies some 10km to the west and Tunbridge Wells is located to the south, close to Tonbridge.

Character

3.3 The borough is mainly rural in character, set within a context of a variety of beautiful landscapes and townscapes. The attractiveness of these areas includes a rich historic heritage, a working countryside that includes small villages and hamlets supported by agriculture, horticulture and forestry. The countryside includes some of the very best productive agricultural land in the country and other notable features such as the upper reaches of the River Medway, and areas with rich and diverse wildlife habitats.

3.4 The borough stretches to the north to include areas of Walderslade and the Kent Downs National Landscape, to Tonbridge in the south which also includes areas of the High Weald National Landscape. The borough also extends from the historic village of Ightham in the west, to settlements in the Medway Valley in the east, including Aylesford.



Figure 3.1: Tonbridge and Malling and adjacent neighbouring local authorities





Main settlements

3.5 Tonbridge is the borough's principal town, offering a wide range of services and facilities. Other large settlements and urban areas include West Malling, Borough Green, Hadlow, Hildenborough, settlements in the Medway Gap, Snodland, part of Walderslade, and East Peckham. Kings Hill is a recent and comprehensively master planned mixed-use community on the former West Malling Airfield. Kings Hill includes commercial floorspace and dwellings together with shops, schools and other community and recreation facilities.



Transport

3.6 Overall, the borough benefits from proximity to London and the Kent coast. There are four railway lines that pass through the borough: London to Ashford via Maidstone East, London to Dover and Ramsgate via Tonbridge and the Medway Valley Line, with rail services to Hastings and Redhill also available from Tonbridge. Within the borough there are various strategic and prominent local roads, including the A20, M20, A21, A227, A228, M2, A25, A26, A229 and M26 roads. These roads connect the borough to other boroughs, including the M25 motorway and the channel ports.



Recent development

3.7 The longstanding designation of the west of the borough as Metropolitan Green Belt has resulted in much development coming forward outside of the Green Belt. This has resulted in a focus of development to the east of the borough, where many new housing estates have coalesced, particularly along the A20 London Road and through to Maidstone.



The River Medway

3.8 The River Medway and its tributaries pass through the borough and an extensive area of the borough lies within flood zones. The improved Leigh Barrier and Hildenborough embankment scheme to the west of Tonbridge should be complete by winter 2025/26; these measures help to mitigate flood risk downstream for communities including Hildenborough and Tonbridge.

Geology and landscape

3.9 The geography and landscape of the borough is strongly influenced by the underlying geology with alternating bands of hard and soft rock leading to a strong east-west grain to the landscape. This geological sequence is important in determining the character of the landscape and the historic nature of land use, with predominantly agriculture on the low-lying areas and woodland on the higher ground. The underlying geology has resulted in extensive areas of quarrying in the borough, some still active, whilst others, where mineral working has been restored, providing space for new development of housing and recreation.

Popular and attractive place to live

3.10 Tonbridge and Malling has been a popular place to live for many decades, particularly as accessibility and connectivity has improved. More recently, improved internet speeds and remote working have also contributed to the borough being an attractive place to live. It has increased local spending and demand for local services and has also raised expectations about lifestyle and living spaces.

3.11 The increasing attractiveness of the borough as a place to relocate and live has led to an increase in house prices making it more difficult for people to be able to buy or indeed rent their own home. This is a key challenge that this Local Plan will need to address. Traditional and modern businesses thrive where established and new communities have flourished but the pressures on infrastructure and the diverse natural environment are demanding.



Population

Largely rural borough (557 usual residents per km2, compared to England national average of **438** residents per km2) (data from 2022)

Population – **132,201** (data from 2021)

Elderly population – **25,306** people aged 65 or older – **19.1%** of the population (data from 2021)

Health

Disability – **15.3%** of people identify as disabled under the Equality Act **(5.9%** are 'limited a lot', **9.4%** are 'limited a little') (data from 2021)

Access to GPs - **52%** of people have access within a **15-minute walk** / by public transport (DfT data 2019)

Economy

In 2021, **85.4%** of people aged 16-64 are economically active, with **81.7%** in employment, higher than national and regional average.

In 2021, **32.5%** of the borough's residents aged 16 or over had a Level 4 qualification or above.

In 2021, **15.5%** of the population aged 16 or over had no qualifications.

(Please note that an illustration will be provided for the consultation report version)

The following sectors have a proportionately higher number of workers in comparison to Kent and England.

- Administrative and support service activities **10.7%,** professional, financial and insurance activities **3.6%,**
- Transportation and storage **8.4%,** and
- Repair or motor vehicles and motorcycles **17.6%** (BRES 2023),

Figure 3.2: Key Facts of the borough

Knowledge economy jobs in the borough occupy **16.8%** of the workforce in comparison to the Kent average of **13.8%** (BRES 2023).

In 2023 the GVA per head in the borough was **£39,983,** this compares to **£29,379** for the rest of Kent and **£36.632** for the rest of England.

GVA per hour worked - **£45.80** compared to UK average of **£38.10** – data from 2023



Town centres

The average shop unit vacancy rate in the borough's main centres is **9.6%**

The borough's centres have a relatively low provision of pubs and bars **2.8%** vs **5.8%** for the UK

The borough's centres have a high provision of non-retail services **23.8%** vs **16.1%** for the UK



Housing

There are **53,573** households in the borough

As of March 2023, there are around **8,613** social housing dwellings in the borough

In **2024**, average house prices are over **11.2** times average earnings, this is higher than the national and regional average

Housing need – In **2024**, there were **1,694** households on the housing register



Environment

National Landscape covers **26.84%** of the borough

Green Belt covers **71.1%** of the borough

Ancient woodland – **11%** of the borough (2,621 Ha)

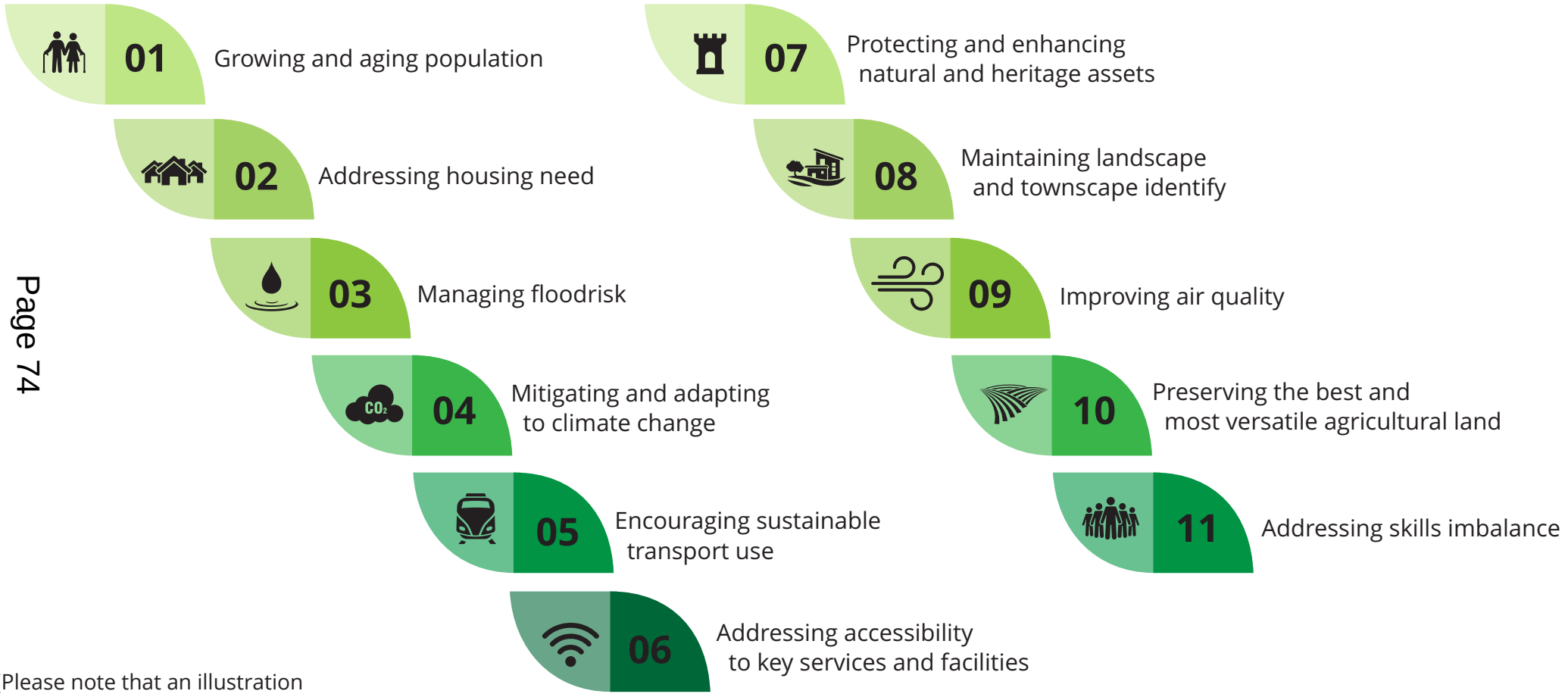
International and national designated sites for biodiversity cover 4.86% of the borough

Conservation Areas – **60**

Listed buildings – **1318**

Scheduled Monuments – **25**

Figure 3.3: Key challenges that we need to address



(Please note that an illustration will be provided for the consultation report version)



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04 LOCAL PLAN VISION

Our Vision

4.1 Providing a vision for the Local Plan and setting objectives for delivering the vision is a fundamental part of plan-making as it sets the framework upon which the policies and proposals detailed within the Plan are established.

4.2 Our draft vision for the Local Plan is provided overleaf and our objectives are provided in Figure 4.1.





Vision for Tonbridge and Malling Borough

Climate Change

4.3 By 2042 the borough will be more resilient to the impacts of climate change through high quality, efficient, well-located, low-carbon development. New developments will have taken a long-term view towards effective management of climate impacts, including flooding and hot weather, making use of nature-based solutions such as SUDS, green and blue infrastructure, design and materials including circular economy principles: to provide resilient, thriving, beautiful places to live, learn, work and play.

Local Character

4.4 The design of new and refurbished buildings will respect our diverse local character and heritage and will have become examples of high-quality design for West Kent. The widely rural nature of the borough, with its network of small towns and villages will have been sustained with valued open spaces and landscapes enhanced, supporting local nature recovery and biodiversity net gain.

Homes for all

4.5 Sustainable communities will have been supported through focussing housing delivery on the borough's urban locations, whilst maintaining the viability of smaller settlements with appropriately sized growth. Housing delivery will be prioritised to ensure that previously developed land is utilised, whilst it is acknowledged that this alone will not provide sufficient land to meet identified housing and employment needs. The borough's residents will benefit from a more diverse housing supply to meet all types of need and affordability, together with the social, digital and physical infrastructure needed to support them. Existing accessibility and inequality challenges will have been addressed through the provision of new quality homes, appropriate infrastructure and facilities.

Our Economy

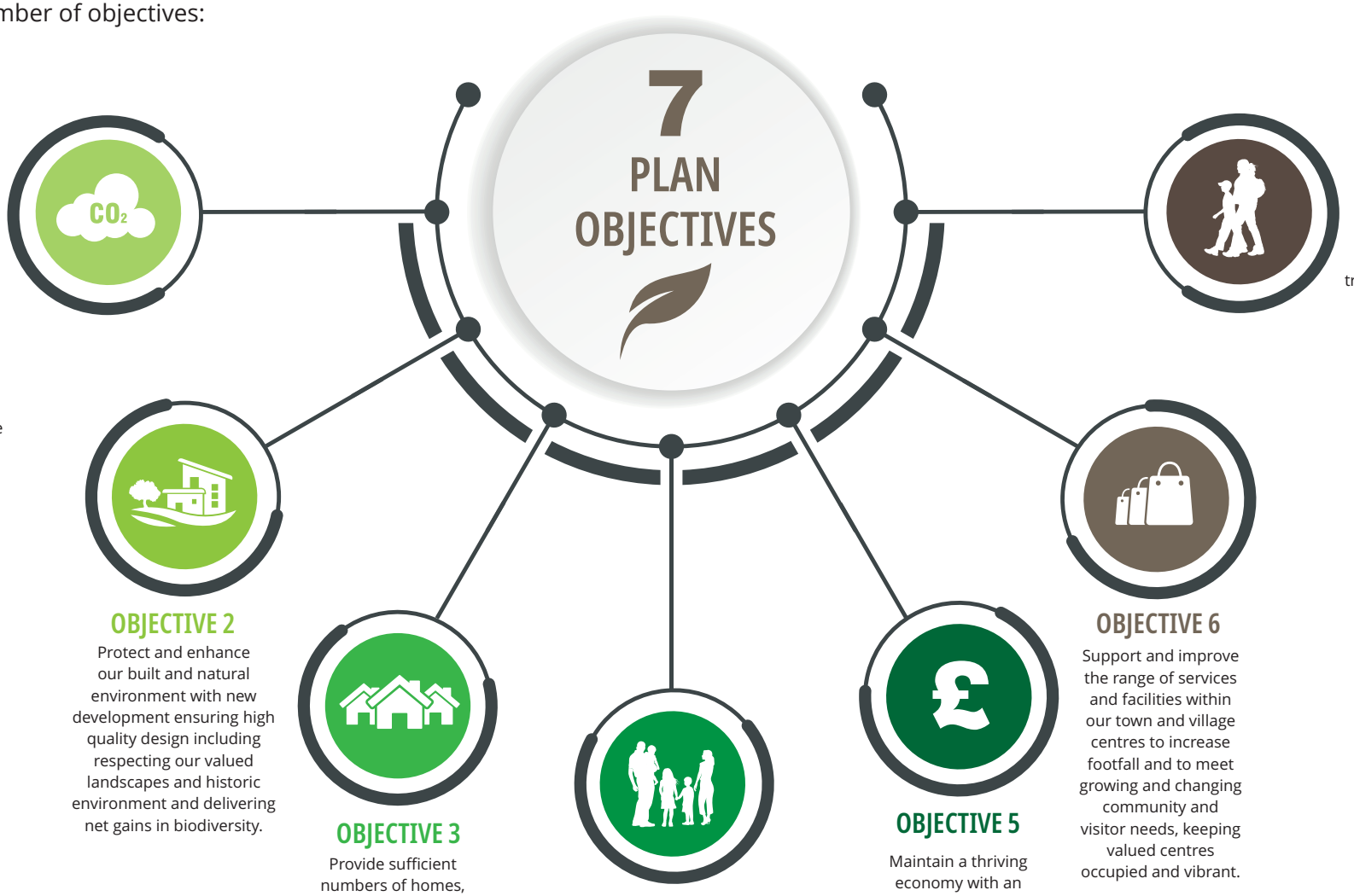
4.6 The vibrancy and attractiveness of Tonbridge town centre will have been enhanced as a destination and a place to enjoy for local people and visitors. New developments will have delivered the regeneration of the Angel Centre and adjacent sites, East of the High Street, with a new leisure, retail and employment offer, alongside new homes. Growth and investment opportunities in the logistics sector will have been supported, providing new employment opportunities for residents. This growth alongside the heritage offer and access to green spaces and the wider countryside, will be attracting new visitors to the borough. New employment opportunities will be extended across the borough at key sustainable locations.

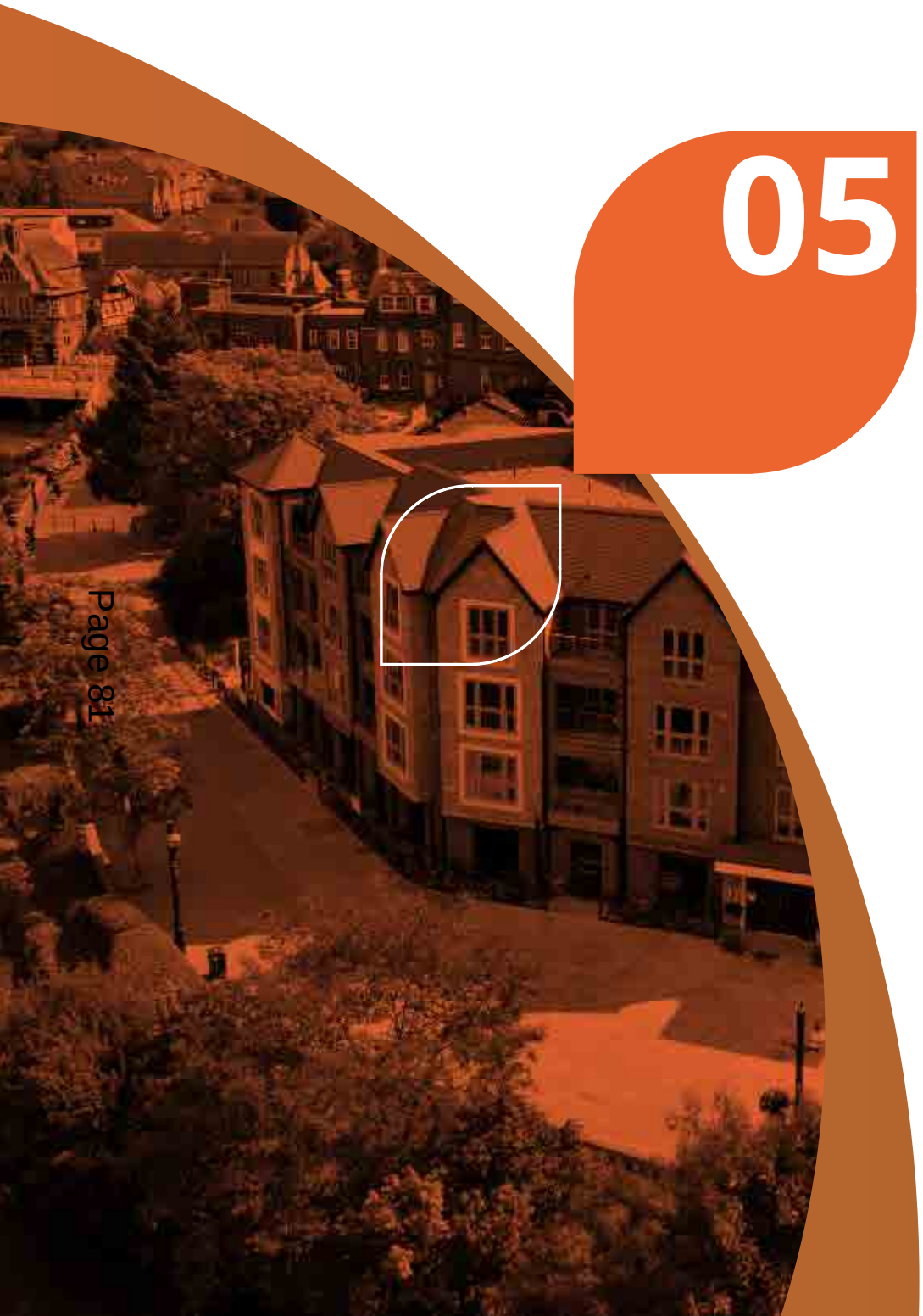
Infrastructure Improvements

4.7 Transport and infrastructure improvements alongside initiatives to reduce the need to travel and the provision of active and sustainable travel choices will have enhanced community health and well-being and contributed towards reduced harmful emissions.



Figure 4.1: To deliver our vision, the Council has identified a number of objectives:





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05 SPATIAL STRATEGY

Introduction

5.1 This chapter sets out our draft spatial strategy for the borough. We are presenting a draft strategy at this early stage to ensure effective engagement with our communities, stakeholders, infrastructure providers and landowners / developers, so that we can take account of feedback ahead of preparing and publishing the Regulation 19 Local Plan. The draft spatial strategy builds on our previous Local Plan consultation where we sought views on a number of different spatial options. It also takes account of information and evidence that we have gathered since our last consultation.





Spatial strategy growth options

5.2 We have undertaken various stages to develop the spatial strategy and have assessed several options for the distribution of development.

5.3 Our first Regulation 18 consultation (2022) considered five different spatial options. Since this time, we have been required to account for new national planning policy which takes a different approach to Green Belt release as well as increasing our objectively assessed housing needs, as per the Government's standard method. This has resulted in a need to review our approach and revisit our growth options, including considering the merits of individual sites to address our significant need to deliver homes against the new national policy requirements.

5.4 As part of this Regulation 18 stage, we have assessed eight growth options. The options test different ranges and distributions of growth. Further information in relation to how the draft spatial strategy has been developed is provided in the Spatial Strategy Topic Paper and Interim Sustainability Appraisal, both of which form part of this Local Plan consultation.

Draft spatial strategy

5.5 The spatial strategy sets out the overarching framework for the distribution of development for the Local Plan period between 2024 to 2042.

5.6 It takes into account national planning policy, supporting the delivery of sustainable growth and seeks to deliver the Local Plan vision and objectives, meet local needs and priorities as well as deliver the quantum of growth, as set by the Government's standard method for calculating housing need.

5.7 Tonbridge and Malling borough includes a diverse range of settlements over a varied geography and our spatial strategy seeks to deliver patterns of sustainable growth, in a way that supports climate resilience, protects natural and historic assets, provides opportunities for regeneration and promotes inclusive and prosperous communities.

5.8 The spatial strategy also looks to protect the national landscape and its setting and protect the Metropolitan Green Belt, taking into account that we are unable to deliver our housing need without releasing some sites within the Green Belt. Key to the spatial strategy is ensuring that development is directed to the right places and at the right time, to ensure that the necessary infrastructure is in place to support both new and existing communities.

5.9 The draft spatial strategy seeks to allocate growth in and around our most sustainable towns and villages, where communities will have access to a wide range of services and facilities and sustainable transport options to larger settlements. Growth in these areas will also support existing communities by bringing forward new or improved infrastructure and community services and facilities. In addition, our spatial strategy will also support smaller villages by providing some limited housing and employment growth.



Policy SP1: Spatial Strategy

During the plan period the Local Plan will:

Growth

1 Deliver sustainable communities that balance the provision of housing, employment and infrastructure provision alongside floodrisk, environmental, biodiversity, landscape, heritage and Green Belt protection.

2 Respond to the borough's diverse geography, including supporting and sustaining the role of both our urban and more rural settlements providing growth in suitable locations across the borough.

3 Focus the majority of growth within or adjacent to our most urban and sustainable settlements including those with reasonable proximity to existing transport hubs and sustainable movement opportunities. In these locations residential, employment, retail and leisure development will take place.

4 Support improvements to local services, community facilities and infrastructure through facilitating growth in the right locations to contribute to the continued sustainability of our towns and villages and ensure healthy and vibrant communities. This includes allocating growth in nearly all of our sustainable settlements.

5 Meet our housing need requirement in a way that maximises development on suitable previously developed land/brownfield sites. Given the limited amount of previously developed land in the borough, greenfield sites have been identified in sustainable locations to meet our development needs. This includes a number of 'edge of settlement' large strategic development sites that can be developed for housing, employment as well as help to deliver infrastructure to support both new and existing communities.

6 Maintain the role of our more rural settlements (Tier 5) through supporting appropriate growth to help sustain existing services and facilities or to sustain communities through appropriate small-scale housing that meets need, as supported by policies within this plan.

Town centres

7 Ensure that town centres are supported to be vibrant, accessible, and resilient hubs for retail, leisure, employment, and community activities.

8 Protect and enhance the role of our town, district and local centres encouraging a range of uses, services and facilities commensurate with the role and function of the centre. Proposals should enhance the historic character while supporting modern retail formats and flexible workspaces.

9 Focus new retail development within our town centres which support the services and facilities provided, and improvements to the public realm which will increase footfall and improve the night-time economy.

Town centre strategy

10 Tonbridge Town Centre will remain the principal retail and service centre, with investment in public realm, active travel infrastructure, and redevelopment opportunities including new leisure and retail facilities delivering well designed, accessible, mixed-use developments to support the local community. This includes strengthening the evening economy.

11 District centres will continue to evolve as mixed-use locations with a focus on convenience retail, employment, and community services. Development should support walkability and integration with surrounding residential areas.

12 Local centres across the borough will be protected and enhancements supported to ensure access to day-to-day services, particularly in rural areas.

Employment

13 Ensure that the borough sustains its strong economic base improving its range of job provision in key sectors including logistics, technology and rural enterprise.

14 Strategic and key employment sites will be protected, expanded and regenerated to ensure that employment provision is fit for purpose, including the reconfiguration of offices.

15 Allocate and focus new employment provision in sustainable locations with good transport access and in locations where the business can be supported locally by workers.

16 Support economic growth in the rural economy to ensure that the needs of land based and other rural businesses can be achieved.

Maintain and enhance a sustainable and attractive borough

17 Maintain and where possible enhance the identity, distinctiveness and character of cherished locations.

18 Protect the Metropolitan Green belt by amending Green Belt boundaries only where 'exceptional circumstances' exist and in locations where sustainable patterns of development can be achieved. The focus will be releasing the Green Belt in the borough's most sustainable locations, as per our settlement hierarchy.

19 Balance the release of the Green Belt between delivering the development needs of the borough whilst limiting and mitigating as far as possible, the impact that Green Belt release may have on Green Belt purposes. Green Belt release will be defined by allocations proposed in this Local Plan.

20 Ensure the setting, character and identities of Kings Hill and Medway Gap settlements, East Malling, Mill Street and West Malling are protected and conserved through the identification of Green Gaps to allow the appropriate management of development.

21 Ensure that development is prioritised outside National Landscapes and their setting, while enabling some small-scale, landscape-led development within sustainable locations to help sustain and meet community needs.

Defining the Local Plan Spatial Strategy and Next Steps

5.10 In defining our draft spatial strategy, we have worked with partners and consultants to understand and test our strategic priorities, opportunities, our constraints and capacity for additional growth. This includes considering our options for delivering these spatially, including ensuring that we meet the latest national planning policy updates including the Government's standard method for housing need and legislative requirements. These conversations and testing of our spatial strategy, site allocations and supporting policies will continue both during and after this consultation, before we can finalise the council's preferred spatial strategy (and site allocations) and progress the next stage of the Local Plan.

5.11 Prior to publishing our Regulation 19 Local Plan we will need to take into account responses made to this consultation, undertake more detailed testing and engagement with infrastructure providers on the preferred spatial strategy and site allocations and engage with landowners and developers and other partners as relevant. We will also obtain further information and evidence where we are required to do so, to ensure that our spatial strategy is deliverable, justified, sound and robust.

5.12 Taken as a whole, and once the Local Plan is adopted, the draft spatial strategy, alongside the planning policies detailed within this plan, will ultimately ensure that future growth is delivered in a positive and sustainable manner, to ensure that both our existing and new communities can live healthy and equitable lives.





Future Housing Provision

Housing requirement

5.13 Local Plans are required to provide a framework for meeting housing need, including an appropriate mix of housing types for the local community.

5.14 The Government has confirmed that boosting housing supply across the country is a key priority and this has been reflected in the latest updates to the Government's standard method, which is the tool that national planning policy requires us to use to understand our minimum annual housing need figure, to ensure that plan-making is informed by an unconstrained assessment of the number of homes needed in an area. The majority of local authorities across the country have seen an increase in their housing need figure, including this council, as a result of an update to the Government's standard method.

5.15 The latest standard method, introduced by the Government in December 2024 with March 2025 and May 2025 updates using the affordability ratio and housing stock dataset, identifies that the local plan must deliver 1,097 dwellings per year. This means that our housing need figure is to deliver 19,746 homes during the plan period between 2024 – 2042.

5.16 Historically, there has been a significant under delivery of housing in the borough and the NPPF (paragraph 78b) stipulates that where this is the case that a 20% buffer is therefore required to be added to the five-year supply, which equates to an additional 1,097 dwellings being added / frontloaded from subsequent years to the five-year supply.

5.17 The local plan on submission will therefore need to show a five-year supply of housing against the housing requirement, with a 20% increase, and will need to demonstrate that it can deliver 6,540 homes in its five-year supply.

5.18 To understand our housing requirements, the Strategic Housing Market Assessment (2025) considers a number of matters relating to housing in our borough including the housing market, housing need, affordable housing and the types and sizes of homes required to meet community needs. The Local Plan is then required to provide a sufficient supply and mix of sites to meet our overall housing requirement.

5.19 Our overall housing development needs over the plan period include:

- A need to deliver approximately 647 affordable homes per annum[1].
- 33 Gypsy and Traveller and Travelling Showpeople pitches
- 950 additional housing units with support (sheltered/retirement housing)
- 220 housing units with care, such as extra care units
- 720 nursing and residential care bedspaces

1 Please note that it will not be possible to deliver this level of affordable housing on an annual basis, therefore this figure is provided as a guide to show our exceptional affordable housing need.

Unmet housing need

5.20 National Planning Policy requires local planning authorities to provide for our objectively assessed housing needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas. Defining Housing Market Areas (HMAs) is key to this process to understand whether neighbouring authorities can demonstrate a cross-boundary relationship and whether housing is a strategic cross-boundary issue that should be addressed between the authorities. Tonbridge and Malling does not have its own HMA, and is instead influenced by larger settlements outside the borough such as Tunbridge Wells, Maidstone and Sevenoaks. Tonbridge and Malling therefore forms part of the West Kent HMA, encompassing Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks.

5.21 In relation to our neighbours with whom we share a HMA with, Sevenoaks District Council have asked whether there is any potential to meet any of Sevenoaks's unmet housing need. This is something we have explored as required and we have now confirmed with Sevenoaks District Council that it is unlikely that we will be in a position to meet their need, given the similar constraints that we have in our borough.

5.22 In addition, as per this Regulation 18 consultation, we now understand more fully our position on whether we can meet our housing need, including whether we can meet our housing need outside the Green Belt. Given that we are unable to meet our need without releasing Green Belt, we have similarly contacted our neighbouring authorities to ask whether they have any potential to meet our housing need. This is a national planning policy requirement (NPPF, para 147). We will continue to engage with our neighbours on this matter. Further information in relation to cross boundary strategic matters is provided in the Duty to Cooperate Topic Paper.

Delivering Homes for our Communities

5.23 Extensive work has been undertaken to understand whether it is possible to meet our minimum housing need requirement. This has included understanding the many constraints that there are in the borough, as well as undertaking a proactive approach to identify sites that could help to meet our growth requirements through numerous 'call for sites' exercises. The Interim Land Availability Assessment (LAA) (2025) provides detail on the suitability and deliverability of potential sites to deliver growth taking into account national policy and evidence and information. The LAA will be progressed and updated further to inform the Regulation 19 Local Plan.

Policy SP2: Delivering Homes for Our Communities

1 A minimum housing requirement of 19,746 homes will be delivered over the plan period between 2024 – 2042, with an annual target of 1,097 dwellings.

2 Development will be supported in accordance with the spatial strategy and the site allocations set out within this Plan (and any future 'Made' Neighbourhood Plans) including windfall development coming forward within the borough's most sustainable settlements as defined by settlement confine boundaries.

3 Small scale development will also be supported in accordance with Policy SP3 and other relevant policies within the Plan.

Policy Justification

5.24 National planning policy requires us to meet our housing needs to support the Government's objective of boosting supply. This policy therefore responds to national planning policy requirements. It also addresses the council's priorities in relation to housing need and delivering much needed affordable homes.

Policy Implementation

5.25 The following table sets out how we will meet our housing requirement of 19,746 homes. Our Local Plan housing supply takes into account our existing commitments (completions and extant permissions) and a windfall allowance which is based on our understanding of small sites coming forward. Further detail is provided in the Housing Windfall Methodology Topic Paper.

Figure 5.1: Housing Supply

Housing Supply	Number of Dwellings if Further Sites to be Tested are Deliverable
Completions (from 1st April 2024-2025)	689
Extant permissions	4,595
Windfall allowance	1,870
Potential site allocations	12,664
Total supply	19,818
Surplus	72
Dwellings per annum	1,097



Meeting our housing requirement

5.26 Meeting our housing requirement is one of the most difficult challenges for this Local Plan. At this stage, we consider that we will be in a position to meet our minimum housing need requirement of 19,746 dwellings within the plan period, if we release significant areas of land in the Green Belt. We are not however, at this stage, able to demonstrate a buffer to meeting our housing requirement, such as that which would be required to compensate for sites not coming forward or for sites where rates of delivery are slower than anticipated.

5.27 Ideally, we would like to be in a position to offer around a 10% buffer; this is something we will investigate further to ensure a greater resilience in housing supply. Given that we have no more land that is considered deliverable we are also not in a position to meet any unmet need from our neighbouring authorities.

5.28 Figure 5.2 sets out the distribution of growth within the borough proposed within this draft Regulation 18 consultation Local Plan.

Figure 5.2: Housing and Employment Growth by Settlement to 2042

Settlement	Settlement Hierarchy	Total Housing Numbers	Total Employment (sqm)
Aylesford Village	Tier 4 - Secondary Village	163	0
Borough Green	Tier 2 - Service Centre	2,050	4,000
East Malling & Mill Street	Tier 3 - Primary Village	105	45,080
East Peckham & Branbridges	Tier 3 - Primary Village	446	0
Eccles	Tier 4 - Secondary Village	840	0
Hadlow	Tier 3 - Primary Village	371	0
Hale Street	Tier 4 - Secondary Village	140	0
Hildenborough	Tier 3 - Primary Village	706	0
Ightham	Tier 4 - Secondary Village	18	0
Kings Hill	Tier 2 - Service Centre	1,220	0
Medway Gap	Tier 1 - Principal Service Centre	1,961	14,000
Platt	Tier 4 - Secondary Village	15	8,000
Ryarsh	Tier 3 - Primary Village	20	0
Snodland & Ham Hill	Tier 2 - Service Centre	1,300	3,000
Tonbridge including Hilden Park	Tier 1 - Principal Service Centre	3,214	47,200
Walderslade	Tier 1 - Principal Service Centre	0	14,000
Wateringbury	Tier 3 - Primary Village	30	0
Wouldham	Tier 3 - Primary Village	40	0
Wrotham	Tier 4 - Secondary Village	25	0
Totals		**12,664**	**135,280**

Spatial Strategy Next Steps

Land at Borough Green Gardens

5.29 Due to the constraints in the borough as well as a limited supply of land, delivering the spatial strategy in a way that meets our housing requirement will rely on bringing a number of large strategic allocations forward. The largest of these is the potential allocation at Borough Green as a mixed-use development. This site has capacity to deliver around 3,000 dwellings, alongside employment, community uses and infrastructure. This site is around 50% previously developed land as it is both a former and current minerals extraction site. The site is located within the Green Belt but has been identified for potential release.

5.30 We have undertaken the testing that is required for an early-stage Regulation 18 consultation for this site, however, further testing and engagement is required prior to the Regulation 19 stage to confirm the deliverability of this site, as well as understanding the quantum of growth that can be delivered within the plan period. Following discussions with landowners, at this stage, we have identified that this site has the potential to deliver around 2,000 dwellings, with an additional 1,000 dwellings to be delivered post 2042.

5.31 Housing delivery of 2,000 dwellings within the plan period takes into account the current constraints on the site, in particular the minerals extraction permissions that are live on parts of the eastern section of the site until 2030, as well as the requirement for significant infrastructure provision. This includes a relief road from the Ightham bypass (A25) to the A20, to be delivered in advance of any dwellings being occupied based on the current transport evidence. As part of our further transport modelling between Regulation 18 and 19 we wish to further understand the timing and funding for delivery of a relief road and the phasing and deliverability of development within the plan period.

5.32 Should this site not be deliverable / deliverable within the plan period, including a delay to housing delivery, then it may be the case that we would not be able to meet our housing need given the reliance on this site to meet our housing requirement.

Other large strategic sites

5.33 In addition to the Borough Green potential strategic allocation, the spatial strategy also includes the allocation of a number of other large potential strategic allocations.

5.34 These are detailed in the table to the right. We have considered these sites and at this stage these sites have potential to be delivered within the plan period, subject to mitigation including infrastructure provision.

5.35 At this stage the council has not identified any suitable alternative sites to bring forward for development elsewhere in the borough to meet our housing requirement. Consequently, it will be important for these sites to come forward within the plan period, if the council is to meet the Government's housing requirements.

Figure 5.3: Large Strategic Allocations Over 500 Units

Allocation	**Site Name / Address**	**Proposed Use**	**Yield** (units)
BG1	Land north of Borough Green, Sevenoaks	Mixed	2,000
MG4	Land east of Kiln Barn Road and west of Hermitage Lane, Aylesford	Residential	1,300
SN1	Land north of Holborough Lakes, Snodland	Residential	1,300
TO1	Land north east of Tonbridge	Residential	1,671
KH1	Land at Broadwater Farm, Kings Hill, West Malling	Residential	900
AY1	Land at Aylesford Lakes, Aylesford	Residential	800
HI2	Land off Stocks Green Road, Hildenborough	Residential	629

Further Testing of the Spatial Strategy

5.36 As with any Local Plan, we will be undertaking further testing of our Spatial Strategy to inform our Regulation 19 Local Plan.

5.37 This will include further testing of all sites to understand their deliverability in relation to constraints, viability and whether the necessary infrastructure can be provided to support the development, both on their own and cumulatively. Further testing will provide us the confidence about the deliverability of the spatial strategy for when we publish our Regulation 19 Local Plan.

Highways modelling

5.38 Whilst there are many constraints within the borough, highways capacity has historically and for good reason been a particular concern. However, with mitigation schemes already delivered or in the pipeline to be delivered, alongside the confirmation from National Highways that Lower Thames Crossing (LTC) will come forward within the plan period, our transport modelling has confirmed that the level of growth that we are putting forward is likely to be achievable, subject to further detailed and refined testing. We will therefore look to further understand the impacts of the emerging spatial strategy on the highway network in our continuing partnership working with KCC and National Highways to understand deliverability and mitigation requirements as well as costs and the impact on site viability. This will include cumulative assessments to account for growth in neighbouring authorities.

5.39 Should further detailed work conclude that it is not possible to deliver a mitigation scheme to address either the quantum of growth set out in our draft spatial strategy or a particular site(s), then it will be necessary for us to reassess the sites proposed. i.e. certain sites might not be able to come forward in this Local Plan. However, this will only be the case, as set out by the NPPF (Paragraphs 115 - 116) where it is deemed that development would result in a severe impact under 'all reasonable future scenarios' that cannot be mitigated or where a scheme would result in an unacceptable impact on highways safety. In addition, we would also need to reassess sites where mitigation would affect the deliverability / viability of a scheme.

Green Belt

5.40 In considering the 71% coverage of Green Belt within the borough we are unable to meet our housing need without releasing sites located within the Green Belt. National Policy (NPPF 146) makes it clear that where an authority cannot meet its identified need for homes, commercial or other development through other means, then authorities should review Green Belt boundaries to meet these needs in full (in accordance with other policies in the NPPF).

5.41 Green Belt boundaries can be reviewed and, if necessary, amended through the Local Plan process, based on relevant evidence. However, National Planning Policy is clear that Green Belt boundaries can only be amended in exceptional circumstances, through the preparation or review of a Local Plan that can demonstrate an exceptional circumstances case. Even where amended, the boundaries need to be able to endure beyond the plan period. Exceptional circumstances includes (NPPF 147) where an authority cannot meet its identified need for homes, commercial or other development through other means, having already:

- made as much use as possible of suitable brownfield sites and underutilised non-Green Belt land;
- optimised the density of development on non-Green Belt land in line with the policies in the NPPF, including significant uplifts in minimum density standards in town and city centres and other locations well served by public transport; and
- discussed with neighbouring authorities whether they could accommodate some of the identified need for development, as demonstrated through the Statement of Common Ground.

5.42 The council recognises the importance of the Green Belt and the role it will continue to play in shaping the borough. However, the Government's housing target means that the council must alter the Green Belt boundary to meet identified needs.

5.43 To inform the review of Green Belt boundaries, a borough wide Stage 1 Green Belt Assessment and targeted Stage 2 Green Belt. Assessment focused on land around settlements, has been undertaken. The Assessments inform plan preparation by assessing how parcels of land within the borough perform against the five main purposes of the Green Belt set out in the national policy. Recommendations from the Assessments are then reviewed in the round alongside other relevant evidence produced in support of the Local Plan to ensure a balanced picture of current circumstances.

5.44 The 2024 NPPF introduced the new concept of 'grey belt'. Revised national guidance requires the identification of grey belt land to be included as part of a Green Belt review. The Stage 2 Green Belt Assessment has provisionally identified areas of grey belt within the borough. IIt recommends release of some of this from the Green Belt around some of our sustainable settlements, as well as locations outside of settlements which provide good access to public transport, and, in the case of employment land, the strategic highway network.

5.45 This approach is in accordance with Paragraph 110 of the NPPF that identifies that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

Sequential approach to Green Belt release

5.46 The NPPF (paragraph 148) sets out a sequential approach to the release of Green Belt land. It states:

"Where it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt which is not previously developed, and then other Green Belt locations."

5.47 The Stage 2 Green Belt Assessment has been used to inform the proposed amendments to the Green Belt boundary as shown on the Policies Map, carried out in line with this sequential approach.

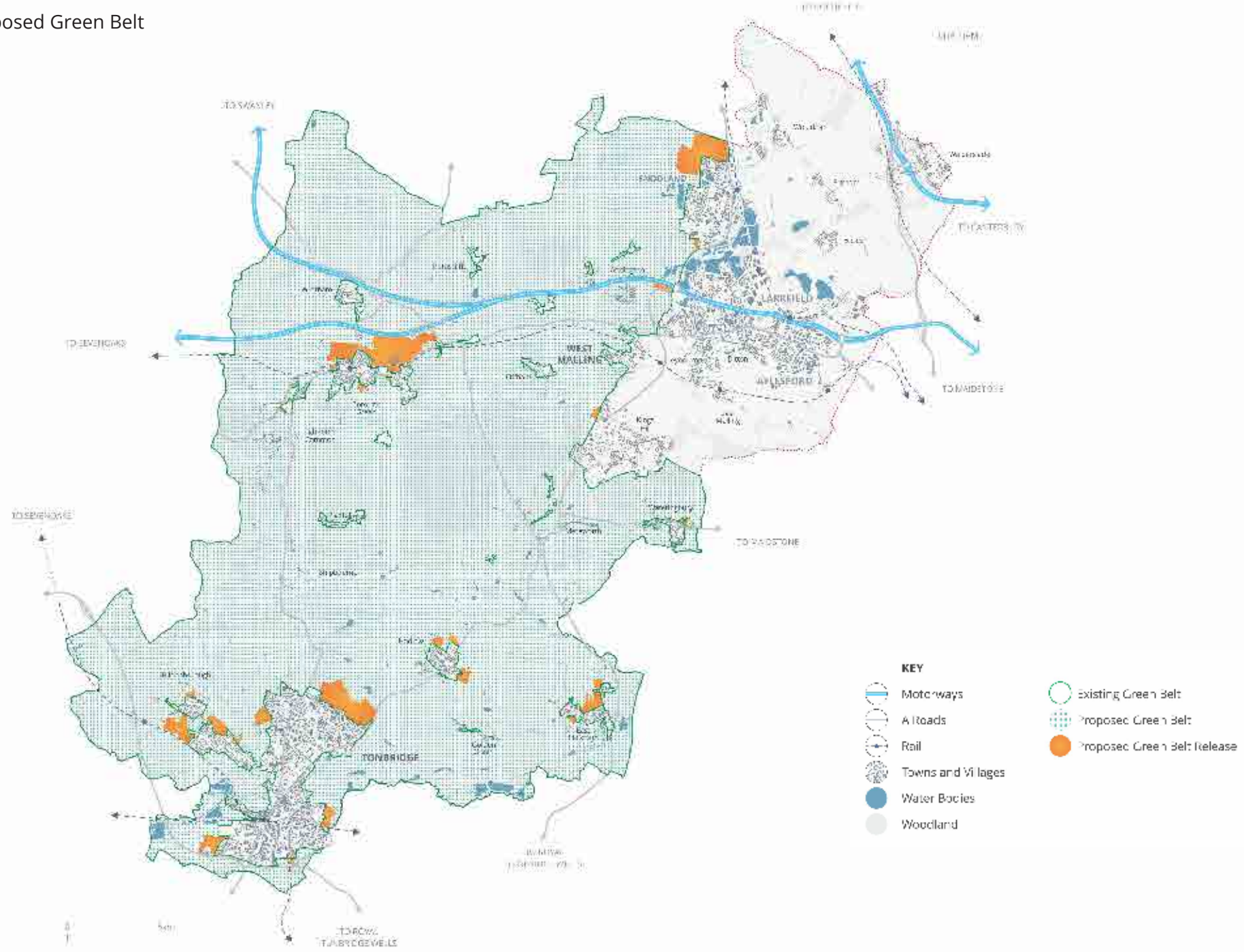
5.48 In accordance with the sequential approach, and in accordance with the need to promote sustainable patterns of development in accordance with Paragraphs 110 and 115 of the NPPF, a number of allocations are proposed to be removed from the Green Belt where the Stage 2 Green Belt Assessment identifies them as provisional grey belt and recommends them for further consideration for potential development.

5.49 However, it is not possible to meet our housing need without considering other grey belt land, in sustainable locations around sustainable settlements, that was not recommended by the Stage 2 Green Belt Assessment. Such additional locations were selected based on their adjacency to a Principal Service Centre or Service Centre, which provide a wide range of accessible infrastructure and services, and in locations which would not fundamentally undermine the purposes (taken together) of the remaining Green Belt as identified in the Stage 1 Green Belt Assessment. Sites to be removed from the Green Belt are listed in Annex 1.

5.50 Figure 5.4 opposite illustrates the existing Green Belt Boundary, and the proposed new Green Belt boundary.

5.51 In relation to further testing, prior to the Regulation 19 Local Plan stage, we will need to ensure that we have maximised housing potential in all non-Green Belt locations, ensure that we have optimised density on sites in town centres and in locations served by public transport, as well as further understand whether neighbouring authorities are able to meet all or some of our unmet needs. However, at this stage, we anticipate that it is likely that we will need to release Green Belt to the extent that we are currently identifying.

Figure 5.4: Proposed Green Belt



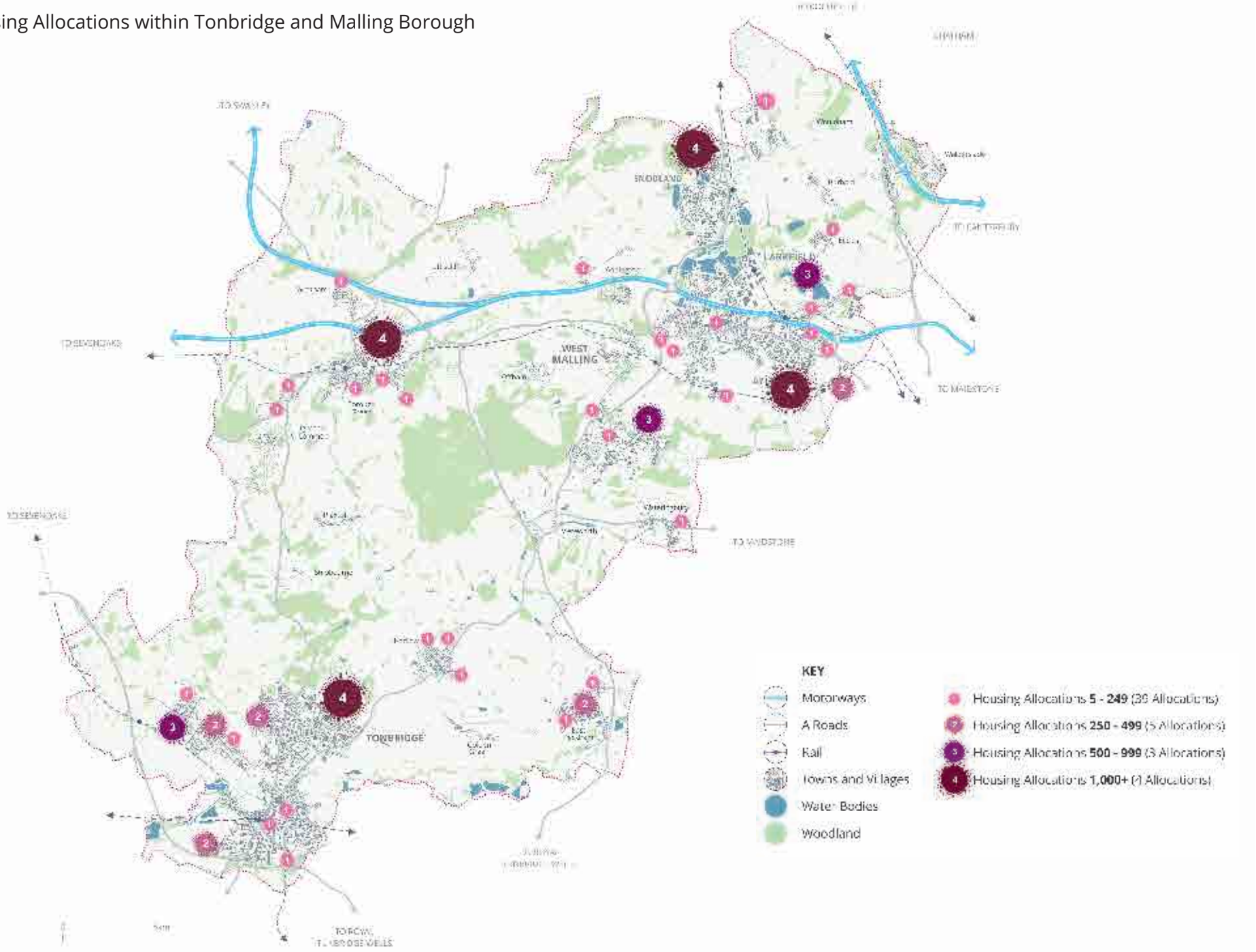
Call for sites

5.52 Given the Government's housing target and the lack of deliverable sites in sustainable locations, as part of this Regulation 18 consultation we are undertaking a further and final call for sites and we encourage landowners and developers to put forward sites, particularly in and around our most sustainable settlements.

5.53 These sites will be assessed to help inform our Regulation 19 Pre-Publication Local Plan. We will also be undertaking further work to actively identify sites that may have potential to be brought forward including looking at any opportunities to bring forward council owned land. Details on how to submit a site can be found on our website.



Figure 5.5: Housing Allocations within Tonbridge and Malling Borough



Sustainable Settlement Hierarchy

5.54 A key part of delivering our spatial strategy is our settlement hierarchy.

5.55 The settlement hierarchy identifies and groups together towns and villages based on their role and function, providing a basis for understanding the sustainability of settlements. This is identified by considering the services and facilities present in each settlement or in nearby settlements and the accessibility to existing public transport networks.

5.56 The Regulation 18 consultation document published in 2022 identified a draft settlement hierarchy and asked the question as to whether the settlement hierarchy presented in that document should be retained. Consultation responses received highlighted the importance of facilities and infrastructure to those living in the borough and the need to look again at the settlements to ensure that settlements are categorised appropriately. From the feedback received we have updated our settlement hierarchy and this is presented in Figure 5.6. A more detailed analysis is set out in the Sustainable Settlement Study.

Figure 5.6: Draft Settlement Hierarchy

Settlement Category	Settlement Name
Tier 1: Principal Service Centre	Tonbridge and Hilden Park, Medway Gap, Walderslade
Tier 2: Service Centre	Snodland, Borough Green, West Malling, Kings Hill
Tier 3: Primary Village	Hildenborough, Hadlow, East Malling, East Peckham, Wateringbury, Wouldham
Tier 4: Secondary Village	Aylesford Village, Hale Street, Burham, Snoll Hatch, Wrotham, Eccles, Leybourne Chase, Peter's Village, Plaxtol, Platt, Ightham, Birling, Ryarsh, Mereworth & Herne Pound
Tier 5: Other rural settlements	Stansted, Offham, Shipbourne, Fairseat, Addington, Addington Clearway, Golden Green, West Peckham, Wrotham Heath, Dunks Green, Crouch, Trottiscliffe, Blue Bell Hill





5.57 The settlement hierarchy presents five settlement Tiers. We have used the list of settlements defined previously in our development plan with the addition of Leybourne Chase and Peters Village which have been constructed in the intervening years. Stansted and Shipbourne have also been deemed suitable for assessment under our definition of 'settlement' set out in the Sustainable Settlement Study. Tonbridge and Hilden Park, and the Medway Gap have continued to be assessed as 'wholes' – that is they function as standalone settlements, sharing services across named areas with close relationships in both proximity, services and accessibility.

5.58 The more sustainable settlements are the higher numbered tiers given that there are a greater range of services and facilities more easily accessible without the need to travel by car. The settlements with less facilities are at the bottom of the hierarchy, and it is expected that in these locations most people would travel by car to access services and facilities, given that public transport is minimal in these areas also.

5.59 Given that the Tier 1-4 settlements are sustainable locations, these are provided with a settlement confines boundary. A settlement confines boundary is a planning tool that is used to direct development to the most sustainable locations, within the confines of the boundary provided. Areas outside the boundary are classed as countryside for the purpose of planning policy.

5.60 It is important to note that the Settlement Hierarchy does not determine how much growth can be delivered in each settlement. The level of growth that will be distributed across the borough is dependent on many factors, for example, the availability of land, environmental constraints such as landscape, Green Belt and flooding as well as physical and social constraints such as the availability of infrastructure to support new growth. Therefore, the settlement hierarchy is only one aspect that we take into account when defining the spatial strategy.





5.61 Development allocations have been made for the majority of Tier 1-4 settlements. Apart from Birling, Mereworth and Herne Pound, Peters Village and Plaxtol. This is because there are no suitable sites in these locations to bring forward for development. However, development in these locations is supported in principle and can come forward within the defined settlement confines boundary, subject to other policies in the Plan.

5.62 Development allocations have not been made for Tier 5 settlements. This is because these settlements are considered to be unsustainable locations and do not meet the requirements of the NPPF in relation to the presumption of sustainable development. However, small-scale development may still come forward in these locations via a number of means, for example as a Rural Exception Site or through a Neighbourhood Plan or other Parish endorsement.

5.63 The settlement hierarchy will be kept under review to ensure that it is based on up-to-date information ahead of the Regulation 19 consultation. We are consulting on our Sustainable Settlement Study and settlement hierarchy as part of this consultation and will update this as required ahead of our Regulation 19 consultation.

5.64 The Open Countryside comprises that part of the Local Plan area outside of identified settlement confine boundaries. Development in the Open Countryside will normally be unacceptable unless it can be shown to be essential to local needs and the rural economy and cannot be accommodated within existing settlements.

Policy SP3: Settlement Hierarchy and General Development Principles

1 Development will be supported, in addition to allocations proposed within this plan, within sustainable settlements as defined by the settlement hierarchy. This includes Tier 1 – Tier 4 settlements. Development will be supported, subject to meeting other policy requirements in this Plan or within made Neighbourhood Plans.

Development in the countryside

2 Areas outside the defined settlement confine boundaries will be protected and will be considered to be countryside for planning purposes, unless development is supported by a specific policy referenced in this plan or elsewhere.

Tier 5 Rural settlements

3 As an exception to (2) above, some very limited residential development either within (infill) or directly adjacent (limited frontage development) to Tier 5 settlements may be considered acceptable, subject to compliance with other policies in this plan, where this is justified on the basis of supporting the continued sustainability of the settlement, including meeting local housing need. This will only be acceptable subject to meeting all the following criteria:

a The scale of the residential development is proportionate to the size of the settlement and the type and level of local services available;

b The development takes into account its countryside location in relation to design;

c It can be linked to the retention or expansion of specific infrastructure or service assets within the settlement;

d It has community support, either through a Neighbourhood Plan, or other Parish endorsement, for example as a Rural Exception Site;

e Suitable and safe vehicular access can be provided to the site including the provision of footpaths.

4 In all other circumstances, countryside policies will apply.

Gypsy, Traveller and Travelling Showpeople

5.65 The National Planning Policy Framework (NPPF) requires local planning authorities to assess and plan for the housing needs of all residents, including Gypsies, Travellers and Travelling Showpeople. The council recognises its legal duty to facilitate the traditional and nomadic way of life of these communities, while also promoting social inclusion and ensuring fair and equal access to suitable accommodation.

5.66 The council undertook a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) in 2022 and has recently updated this assessment to provide a robust evidence base for understanding the level of need within the borough.

5.67 The PPTS was updated in December 2024, with Annex 1 clarifying the criteria for determining whether individuals are considered Gypsies and Travellers for planning purposes. These include:

- Whether they previously led a nomadic habit of life.
- The reasons for ceasing that lifestyle.
- Whether there is an intention to resume a nomadic lifestyle in the future, and under what circumstances.

This definition has implications for how accommodation need is assessed and how planning policies are applied.

5.68 The latest GTAA (2025) identifies the specific accommodation needs for Tonbridge and Malling over the plan period (2018–2042), including:

- The number of pitches required for Gypsies and Travellers under both the planning and ethnic definitions.
- The number of plots required for Travelling Showpeople.
- The potential need for transit provision to manage unauthorised encampments.

5.69 In terms of site supply, the council will explore a range of options to meet identified needs. It is most likely that needs can be met through the upgrading, enhancement or intensification of existing permanent and temporary authorised Gypsy and Traveller sites. However, further work is being undertaken to understand this to ensure that the Local Plan meets identified needs. It is worth noting that the GTAA has identified that there is not a need to provide plots for Travelling Showpeople within the plan period.

Policy SP4: Gypsy, Traveller and Travelling Showpeople - Accommodation Needs

To meet the identified accommodation need for Gypsies, Travellers and Travelling Showpeople within the Borough up to 2042, the council will make provision for 33 pitches for Gypsies and Travellers in accordance with the needs identified in the GTAA for those who meet the PPTS definitions.

Future Economic Development Needs

5.70 The Planning Practice Guidance (PPG) requires local planning authorities to prepare robust evidence to understand existing business needs and to keep this under review to reflect local circumstances and market conditions.

5.71 In gathering evidence to plan for business uses we need to liaise with the business community, and take account of relevant economic strategies, to understand current and potential future requirements. This includes identifying and assessing the following:

- the best fit functional economic market area(s);
- the existing stock of land for employment uses within the borough;
- the recent pattern of employment land supply and loss;
- evidence of market demand including the locational and premises requirements; for existing and inward investing businesses, drawing upon known market intelligence;
- wider market signals relating to economic growth, diversification and innovation; and
- any evidence of market failure, such as physical, ownership or other constraints that have prevented employment sites being used or delivered.

5.72 The PPG also advises that local planning authorities need to develop an understanding of future needs based on a range of data that is current and robust. To achieve this, the council commissioned consultants to prepare up-to-date economic evidence. The Economy Study (2025) takes account of the PPG and sets out the employment land and floorspace requirements for Tonbridge and Malling between 2024 to 2042.

5.73 The study identifies that the borough's commercial property market has undergone significant change over recent years. With the overall stock of office floorspace gradually declining in recent years due to wider structural changes brought about by the Covid-19 pandemic. The borough's industrial market is comparatively more buoyant, with current patterns of demand and activity largely focused on logistics and mixed industrial uses.

5.74 The study considers three different scenarios of future employment space requirements in the borough. These indicate the broad scale and type of growth arising from different approaches to modelling future employment space needs; forecast economic growth, past development trends, and potential housing growth.

5.75 The gross employment requirements resulting from these scenarios range between 290,000 sqm and 538,700 sqm.

Figure 5.7: Gross Employment Floorspace Requirements in Tonbridge & Malling, 2024 to 2042 (sqm GEA)

Type of Space/Use Class	Scenario 1: Labour Demand	Scenario 2: Development Trends	Scenario 3: Labour Supply
Office E(g)(i)/(ii)	60,500	-11,000	111,900
Light/General Industrial E(g)(iii)/B2	106,400	70,000	187,800
Distribution B8	136,000	231,000	239,000
Total	**302,900**	**290,000**	**538,700**

Figure 5.8: Employment Planning Requirements

Type of Space/ Use Class	Recommended Scenario	Floorspace Requirement (sqm)	Land Requirement (ha)
Office E(g)(i)/(ii)	Scenario 1: Labour Demand	60,500	7.9
Light/General Industrial E(g)(iii)/B2	Scenario 2: Development Trends	70,000	17.5
Distribution B8		231,000	57.8
Total		**361,500**	**83.2**

5.76 Scenarios 1 (labour demand) and 2 (development trends) imply a comparable overall employment floorspace requirement for Tonbridge & Malling over the plan period. Scenario 3 (labour supply) generates the highest overall requirement, driven by strong population and housing growth implied by the latest (December 2024) Standard Method.

This represents a substantial increase in housing delivery in Tonbridge & Malling over the plan period compared with previous targets. The study suggests that regard should be had to this scenario if the council wishes to align future housing requirements and employment growth.

5.77 In relation to which scenarios to take forward, the study recommends scenario 1 (labour demand) for office requirements and Scenario 2 (development trends) for B2 and B8 development. This provides an overall requirement of 361,500 sqm, which equates to an 83.2 ha land requirement.

5.78 The labour supply office requirement is recommended in the context of subdued past development trends and modest growth forecasts. For B2 / B8 scenario 2 is recommended for a number of reasons including recent levels of activity, the strong local representation within the modern economy sectors of freight and logistics and future investment in major infrastructure, such as the Lower Thames Crossing.

Employment Land Supply

5.79 Through ongoing annual monitoring, the council has an understanding of recent employment floorspace losses and gains as well as consented but not yet implemented employment developments, otherwise known as commitments.

5.80 Figure 5.9 shows the remaining employment floorspace requirements having taken account of completions and losses of employment floorspace during the first year of the plan period 2024-25.

5.81 The NPPF requires us to identify specific employment sites to meet identified needs. However, the council can only allocate sites that are identified as suitable, deliverable and available for employment purposes in our Land Availability Assessment. Policy A1 in Chapter 14 of this Local Plan identifies how employment floorspace needs will be met over the plan period.

Figure 5.9: Employment Floorspace Commitments and Local Plan Employment Need

Employment and Retail Needs Accounting for Completions and Extant Permissions 2024-25			
	B2 and B8 Industrial Floorspace (sqm)	**E(g)i Office Floorspace** (sqm)	**E(a) Retail Floorspace** (sqm)
Gross Needs 2024-42	301,000	60,500	18,250
Completions	169,827	2,116	473
Extant Permissions	118,706	5,740	8,877
Remaining Need 2025-42	**12,467**	**52,644**	**8,900**

Policy SP5: Future Employment Growth

The council will support positive economic growth across the borough and will seek to meet employment needs in full. At a minimum we will deliver 301,000 sqm of B2 and B8 employment floorspace and 60,500 sqm of office floorspace over the plan period. This will be achieved through the following measures:

a The allocation of employment sites as set out in Policy A1 (chapter 14);

b The delivery of existing commitments for employment uses;

c The retention of existing employment premises;

d Supporting existing business through new floorspace, redevelopment conversion, upgrading, intensification or reconfiguration of floorspace on existing sites;

e Supporting economic development in rural areas and farm diversification; and

f Supporting the provision of new office floorspace in sustainable locations.

5.82 The supply of industrial land (B2 and B8) is positive and the council is able to deliver suitable sites to meet this need. The Local Plan seeks to allocate 78,700 sqm of B2 and B8 floorspace. This provides a surplus of employment land over scenario 2 (development demand). This is considered as a positive position to ensure that employment land comes forward alongside the increase in housing required to be delivered as per the Government's standard method. It also accounts for the high contribution of existing commitments allowing supply to move towards the labour supply scenario.

5.83 In relation to office need, for the purpose of this Regulation 18 draft Local Plan, we are able to allocate sites to deliver 56,580 sqm. This is slightly below our need of 60,500 sqm. However, our 'call for sites' is open as part of this consultation and the council hopes that further sites are submitted which can be considered in updating the Plan at Regulation 19 stage. We also consider that there will be opportunities to promote offices as mixed use schemes.

5.84 Through the course of the plan period, the council will monitor whether the economic expectations projected remain realistic in response to any changes in the national or local economy, and where necessary will act accordingly to deliver economic growth opportunities.

Town Centre Needs

5.85 The NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. The NPPF further requires that local planning authorities also assess their floorspace needs for retail, leisure and other main town centre uses over the plan period, allocating a range of suitable sites to meet the scale and type of developments needed within defined centres and elsewhere.

5.86 The council has commissioned consultants to prepare up-to-date retail and town centres evidence. This identifies a total retail capacity projection to 2042 of 18,250 sqm (gross). Whilst extant permissions for the extension of South Aylesford Retail Park in Quarry Wood would take up 4,877sqm, and floorspace at Bushey Wood, Eccles would take up a further 4,000 sqm. Based on a reasonable reduction in the current shop vacancy rates or the reoccupation of the former Beales unit in Tonbridge town centre, reoccupied space could accommodate half of the remaining projected need of 12,005 sqm.

5.87 It is expected that there will be a continuing shift from comparison goods retail space to convenience goods retail, food/beverage and leisure/cultural uses over the plan period, with vacant shop premises also converting to these uses to reflect occupier demand. Not all vacant shop units will be suitable for conversion to leisure/ cultural uses, therefore new retail development will still be required.

5.88 Given the retail floorspace capacity identified is largely driven by population growth, it is expected that new local centres and neighbourhood parades are required to support strategic housing allocations. This is where the remainder of the retail need is expected to be met over the plan period.

5.89 Given that most of this growth will be met in new local centres and neighbourhood parades over the plan period, the council will work with the promoters of the strategic residential site allocations to identify the location and scale of these. Further details will be included in the Local Plan at Regulation 19 stage.

Policy SP6: Town Centre Needs

The council will seek to meet the identified retail floorspace need of 18,250 sqm through existing commitments, vacant units / reoccupation of space and through new local centres within strategic allocations to support new communities.

Green Belt

5.90 The Green Belt affords protection to designated areas of the countryside from inappropriate development and national policies for its protection as set out in the NPPF. Approximately 71% of Tonbridge and Malling is designated as Metropolitan Green Belt (which surrounds Greater London) as illustrated on the Key Diagram. Many hamlets and small clusters of development are 'washed over' by the Green Belt designation, while larger settlements are inset from it. The main aim of Green Belt is to prevent urban sprawl by keeping land permanently open, but like all countryside, it can also provide multifunctional benefits including for recreation, nature conservation, food production and flood mitigation

5.91 In addition to preventing sprawl, the Local Plan also has an opportunity to establish a positive strategy for planning for the beneficial use and management of Green Belt. Opportunities for multifunctional enhancement should focus on enhancing a variety of its aspects, such as natural capital, the quality of the landscape and visual amenity, recreational access and amenities, sustainable water management, combatting the urban heat island effect, carbon capture and storage, biodiversity, food growing or restoring damaged and derelict land.

Policy SP7: Green Belt

1 Tonbridge and Malling's Green Belt as designated on the Policies Map, will be protected against inappropriate development in line with national policy.

2 The beneficial use and management of land in the Green Belt will be supported, particularly where it protects and enhances the wider blue-green infrastructure network as set out in the Green and Blue Infrastructure Strategy, contributes to the Kent and Medway Nature Recovery Strategy and is consistent with the essential characteristics of openness and permanence of the Green Belt.

Extension of the Green Belt boundary

5.92 We are currently progressing work to consider whether there is potential to extend the Green Belt boundary to the East of West Malling to the bypass as well as to the east of the bypass towards Wateringbury Road, East Malling. The figure below shows the area that we are considering. We will confirm the outcome of this work at the Regulation 19 stage. In the meantime, we have progressed a Local Green Gap policy for the area east of the bypass, as below, should a Green Belt extension not be supported by evidence.



5.93 In line with paragraph 156 of the NPPF, where major development[2] involving the provision of housing is proposed on land to be released from the Green Belt through plan preparation, or on sites in the Green Belt subject to a planning application, the following 'Golden Rules' will apply:

- 50% affordable housing;
- Necessary improvements to local or national infrastructure; and
- The provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

2 Any scheme over 10 units.

Development in the Green Belt

5.94 Although Policy SP7 establishes the revised Green Belt boundary in the borough, proposals for development in the Green Belt are still likely to come forward over the plan period through the planning application process.

5.95 The NPPF states that substantial weight should be given to any harm to the Green Belt, and that inappropriate development should not be approved except in very special circumstances. National policy also identifies what types of development are considered 'not inappropriate' in the Green Belt. Policy GB2 establishes the local criteria against which proposals in the Green Belt will be tested.

Policy SP8: Managing Development in the Green Belt

1 Inappropriate development within the Green Belt (as shown on the Policies Map) will be resisted in accordance with national planning policy. Inappropriate development is by definition harmful to the Green Belt and will only be approved in very special circumstances.

2 Development that is not inappropriate development will only be permitted where:

a the siting, scale, height and bulk of the proposed development is sympathetic to and compatible with the primary aim of preserving the openness of the Green Belt;

b it displays a high standard of design and landscaping, and takes all measures to ensure that the visual impact on the wider Green Belt is minimised;

c the nature, quality, finish and colour of materials reflect the local landscape character (as defined in the Landscape Character Assessment and National Landscape Management Plans where relevant); and

d appropriate parking provision, safe access, egress and landscaping is provided to ensure vehicles are parked safely.

3 Applications for all development proposals in the Green Belt will require a Green Belt Assessment, in accordance with methodology set out in the Planning Practice Guidance, including for development utilising grey belt land in whole or in part.

4 Where major development involving the provision of housing is proposed on land in the Green Belt, or on an allocation released from the Green Belt (as identified on the Policies Map), the following Golden Rules contributions should be made and evidenced in the accompanying Planning Statement:

a The provision of 50% affordable housing[3];

b The necessary improvements to local or national infrastructure as set out in the Infrastructure Delivery Plan;

c The provision of new, or improvements to existing, green space that are accessible to the public; and measures to protect and enhance the current green and blue infrastructure of the borough as set out in the Tonbridge and Malling Green and Blue Infrastructure Strategy. The provision of any new open space should be in accordance with the open space standards set out in Policy INF5 Outdoor and Indoor sports, recreation and open space provision;

d Positive contributions to the landscape setting of the development having regard to the Tonbridge and Malling Landscape Character Assessment;

e Where land is released from the Green Belt, and where the Green Belt Assessment identifies that the new Green Belt boundary requires strengthening, development proposals will need to address these requirements; and

f Where land is identified as having particular potential for habitat creation or nature recovery within the Kent and Medway Nature Recovery Strategy, green space proposals should contribute to these outcomes.

Extensions, Alteration and Replacement Buildings

5 Extensions and alterations to buildings in the Green Belt should not be disproportionate to the original building and should be in accordance with Policy D2. Replacement buildings should be in the same use as and not materially larger than the previous building.

6 In all cases, whether a development is disproportionate to or materially larger than the original building will be assessed by considering:

a The scale, mass, height, footprint and volume of the development proposed;

b The degree of activity likely to be generated, including traffic;

c The duration of the development, and its remediation; and

d The extent of existing development on the site.

3 The 50% cap does not apply to rural exceptions sites or community-led development exception sites.

5.96 Given the extensive Green Belt land across the borough around many sustainable settlements experiencing pressure for development, as well as the introduction of grey belt, applications for development in such locations are likely to continue to come forward during the plan period.

5.97 Grey belt is defined in the NPPF as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) (NPPF 143). Where land does not strongly contribute to one or more of these purposes, then the land can be considered grey belt. However, 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 of the NPPF (other than Green Belt) would provide a strong reason for refusing or restricting development.

5.98 Policy SP8 sets out a detailed list of local criteria against which development proposals will be considered, in order to ensure that where development does take place, that it is high quality, well designed, and sustainable. These criteria have regard to potential spatial and visual impacts of development on the openness of the Green Belt that need to be considered as set out in the Green Belt PPG.

5.99 When attempting to prove 'very special circumstances', the onus is on the applicant to prove that the exceptional nature of the proposal clearly outweighs the harm it might cause to the Green Belt.

5.100 Where development is proposed in the Green Belt, applications are required to undertake a Green Belt Assessment (including a grey belt assessment) to support their proposal. This assessment should be carried out in accordance with the Planning Practice Guidance. Where the proposal is for major development involving the provision of housing, the applicant must demonstrate how the proposal meets the Golden Rules.

5.101 Applicants should, through design and access statements, demonstrate how their development has been designed to reduce all types of harm to the Green Belt. Furthermore, they should clarify how it will improve the attractiveness and quality of the landscape through positive enhancements including hedgerows and tree planting in line with the Landscape Character Assessment, Green and Blue Infrastructure Strategy and Kent and Medway Nature Recovery Strategy.

Local Green Gap

5.102 As part of this Local Plan, the council has explored the concept of 'Green Gaps' - a designation which helps to avoid coalescence and preserve the separate characters and identities of different settlements by providing physical and visual breaks. The designation of Green Gaps, and policies to protect them, can help in maintaining open landscapes between settlements, contributing to the amenity of an area.

5.103 The council has undertaken work to explore if there is any merit in introducing Green Gaps within the borough. TMBC subsequently commissioned consultants to prepare a study which looks into this in detail.

5.104 Other than national planning guidance for the Green Belt, the NPPF includes no specific requirement to seek to prevent the coalescence of settlements to maintain their separate identities. However, there is support in the NPPF for maintaining the identifiable characteristics of places, albeit that this is with regard to new development and the achieving of well-designed places.

5.105 For example, paragraph 135 requires development to be sympathetic to local character or history, including the surrounding built environment and landscape setting; and

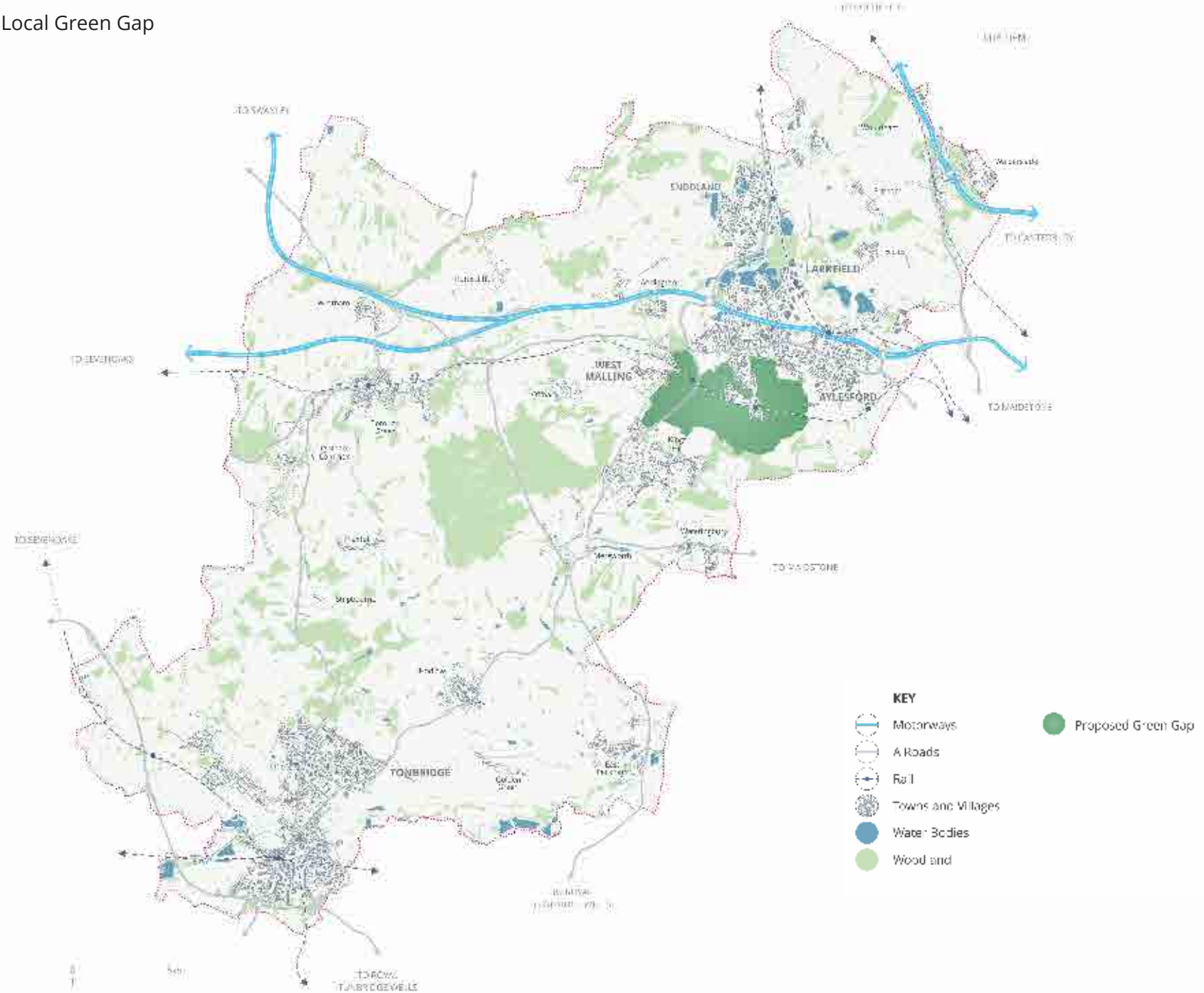
"to establish or maintain a strong sense of place... to create attractive, welcoming and distinctive place to live, work and visit."

5.106 Green Gaps should have clearly defined boundaries, which, where possible, follow physical features on the ground to ensure they are legible and emphasise their role in defining settlement edges. They should be informed by landscape analysis of the sensitivity to change; the fragility and susceptibility of a gap to erosion; visual breaks between settlements; and where there is a sense of travelling from one settlement to another. Only land necessary to secure the objectives of the gap should be included.

5.107 Green Gap policies should also allow for development that does not compromise the aim of the Gap. In this way, the council can plan for and incorporate future development needs, direct strategic allocations to preferred areas and manage (through planning decisions) the evolution of settlement edges in a way that is sympathetic to the distinctiveness of place.

5.108 The Study concludes that there is a justification for a Green Gap between Kings Hill, West Malling and the Medway Gap settlements (including East Malling and Mill Street).

Figure 5.10: Proposed Local Green Gap



Policy SP9: Local Green Gap

1 A Local Green Gap between the settlements of Kings Hill, West Malling and the Medway Gap (including East Malling and Mill Street), as shown on the Policies Map is defined to retain the existing settlement pattern by maintaining openness, provide long-term protection against coalescence and to protect the setting and separate identities of these settlements.

2 Within the Local Green Gap, countryside policies will apply, and only proposals that demonstrably maintain the integrity of the gap will be supported, and such proposals must contribute positively to the landscape, biodiversity, or recreational value of the area.



Reasoned Justification

5.109 The NPPF requires development to be sympathetic to local character and history, support a sense of place and achieve the creation of distinctive places. If the characters of settlements in an area are distinct, and coalescence (or the process of coalescence) would erode their separate identities, directing development in a way that avoids closing identifiable gaps between settlements is justified.

5.110 The Sustainable Settlement Study identifies Kings Hill and West Malling as 'Service Centres'. These settlements are sustainable and accessible (by road and public transport) and provide a very high level of community infrastructure including schools, shops and health services. These settlements meet the majority of their own needs and also meet the day-to-day services and facilities needs of surrounding smaller settlements. Such sustainable and well serviced areas are typically capable of supporting new development and therefore may experience development pressures moving forward beyond those sites already identified for potential growth in this Plan.

5.111 To support the strategic objective of maintaining the distinct identity and separation of settlements within the borough in the context of the spatial strategy, the area between Kings Hill and the Medway Gap is designated as a Strategic Green Gap. This designation seeks to prevent the coalescence of Kings Hill with nearby settlements such as East Malling, Larkfield, and Leybourne, preserving the open character of the countryside and reinforcing the individual identity of each community.

Policy Implementation

5.112 Development within the Green Gap must provide evidence as part of the planning submission to demonstrate compliance with Policy SP9.

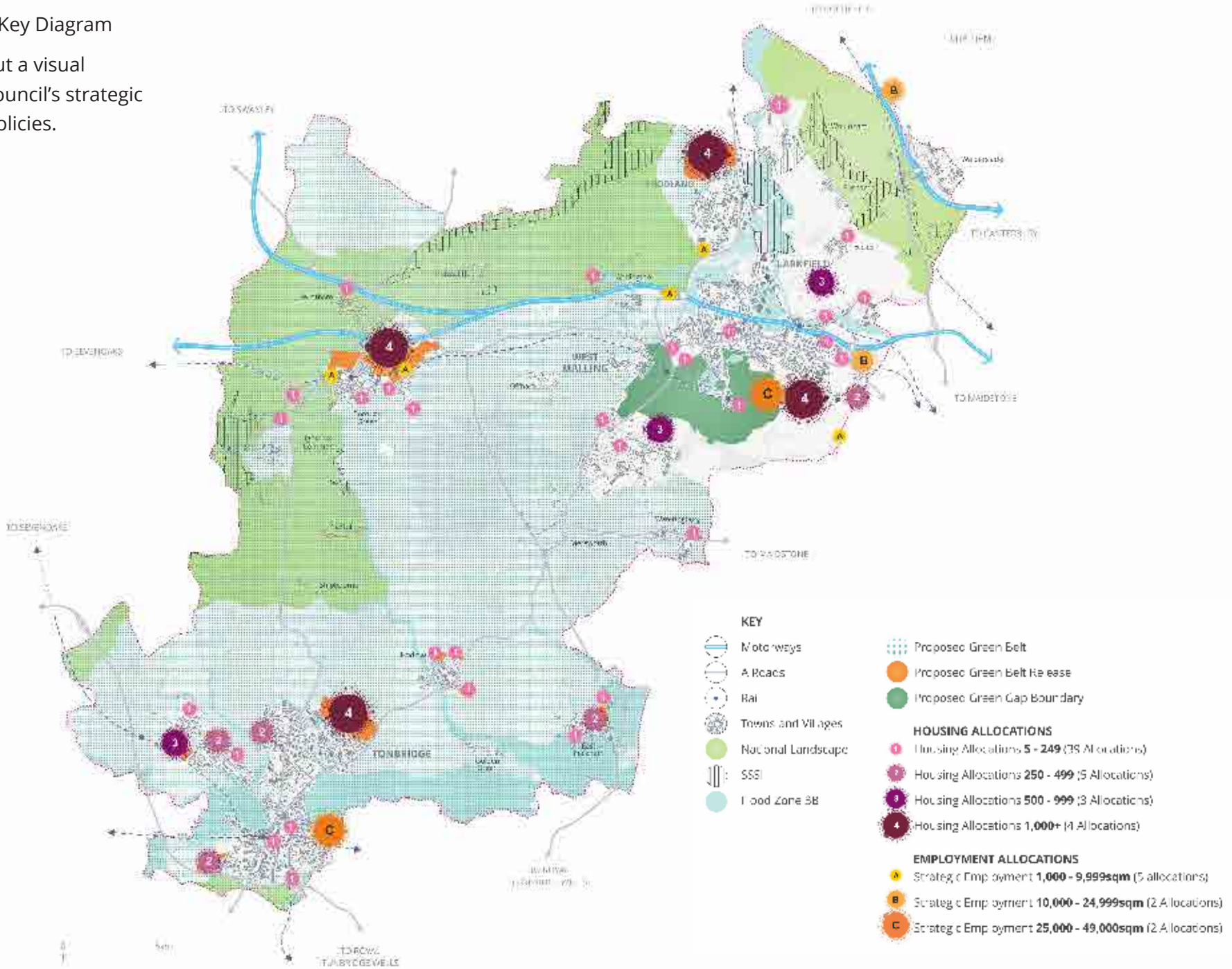
5.113 Development within this Green Gap will be controlled to ensure that it does not compromise the openness, visual separation, or functional role of the gap. Only proposals that demonstrably maintain the integrity of the gap will be supported, and such proposals must contribute positively to the landscape, biodiversity, or recreational value of the area. The boundaries of the Green Gap have been defined using permanent physical features and informed by landscape character assessments.

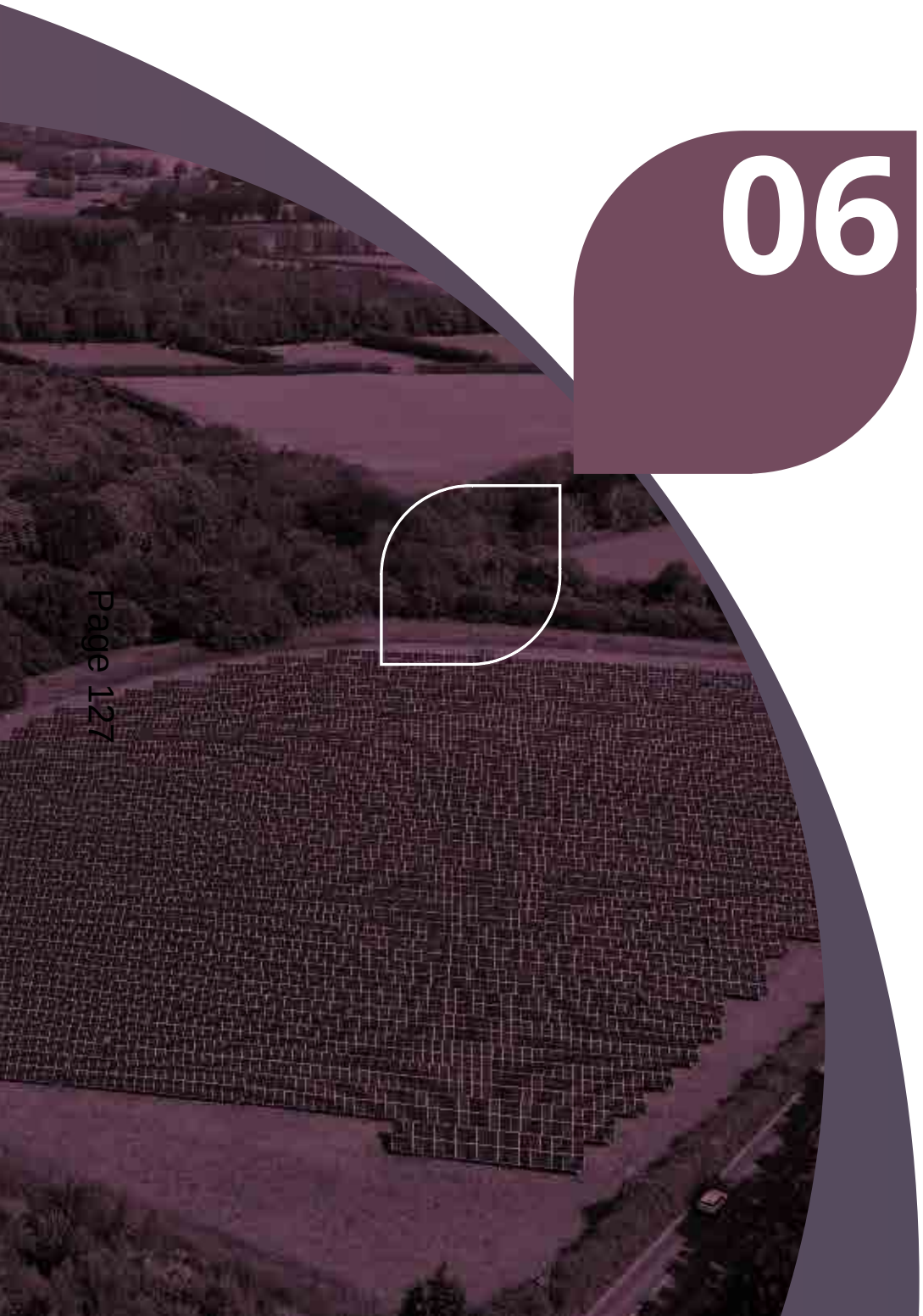
Pre-application consultation is encouraged prior to the submission of planning applications within the Green Gap, and should any major applications be proposed then these will be expected to demonstrate early, proactive and effective engagement with both the LPA and the community.



Figure 5.11: Local Plan Key Diagram

The key diagram sets out a visual representation of the council's strategic vision and key spatial policies.





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06 CLIMATE CHANGE



Introduction

6.1 This chapter outlines the council's approach to tackling climate change.

6.2 It introduces a comprehensive suite of policies aimed at supporting the national transition to net zero, while also advancing the Council's own local climate objectives. Through development and land use policies, the Council seeks to ensure that new development plays a meaningful role in reducing long-term carbon emissions. These policies are designed to promote energy efficiency, lower greenhouse gas emissions, and help communities both mitigate and adapt to the current and future impacts of climate change.

6.3 The Intergovernmental Panel on Climate Change (IPCC) is the United Nations body responsible for evidence on climate change. The IPCC produces regular scientific assessment reports that present the physical evidence base on the impacts and risks of climate change, and options for mitigation and adaptation. The IPCC defines climate change as,

'a long-term shift in the climate that persists for decades or longer. These shifts can be caused by natural variability or human activity'.







6.4 Anthropogenic activities, predominantly through emissions of greenhouse gases, have unequivocally caused global warming, with global surface temperature reaching 1.1°C above 1850–1900 temperatures in 2011–2020. Worldwide greenhouse gas emissions have continued to increase, which has led to widespread adverse impacts and related losses and damages to the environment and people with vulnerable communities who have historically contributed the least to current climate change being disproportionately affected (IPCC Synthesis Report 2023).

6.5 Climate change is therefore now recognised as being one of the greatest challenges facing global society with the likelihood of abrupt and/or irreversible changes increasing as global warming levels rise. Locally within the borough and county of Kent, the risks are very clear. The Climate Change Risk and Impact Assessment for Kent and Medway (CCRIA) advises that by 2040 Kent will be experiencing hotter and drier summers with an increase in average summer temperature of 2 – 3°C and a reduction in average rainfall of 20 – 30%, and warmer and wetter winters with an increase in average winter temperature of 1 – 2°C and an increase in average rainfall of 10 – 20%. The intensity and frequency of extreme weather is expected to continue to increase.

6.6 Legislation within the UK is therefore clear that strong action must be taken to address this Increasing problem. In 2008, the UK passed the world-leading Climate Change Act as the first national framework legislation that set out requirements for the government to establish a long-term emissions reduction goal. Following further international research, in June 2019 the Government laid the draft Climate Change Act 2008 (2050 Target Amendment) Order 2019 to amend the Climate Change Act 2008 by introducing a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. This is otherwise known as a net zero target. The Order came into force on 27 June 2019.

6.7 The Climate Change Act 2008 (as amended) therefore sets a legally binding target for the UK to reduce greenhouse gas emissions to net-zero by 2050. In part response to this, the Council declared a climate change and biodiversity emergency in July 2019, the declaration committing itself to playing as full a role as possible in the aspiration for a carbon neutral borough by 2030. The council adopted its Climate Change Strategy (2020 -2030) to help deliver these goals.

6.8 The Local Plan supports the delivery of the objectives of the council's Climate Change Strategy, but it's important to acknowledge that the planning system is one of many delivery mechanisms for addressing climate change. The council will therefore have to engage and work together with other authorities and stakeholders particularly as part of the duty to co-operate system to comprehensively address this issue and achieve local and national objectives.

6.9 It is important to highlight that these policies should be read together with other policies in the Local Plan, as the issue of climate change is a golden thread running throughout the policies and is core to the economic, social and environmental overarching objectives of sustainable development which are interdependent and must be pursued in mutually supportive ways (NPPF 2024).



Addressing Climate Change

Introduction

6.10 Planning for climate change is an international, national and local priority which is required at the strategic level and must be at the heart of spatial planning priorities. Taken at the strategic level, addressing climate change involves seeking to limit the impact of development on the climate including locating, designing and constructing developments in ways that reduce carbon dioxide emissions and reduce the use of our natural environment and its resources. It also incorporates measures to reverse decline in key environmental areas and make improvements such as biodiversity net gain (BNG).

6.11 The purpose of Policy CC1 is to ensure that the development and use of land in the borough considers climate change at the heart of development proposals and will contribute to the mitigation of, and adaptation to, climate change during the design, construction and occupation of all new development.

Policy CC1: Addressing Climate Change

1 Development proposals, as relevant to their nature and scale, will need to demonstrate that a proactive and best practice approach has been taken to mitigate climate change, contribute towards reducing greenhouse gas emissions and the transition to net zero, and also maximise the use of measures to adapt to climate change. Innovative and creative solutions to mitigating and adapting to climate change as well as contributing to climate change resilience are encouraged. Overall, developments must contribute to net zero through a holistic approach to design, construction, energy efficiency and on-site renewable generation to achieve as close to a net zero energy balance as possible for the type of development.

2 For climate change mitigation, such measures may include the following:

a Maximising the re-use of previously developed land and land in sustainable locations where there is supporting infrastructure in place and good access or connections to services and facilities and sustainable transport modes;

b Reducing reliance on private vehicles and emissions associated with transport, whilst promoting sustainable forms of travel including cycling and walking;

c The re-use or retrofitting of appropriate existing buildings and improvements to building standards and the surrounding environment:

i to reduce whole lifecycle carbon emissions compared to that which would result from demolition;

ii and to generally maximise opportunities in addressing climate change;

d Delivering low carbon development maximising opportunities such as renewable energy, low carbon energy generation and storage, active travel and green infrastructure;

e Ensuring development supports a circular economy including re-use of building materials, minimising embodied carbon and minimising construction waste;

f Reducing the amount of energy used in the construction and use of buildings; and improving energy efficiency in accordance with the energy hierarchy set out in policy CC4;

g Designing development that is sustainable including considerations around landscaping, density, layout that encourages sustainable transport, building types, shapes, building materials and orientation, in order to minimise energy consumption and maximise solar energy generation; and

h Maximising opportunities to promote and deliver carbon sequestration / storage including tree planting as appropriate.

3 For climate change adaptation and resilience, this may include:

a Taking account of flood risk and reducing the impact of flooding from all sources through location and design;

b Supporting natural flood management and retaining space for flood management where necessary;

c Incorporating sustainable drainage systems (SuDS);

d Incorporate green infrastructure, delivering multi-functional benefits including that which supports biodiversity and wildlife resilience;

e Reducing water use and increasing rain and grey water harvesting;

f Designing development to reduce the potential for overheating through passive cooling, heating and ventilation measures; and

g Avoiding or minimising light, water, air and noise pollution; and improving or maintaining air and water quality.

4 Climate change mitigation and adaptation measures are key to delivering sustainable development and must therefore be considered at the beginning of the design process. Major development proposals will be required to be accompanied at the planning application stage with an energy and climate change statement which demonstrates how the above principles have been considered and implemented in the development, where applicable. The level of information provided should be proportionate to the scale and the nature of the development proposed. For minor development matters the design and access statement must demonstrate how climate change principles have been met.

Reasoned Justification

6.12 The Planning and Compulsory Purchase Act 2004 sets out the legislative framework for development planning in England. Section 19(1A) of the act requires:

"*Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change*".

6.13 Councils are therefore bound by the legal duty set out in Section 19, as amended by the 2008 Planning Act, to ensure that policies in local plans contribute to the mitigation of, and adaptation to, climate change. Tonbridge and Malling Borough Council therefore has a legal duty to address climate change as part of the Local Plan.

6.14 As well as legislative duties, the NPPF paragraph 20d (December 2024) requires plans to have strategic policies to set out an overall strategy for planning measures to address climate change mitigation and adaptation and further on in chapter 14, paragraph 161 requires that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts.

6.15 The council is committed to tackling the causes and impacts of climate change and strategic policy CC1 seeks to deliver the Council's overarching strategy for addressing climate change and the transition to net zero by 2050. This policy is supported by a suite of development management policies which establish a comprehensive approach to mitigating and adapting to climate change.

Policy Implementation

6.16 All new development will be required to consider climate change mitigation and adaptation. Proposals that involve new built development are expected to meet the criteria in this policy and any corresponding Development Management policies that would be relevant to the character and scale of the development.

6.17 Applicants should consider the needs to address climate change at the very early stages of design and feasibility. Applicants should prioritise brownfield sites and existing building stock in sustainable locations over new developments on greenfield sites and consider a holistic approach which takes account of the core delivery mechanisms, these being design, construction, energy efficiency and low carbon and renewable energy. Considering the end user and influencing how communities will integrate and live and work is also important such as the need to conserve water, reduce the need to travel and enjoy good amenities.

6.18 It will also be imperative for development proposals to maximise natural processes and green infrastructure that can remove carbon from the atmosphere referred to as carbon sequestration. To achieve this, green infrastructure and nature recovery should be a core aspect of the development scheme, where available, with methods to reduce the impact of climate change favouring nature-based solutions over those requiring hard engineering. Such measures will also help to mitigate overheating, reduce flood risk, as well as address the biodiversity emergency.

6.19 A detailed assessment will be expected to accompany all applications in order to ensure that climate change is fully addressed which shall be proportionate and reasonable to the scale and nature of the development. This policy requires that all new major development applications are accompanied by an Energy and Climate Change statement which shall include the information necessary to assess how the development seeks to tackle climate change and meets the strategic climate change policy as well as other policy requirements within this Local Plan. For minor developments the Design and Access Statement should demonstrate that the principles of climate change and any necessary mitigation and adaption measures are clearly identified and incorporated into the development.

Circular Economy



Introduction

6.20 The construction industry generates significant amounts of waste and carbon emissions and is a heavy user of natural resources. Owing to the finite nature of these resources and the need to preserve such precious natural commodities, the promotion of the circular economy through the Local Plan can play a significant role in reducing embodied carbon, managing resources and reducing waste.

6.21 The circular economy seeks to transition away from the conventional linear model (take-make-dispose) to a model that increases recycling and repair and promotes waste as a resource. It seeks for buildings to be innovatively designed for longevity, to be built in layers to allow for easy adaption and flexibility for future new uses as well as disassembly. Such a framework offers a sustainable means of reducing embodied carbon and working towards a low carbon future and a goal of net zero waste to landfill.

Policy CC2: Circular Economy

1 Relevant Development proposals including all major development where there are existing buildings and / or structures present should incorporate circular economy principles, prioritising the retention and refurbishment of existing building stock and reducing waste, using sustainable materials and maximising opportunities to achieve a goal of net zero waste to landfill.

2 For all major developments, a circular economy statement shall be submitted and / or included as part of the energy and climate change statement required under policy CC1 demonstrating that all possible measures have been taken to retain and reuse existing buildings and construction materials, including how the development meets the following circular economy principles:

a Building in layers;

b Designing out waste;

c Building for longevity;

d Building for adaptability or flexibility;

e Designing for disassembly; and

f Using systems, elements or materials that can be reused and recycled.

3 Developments shall be designed to:

a Minimise the production of waste arising from construction, demolition and excavation and manage any such waste in accordance with the waste hierarchy and best practice waste management procedures;

b Promote the recycling of materials and use of sustainably sourced materials; and

c Demonstrate a preference towards retaining, refurbishing and reusing existing structures and buildings incorporating the retrofitting of low carbon and renewable energy and heat technology to existing buildings where feasible and viable.

4 Change of use and conversion of historic buildings shall be carried out in accordance with the Historic England Note 18: Adapting Historic Buildings for Energy and Carbon Efficiency or any subsequent updates to this note.





Reasoned Justification

6.22 Government Statistics show that approximately 60% of all waste generated in the UK is derived from construction related activities, with approximately 50,000 buildings a year being demolished across the country (RIBA 2022). The NPPF encourages the reuse of existing resources, including the conversion of existing buildings and promotes and supports the development of under-utilised land and buildings.

6.23 A key objective of the Local Plan is the use of brownfield land first. The promotion of the circular economy will directly feed into this, seeking to reuse land and recycle existing materials and have a preference to retain and refurbish existing buildings where possible and viable where the embedded carbon would be recycled.

6.24 The Circular Economy principles also seek for a high standard of innovative design and construction, so buildings are more resilient to the impacts of climate change by being adaptable for mitigation and future technological changes. By adopting the circular economy principles buildings can be viewed as both forever structures suitable for future adaptation and as temporary repositories for materials that can be reused.

Policy Implementation

6.25 The circular economy principles apply to all developments regardless of the scale and nature of the proposal. Therefore, when designing development proposals, the six circular economy principles should be central to the design and development strategy and overall management of the construction site.

6.26 To comply with this policy, developments should seek to minimise the production of waste, especially where significant amounts of excavation and demolition are required and where possible reuse and/or recycle this waste material/ spoil on site or locally. If this cannot be achieved, any eventual waste shall be managed in accordance with the waste hierarchy and best practice in accordance with the Kent County Council Minerals and Waste Local Plan.

6.27 If there are existing buildings or structures on site, if it is viable and feasible, preference should be given to retaining these on site and incorporating them into the development, such as for residential or commercial uses, ancillary uses or landscape features/structures and garden buildings.

6.28 The policy should be applied in a propionate manner. Major developments are likely to be able to have a greater positive impact upon the environment by reducing embodied carbon. Therefore, as part of the policy application, all major developments will be required to submit a circular economy statement as part of the Energy and Climate statement required under Policy CC1, to demonstrate compliance with the six principles.

6.29 For such a statement this should include a review of the circular economy principles and where these can be applied to the development, identifying where materials and methods can be specified to aid circularity, making recommendations. It should outline how the development's materials, services, construction methods, and future management by owners and/ or occupiers will fulfil circular economy principles. It should advise on details of waste, methods of disposal, materials and quantities as well as details regarding materials to be reused on site and recycled, including retaining buildings/ structures and their proposed use. Construction methods should show ease of construction and deconstruction, to ensure services are easily accessible for maintenance or upgrades. Lastly, it should include an end-of-life strategy for the proposed development and opportunity to return the materials to another use.

Sustainable Design & Construction

Introduction

6.30 Sustainable construction means taking a 'life cycle' approach to development. A core principle in addressing climate change is setting a high standard of sustainable design and construction that goes beyond the basic design parameters of a development and encompasses a whole life cycle approach from the very first design considerations to the construction methods, materials and end of life strategy. Embracing sustainable design and construction principles ensures the impact upon the climate from a development throughout its life is therefore reduced to a minimum.

6.31 Sustainable design and construction can positively contribute to delivering sustainable development and addressing climate change. The council therefore seeks to encourage high standards of sustainable design and construction that will raise the overall environmental performance of new developments whilst minimising their contribution to climate change.

Policy CC3: Sustainable Design and Construction

1 Development proposals will be supported where they demonstrate compliance with the principles of sustainable design and construction as set out below, to help mitigate and adapt to the effects of climate change;

a A Whole Life Cycle Carbon Assessment (WLCA) must be submitted for all new major development. The WLCA must follow recognised methodologies and include embodied carbon, operational carbon, end of life carbon and module D. WLCA must be submitted at the planning application stage and applications may be refused without an adequate WLCA or where insufficient design or mitigation is proposed.

b Prioritisation of brownfield land and reuse of existing buildings, structures and materials where available and feasible, minimising waste and maximising reuse of recycled materials during construction and designing for the reuse of materials at end-of-life strategy in accordance with Circular Economy policy CC2;

c Make efficient use of land and natural energy sources and conserve on site natural resources including vegetation, soil, water and materials;

d Use construction materials that have high environmental performance ratings including high thermal performance materials for walls, floors, roofs and glazing, to minimise the impacts upon the environment and reduce energy demands;

e Constructed using low embodied carbon and energy efficient materials that should, where possible, be locally sourced. Use of traditional construction techniques and local labour and skills where available. The use of building materials with high embodied carbon, such as concrete, should be kept to a minimum, as appropriate to the character and scale of the development. The Energy and Climate Change Statement should state clearly how the choice of materials has balanced durability with reducing embodied carbon, where appropriate;

f Maximise the use of renewable and low carbon energy and heating systems in accordance with the energy hierarchy set out in policy CC3, utilising opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy sources;

g Maximise the reduction in the use of water supplies and increase water recycling.

2 Development should be designed to regulate the internal air quality and temperature of buildings and mitigate against potential overheating. Overheating mitigation measures should be incorporated into the design of the scheme and considered at an early stage.

3 All new development shall be designed to follow the cooling hierarchy:

a Reduce the amount of heat entering a building through building form and fabric, orientation and shading, and the provision of green infrastructure;

b Minimise internal heat generation through energy efficient design;

c Manage the heat within the building through exposed internal thermal mass;

d Provide passive ventilation;

e Provide mechanical ventilation; and

f Provide active cooling systems only if this is demonstrated to be essential.

4 In accordance with policy CC1 above, major developments will be required to demonstrate within their Energy and Climate change statement how their development actively addresses these principles of sustainable design and construction. Minor developments will be required to address relevant matters in the Design and Access Statement.

Reasoned Justification

6.41 The built environment is responsible for carbon emissions at the construction stage but also throughout its lifetime. Therefore, to reach Net Zero across the borough, and indeed the rest of the UK, it will be necessary to implement policies that address a broader range of emissions that occur over the building's lifecycle, at all stages of the supply chain.

6.42 Therefore, embracing sustainable design and construction principles will make a significant contribution to tackling climate change as well as providing other local benefits such as supporting the local workforce and suppliers, local economies whilst embracing local distinctiveness.

6.43 The NPPF advises that the planning system should encourage the reuse of existing resources and help to reduce greenhouse gas emissions, such as through its location, orientation and design. Sustainable design and construction principles looks at design across the entire development process to ensure the impact upon the climate at all stages is minimised.

Policy Implementation

6.32 The policy applies to all developments, proportionate to the scale and character of the development. The policy advocates an approach where climate change is considered from the start and developments are innovatively designed to tackle issues in the most practicable form for the site. Both embodied and operational carbon should be considered which should then inform and guide the most effective and viable technologies and solutions. The policy requires a whole lifecycle assessment to be carried out for major developments.

6.33 A significant proportion of a building's carbon footprint and environmental impact is generated before occupation begins. For this reason, it is important that the assessment of a development includes the operational stage of a building's life when it is in use, as well as including construction activities such as the clearance of a site, any demolition requirements and transportation of materials. Software tools available for such assessments can be OneClick LCA and eTool.

6.34 Developments must, where possible, prioritise the use of previously developed land over greenfield land and sites in sustainable locations over those in remote rural areas. Similarly, priority should be given to the retention and reuse of existing buildings and materials where possible. Developments should make efficient use of land and take advantage of natural resources on site such as sites with good solar opportunity whilst conserving and managing natural elements such as soils, vegetation and water.

6.35 The use of materials with low embodied carbon is encouraged and those with high environmental performing qualities is a key component to sustainable design such as materials with high thermal properties. Materials with high embodied carbon such as concrete or steel should be kept to a minimum.

6.36 Consideration must be given to the sourcing of materials and waste disposal of materials. During the construction phase, the re-use of materials on-site such as hardcore, soil or rubble is advocated, and use of locally sourced materials is expected wherever possible in order to prevent landfill waste and reduce vehicular trip generation. The employment of local workforce and skills is also important to reduce travel. Specific consideration of the effect on soils and ecosystem services may also be required in accordance with other policies in this plan and development will be expected to follow the Defra Construction Code of Practice for the Sustainable Use of Soils on Constructions Sites.

6.37 The policy also recognises the need to embrace maximum use of renewable and low carbon energy and heating systems in accordance with Policy CC3. Applicants should refer to this policy for further guidance.

6.38 Addressing water scarcity is part of the sustainable design and construction principles whereby the development must promote a reduction in water use. Overheating is recognised as a key risk in the built environment in the future as a result of climate change and the impact of increasing temperatures and frequency of heat waves. Relative to other parts of the UK this is an issue that is likely to present a higher risk to the borough of Tonbridge and Malling given both its location and demographic.

6.39 This policy therefore requires early stages of design to consider the risks of overheating and be designed to follow the cooling hierarchy. Measures to address overheating in the design of new buildings are likely to be more effective and will be much cheaper to implement than retrofitting these in the future. Similar to energy use, it is recommended that a fabric first approach is taken with nature-based solutions such as shading from landscaping and green infrastructure.

6.40 A key part of complying with this policy for major developments is setting out and demonstrating the approach to sustainable design and construction in the Energy and Climate Change statement in accordance with Policy CC1. Where necessary and required, including for all major development proposals, this should include the whole lifestyle assessment.

Energy & Heating



Introduction

6.44 One of the biggest sources of carbon emissions comes from energy and heat associated to our homes and businesses. Heating and powering buildings accounts for 30% of the UK's total energy usage, and within the borough of Tonbridge and Malling, carbon emissions from the domestic and commercial sectors produce 28% of the borough's carbon emissions and these are dominated by building heating and energy use.

6.45 Policy CC4 seeks to reduce these emissions and requires development proposals to clearly demonstrate that energy efficiency has been a focus for building design and its end use.

Policy CC4: Energy & Heating

1 All development proposals should follow the below energy hierarchy in developing an energy strategy and should demonstrate this within the energy and climate change statement:

   a Reduce energy demands;

   b Use energy efficiently;

   c Generate and store renewable energy; and

   d Monitor energy use.

2 Measures should be incorporated at the earliest design stage of development and maintained throughout design, construction and operation of the proposal so that opportunities to maximise compatibility with current and future use of local and onsite zero and low carbon energy technologies are identified and incorporated into the design of the development.

3 Developments will be required to adopt a fabric first approach. All new major development should be built to achieve the following levels of sustainable construction unless it can be clearly demonstrated that targets cannot be met. Developments must, as a minimum, be designed and constructed to be carbon ready by design;

   a New residential dwellings to be built to a minimum 3-star standard or above of the Home Quality Mark.

   b New non-residential/commercial buildings to meet the BREEAM Very Good rating or higher.





Reasoned Justification

6.46 The purpose of this policy is to ensure that new developments are as energy efficient as possible through reducing energy demand and subsequent operational emissions. Buildings remain a significant contributor to the borough's carbon emissions and therefore any measures to reduce emissions in the long term will be a positive result. The NPPF is clear that the planning system should support the transition to net zero by 2050 and should help to shape places in ways that contribute to radical reductions in greenhouse gasses.

6.47 The council has declared a climate change emergency and is committed to working towards a carbon neutral borough over the lifetime of this Plan. The Council is ambitious in seeking to meet its climate change objective and be a net-zero carbon borough as soon as possible.

6.48 The council therefore wishes to set ambitious targets beyond current building standards to ensure carbon emissions are reduced and climate change objectives are achieved. This approach is in line with the Planning and Energy Act 2008 which allows local authorities to set local energy efficiency standards that go beyond the minimum standards provided by the Building Regulations.

6.49 The council acknowledges the proposed introduction of the Future Homes Standards in 2025 which is likely to set higher standards than current levels. At that time, the council will consider its policy approach further to inform its Regulation 19 Draft Submission Local Plan taking into account any additional climate change evidence and guidance from central Government.

Policy Implementation

6.50 This policy intends to reduce carbon emissions associated with new buildings and to improve the energy-efficiency of new buildings built during the lifetime of the Plan. The Policy will be applied to all development proposals for new residential buildings and new non-residential buildings.

6.51 Development proposals will need to demonstrate that the development endorses the energy hierarchy and maximises on site zero and low carbon energy technologies at the earliest design stage of development and maintained throughout design, construction and the operation of the development. Examples of this may be ground/ air source heat pumps, renewable solar and wind technology. The policy provides some flexibility in achieving this however applicants will need to ensure that developments are as energy efficient as possible being carbon ready by design following the energy hierarchy.

6.52 Being as energy efficient as possible starts with a fabric first approach, pursuing passive design measures to minimise space heating requirements, optimise solar and daylight access and minimise risk of overheating and artificial cooling demands.

6.53 To achieve carbon reductions and improved energy performance, major residential development (involving 10 or more dwellings, or a site area of 0.5 hectares or more) will be required to achieve a minimum 3-star standard or above of the Home Quality Mark. For major non- residential development (where the floor space will be 1000 sqm or more or the site area is 1 hectare or more) will be required to achieve the commercial BREEAM Very Good rating or higher.

6.54 Demonstration that the development will be able to achieve the standards should be submitted with the planning application as part of the Energy and Climate Change statement required under Policy CC1. If this is unachievable, then the reasons should be clearly set out which shall be considered individually on its own merits but may warrant withholding the grant of planning permission if this is not clearly justified.

6.55 As a minimum the development must be 'carbon ready by design', which means the building is designed to be highly energy-efficient and ready to transition to a zero-carbon future by utilizing low-carbon energy sources and minimizing the need for future modifications when the electricity grid fully decarbonises. Examples of being carbon ready by design, could be (but are not limited to) ensuring a building's heating network will be able to accommodate lower flow temperatures associated with air/ground source heat pumps as well as being highly insulated and orientated to benefit from natural radiation and cooling.

Renewable and Low Carbon Energy and Heat Projects

Introduction

6.56 Owing to technological advancements in renewable energy and low carbon technology, energy generated from such sources is now a viable and realistic option to power homes and businesses and feed into the national grid to help decarbonise it and provide a greener, sustainable energy source for our communities.

6.57 There are many different options for utilising renewable energy and low carbon energy sources which can include photovoltaics (solar panels and solar farms), wind turbines and wind farms, biomass fuel and community heat networks which are all possible within our borough.

6.58 As well as the installation of renewable and low carbon energy technology to individual homes and businesses, there is also a growing demand for the submission of specific energy infrastructure projects such as solar or wind farms or the creation of district heat networks which can reduce greenhouse gas emissions, can make efficient use of land allowing for multiple uses, ensure energy security, stimulate investment and potentially provide an income for local communities.

6.59 Policy CC5 below seeks to support the renewable and low-carbon energy schemes available to the borough and maximise the use of the available resources whilst safeguarding the environment and amenities of the borough.

Policy CC5: Renewable and Low Carbon and Heat Projects

1 Development proposals for renewable and low carbon energy generation and distribution networks, including heat network schemes and community led energy schemes will be supported where:

a The physical and visual impacts do not result in an adverse impact on the local environment that cannot satisfactorily be mitigated. This includes impacts upon landscape character, National Landscapes and their setting, residential amenity, biodiversity including habitats and species, geodiversity, flood risk and the historic environment. Impact considerations should also consider noise, shadow flicker, vibration and visual impacts such as glint or glare;

b The impacts and any required mitigation are acceptable in relation to highway safety, rail safety, aviation and defence navigation and communication systems;

c Proposals utilise commercial and previously developed land/buildings (where available) and avoid the loss of significant areas of the best and most versatile agricultural land. Where applications relate to agricultural land, that the site can continue to be used for agricultural activity (including the grazing of animals) that is proportionate to the scale of the proposal; and

d That a mechanism is provided to restore the site to its original use or an acceptable alternative use once the proposed use ceases including the removal of technology.

2 When located in the Green Belt, some aspects of renewable energy projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt. In such cases, developers will need to demonstrate very special circumstances.

3 Development proposals are required to maximise the use of the available resources by deploying installations with the greatest energy output whilst ensuring that the development is acceptable in planning terms. This includes maximising solar photovoltaic energy as well as considering the potential for thermal and energy storage and smart energy / demand management systems, except to the extent that developers demonstrate these requirements are not viable.

4 Where feasible, solar thermal energy will also be supported within new development.

5 Major development proposals should demonstrate compliance with this policy within their Energy and Climate Change Statement. Proposals should also demonstrate that effective engagement with stakeholders and communities has taken place to ensure that appropriate mitigation can be provided as required to make the development acceptable in planning terms.

Reasoned Justification

6.60 National Planning Policy and Practice guidance requires planning policies to maximise and promote renewable and low carbon energy on the path to delivering a net zero future by 2050. To achieve net zero, the Government is seeking to decarbonise the national grid and cut carbon emissions of electricity generation through low carbon and renewable energy technology.

6.61 In planning for the increased use and supply of renewable and low carbon energy and heat, paragraph 165 of the NPPF advises that plans should provide a positive strategy for energy from these sources that maximise the potential for suitable development and their future re-powering and life extension while ensuring that adverse impacts are addressed appropriately.

6.62 National Policy Statement for Renewable Energy Infrastructure EN-3 also highlights that there is an urgent need for new electricity generating capacity to meet the nation's energy objectives and that electricity generation from renewable sources is an essential element of the transition to net zero.

Policy Implementation

6.63 This policy seeks to provide the Local Plan's positive strategy for renewable and low carbon energy. It seeks to support large- and small-scale renewable and low carbon and heat projects, including community projects but also require renewable and low carbon energy technology for all new development.

6.64 Policy CC5 applies to all renewable and low carbon energy development proposals under 50MW of generated output energy. Development proposals over 50MW, except for battery storage, are required to be dealt with via the Nationally Significant Infrastructure projects (NSIPs). It is recognised however, that the Government intends to raise these thresholds in Spring 2025.

6.65 This policy applies to all renewable and low carbon projects including wind turbines and heat network proposals, with the most likely and common proposal being solar. Some large-scale proposals may come forward and be deemed to be nationally significant infrastructure projects (NSIP's) where the council will be a consultee rather than the decision taker and this policy can be used to guide the council's response in such instances.

6.66 Planning practice guidance makes clear that renewable energy does not automatically override environmental protection. Development proposals will therefore need to balance competing planning material considerations. When development proposals are located in the Green Belt, and considered to be inappropriate development, developers will need to demonstrate very special circumstances.

6.67 Development proposals will need to have regard to the visual impacts and the individual and cumulative impacts of other large-scale development upon an area. Particular attention will need to be given to the impact upon the borough's landscapes and the National Landscapes of the Kent Downs and High Weald and their settings. In these landscapes and their settings, major developments should be avoided where only small-scale and sensitive projects may reasonably be considered acceptable. The Kent Downs AONB Renewable Energy Position Statement advises that large scale wind turbine and solar farm developments will be unacceptable in the National Landscape and its setting.

6.68 Developments should ensure that there are no adverse effects upon residential amenities from issues such as noise, glare, vibration and odour as well as harmful impacts upon biodiversity, geodiversity and the historic environment. Developments must also not lead to an increase in flood risk. Development proposals will be expected to safeguard highway safety, aviation and defence systems in the area (if applicable) and avoid the loss of significant areas of the best and most versatile agricultural land of the borough for food production.

6.69 When the renewable energy use is no longer needed or comes to the end of its operational life, all development proposals must be capable of restoring the land to its former use or an alternative use through a formal change of use application when the use ceases. Alternative uses should be compatible with the character and appearance of the surrounding area and protect amenities.

6.70 The policy also requires for all new development (residential and commercial) to maximise the use of renewable and low carbon energy sources by deploying installations with the greatest energy output whilst ensuring that the development is acceptable in planning terms. This should, where feasible, include maximising solar photovoltaic energy as well as considering the potential for thermal and energy storage and smart energy / demand management systems. The council will also support and encourage solar thermal energy sources.

6.71 To ensure the criteria of this policy are met, major development proposals should demonstrate compliance with this policy within their Energy and Climate Change Statement under Policy CC1. For major, large-scale projects that are likely to affect whole communities or significant numbers of residents/ businesses, constructive and meaningful engagement with the affected communities and stakeholders will be expected to understand and address concerns raised, including impacts from construction, end use and operational maintenance needs.

Water Efficiency



Introduction

6.72 One of the biggest consequences of climate change, is the gradual decline in quantity and quality of fresh water, commonly referred to as water scarcity.

6.73 Water is recognised as being a finite resource. The availability of water is important for a number of reasons including as a source of drinking water, for industry and manufacturing, farming as well as within the natural world and the habitats and species that live in it.

6.74 The water sector in the UK is facing significant challenges due to the impacts of climate change. The country is experiencing more frequent and intensive extreme weather events such as floods, droughts and wildfires, which are placing increased pressure on water resources and infrastructure.

6.75 As such, there is a strong recognition of the need to save water and a clear legislative direction towards water efficiency. Policy CC6 to the right seeks to support national and local targets for water use efficiency.

Policy CC6: Water Efficiency

1 All new residential and commercial developments (including building refurbishment and retrofitting) will be required to demonstrate, through the Energy and Climate Change Statement or Design and Access Statement (as relevant) that the development is designed to minimise its impact on and make efficient use of water resources. For each development, a water efficiency calculator (or equivalent to) should be completed to accompany the application to demonstrate that the water efficiency targets set out below are being met or surpassed where possible.

a All new residential development must be designed and built to achieve a maximum water use of 110 litres per person per day or the highest water efficiency standard that applies at the time of the planning application.

b All proposals for non-residential development should maximise water efficiencies under the mandatory water credits category in the BREEAM Water Consumption assessment methodology.

2 Development proposals should demonstrate that water reuse and recycling and rainwater harvesting measures have been incorporated wherever possible to reduce demand on mains water supply as part of an integrated approach to water management.





Reasoned Justification

6.76 Climate change is affecting water quality and availability, as rising temperatures and changing precipitation patterns alter the water cycle. Summer rainfall is expected to decrease and the water supply in the UK is forecast to decrease by 7% by 2045 as a result of our changing climate and limits to sustainable abstraction (Water UK 2025).

6.77 Tonbridge and Malling is located within the south east which was classified by the Environment Agency back in 2013 as an area of serious water stress. In 2021, the Environment Agency updated their assessment and the area continued to remain within a serious water stressed area. The water stress method takes a long-term view of the availability and the demand for public water supply. It accounts for future population growth, climate change, environmental needs and increased resilience.

6.78 National policy in the NPPF (para 161) clearly acknowledges the issue of declining water supplies and advises that the planning system should take full account of all climate change impacts including water scarcity. Furthermore, the Environment Act 2021 sets a target to reduce the use of public water supply in England per head of population by 20% by 2037-38 from the 2019-20 baseline.

6.79 To deliver improved water efficiency in new development over the lifetime of the Plan is therefore crucial to addressing water scarcity arising from shifts in climate patterns. An effective way of saving water is through the reduction of personal consumption. In England, the average person uses around 150 litres of water a day for a range of uses including sanitation. Significant savings are possible by placing a greater focus on the use of water efficiency devices and rainwater and grey water recycling in new homes and businesses.





Reasoned Justification

6.80 This policy applies to all new residential and commercial development across the lifetime of the plan period.

6.81 New residential development will be expected to be built to achieve a maximum water consumption of 110 litres per person per day through the installation of water efficiency sanitary appliances. Water efficiency in non-residential development will be required to maximise water efficiencies under the BREEAM standard – water consumption assessment methodology.

6.82 New development will also be expected to reduce non potable water demand through either rainwater or grey water recycling for uses such as toilet flushing and outdoor irrigation which could be innovatively integrated into the SuDS for each building in some circumstances.

6.83 Applications will be expected to be accompanied with a water calculator (or equivalent) to demonstrate that the water consumption target of 110 litres is being met and exceeded where possible. This is a methodology tool that helps to identify whole building water use per person per day and should be used in accordance with the Government's national calculation methodology for assessing water efficiency.

6.84 These requirements will be secured by planning condition and delivered and monitored as part of the Building Regulations process.

Managing Development Within Flood Risk Areas





Introduction

6.85 Tonbridge and Malling Borough is highly susceptible to flooding due to its location within the River Medway catchment. The catchment has an area of approximately 930 square miles across west Kent, Sussex and the Surrey borders with an extensive network of major and minor river tributaries.

6.86 The rivers Medway, Bourne and Hawden Stream together with their tributaries flow through the borough creating a continued risk from fluvial and tidal influence. Some parts of these rivers flow through built up and highly populated areas such as Tonbridge and Aylesford placing homes, businesses and infrastructure at risk.

6.87 In the recent past, the borough has suffered from some significant flooding such as the December 2013 floods which affected 80 homes in the Barden Road and Danvers area of Tonbridge. The Leigh flood storage area (FSA) was built to reduce the risk of future flooding to approximately 1,200 homes and businesses.

6.88 Planning policy now requires that strategic policies should manage flood risk from all sources as well as the current and future impacts of climate change and be informed by a Strategic Flood Risk Assessment. New development should be sustainable and in flood risk considerations this means that development should be directed to areas at the lowest risk of flooding, should not make flooding worse and should reduce existing overall flood risk where possible.

6.89 To inform the Local Plan and its spatial strategy, the council has undertaken a Level 1 Strategic Flood Risk Assessment which advises that the borough is at risk from fluvial, tidal, ground water, surface water and reservoir flooding. Further work to understand flood risk will be progressed to help inform the Regulation 19 Pre-Submission Local Plan as required.

Policy CC7: Managing Development Within Flood Risk Areas

1 New development proposed in an area identified as being at current or future risk of any source of flooding (as shown on the Tonbridge and Malling Level Borough Council Strategic Flood Risk Assessment) will be expected to demonstrate it fully accords with the following criteria:

a Where required meets the sequential test and where required, the exceptions test (as set out in the NPPF) taking into account all sources of flood risk and the current and future impacts of climate change. Within the site, a sequential approach shall be applied with the most vulnerable development being located in areas of lowest flood risk.

b Development proposals are accompanied by a site-specific Flood Risk Assessment (as set out within the NPPF) which takes account of all sources of flooding and the current and future impacts of climate change as well as any residual risk. The FRA shall demonstrate that the development can be made safe for its lifetime, without increasing flood risk elsewhere.

c Any advice from the Environment Agency and other relevant flood risk management authority, such as lead local flood authorities and internal drainage boards, has been taken into account and implemented.

d Flood resilient measures and residual risk management measures shall be incorporated into the development in accordance with any recommendations of the Flood Risk Assessment or flood risk management authority, so it is appropriately flood resistant and resilient with the use of natural flood management techniques where suitable and feasible.

e Measures are incorporated to ensure that development proposals do not have any adverse effects on the capacity or water quality of any watercourse or floodplain.

2 Applications for flood management and infrastructure projects will be supported where the proposal presents no conflict with other policies within this Plan.

Reasoned Justification

6.90 The borough has experienced a number of flood events attributed to a range of sources. Owing to climate change and sea level rise, together with rising housing pressures flooding is likely to pose an even greater threat affecting local communities and the environment. It is therefore important that new development is appropriate to the location and is safe and resilient for its lifetime taking into account climate change whilst not increasing flood risk elsewhere.

6.91 National Policy and associated Planning Practice Guidance is very clear on how flood risk should be managed through the Planning system. It seeks to do this by avoiding inappropriate development in areas at risk of flooding by applying a sequential risk-based approach to the location of development in plan making, taking into account all sources of flooding currently and in the future. This is known as the sequential test. The approach to and application of the sequential and exception tests to individual planning applications is set out in detail in Planning Practice Guidance.

6.92 Owing to the very localised threat to the borough, a specific flood risk policy is proposed that would sit alongside national policy and support the application of the sequential and exceptions test and requirement for flood risk assessment (FRA).

6.93 In recent years the council has been a stakeholder in the delivery of a number of local flood management infrastructure projects such as the Leigh flood storage area and Hildenborough embankment project in 2021 and the current Medway Estuary and Swale Flood and Coastal Erosion Risk Management Strategy (MEASS), which are critical to protecting our communities from future flood events. Owing to climate change and the socio-economic pressure facing the borough the flood risks are continually increasing and therefore further infrastructure management projects may be required in the future. This policy therefore seeks to strongly support such schemes in principle subject to all other material planning considerations being acceptable.

Policy Implementation

6.94 This policy applies to all developments that are identified to be at risk from any source of current or future flood risk. Applicants are directed to use the Strategic Flood Risk Assessment (available on the council's website) to identify flood risk.

6.95 All development will be required to demonstrate that it has taken into account existing and future flood risks from all flooding sources, including the latest climate change allowances, and that the need for effective protection and flood risk management measures, where appropriate have been considered. For development proposals in a high cumulative impact catchment area as defined within the Cumulative Impact Assessment of the Tonbridge and Malling Borough Council Level 1 Strategic Flood Risk Assessment the schemes should also consider the cumulative effects of the proposed development and should demonstrate that flood risk downstream will not be made worse as a result of cumulative development.

6.96 Proposals must use the sequential test to inform the location of development, including the sequential approach within the site and taking account of the flood risk vulnerability classifications set out in the national planning guidance to direct new development to areas with the lowest probability of flooding. If, following the application of the sequential test, it is not possible, consistent with wider sustainability objectives, for development to be located in areas with a lower probability of flooding, the exception test can be applied. The sequential and exceptions test shall be applied to all developments at risk of any form of flooding except householder development, small non-residential extensions (with a footprint of less than 250m²) and changes of use; except for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the sequential and exceptions test should be applied.

6.97 A site-specific flood risk assessment (FRA) should be provided for all development in flood zones 2 and 3 and in flood zone 1 an FRA should accompany all proposals involving sites of 1 hectare or more or land identified in a strategic flood risk assessment as being at increased flood risk in future or land that may be subject to other sources of flooding where its development would introduce a more vulnerable use. Householder applications within an area at risk of any source of flooding should use the TMBC householder Flood Risk Assessment template available for download on the TMBC website. Where the risk only arises from surface water flooding then an FRA which demonstrates clearly that mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development, Planning Practice Guidance states that the sequential test need not be applied.

6.98 Flood resilient measures will be expected to be incorporated into the development when this is clearly advised within the flood risk assessment. These should reduce the amount of water entering buildings or limit the damage caused if water does enter a building. Such measures should minimise damage and allow faster cleaning, drying, repairing and re-occupancy of the building in the event of a flood. Examples of effective measures could include (but not limited to), increased slab levels, flood walls/gates, raised electrical sockets with electrical cables dropping from the ceiling and the use of waterproof plaster. Further advice can be provided by the Ciria Code of practice for property flood reliance (C790 A-C).

Sustainable Drainage Systems





Introduction

6.99 Owing to climate change shifts, the UK is expected to experience wetter, milder winters and more extreme weather events such as heavy periods of intense rainfall.

6.100 In urban environments where the existing natural management of surface water is altered due to buildings and hard standing surfaces, the risk of surface water flooding increases as rainwater runoff overwhelms existing water management networks and floods out onto impermeable surfaces. Surface water flooding is a significant issue for the borough and in recent years has caused damaged to homes and businesses for several communities from such related flood events.

6.101 Within the borough, the primary source of surface water flooding is attributed to heavy rainfall overloading highway carriages, hard standings, drains and gullies. This is also exacerbated by the borough's susceptibility to ground water flooding where it is sometimes difficult to distinguish between the two different types of flood water source, particularly in the north of the borough owing to the bedrock geology of these areas.

6.102 Policy CC8 therefore seeks SuDS for all new development that will affect drainage on or around the site that can accommodate a 1:100-year design flood event plus the relevant allowance for climate change. SuDS can include measures such as detention and retention features, infiltration systems and green infrastructure such as green roofs, rain gardens and swales.

Policy CC8: Sustainable Drainage Systems (SuDS)

1 All development proposals which could affect drainage on or around the site will be required to manage surface water resulting from the development using sustainable drainage systems (SuDS) in accordance with the following details.

a All sustainable drainage system shall be designed to operate without any flooding occurring during any rainfall event up to (and including) the critical 1 in 30 year storm (3.33% Annual Exceedance Probability (AEP).

b The system must also be able to accommodate the rainfall generated by events of varying durations and intensities up to (and including) the critical, climate change adjusted 1 in 100 year storm (1% AEP). The drainage system shall not increase flood risk off site and have the following design principles;

i Designed in a manner which is sensitively located and safeguards visual and residential amenity.

ii Designed to provide multifunctional benefits for people, green infrastructure, water habitats and biodiversity.

iii Follows natural drainage flow paths and operates with existing site topography.

iv Is accompanied with a scheme for the long-term maintenance and funding of the SuDS for the lifetime of the development. Planning conditions and/or obligations shall be used to secure these arrangements.

2 Run-off shall be in accordance with the following hierarchy:

a Infiltration

b To a surface water body

c To a surface water sewer

d To a combined sewer

3 Surface water connections to the public sewerage network should only be made with prior agreement of the relevant sewerage undertaker and where it can be demonstrated that there are no feasible alternatives and the connection will not detriment existing users.

4 For proposed development sites that meet with any of the following conditions the SuDS shall only discharge at a rate equivalent to or below Qbar[1] for all designed rainfall events. A staged discharge will not be acceptable:

a Are situated in a high cumulative impact catchment area as defined within the Cumulative Impact Assessment of the Tonbridge and Malling Borough Council Level 1 Strategic Flood Risk Assessment.

b Where the surface water currently discharges to a sewer (either surface water, combined, highway or foul).

c Where the surface water currently discharges to a watercourse that is culverted either at the point of discharge or downstream of the discharge point.

5 Has taken account of and implemented advice from the Lead Local Flood Authority.

6 All other development will be expected to incorporate SuDs for a surface water design flood event where possible and feasible.

1 Qbar is the peak rate of flow from a catchment during a mean annual flood.

Reasoned Justification

6.103 Sustainable drainage systems are regarded as the most effective and sustainable means of managing water run off. They can also provide multifunctional benefits for biodiversity and green and blue infrastructure. National policy in the NPPF (paragraph 182) clearly advises that any development which could affect drainage on or around the site should incorporate Sustainable drainage systems which is a principle that the council seeks to endorse and promote through the Local Plan.

6.104 The Borough of Tonbridge and Malling is expected to see an increase of up to 10% increase in heavy rainfall by the end of the plan period (2042) and a 20% increase in rainfall during winter months by year 2100 (UK Climate Projections 18 (UKCP18) data), which will lead to greater volumes of runoff. Our drainage systems and waterbodies cannot keep getting bigger, so this increase must be managed at the source.

6.105 Therefore, new development has a role to play in contributing to this sustainable surface water management. At present, planning policy only requires that new developments do not exacerbate existing issues and that they maintain pre-development runoff rates, however, there is a role for new developments to help mitigate the impacts of climate change and to reduce sewer discharges to the environment and improve water quality of these discharges.

6.106 Sustainable drainage systems can mitigate these impacts by attenuating and slowing flows, enabling greater natural infiltration and compensating for climate change impacts as well as providing additional amenity and biodiversity opportunities. In line with national policy, the council will therefore expect such systems to be integrated into new development proposals to reflect the local flood risk issues that place the borough communities at risk.

Policy Implementation

6.107 This policy applies to all development proposals that could affect drainage on or around the development site. Ideally this should be informed by a drainage strategy, however advice can be sought from the county's Lead Local Flood Authority – Kent County Council.

6.108 The SuDS should be designed to control surface water runoff close to where it falls and mimic natural drainage as closely as possible. For major developments, SuDS will be expected to be considered at the early stages of design and feasibility as an integral part of the master planning.

6.109 SuDS should be designed in accordance with the Kent County Council (KCC) Standards who are the Lead Local Flood Authority and should have regard to the details within the two surface water management plans covering the borough, KCC Surface Water Management Plan for Tonbridge and Malling Borough and Maidstone and Malling Surface Water Management Plan.

6.110 The policy requires that the SuDS are designed to operate up to the critical 1:30 storm event (3.3% AEP) but also be able to accommodate the rainfall generated by events of varying durations and intensities up to (and including) the critical, climate change adjusted 1 in 100 year storm (1% AEP). The policy requires that where new development discharges surface water to a sewer (including a surface water, combined or foul sewer), or to a watercourse that is culverted, either where the development discharges or downstream, or in an area where the SFRA has identified a high risk of cumulative impacts, that the runoff rate is limited to the annual average runoff rate (Qbar -which is the peak rate of flow from a catchment during a mean annual flood), for all return periods. This should be informed by the Council's Level 1, Strategic Flood Risk Assessment report[2].

6.111 Surface water run off should be managed in accordance with the run-off hierarchy as set out in CC8 (2), with discharged via ground infiltration being the most sustainable preferred option and is unaffected by this policy. Discharge to a combined sewer should be the very last choice, when all other options have been considered and proven to be not available or technically feasible, and must be robustly justified. Surface water discharges to large watercourses, such as the River Medway, and to the sea are unaffected by this policy and are the preferred approach after infiltration.

2 SFRA Document.











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07 NATURAL ENVIRONMENT

Introduction

7.1 The Borough of Tonbridge and Malling has a predominantly rural character.

7.2 With a diverse natural environment including internationally, nationally and locally protected wildlife sites, areas of rare habitats that support protected and priority species, swathes of woodland including ancient woodlands and veteran trees, as well as the River Medway, the River Bourne and their tributaries that support fresh and intertidal habitats.

7.3 The borough's natural environment provides a diverse range of benefits to people, nature and the economy. It supports the health and wellbeing of residents and visitors, biodiversity, food and energy production, flood control, climate change mitigation and adaptation, pollution and much more.









Landscape

7.4 The borough's landscape is heavily influenced by its underlying geology, which is important in determining the character of the landscape. It also influences the quality of the soil resource in the borough. Areas of the borough, particularly in the lower lying centre and north, are identified as being best and most versatile (BMV) agricultural land and support a range of cereal crops (approximately 30% of the borough) as well as orchards and soft fruit farming. In recent years, the south facing slopes in the north of the borough have also seen an increase in viticulture as the climate has warmed. These valuable soils support biodiversity, food production and carbon storage.

7.5 Much of the north of the borough is encompassed by the Kent Downs National Landscape, known for its wooded hill tops, scarp slopes and long views, as well as internationally rare chalk grassland which supports species of international conservation importance. Woodland and Lowland Meadow also contribute to a significant biodiversity network protected and valued for its nature conservation interest and potential.

7.6 A smaller area to the south of Tonbridge lies within the High Weald National Landscape which has a more intimate and wooded character and supports habitats, including ancient woodlands, heathlands, and flower-rich grasslands. In total, approximately 27% of the borough falls within these nationally protected landscapes, designated for their natural beauty.

Biodiversity

7.7 Biodiversity refers to the variety of all living organisms including animals, insects, plants, and micro-organisms as well as the variety of ecosystems and their component habitats.

7.8 The borough supports a range of habitats, which in turn, support a wide range of flora and fauna. The diversity of the natural environment within Tonbridge and Malling is one of the borough's great assets and many of the existing landscapes and spaces are accessible to the public.

7.9 However, The State of Nature Report (2023) identifies that nature has been declining across the UK, and as a country it is one of the most nature depleted in the world. This not only has an impact on wildlife, but on our ability to engage with nature as part of our response to climate change and for our physical and mental health and wellbeing. As the resident population of the borough grows, the conservation and enhancement of the natural environment will need to be managed to ensure net gains in biodiversity to try and halt this decline whilst delivering high quality, distinct urban and rural environments, accessible diverse open spaces, and ecological networks that will allow species to move across the landscape.

7.10 There are many areas in the borough that are designated for the biodiversity value. The North Downs Woodland and Peters Pit, in the north of the borough, have been identified as being of international importance for nature conservation and have been designated as Special Areas of Conservation. In addition, there are eleven Sites of Special Scientific Interest, predominantly in the north of the borough around the Medway Valley and the scarp slopes of the Kent Downs National Landscape.

7.11 Although not a statutory designation, the borough also has 46 Local Wildlife Sites (LWS) which are of county wildlife importance for wildlife, the largest of which is Mereworth Woods in the centre of the borough. These assets should be protected and enhanced.

The Environment Act 2021

7.12 The Environment Act (2021) establishes clear statutory targets for the recovery of the natural world in four priority areas: air quality, biodiversity, water and waste, and includes an important new target to reverse the decline in species abundance by the end of 2030. The Act places a new duty on all public authorities to conserve and enhance biodiversity and report on actions taken. Local authorities are also required to have regard to relevant local nature recovery strategies and the council is working collaboratively with Kent County Council, Medway Council and the local authorities in Kent to support the delivery of the Kent and Medway Local Nature Recovery Strategy (LNRS).

7.13 The LNRS will provide an opportunity to deliver an ecologically coherent and landscape scale, strategic approach to nature recovery including identifying priorities for nature, areas of importance and areas of opportunity, and where action could be best targeted to best deliver gains in biodiversity across Kent.







Conserving and Enhancing the Natural Environment

Introduction

7.14 The natural environment and the assets it provides help to foster the borough's strong sense of character and identity. It can also help to mitigate the impacts of pollution as well as deliver a wide range of environmental, economic, health and well-being benefits for nature, climate, local and wider communities and prosperity. Understanding the location of our existing natural assets and the multifunctional role they play is fundamental in achieving sustainable development.

7.15 The need to conserve and enhance the natural environment requires an ecosystems services approach due to the multifunctional role that many of the natural assets of the borough provide. This approach looks beyond designated sites and protected species to consider natural systems as a whole.

7.16 The Local Plan seeks to contribute to the conservation and enhancement of the natural environment by protecting and enhancing valued landscapes, sites of biodiversity or geodiversity value and soils, recognising the intrinsic character and beauty of the countryside, minimising impacts on and delivering net gains in biodiversity, and preventing new and existing development from contributing to, or being adversely affected by, unacceptable levels of pollution.

7.17 Policies are provided to ensure that the delivery of new development is balanced against the need to conserve and enhance the character and distinctiveness of the borough's natural environment.

7.18 Policy NE1 sets out the borough's overarching approach to the natural environment that will support our vision of conserving and enhancing natural assets and increasing biodiversity.

Policy NE1: Conserving and Enhancing the Natural Environment

Development should seek the protection, conservation and enhancement of the natural environment, through:

a Protecting and enhancing sites designated for biodiversity or geological value;

b Promoting the conservation, restoration and enhancement of priority habitats, ecological networks and green infrastructure, planning positively for people, nature and for addressing climate change taking an ecosystem services approach;

c Protecting and assisting the recovery of protected species and irreplaceable habitats;

d Supporting proposals that seek to conserve or enhance biodiversity as their primary objective;

e Securing measurable net gains in biodiversity;

f Ensuring that development maximises opportunities to help deliver the Local Nature Recovery Strategy and provide wider environmental benefits;

g Ensuring the positive conservation and enhancement of the Kent Downs and High Weald national landscapes and their settings, in accordance with the relevant Management Plan;

h Protecting and enhancing the borough's most valued landscapes, landscape character, soils, trees and woodland;

i Requiring the protection of the boroughs soil resource including minimising disturbance to soils and seeking opportunities to improve soil health to protect soil biodiversity, food production and carbon storage and to minimise the loss of the most fertile soils and soil erosion;

j Seeking to avoid and minimise the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) to major new development;

k Ensuring that development does not contribute further to adverse air pollution levels, ground, water or light pollution and taking opportunities to make improvements where possible, and in accordance with relevant guidance, action plans and frameworks;

l Supporting high-quality, well-designed development that maximises nature-based solutions and landscape led design that respects local character and contributes to establishing a strong sense of place; and

m Ensuring that development applies the mitigation hierarchy where it may affect designated sites and biodiversity assets, including protected and priority species.





Reasoned Justification

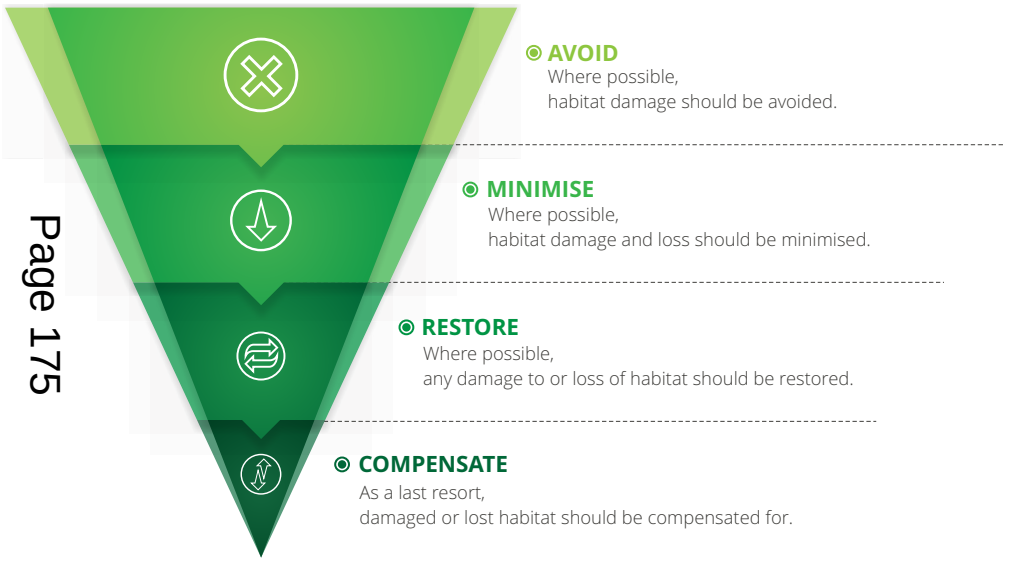
7.19 The council is committed to the protection, conservation and enhancement of the natural environment. The planning system is a key tool in addressing the need to conserve and enhance the natural environment and to protect it from harm.

Policy Implementation

7.20 Applicants should demonstrate how their proposals align to strategic priorities and actions With consideration to the Tonbridge and Malling Green and Blue Infrastructure Strategy (2024) and Kent and Medway Local Nature Recovery Strategy in order to secure maximum biodiversity benefits and to deliver the greatest gains from habitat enhancement, restoration and re-creation. Proposals for development within, or in the setting of, a National Landscape should have regard to the relevant Management Plan from the outset of a schemes design, to ensure the scheme conserves and enhances the protected landscape.

7.21 Planning applications will need to include relevant ecological surveys and baseline information. This will ensure that the council can address the Environment Act 2021 Biodiversity Duty in the decision.

7.22 To avoid significant harm to biodiversity, applicants should apply the mitigation hierarchy from an early stage in scheme design.



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Figure 7.1: Mitigation Hierarchy of Avoidance, Mitigation and Compensation.

7.23 Avoidance of adverse impacts to biodiversity as a direct or indirect result of development must be the first consideration. Compensation is only considered after all other options have been explored and strictly as a last resort. Where a development cannot satisfy these requirements, planning permission should be refused.

7.24 Soil is also a valuable natural resource and is under threat from loss and degradation. The structure and health of soils is important for food production, biodiversity and carbon storage and development should protect and enhance soils from design stage through to construction. Applicants are encouraged to refer to Defra's guidance Construction code of practice for the sustainable use of soils on construction sites (2018).

National Landscapes

Introduction

7.25 In 2023, Areas of Outstanding Natural Beauty (AONBs) were renamed National Landscapes.

7.26 Tonbridge and Malling borough contains two National Landscapes: the Kent Downs; and the High Weald. Over 25% of the borough is located within the Kent Downs National Landscape to the north and west, and the High Weald National Landscape is located in the south of the borough, as illustrated in Figure 7.2 on page 130.

7.27 These are nationally designated landscapes that are afforded the highest level of landscape protection, where great weight is given to the need to conserve its landscape and scenic beauty. The primary purpose of their designation is to conserve and enhance the natural beauty of the area. The council has a statutory duty, under the Countryside and Rights of Way (CROW) Act (2000) (as amended by the Levelling up and Regeneration Act 2023), to seek to further the purpose of the National Landscapes.

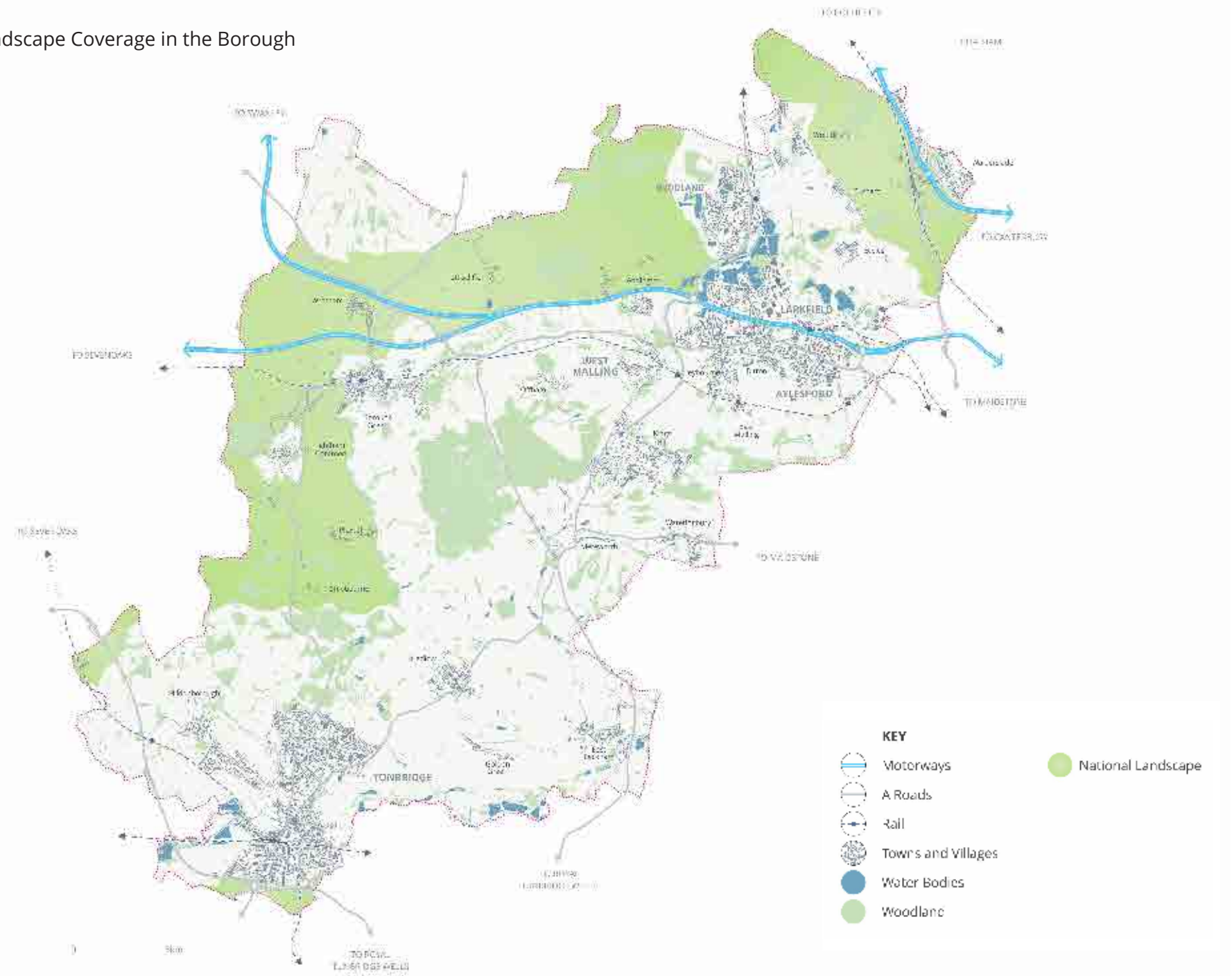
7.28 The Kent Downs Management Plan and the High Weald Management Plan identify the distinctive features of the respective landscapes and set out the objectives for protecting, conserving and enhancing their locally distinctive features, as well as considering wider environmental issues, local communities and the rural economy. The Management Plans set out the council's policies for managing land within these landscapes and are a material consideration that must be taken in to account when considering the siting, layout and design of any development including materials.

7.29 In addition, large areas of the borough, although outside of these protected national landscapes, fall within their setting. The setting of national landscapes is also an important consideration, both individually and cumulatively, including on views into and out of the protected landscapes.



7.30 National Landscapes are living, working landscapes. They provide a livelihood for the agricultural and tourism sectors as well as other parts of the rural economy. They also provide an attractive setting for settlements and an important recreational resource for residents and visitors.

Figure 7.2: National Landscape Coverage in the Borough



Policy NE2: National Landscapes

1 All proposals within, or affecting the setting of, the Kent Downs National Landscape and the High Weald National Landscape, must conserve and enhance the natural beauty of these nationally designated landscapes, including the national landscapes.

2 The scale and extent of development within the National Landscapes should be limited and will only be supported where the nature of the development, location, siting, scale, form, and design would conserve and enhance the components of natural beauty of the relevant National Landscape as defined in the AONB Management Plan, including; its distinctive landscape character and features, historic settlement patterns, dark skies and tranquillity; and would positively contribute to the targets, aims and objectives as defined in the relevant Management Plan, avoiding adverse impacts, unless these can be satisfactorily mitigated.

3 Development compatible with furthering the purpose of a National Landscape should apply a landscape-led approach that reflects the character and features of the National Landscape and should be of high design quality. The impact of development on views into and out of the National Landscape should also be considered.

4 Proposals will be required to submit appropriate information as part of an application to enable any impacts to be considered, taking into account the relevant Management Plan, landscape character or sensitivity assessments and any associated supporting documents and/or guidance.

5 Major development within the National Landscapes will only be supported in exceptional circumstances and where it can be demonstrated to be in the public interest.

Setting of the National Landscapes:

6 Development within land that contributes to the setting of a National Landscape will only be permitted where:

a it does not adversely affect the National Landscape's natural beauty (including dark skies and tranquillity);

b It is sensitively located and designed to avoid or minimise adverse impacts on the National Landscapes; and

c It is consistent with National Landscape purposes, and in particular does not adversely affect transitional landscape character in the setting of the National Landscape and views, outlook and aspect, into and out of the National Landscape by virtue of its location, scale, form or design.

7 Assessment of such development proposals should have regard to the relevant AONB Management Plan and supporting documents.





Reasoned Justification

7.31 National Policy (paragraphs 189-190) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscape that the scale and extent of development within such landscapes should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas, and advises that planning applications for major development in National Landscapes should be refused other than in exceptional circumstances.

7.32 The setting of National Landscapes comprises land adjacent to or within close proximity of their boundaries, including but not limited to, land which is visible from the National Landscape and from which the National Landscape can be seen. In some cases, the setting area will be compact and close to the boundary, in other cases the setting may be wider.

7.33 Large sections of the strategic road network, including the M2, M20, M26, as well as a number of settlements, are located within the National Landscapes and their settings. Good accessibility to infrastructure and services in some of these locations is likely to result in development pressures in these areas and there is a need to effectively manage this to ensure the purpose of conserving and enhancing the natural beauty of the protected landscapes is furthered.

Policy Implementation

7.34 The Kent Downs Management Plan and High Weald Management Plan are material considerations in planning decisions, and the council expects developers to have regard to the Management Plans from the outset of a schemes design. The council will have regard to the principles and defining components of character as set out within the Management Plans when considering development proposals affecting the National Landscapes and their setting.

7.35 Consideration will also be given to their associated supporting guidance including, but not limited to, the Kent Downs Landscape Design Handbook, Kent Downs National Landscape Guidance on the selection and use of colour in development, the High Weald Housing Design Guide, the High Weald Dark Skies Planning Advice Note, and High Weald Colour Study. Applications for equine related development should have regard to the Kent Downs AONB Good Practice Guide: Managing Land for Horses.

7.36 Major development within the National Landscape will not be permitted unless it can be demonstrated that the development is in the public interest, in accordance with the tests set out in paragraph 190 of the NPPF. However, the council acknowledges that there may be cases where development is necessary within the setting or that small scale development is necessary within the National Landscapes themselves. In these instances, the council will work with applicants and the relevant National Landscape Unit to ensure appropriate and acceptable development is achieved.

7.37 All applications for development (excluding householder and advertisement applications) in, or within the setting of, the National Landscapes should be accompanied by a landscape and visual impact assessment when undertaking new building works, and an assessment of the proposal against all relevant Management Plan objectives.

Landscape Character

Introduction

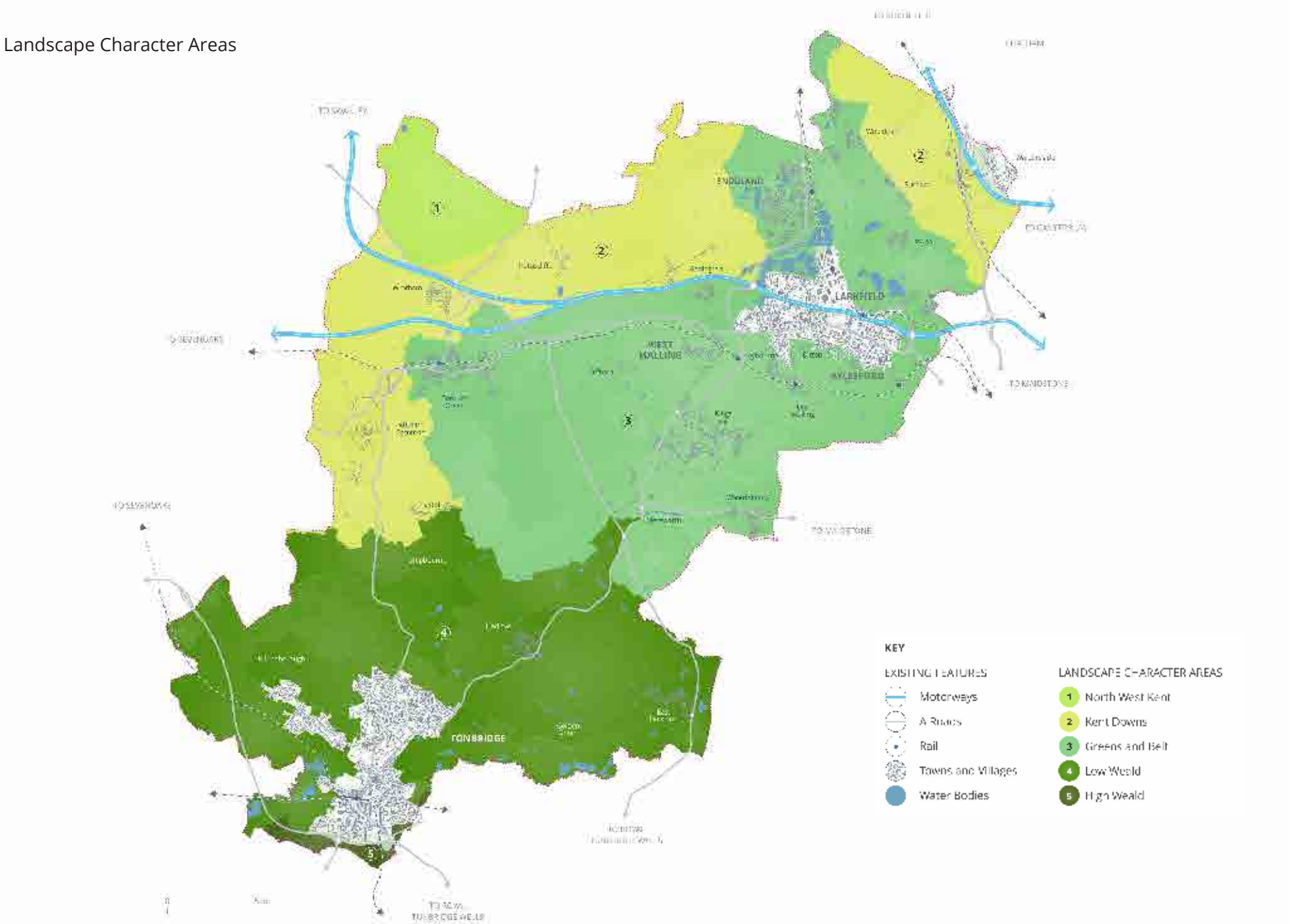
7.38 The high-quality landscapes of the borough are one of its greatest assets. Tonbridge and Malling lies within four National Character Areas, the North Downs, Wealden Greensand, Low Weald and High Weald. From the chalk grassland in of the Kent Downs in the north of the borough to the traditional orchards and ancient woodland in the central areas and flood plains and wetland around Tonbridge in the south. These diverse landscapes provide a haven for wildlife, a livelihood for the agricultural and tourism sectors, an attractive setting for settlements and an important recreational resource for residents and visitors.

7.39 Landscape character varies across the borough and is influenced by a range of factors including geology, soils, topography, climate, land cover and land use, and historic and cultural development. These natural, cultural and perceptual attributes combine to create landscape character, and these processes have resulted in a series of distinctive landscapes across the borough, proving a valuable resource contributing to the borough's rural economy, and ecosystem services, as well as providing opportunities for recreation.





Figure 7.3: Landscape Character Areas



Policy NE3: Landscape Character

1 Proposals should adopt a landscape led approach and must protect and enhance the intrinsic character and quality of the landscape character area, within which development will be situated, as defined by the Tonbridge and Malling Landscape Character Assessment (2025) and the Kent Downs AONB Landscape Character Assessment Review (2020) and any other relevant guidance / information.

2 Development proposals will need to demonstrate that they have considered the following in respect of their potential impact on the landscape, including any cumulative impacts:

a Landform, topography, geology and natural patterns of drainage;

b The pattern and composition of trees and woodlands;

c The type and composition of wildlife habitats, biodiversity and ecological character;

d The pattern and composition of field boundaries;

e The pattern and distribution of settlements, roads and footpaths;

f The presence and pattern of historic landscape features; and

g The setting, scale, layout, design and detailing of vernacular buildings and other traditional man-made features.

3 Development proposals will be expected to demonstrate that they effectively prevent, reduce and mitigate any negative impacts on landscape character (in that order), having regard to the condition and sensitivity of the character area, as well as contribute to local character and distinctiveness, and the green infrastructure network. Where possible, planting should be informed by and contribute to landscape character and make use of native and / or climate resilient species characteristic of that landscape character area.





Reasoned Justification

7.40 The National Planning Policy Framework is clear that plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes. This can include nationally and locally designated landscapes but also the wider countryside.

7.41 To further understand the intrinsic character and beauty of the countryside in line with national policy, landscape evidence was commissioned to support plan-making. The Tonbridge and Malling Landscape Character Assessment (2025) that accompanies this Plan, provides an assessment of landscape character across the borough.

7.42 For each of the landscape character areas identified, the assessment sets out the key characteristics that are particularly valued for their contribution to character and for the ecosystem services they provide, as well as the condition and sensitivities of that specific area, the forces for change within the character area and landscape guidelines on how the landscape can be managed to ensure future change respects local character. This includes guidance on patterns of development, plants and species, boundary treatments, building materials and the managing the relationships between any historic and new development.

7.43 In addition, the Tonbridge and Malling Landscape Sensitivity Assessment (2025) considers the sensitivity of land surrounding the borough's most sustainable settlements to development, and the Tonbridge and Malling Landscape and Visual Appraisal (2025) considers potential landscape impacts and mitigation for the sites identified for development within this plan in order to define matters of landscape management and development management which should be considered in decision making.

Policy Implementation

7.44 Development should enhance, respect and reinforce the landscape through a landscape-led design approach, informed by contextual analysis of the local landscape character at the earliest opportunity. Planting should be informed by and contribute to landscape character and use native species where possible.

7.45 Proposals for development should have regard to the assessment of landscape sensitivity and landscape strategy guidance for that character area, as well as the Landscape and Visual Appraisal conclusions as relevant. Proposals should be accompanied by a Landscape Appraisal, which should be proportionate to the size and likely impacts of the scheme and be carried out in accordance with the Landscape Institute Guidelines for Landscape and Visual Impact Assessment and undertaken by a Chartered Landscape Architect.



Designated Sites, Irreplaceable Habitat and Priority Habitats and Species

Introduction

7.46 Sites designated for nature conservation perform key roles in protecting and supporting nature. They are classified into a hierarchy according to their status and the level of protection they should be afforded. International sites form the top tier of the hierarchy with the highest level of protection, followed by national and then locally designated sites, which include Local Wildlife Sites, Regionally Important Geological Sites and Local Nature Reserves.

7.47 Tonbridge and Malling borough has many areas that are designated for their biodiversity value, and these support a wide variety of species and habitats. They comprise:

- Two Special Areas of Conservation (SAC)
- 11 Sites of Special Scientific Interest (SSSI)
- 46 Local Wildlife Sites (LWS) and two Local Nature Reserves (LNR) and eight Regionally Important Geological Sites (RIGS).

7.48 In addition, approximately 11% of the borough is covered by Ancient Woodland. The Natural England Ancient Woodland Inventory and Woodland Trust Ancient Tree Inventory identify locations of these irreplaceable habitats.

7.49 A number of the priority habitats and species identified in the Kent Biodiversity Strategy 2020-2045 can be found in the borough, including traditional orchards, deciduous woodland and chalk grassland. Together, these natural assets help to make up a web of stepping-stones and corridors for wildlife, forming key components of ecological networks.

Figure 7.4: Coverage of SACs, SSSIs, LWS, LNR, and Ancient Woodland coverage in the borough

Designation	**Coverage in the borough** (ha)
Special Areas of Conservation (SAC)	131
Sites of Special Scientific Interest (SSSI)	723
Local Wildlife Site (LWS)	2,296
Local Nature Reserve (LNR)	73
Ancient Woodland	2.621



The following policy seeks to ensure that appropriate weight is given to the importance of these sites and the contribution they make to wider ecological networks.

Policy NE4: Designated Sites, Irreplaceable Habitat and Priority Habitat and Species

1 Designated sites of importance for biodiversity will be safeguarded in line with the hierarchy set out in the NPPF.

2 Development proposals that will have an adverse impact on the integrity of international wildlife sites, as defined on the Policies Map, will not be supported other than in exceptional circumstances, in accordance with the NPPF:

a Development proposals that are likely to result in a significant adverse effect, either alone or in combination with other proposals, on any internationally designated site, must satisfy the requirements of the Habitats Regulations (or any superseding similar UK legislation);

b Development requiring Appropriate Assessment will only be allowed where it can be determined, taking into account mitigation, that the proposal would not result in significant adverse effects on the site's integrity.

3 Developments which would adversely affect a Site of Special Scientific Interest (SSSI) (individually or cumulatively), as defined on the Policies Map, will not be supported. Exceptions will only be made where the benefits of the development on the particular site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts. Where an exception is considered, the mitigation hierarchy will apply.

4 Proposals for development in, or likely to have an adverse effect (directly or indirectly) on a Local Wildlife Site (LWS), Local Nature Reserve (LNR) or Regionally Important Geological Sites (RIGS), as defined on the Policies Map, will not be supported. In considering whether such an effect arises, the mitigation hierarchy of avoidance, mitigation and then compensation will apply.

5 The enhancement of biodiversity through the creation, enhancement and extension of designated sites locally will be supported.

6 Development should seek to conserve, restore and where possible enhance irreplaceable habitat, and priority habitats and species.

7 Development proposals directly or indirectly affecting biodiversity will be required to apply the mitigation hierarchy of avoidance, mitigation and compensation. The council will not support development proposals where significant harm is not adequately avoided, mitigated or compensated for.

8 Development proposals will need to demonstrate that biodiversity has been considered at an early stage in site identification and design to ensure that the location and/or use of land for development will not undermine designated sites, priority habitats and species and irreplaceable habitats, either directly or indirectly.

9 Opportunities to extend and buffer designated sites, irreplaceable habitats, priority habitats where applicable should be explored in order to support and implement measures within priority areas that could become of particular importance for nature recovery (as identified in the Local Nature Recovery Strategy).

10 Planning applications will be expected to be supported by relevant environmental information, including protected species and habitat records, which are informed by appropriate and up-to-date ecological data/ surveys. Any ecological surveys should be undertaken by suitably qualified professionals and be in line with best practice / guidance and Government standing advice.



Reasoned Justification

7.50 The NPPF states that planning should contribute to conserving nature and securing 'net gains' for biodiversity. Protecting and enhancing designated sites, as well as wider wildlife corridors and stepping stones, can assist in ensuring the connectivity of ecological networks and facilitate species migration, including in response to climate change.

Policy Implementation

7.51 Planning applications should be informed by a thorough understanding of the potential impacts, direct and indirect, on habitats and species. In all cases, development proposals will be required to follow the mitigation hierarchy when considering the potential impacts of the proposal on the borough's habitats and species, both designated and non-designated. Applicants are encouraged to contact the Kent and Medway Biological Record Centre for protected habitats and species information within the borough.

7.52 Avoidance of adverse impacts on biodiversity as a direct or indirect result of development must be the first consideration. Mitigation and, if required, compensatory measures will be secured through planning obligations or conditions. Compensation will only be considered after all other options have been explored and strictly as a last resort. If significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

7.53 Where necessary, due to the presence of designated sites, and/or biodiversity assets, including the presence of habitats and features on or adjacent to a development site that indicate the potential for protected or priority species to be present, planning application submissions will need to include relevant ecological surveys and baseline information, along with proposals for addressing the requirements of this policy, and should have regard to industry best practice guidance and to Natural England's guidance on preparing planning proposals to avoid harm or disturbance to protected species and on how to avoid harming protected areas and species during development work.

7.54 Regionally Important Geological Sites are geological Earth Science sites of particular importance as an educational, research, historical or recreational resource, identified by the Geo-Conservation Kent Group. Where possible, opportunities for access and/or interpretation should be improved.

7.55 Ancient woodland, and trees classed as 'ancient', 'veteran' or 'aged' are an irreplaceable, nationally important and threatened habitat. The council will use Natural England and Forestry Commission Standing Advice for Ancient Woodlands, ancient trees and veteran trees to review applications that might affect ancient woodland and ancient or veteran trees. Development resulting in the loss or deterioration of irreplaceable habitats will be refused unless there are wholly exceptional reasons (such as the examples provided by paragraph 180 (c) of the NPPF) and a suitable compensation strategy exists.

Biodiversity Net Gain

Introduction

7.56 Biodiversity net gain (BNG) is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was before a development takes place. The Environment Act (2021) requires that planning permissions granted in England (with a few exemptions) deliver at least 10% biodiversity net gain above the ecological baseline and expects developers to maintain any habitat creation or enhancement for a minimum of 30 years.

7.57 Local Nature Recovery Strategies will guide delivery of BNG and other nature recovery measures by helping developers and planning authorities avoid the most valuable existing habitat and focus habitat creation or improvement where it will achieve the best outcomes.

7.58 BNG can be achieved on-site, off-site or through a combination of on-site and off-site measures, and where this can't be achieved, following application of the mitigation hierarchy, through the purchasing of biodiversity units as part of the BNG credits scheme. It will be important to consider whether provisions for biodiversity net gain will be resilient to future pressures including climate change, and ensure they are supported by an appropriate long term management plan.

7.59 Any mitigation and/or compensation requirements for internationally designated sites, other statutory designated sites or irreplaceable habitats should be dealt with separately from biodiversity net gain provision.

Policy NE5: Biodiversity Net Gain (BNG)

1 All relevant new developments are required to provide a minimum of 10% biodiversity net gain (BNG) and submit a Biodiversity Gain Plan. BNG must be calculated using the relevant Statutory biodiversity metric and be secured for a minimum of 30 years after the development is completed.

2 Proposals for BNG should be delivered on-site, taking into account local green infrastructure priorities set out in the Local Nature Recovery Strategy, the Tonbridge and Malling Green and Blue Infrastructure Strategy (2024) and the Kent Biodiversity Strategy. Off-site delivery will only be considered where it can be demonstrated that, after following the mitigation hierarchy, all reasonable opportunities to achieve net gains on-site have been exhausted.

3 Where off-site biodiversity gain is proposed, the Kent and Medway Local Nature Recovery Strategy (2025), once published, should be used to guide the locations of BNG. Delivery on sites within the borough should be fully explored and evidenced prior to considering delivery on sites outside the borough.

4 Only where delivery on-site and off-site have been fully explored and evidenced will the use of statutory credits be supported.

5 Development proposals must provide sufficient BNG information to demonstrate that the BNG requirement is capable of being successfully discharged and ensure that any BNG is in addition to any mitigation or compensatory measures. This should include a draft Biodiversity Gain Plan and draft Habitat Management and Monitoring Plan that follow the DEFRA and Natural England templates which should also include the following local considerations:

a The method of BNG delivery (for example on or off site);

b Evidence to demonstrate that the biodiversity gain hierarchy and locational hierarchy set out in criteria 3 of this Policy has been followed;

c The Statutory Biodiversity Metric should seek to align with and meet the objectives of the Kent and Medway Local Nature Recovery Strategy;

d Where baseline habitat of high or very high distinctiveness is retained onsite, the draft Habitat Management and Monitoring Plan should include proposals to secure its management to ensure that no deterioration would occur that results in reduced overall BNG.

6 BNG proposals will be secured by condition and/or legal agreement with the Council or a conservation covenant with a Responsible Body. Where legal agreements are with the council this will include a requirement to cover the Council's costs associated with the long-term monitoring of the BNG delivery.

7 BNG that helps deliver nature-based solutions for climate change as well as biodiversity loss, such as the restoration and creation of ecosystems to protect communities from flooding or increasing carbon sequestration, will be encouraged.





Reasoned Justification

7.60 The Environment Act (2021) mandates at least 10% BNG for new development and is seen as a key mechanism for halting the decline in nature. The council declared a climate and biodiversity emergency in 2019, and this policy sets out the council approach responding to this.

7.61 The Kent and Medway Local Nature Recovery Strategy (2025), the Tonbridge and Malling Green and Blue Infrastructure Strategy (2024) and the Kent Biodiversity Strategy 2020-2045, set out the local priorities for nature in the borough, and these should inform the type and location of BNG to be delivered.

7.62 The statutory metric includes a 'strategic significance' component which will be informed by the Kent and Medway Local Nature Recovery Strategy (2025).

Policy Implementation

7.63 This Policy applies to all new planning applications, with the exception of those types of development set out in The Biodiversity Net Gain Requirements (Exemptions) Regulations 2024. Development that falls outside the scope of mandatory BNG should still seek to provide biodiversity gains in accordance with NPPF.

7.64 Planning applications will be required to demonstrate that proposals meet the requirements for a minimum of 10% BNG, informed by appropriate ecological surveys and assessments, which should be carried out by a suitably qualified ecologist. The British Standard for Biodiversity BS42020 outlines detailed guidance on ecological appraisal and the ecological information that should be submitted in planning applications.





7.65 The Statutory Biodiversity Metric should be used for all non-exempt major development, and the Small Sites Metric used for small sites. A Biodiversity Gain Plan is required to be submitted once permission has been granted and be approved by the council prior to commencement of the development. Applicants are encouraged to use the DEFRA Biodiversity Gain Plan, and the Natural England Habitat Management and Monitoring Plan templates in their submissions. Applications seeking to achieve in excess of 10% net gain will be supported.

7.66 Proposals for BNG must be acceptable to the council in terms of design and location. Proposals should have appropriate delivery and funding mechanisms that are capable of being secured by condition and/or legal agreement. Monitoring of biodiversity net gain projects will be funded by the developer, with reports provided to the council for BNG reporting.

7.67 Before the council approves the use of statutory credits, the applicant/agent will need to demonstrate that the developer has explored all on-site BNG options and can provide evidence showing why this is not possible; and can show evidence that no off-site options are available in England.

Green and Blue Infrastructure





Introduction

7.68 Green Infrastructure (GI) is a network of multi-functional green and blue spaces which can deliver a wide range of environmental, economic and social benefits. It can include parks, green spaces, allotments and woodlands, urban features such as street trees, green roofs and walls as well as the footpaths and corridors that connect them. The term also incorporates 'blue infrastructure' such as streams, ponds, rivers, wetlands and sustainable drainage systems.

7.69 The suite of designated sites, open spaces and waterways, along with valued National Landscapes and the wider countryside, contribute to a network of green infrastructure which can help provide for biodiversity as well as delivering wider benefits to the environment and economy including climate change adaptation and mitigation.

7.70 Recent years have seen an increased recognition of the important role that access to nature can play in improving physical and mental health, wellbeing and happiness. This network provides valuable wildlife corridors and stepping stones through which species, including protected species, can migrate, as well as recreational opportunities and ecosystem services. Protecting and enhancing this network of spaces, and linkages between them, is important to achieving the vision and aims of the Local Plan.

Policy NE6: Green and Blue Infrastructure

1 New development proposals must ensure that the loss of existing new green and blue infrastructure is avoided, and that new green and blue infrastructure is considered and integrated into scheme design from the outset. The loss of existing wildlife rich corridors and stepping stones, should be avoided.

2 Proposals that cause loss or harm to existing green or blue infrastructure assets, as identified in the Tonbridge and Malling Green and Blue Infrastructure Strategy (2024), will not be supported unless:

a The need for and benefits of the development demonstrably outweigh any adverse impacts.

b Where adverse impacts on green and blue infrastructure are unavoidable, development will only be supported if suitable mitigation and/or compensation measures for the network are provided in line with the mitigation hierarchy.

3 The design and layout of new green and blue infrastructure should:

a Take opportunities to incorporate a range of spaces, green routes and environmental features including footpaths, urban greening, green walls/green roofs and landscape features that contribute to public amenity, that are appropriate to the development and reinforce the wider green and blue infrastructure network;

b Deliver biodiversity net gain and support ecosystem services in support of the Local Nature Recovery Strategy;

c Minimise any indirect adverse effects on habitats and species including those relating to recreation, lighting, disturbance, water quality, pollution or invasive species;

d Have due regard to landscape/ townscape and historic character and contribute to establishing a strong sense of place;

e Support climate change adaptation and resilience for both people and nature including through use of appropriate habitats and climate resilient species to provide opportunities for species migration, and the use of new tree planting to facilitate shading and cooling;

f Encourage healthy, inclusive and safe places to maximise the delivery of green infrastructure benefits; and

g Comply with Natural England's Green Infrastructure Standards.

4 Where new or enhanced green and blue infrastructure is proposed, details of appropriate species selection and long-term management and maintenance must be provided.

5 Planning applications will be expected to be supported by relevant environmental information, which is informed by appropriate and up-to-date ecological data/surveys. Any ecological surveys should be undertaken by suitably qualified professionals and be in line with best practice / guidance and Government standing advice.

6 Where major development involving the provision of housing is proposed on land released from the Green Belt, new or improvements to existing green spaces that are accessible to the public, in accordance with Policy SP8 should support the green and blue infrastructure network of the borough.





Reasoned Justification

7.71 The NPPF states that Plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure, planning for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

7.72 Green and blue infrastructure is integral to place-making, significantly contributing towards places where people want to live, work and invest. As the borough continues to grow and develop, it will be important to conserve the existing green and blue infrastructure network as well as ensuring that opportunities to enhance the network and deliver new multifunctional green infrastructure are taken.

7.73 The Kent and Medway Nature Recovery Strategy (2025) and the Tonbridge and Malling Green and Blue Infrastructure Strategy (2024) identify the existing green and blue infrastructure assets within the borough, as well as identifying potential opportunities to enhance this network. Additionally, the Open Space, Indoor and Outdoor Sport and Recreation Study (2024) identifies those open space assets to be protected from development. Protection and enhancement of these assets can ensure multifunctional benefits for both nature and communities.

Policy Implementation

7.74 New development should contribute to the extension of the green and blue infrastructure network, helping to address deficiencies in provision and providing good quality connections to the network and throughout the development.

7.75 Green infrastructure principles should be considered and incorporated into a scheme from the earliest stages of the design process, at every scale (from a single building to a new settlement), and be capable of delivering a range of environmental and health and wellbeing benefits.

7.76 Opportunities to achieve multi-functionality by bringing green and blue infrastructure functions together should be explored. Proposals should comply with Natural England's Green Infrastructure Standards to enable equitable provision of good Green Infrastructure.

7.77 In developing proposals, regard should be had to the Kent and Medway Nature Recovery Strategy (2025), the Tonbridge and Malling Green and Blue Infrastructure Strategy (2024). In addition, Parish Infrastructure Plans and Neighbourhood Plans should be considered to identify local needs and opportunities for new green infrastructure.





Woodland, Trees and Hedgerows





Introduction

7.78 Woods, trees and hedgerows are essential for people, biodiversity and climate change resilience, and are key components of green infrastructure. They can support species, improve health and wellbeing, clean the air, cool our towns, help to manage flood risk, and, by capturing and storing carbon, they play a vital role in addressing climate change as well as making an important contribution to the local character.

7.79 The importance of woodlands and trees is reflected in the Environment Act (2021), and the Government's Environmental Improvement Plan (2023) which introduced a target to increase tree canopy cover and woodland cover to 16% of total land area by 2025.

7.80 Tonbridge and Malling has large areas of existing woodland, some of which are ancient, and there are many pressures that can affect these including an ongoing decline in traditional woodland management practises, under or inappropriate management of woodlands, introduction of new species, disease and pests, pollution and disturbance. All these pressures can result in the loss of species diversity.

7.81 Hedgerows are also important features in the borough, not only being a traditional feature of the landscape and contributing to local character but also providing corridors through which species can travel.

7.82 The council will seek to ensure that, wherever possible, new development does not result in the loss of or damage to any trees or hedgerows and will seek to maximise appropriate tree cover in new development.

Policy NE7: Woodland, Trees and Hedgerows

1 Development proposals will be supported where they protect, restore, manage, enhance and supplement existing woodland, trees and hedgerows in accordance with best practice guidance and relevant standing advice.

2 New trees, woodland and hedgerows should be located to enhance and restore biodiversity to support the Kent and Medway Nature Recovery Strategy outcomes, landscape character, visual amenity, the green and blue infrastructure network including that set out in the Tonbridge and Malling Green and Blue Infrastructure Strategy (2024), facilitate climate change mitigation and adaptation and enhance biodiversity. Any planting should be characteristic of the local area, in keeping with the site surroundings, including any historic context, and comprise of a diverse range and mixture of climate resilient and native species.

3 Development proposals will be supported where existing woodland, hedgerows and trees are taken account of and integrated into the design of development with long-term sustainable relationships being achieved. Proposals which would affect woodlands, trees and/or hedges within the application site or on land adjacent to the site (including street trees), will need to be supported by a survey showing the trees/hedges and providing details of protection measures. Tree surveys and details of tree/hedge protection measures should be prepared by a suitably qualified arboriculturist in accordance with the recommendations of BS5837: 2012: Trees in Relation to Design, Demolition and Construction (or subsequently updated version of that Standard) and the requirements of the Validation Checklist. Sufficient evidence and measures, with allowance for future growth and maintenance requirements, must be provided to ensure protection from any likely impacts from development, including, but not limited to, access and provision of services.

4 Proposals should incorporate trees within the design and layout of development within both urban and rural areas, including tree-lined streets, to enhance the amenity of the public realm as well as providing climate change adaptation and mitigation benefits.

5 Proposals will need to demonstrate that sufficient measures can be implemented to protect trees, woodland and hedgerows both during and for the lifetime of the development to achieve current and long-term sustainable relationships.

6 Development which would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and ancient or veteran trees, will only be permitted in wholly exceptional circumstances, where the public benefit would clearly outweigh the loss or deterioration, and where a suitable compensation strategy exists.

Reasoned Justification

7.83 Natural England's Ancient Woodland Inventory identifies approximately 2,600 ha of ancient woodland in Tonbridge and Malling, accounting for c.11% of the borough. In addition, the Woodland Trust's Ancient Tree Inventory identifies numerous ancient trees across the borough, some individual specimens, and others in groups. National policy requires that development resulting in the loss of or deterioration of such irreplaceable habitats should only be permitted in exceptional circumstances where the public benefit would clearly outweigh the loss or deterioration, and a suitable compensation strategy exists.

7.84 The NPPF also recognises the important contribution that trees play in the character and quality of the environment, and their role in addressing climate change, through ensuring that new streets are tree-lined, that opportunities are taken to incorporate trees in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

7.85 The Kent County Council (KCC) Tree Canopy Cover Report (2020) identifies that Tonbridge and Malling has an estimated canopy cover of 28%, the second highest in the county and significantly above the county average of 17%, and above the national canopy cover target. This provides an important asset to support biodiversity, that in line with the Biodiversity Duty on public authorities, should be conserved and enhanced.

7.86 In addition, the Tonbridge and Malling Tree Charter (2021) recognises the value of trees, not just for biodiversity but the increasingly important role they can play in mitigating the effects of climate change, risks of flooding and pollution control. The Tree Charter seeks opportunities to increase tree cover across the borough to help respond to climate change and help reverse the collapse of biodiversity by creating opportunities for species to adapt and thrive.

7.87 Woodland, trees and hedgerows is also identified by the Kent and Medway Nature Recovery Strategy (2025) as one of six habitat priorities for nature recovery in the county and seeks improvements in management as well as the expansion of existing and creation of new woodland and hedgerows.

Policy Implementation

7.88 The council will protect existing woodlands, trees and hedgerows and will support all suitable opportunities for new planting of these as part of development schemes, and the protection of new trees via Tree Preservation Orders, where appropriate. This includes protecting trees and other vegetation from damage during construction phases.

7.89 The council will seek to ensure that where development is proposed close to ancient woodland and/or veteran trees, or where development may result in harm to ancient woodland and/or veteran trees, suitable and appropriate protection is provided in the form of buffer zones and any other measures deemed necessary. Where developments are proposed in, or adjacent to, ancient woodland, the council will have regard to Natural England and Forestry Commission Standing Advice for Ancient Woodlands, ancient trees and veteran trees.

7.90 Proposals for development will be expected to avoid harm to existing trees, woodlands and hedgerows, seek to protect and incorporate them into any landscape scheme, and seek to maximise opportunities for tree planting and woodland creation, as appropriate, including the provision of tree lined streets. When planning for tree, woodland or hedgerows planting, applicants should have regard to the Forestry Commission's best practice guidance on the right tree, in the right place for the right reasons and the Tonbridge and Malling Landscape Character Assessment (2025).

7.91 Where tree planting, hedgerow or woodland creation is proposed as part of developments within a National Landscape, applicants should take account of the relevant Kent Downs or High Weald Management Plan and any associated guidance.

7.92 Where trees are present on, or within 15 metres of a development site, a full tree survey and Arboricultural Impact Assessment in accordance with the current 'BS5837: Trees in relation to design, demolition and construction – Recommendations', the Validation Checklist and any other related survey information, should be submitted alongside the planning application.

7.93 The preference will be to incorporate existing trees into the development. However, there may be instances where the loss of trees is unavoidable. Where the loss of such features is demonstrably unavoidable, adequate replacement provision, of appropriate species, will be sought. The proposal will also be required to demonstrate:

- That the development could not equally be delivered elsewhere, where no harm to tree(s) would be involved;
- That the proposed development scheme could not be modified to retain the tree(s); and
- That the amenity value of the tree(s) is/are outweighed by the benefits to the community of the development proposal.

Local Green Space

Introduction

7.94 Green spaces within and around towns and villages can play an important role in defining the character of an area, as well as being an important social, environmental, and economic resource to a local community.

7.95 The council recognises the benefits that green and open spaces have for the physical and mental health and wellbeing of people in the borough and the value communities place upon them. This is to be reflected in the council's new Local Plan as Local Green Spaces.

7.96 The NPPF in 2012 introduced the ability for communities to identify areas of Local Green Space (LGS) of particular importance to them and designate them for protection through Local Plans and Neighbourhood Plans for example because of their beauty, historic significance, recreational value, tranquillity or wildlife value. National policy advises that managing development within a LGS should be consistent with Green Belt policy. This means that development on a designated LGS will only be permitted in very special circumstances.

7.97 Planning Practice Guidance is very clear that LGS designations should not be used in a way that undermines the ability to identify sufficient land in suitable locations to meet identified development needs and therefore designating Local Green Space will need to be consistent with local planning for sustainable development. For land to be designated as LGS it must meet set criteria as set out in national planning policy (para 107), this means that for a site to be designated it must be:

a in reasonably close proximity to the community it serves;

b demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

c local in character and is not an extensive tract of land.

7.98 Planning Practice Guidance provides further guidance on LGS designation, and this has been used to identify a methodology to evaluate the appropriateness of Local Green Space designation for sites put forward. The methodology requires that proposed LGS must not already be sufficiently protected by policy and that a proposed site must meet five criteria to be formally designated in the Local Plan.

7.99 In relation to existing policy protection, this may include policy protection such as that provided by national Green Belt policy, national landscapes, ancient woodland, European / national biodiversity policy protection, policy relating to registered parks and gardens, scheduled ancient monuments, Conservation areas or village greens. The five criteria that a proposed site must meet includes:

- The space does not have planning permission for development;

- The space is not allocated or proposed for development in the Local Plan;
- The space is not an extensive tract of land and is local in character;
- The space is within close proximity of the community it serves; and
- The space is demonstrably special to the local community and holds particular significance.

7.100 For further information on the methodology please see the LGS Topic Paper.

7.101 To date the council have received 185 sites for consideration as potential Local Green Spaces and work is on-going to understand whether they meet the national criteria and whether they meet the five criteria for designation. Out of these 185 sites, 123 sites have been screened out for a variety of reasons for example due to an existing planning permission being in place, it being an extensive tract of land and existing onsite designations already providing adequate policy protection from future development. A full list of the 185 sites and the justification for them being screen out, can be found in the LGS Topic Paper (2025). This leaves 62 sites for further consideration. The sites that are being taken forward for further consideration are set out in Annex 1. To understand whether each of the sites are demonstrably special to the local community as per (b) above, elected members and Parish Councils have been invited (on behalf of their communities) to submit evidence to the council as to why the sites are demonstrably special to their local communities.

7.102 The sites submitted so far can be seen in the LGS Topic Paper. Once we have progressed the site assessments, should any sites successfully demonstrate that they meet national criteria, then these will be included in the Regulation 19 Local Plan and listed within a Policy.

7.103 Policies for managing development within a LGS should be consistent with those for Green Belts, excluding provisions relating to grey belt and previously developed land as set out in chapter 13 of the NPPF.





Agricultural Land

Introduction

7.104 National planning policy requires local planning authorities to take into account the economic and other benefits of the best and most versatile (BMV) agricultural land and looks to direct significant development, where this is demonstrated to be necessary, to areas of poorer quality land.

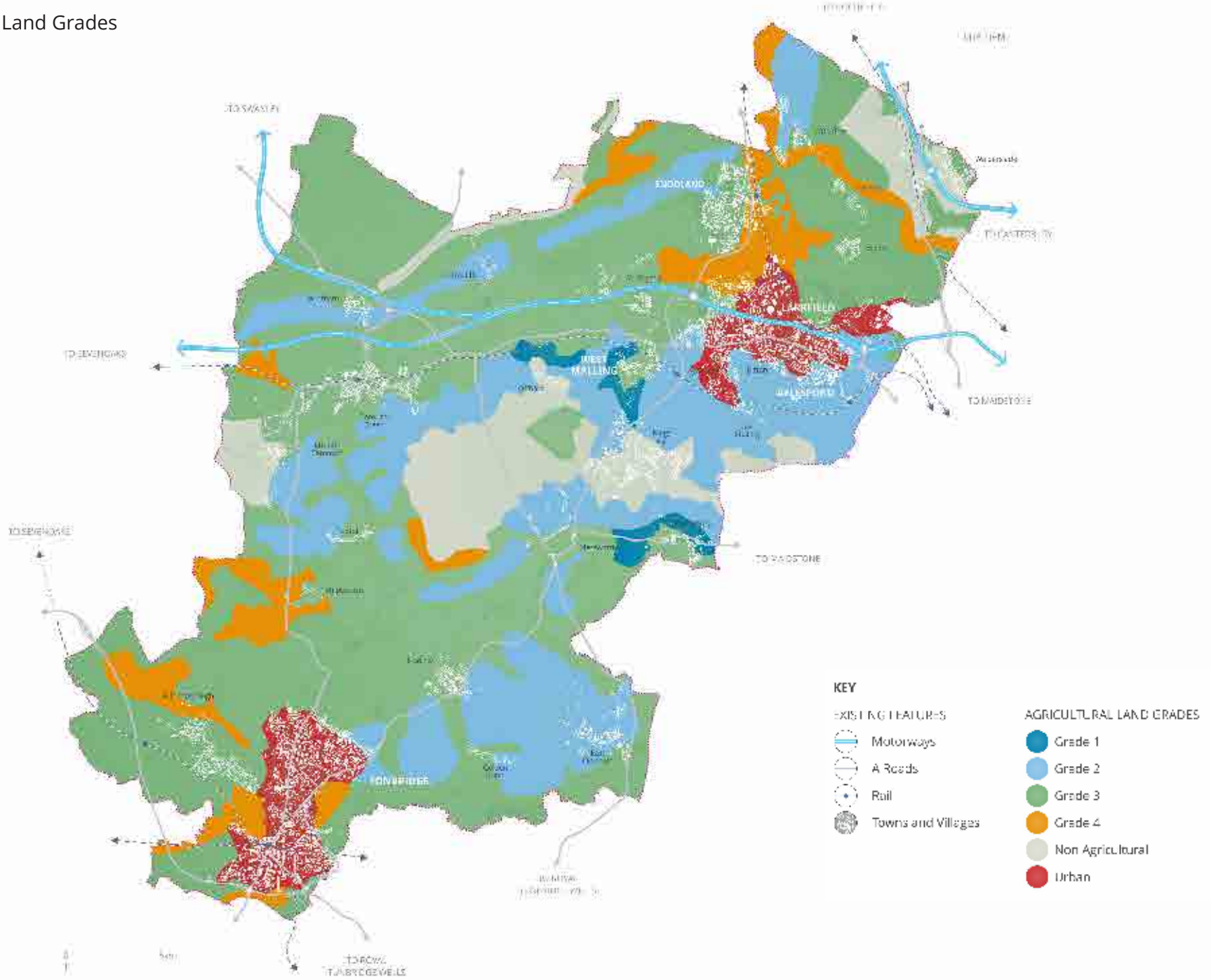
7.105 BMV agricultural land is defined as land in Grades 1, 2, and 3a of the Agricultural Land Classification (ALC), with grade 1 being the highest. Land within these grades are considered to be the most versatile, productive and efficient, i.e. areas that have the greatest potential to produce high and consistent yields that require less input. Grades 3b and 4 are not considered BMV agricultural land.

7.106 Policy NE8 seeks to restrict development on BMV agricultural land unless there is an overriding need and no suitable lower grade land (3b, 4 and 5) is available, taking into account other constraints or planning balance matters.





Figure 7.6: Agricultural Land Grades



Policy NE8: Best and Most Versatile Agricultural Land

1. The council will seek to protect the best and most versatile (BMV) agricultural land from development.
2. Planning applications that would result in the loss of BMV land will be expected to justify why the loss of the agricultural land is acceptable and assess its value and wider contribution in terms of farming resources, food production, natural capital and ecosystem services.
3. Applicants will be required to submit information on the status of a site which will be used alongside other material considerations for the purposes of determining planning applications.
4. Proposals for development on land indicated as containing any BMV land will need to be supported by a detailed and up to date survey and evaluation of soil types.
5. Overall, applicants should seek to use areas of poorer quality agricultural land in preference to that of higher quality, except where this would be inconsistent with other sustainability objectives.
6. In exceptional circumstances, where development is permitted on BMV land, applicants will be required to submit details to show how disturbance to soils will be minimised to protect soil biodiversity during construction.

Reasoned Justification

7.107 Planning Practice Guidance describes soil as an essential, finite resource, which is used as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution.

7.108 To sustain long-term food security and healthy soils in a changing climate, the protection of BMV land is key to ensure that food production is not negatively impacted by development, and that the wider ecosystem services provided by soils are retained.

7.109 The Agricultural Land Classification (ALC) shows that there are areas of Grade 1 land around Wateringbury, Pizien Well, Offham and West Malling and that elsewhere in the borough that the majority of agricultural land within Tonbridge and Malling is either Grade 2 or Grade 3. This includes land around settlements where development pressure is the greatest.



Policy Implementation

7.110 The loss of potential food production capacity will be considered when assessing proposals whilst also balancing this with the need to accommodate development. This includes where BMV graded land is proposed for Biodiversity Net Gain (BNG) land.

7.111 For the purpose of applying this policy, significant loss of agricultural land should mean the following:

a The loss of 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes; or

b The loss of less than 20 hectares of grades 1, 2, 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, where development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more.

7.112 In accordance with Guidance and the Town and Country Planning (Development Management Procedure (England) Order (DMPO) (2015) Natural England will be consulted on proposals that are not allocated in a development plan where it would result in the loss of more than 20 hectares of BMV land, including cumulative loss if it is part of a phased development.

7.113 Where detailed information is lacking, proposals for development on land indicated as containing any BMV Land (Grade 1, 2 and 3a) will need to be supported by a detailed and up to date survey and evaluation of soil types. Applicants should use soil scientists or experienced soil specialists to carry out surveys, as per the 'Guide to assessing development proposals on agricultural land' February 2021.

7.114 It is important to recognise and acknowledge that the 'quality' of agricultural land may be determined by more than the ALC grade, and the 'economic and other benefits' such as infrastructure, fragmentation, and access, as well as the contribution land may make to wider ecosystem services and natural capital are important considerations in relation to the effects of development on agricultural land and the districts landscape character.

Noise, Vibration and Odour Pollution





Introduction

7.115 The planning system plays an important role in safeguarding the quality of life of residents and improving the environmental condition of the borough. Loss of amenity from noise, vibration, and odour pollution can have an adverse impact on people's health and living conditions but also on the amenities of an area.

7.116 National guidance advises that new development should be appropriate for its location taking into account the likely individual and cumulative effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

7.117 Development should be designed and located where it will not have a harmful impact on the existing natural, historic and built environment, and the amenity or safety of an area or occupants. Wherever possible development should help to improve local environmental conditions. This shall include taking into account likely sources of noise, odour and vibration levels from proposed uses but also from existing established uses and operations.

Policy NE9: Noise, Vibration and Odour

1 All development proposals should minimise, and where possible reduce noise, vibration, and odour pollution and ensure that the development is appropriate for its location when considered alone and cumulatively.

2 The following receptors will be protected from unacceptable levels of noise, vibration and odour pollution, as relevant:

a National Landscapes

b Designated nature conservation sites

c Historic environments

d Occupants of residential development

e Other sensitive receptors including schools, nurseries, hospitals, care facilities, areas used for amenity or recreation.

3 Development will only be permitted, if applicants can demonstrate that their development will not result in unacceptable pollution levels having regard to the relevant British Standards and other relevant national guidance and good practice.

4 Development proposals will be required to identify any likely impacts arising from the proposed development on existing nearby sensitive receptors and where an impact is likely will be required to submit an assessment that meets the relevant requirements and / or standards. The Assessment must be undertaken by a suitably qualified person and consider the relationship in detail.

5 Where an adverse impact is identified, applicants must demonstrate how the proposed development will be designed and implemented to prevent, avoid and mitigate the adverse impact. Planning applications will not be supported where adverse impacts cannot be adequately mitigated.

Reasoned Justification

7.118 Paragraph 198 of the NPPF requires planning policies to ensure that new development is appropriate for its location taking into account the likely effects of pollution sources on health, living conditions and the natural environment. Policies should therefore:

a mitigate and reduce to a minimum potential adverse impacts resulting from pollution sources from new development; and

b identify and protect tranquil areas.

7.119 The borough is predominantly rural but also has extensive built-up areas that accommodates various industries such as agriculture, minerals extraction and processing and manufacturing that can generate disturbance from noise, odour and vibration. Some of these are long-standing, well-established operations that can be in areas where new development opportunities are likely to be proposed such as residential or new commercial uses.

7.120 It is therefore important that the Local Plan effectively addresses the issues of pollution and disturbance issues that are likely to arise within the borough, to help protect the environment and ensure the quality of life and amenities of existing and future communities.

Policy Implementation

7.121 This policy refers to all developments regardless of the scale and nature of the proposal across the borough. Development should not be located where site conditions make it unsuitable for its intended use, unless it can be demonstrated that the effects of the development can be satisfactorily remediated or mitigated.

7.122 Development proposals (the agent of change) which are incompatible with neighbouring existing uses due to harmful impacts, for example from noise generating businesses or odour from wastewater treatment works, may not be acceptable. Development will not be considered favourably where the amenity of future residents would be detrimentally affected or where it is likely to prejudice the continuation of lawful operations of existing uses or prevent commercial growth or expansion, unless the impacts can be suitably mitigated as part of the proposed development.

7.123 The policy applies to all applications involving amenity issues and requires that these are comprehensively assessed, and appropriate mitigation and acoustic measures are addressed and incorporated into the design of development proposals at an early stage. Issues of light pollution are addressed under policy NE12. This policy seeks to avoid harmful impacts to both human receptors as well as the natural environment such as designated nature conservation sites.

7.124 In addition, particular attention should be given to avoiding noise generating uses within or adjacent to National Landscapes and historic environments such as conservation areas or within the curtilage of a listed building where the tranquillity of these areas is likely to be affected that can in turn, affect the special character and setting of these areas.

7.125 Where noise, vibration or odour issues are anticipated, the council will expect the submission of an appropriate assessment to accompany the application prepared by a suitably qualified and competent person and identified detailed mitigation measures as part of the planning application process.

7.126 Applications with such associated amenity issues will be considered in light of the relevant British Standards which are:

- BS5228: Noise and Vibration Control on Construction and Open Sites;
- BS4142: Methods for rating and assessing industrial and commercial sound; and
- BS8233: Guidance on sound insulation and noise reduction for buildings.

7.127 Mitigation measures where deemed necessary, will depend on the proposed development and should be proportionate to the likely impact. Such measure may include (but not limited to) applying high-quality design standards in the development and the appropriate layouts, triple glazing, acoustic fencing and bunds as well as agreed operational times for business activities.

7.128 Unacceptable levels of noise, odour or vibration are deemed to be levels which, when assessed on a case-by-case basis, having regard to relevant legislation, British Standards and other guidance, would be considered demonstrably harmful to the amenities of residents, the natural environment, and the setting of historic environments or would prejudice and impede the continuation of an existing lawful operation.

Air Quality

Introduction

7.129 The planning system has an important role to play in pursuing improvements in local air quality, minimising exposure to pollution, improving the health and wellbeing of the population, and minimising potential harm to habitats and species. The council, through its Air Quality Action Plan (2021), is committed to improving air quality within its borough and therefore seeks to address air quality within the new Local Plan.

7.130 Clean air is vitally important to the quality of life and a variety of air pollutants have known or suspected harmful effects on human health and the environment. These pollutants are predominantly the products of combustion from heating, power generation or from motor vehicles. Pollutants from these sources may not only cause a deterioration in air quality in the immediate vicinity of these sources but can travel long distances and affect other areas.

7.131 Air pollution is associated with a number of adverse health impacts including being recognised as a contributing factor in the onset of heart and cancer and particularly affects the most vulnerable in society such as children and the elderly. Additionally, people living in less affluent areas are most exposed to dangerous levels of air pollution. It can also impact the natural environment affecting plants, habitats and fauna.

7.132 The Tonbridge and Malling Air Quality Annual Status Report (2024) advises that Within Tonbridge and Malling the main pollutant of concern is Nitrogen Dioxide (NO2) associated with motor vehicles from large volumes of traffic on key highways running through the borough including the M20 motorway. Other air pollutants of concern in the borough are Particulate Matter PM10 and PM2.5 and of less concern, sulphur dioxide and carbon monoxide.

Policy NE10: Air Quality

1 Development proposals should seek to improve air quality and reduce the effects of poor air quality by minimising exposure to air pollution and assist in facilitating compliance with relevant limit values and/or national objectives for air pollutants.

2 Where air quality issues are anticipated submission of an air quality assessment is required to determine whether the predicted impact of a development on local air quality would adversely affect public health and / or the local environment and to identify appropriate mitigation. Where an Air Quality Assessment identifies potential significant adverse impacts on sensitive receptors from any source, the applicant must detail the appropriate avoidance and mitigation measures that will be implemented to prevent the identified impacts, including impacts on future occupiers or users of the site. Major developments will require an emissions mitigation assessment to be submitted.

3 Development, either individually or cumulatively with other existing or proposed uses in the vicinity that could directly or indirectly result in a significant deterioration in air quality levels within the development locality will not be permitted unless specific, identified and acceptable measures to offset or mitigate those impacts are introduced as part of the development.

4 In relation to declared Air Quality Management Areas (AQMA), and any areas in the process of becoming a declared AQMA, at the time of application, (as shown on the DEFRA UK AIR AQMAs interactive map) development will not be permitted where new receptors would be introduced into an area of poor air quality unless the proposals incorporate acceptable measures to ensure those receptors would not be subject to unacceptable risks as a result of poor air quality.

5 Proposals that will result in National Air Quality Objectives being exceeded will not be supported.

6 Development shall safeguard ecology, local wildlife and habitats and those development proposals, (alone or in combination) that are anticipated to have an impact on an internationally designated site will be subject to a Habitats Regulations Assessment.

7 Mitigation measures on a scheme will be secured through planning condition and / or planning obligation depending on the scale and nature of the development and its associated impacts on air quality.



Reasoned Justification

7.133 National policy requires planning policies to address pollution with Paragraph 199 of the NPPF requiring planning policies to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. It also requires opportunities to improve air quality or mitigate impacts to be identified.

7.134 Owing to past air quality levels, the council has six Air Quality Management Areas (AQMAs) in the borough and an Air Quality Action Plan (AQAP) has been undertaken for the borough. The primary focus of this Action Plan is to implement measures which will ensure levels of NO2 across the borough and specifically within the six declared AQMAs, are consistently below the threshold of 40µg/m3 expressed as an annual mean, which is the current level regarded as safeguarding the most vulnerable in society against the impacts of NO2.

7.135 The Local Plan and planning decisions can play a key role in contributing to improving air quality across the borough by seeking to improve the health and living conditions of existing and future residents and visitors. One of the many ways this will be achieved is to protect and control air quality from the effects of new development.

7.136 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 the borough as well as harm the natural environment. Advancements in technologies such as cleaner vehicles and the growing demand for electric cars and ultra-low emissions vehicles will help alleviate to an extent current problems, but there is still a need to ensure development does not, individually or cumulatively result in a worsening of air quality.

Policy Implementation

7.137 The quest for clean air and the need to protect air quality objectives apply to all developments regardless of the scale and nature of the proposal. However, this will need to be applied in a proportionate manner as major developments are likely to have a greater impact and require greater mitigation measures.

7.138 To determine if air quality is a material consideration to a planning decision, and whether an Air Quality Assessment is needed as part of the application, will depend on the nature, scale and location of the development. Permission may be withheld if the nature of the proposed development is likely to result in a deterioration in air quality levels, particularly in an area where air quality is already known to be poor, for example in or adjacent to a AQMA or where the development is likely to adversely impact on a designated nature conservation site, such as the internationally protected Special Areas of Conservation in the borough.

7.139 Where air quality issues are deemed to be a material consideration, submission of an air quality assessment will be required to accompany the application and identify detailed mitigation measures as part of the planning application process. The assessment should be prepared by a suitably qualified and competent person, as defined by the NPPF.

7.140 For developments that require an air quality assessment, the current policy guidance and technical guidance documents that should be referred to are:

- DEFRA PG(22); and
- DEFRA TG(22)

7.141 Where a development is likely to have air quality impacts upon ecology and designated nature conservation sites, applicants are also advised to refer to the Chartered Institute of Ecology and Environmental Management (CIEEM) Advisory Note: Ecological Assessment of Air Quality Impacts' (2021). Where an Air Quality Assessment identifies potential significant adverse impacts on internationally or European designated nature conservation sites, a Habitats Regulation Assessment (HRA) will be required.

7.142 Mitigation measures to reduce air pollution can be (but are not limited to), the promotion of walking, cycling and use of public transport strategies. Where the use of the private car is unavoidable, then travel plans and congestion management measures are recommended. Good design principles should also be applied including avoiding new street canyons or a building layout that prevents pollution dispersion as well as careful positioning of habitable room windows away from pollution sources such as busy road frontages.



Ground Contamination

Introduction

7.143 The reclamation of contaminated land is crucial to making the most efficient use of previously developed land which is one of the council's priorities by pursuing a brownfield first approach.

7.144 Contaminated land is used to describe land that due to its previous development history or geology is considered to be polluted by chemicals, gases, substances or structures. Land contamination can come from many different sources including from invasive species such as Japanese knotweed and failing to deal with contamination can be extremely harmful to human health, buildings and the natural environment.

7.145 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 to make safe the development and protect the future end users and the environment.

Policy NE11: Ground Contamination

1 Development proposals located on or near sites which have previously been used for activities which pose a risk of land contamination shall be informed by a contaminated land desktop study identifying all previous site uses, potential contaminations associated with those uses including a survey of the condition of any existing building(s), a conceptual model of the site indicating sources, pathways and receptors and any potential unacceptable risks to human health and the local environment arising from contamination at the site.

2 Where contamination is identified, development proposals must incorporate a detailed strategy for site investigation works, along with details of any site clearance, ground investigations or site survey work that may be required to allow for intrusive investigations to be undertaken to inform a risk assessment of the degree and nature of any contamination on site and the impact on human health, controlled waters and the wider environment.

3 Development will be supported if it can be demonstrated, having regard to the other relevant policies in the Local Plan, that any contamination can be effectively addressed in a manner that ensures the site would be suitable for its end use through remediation measures.

Reasoned Justification

7.146 National policy advises that the planning system has a role in seeking to ensure land and sites are suitable for a proposed use, taking account of ground conditions and any risks arising from contamination, including risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation, as well as the potential impacts on the natural environment arising from that remediation.

7.147 Such sites are more likely to be brownfield sites, i.e, those which have been previously developed most commonly for past commercial and industrial uses but can also include past mining and processing uses. The Local Plan seeks (as a priority) to develop previously developed land first as well as a preference for the re-use of existing buildings where feasible and viable, therefore there is a strong likelihood of development sites encountering ground contamination which will need to be managed.

Policy Implementation

National policy is clear that where a site is affected by contamination the responsibility for securing a safe development rests with the developer/landowner. This policy refers to all developments regardless of the scale and nature of the proposal including change of use applications where there could be a risk of contamination.

7.148 If there is reason to believe land contamination could be present on site, the developer should ensure that they carry out adequate investigations and risk assessments (carried out by a competent person as defined in the NPPF) to ensure that any associated risks are fully understood and can be remediated to an acceptable level following best practice and industry standards. This should be submitted to the council to support the application.

7.149 Details of the site assessment and remediation should be carried out in three main stages.

Stage 1 - To begin with, where contamination is anticipated or there is good reason to believe that contamination may be present [for example, from a previous use], then a desk top survey should be completed.

Stage 2 - If this confirms that contamination is likely to be present then a detailed site investigation, potentially requiring intrusive ground investigations with a risk assessment and remediation strategy should be carried out. Where a Remediation Strategy cannot demonstrate that the proposed development site would be remediated appropriately, or if insufficient information is provided to make this determination, the planning application will be refused.

Stage 3 - After the works are completed a remediation report shall be provided to confirm the remediation works are complete and the site is safe for its end use.

After remediation, as a minimum, the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

7.150 All investigations and subsequent remediation should be carried out in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) Guidance, and at each stage of the LCRM process, the development proposal must demonstrate compliance with relevant British Standards as set out below:

- BS 10175: Investigation of potentially contaminated sites - code of practice; and BS 5930: Code of practice for ground investigations.

7.151 Developers are also directed to the national contaminated land guidance – Land contamination technical guidance as well as the Tonbridge and Malling Contaminated Land Inspection Strategy (2016) for further advice and information about developing sites that are contaminated and what the council would expect.



Light Pollution

Introduction

7.152 Managing light levels, (particularly external lighting) within new development is an important part of protecting the built and natural environments as well as people's amenities.

7.153 Poor lighting schemes and excessive light pollution can cause significant loss of residential amenities from sleep disturbance and high levels of glare. It can affect sensitive wildlife and habitats from disturbance and interruption with breeding and foraging patterns. Poor lighting can also be detrimental to historic settings, as well as the dark skies of the National Landscapes and wider countryside of the borough. Unnecessary lighting can also lead to a significant waste of energy.

7.154 Lighting schemes should therefore be designed carefully as part of the overall development design to reduce light pollution and energy usage.

7.155 Policy NE12 seeks to manage and control lighting to prevent light pollution within the borough and protect the built and natural environment, taking into consideration cumulative impacts of an area.

Policy NE12: Light Pollution

1 All new development will be supported which does not lead to significant levels of light pollution on the natural and built environment (including cumulative impacts).

2 Development will only be permitted, if it can be demonstrated, having regard to the relevant British Standards, Institute of Lighting Professionals and good practice that it is located and designed to minimise the impact of light pollution on the locality and amenities of residents to an acceptable level and have due regard to the following:

a Developments located within the Kent Downs and High Weald National Landscapes and their setting, will be required to propose lighting that conserves the dark skies and/or character of that National Landscape;

b The type and level of lighting would not adversely impact upon wildlife, habitats, the historic environment, heritage assets and their settings or the wider countryside and rural character; and

c The lighting is energy efficient and utilises low energy bulbs/LED's where possible and has control mechanisms to dim or switch off the external lighting when not needed.

3 Where lighting issues are anticipated the submission of a light assessment (that accords with the Institute of Lighting Professionals) should accompany the application and detailed mitigation measures as part of the planning application process.

Reasoned Justification

7.156 The borough has a varied and diverse environment including residential areas, industrial locations, and sensitive nature conservation areas but is also very historic with numerous heritage assets and accommodates two National Landscapes with dark skies. Light pollution has the potential to have a significant impact on all these areas and their individual qualities.

7.157 National planning policy guidance advises that artificial light provides valuable benefits to society. However, poorly designed lighting can be a significant source of pollution that can cause detrimental impacts upon the human and natural environment.

7.158 National policy therefore requires that planning policies and decisions to ensure that new development is appropriate for its location taking into account cumulative impacts and by doing this, should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

7.159 Furthermore, excessive and/or unnecessary lighting can lead to a waste of energy and contribute to greenhouse gas emissions.

Policy Implementation

7.160 This policy applies widely across the borough. The policy applies to all proposals which involve the installation of external lighting and/or developments that result in light spill from internal lighting. It will also apply to specific lighting schemes which in their own right, require planning permission or listed building consent.

7.161 Proposals involving lighting will need to take into account the overall visual impact that the lighting will have on the area and any sensitive historic areas and landscapes that are likely to be impacted upon. This should include the current daytime intrusion, ground surface reflectivity, the number of lights, the level of light spill and existing and proposed landscaping.

7.162 Careful consideration should be given to schemes within or adjacent to the National Landscapes, Conservation Areas and in the curtilage of a listed building where inappropriate lighting could adversely affect dark skies or the historic setting of a heritage asset. To ensure that dark skies are protected within National Landscapes, installation of lighting should be minimal, avoiding flood lighting and should comply with the relevant National Landscape Design handbook and Dark Skies guidance.

7.163 Lighting that would affect sensitive habitats such as by shinning or spilling light into these areas should be shielded or removed, particularly if nocturnal species are present. Direct illumination of habitats and key foraging areas and/or green corridors must be avoided.

7.164 For applications where light issues are anticipated, the council will expect the submission of a lighting assessment to accompany the application prepared by a suitably qualified and competent person, as defined by the NPPF and identified detailed mitigation measures as part of the planning application process.

7.165 Lighting schemes should be designed in consultation with the up-to-date relevant guidance which is contained in:

- Professional guides issued by the Institute of Lighting Professionals.
- High Weald National Landscape Dark Skies Planning Advice Note.

7.166 All proposed lighting should be energy efficient and should be controllable. Mitigation measures could include, but are not limited to, the control of illumination levels (lumens) and/or the use of light cowls and shades and the use of timer mechanisms.











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08 HISTORIC ENVIRONMENT





Introduction

8.1 Tonbridge and Malling boasts a rich and varied historic environment, offering a unique sense of place and a distinctive character shaped by its diverse heritage.

8.2 Heritage assets (whether designated or non-designated) are an irreplaceable resource, providing a valuable contribution to the social and economic wellbeing of residents and visitors. Furthermore, all heritage assets, whether designated or not, form a material consideration in the planning process.

8.3 The NPPF advises that heritage assets should be conserved in a manner appropriate to their significance so that they can be enjoyed by both existing and future generations. Significance is defined as an asset's heritage interest, whether archaeological, architectural, artistic or historic, and may be derived from both the asset and its setting.

8.4 The council has prepared a Heritage Strategy (2024), which provides an evidence-based vision that informs and supports the Local Plan, and which sets out in detail the heritage assets within the borough. Designated heritage assets include Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas. The borough also has a significant number of non-designated heritage assets.







8.5 National Planning Guidance identifies these as 'buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.' These include but are not limited to sites that have been identified in the Kent Historic Environment Record, the TMBC Heritage Strategy, in a Neighbourhood Plan, or in a Conservation Area character appraisal.

8.6 Proposed development affecting a heritage asset is assessed against the impact that works would have on the significance of that asset. It is the degree of harm to the heritage asset's significance, rather than the scale of the development, that is important in the planning process. Furthermore, the more important the heritage asset, the greater the weight will be.

8.7 The borough's designated heritage assets are set out in Figure 8.1.

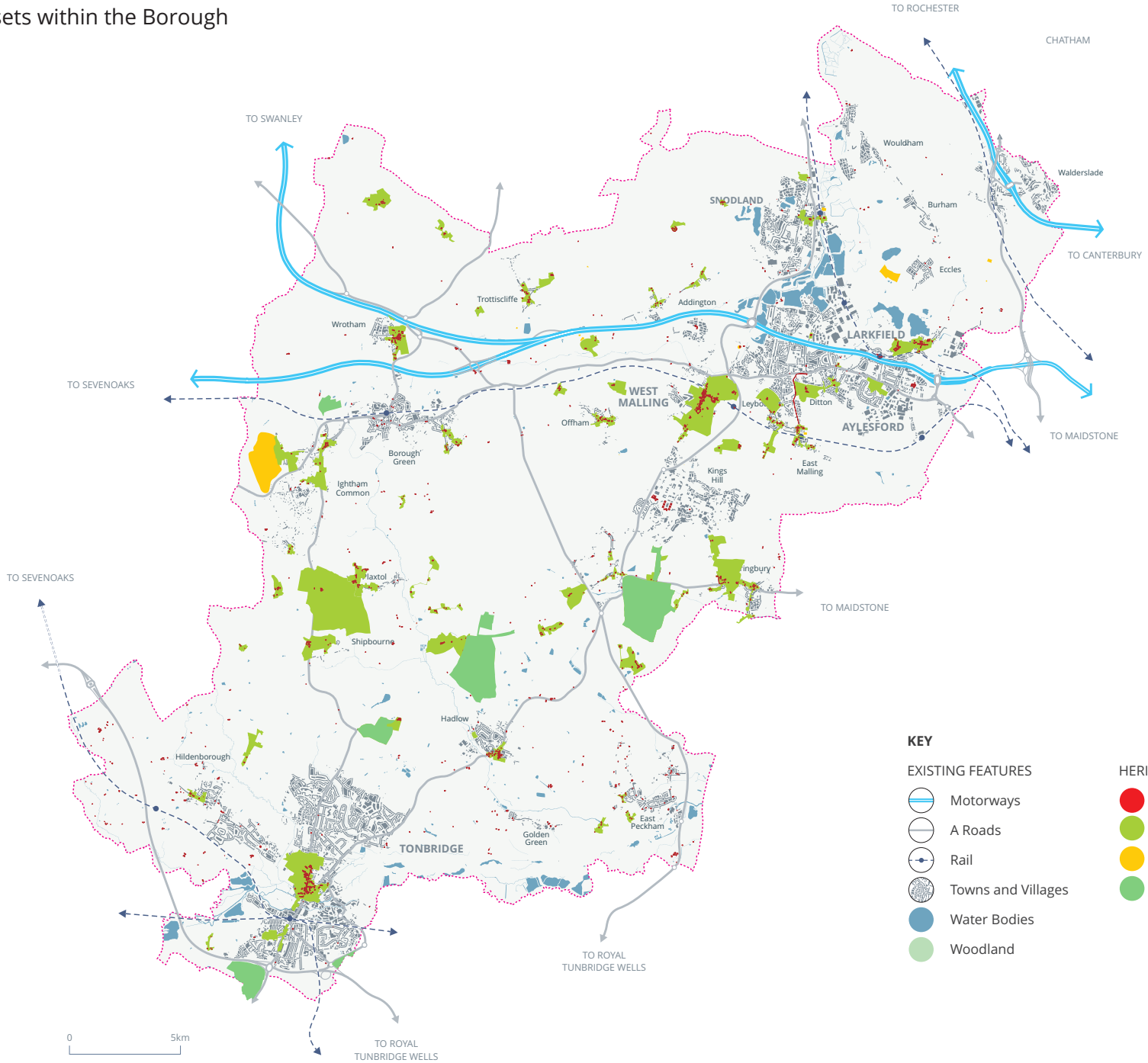
Figure 8.1: Heritage assets within the Borough

1,318
LISTED BUILDINGS
38 at Grade I,
76 at Grade II*
and 1,204 at Grade II
located throughout
the borough

60
CONSERVATION AREAS
Varying sizes including
many of the historic
towns and villages
within the borough

25
SCHEDULED MONUMENTS
Including prehistoric barrows,
medieval castles and monuments,
Roman Villas and World War II
defensive structures

5
REGISTERED PARKS AND GARDENS
Mereworth Castle,
Somerhill, Ightham Court,
Mabledon and Oxen Hoath



Policy HE1: The Historic Environment

Development proposals will be supported where they conserve or enhance the historic environment, based on the following approach:

1 Development will contribute towards the conservation and enjoyment of the borough's historic environment and will make a positive contribution to its character and distinctiveness.

2 All designated heritage assets and their settings will be given a high level of protection and should be conserved and enhanced in a manner appropriate to their significance. All non-designated heritage assets including locally listed heritage assets and their settings as relevant will also be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.

3 The change of use of heritage assets, including buildings in Conservation Areas, will only be permitted where the proposed use is considered to be the optimum viable use that is compatible with the significance of the heritage asset, its features and setting and will secure the long-term sustainable future of the heritage asset as well as its conservation and enhancement. Development affecting a heritage asset should not compromise future restoration opportunities.

4 Where heritage assets are identified to be at risk, from neglect, decay and other threats, a positive pro-active approach will be applied. Landowners shall be expected to engage with the local planning authority to bring forward proposals to preserve or enhance these assets, to facilitate their successful rehabilitation and seek their viable re-use consistent with their heritage value and special interest.

5 Proposals for total or substantial demolition of a heritage asset will only be granted in exceptional circumstances, and where it meets the following specific criteria:

a Clear and convincing evidence has been provided that demonstrates viable alternative uses cannot be secured;

b Planning permission has been approved for redevelopment that would result in significant benefits for the community which would definitively outweigh the subsequent loss from demolition or major alteration; and

c The physical condition of the building has deteriorated, to a point that the cost of retaining the building outweighs its importance and the value derived from its retention. A comprehensive structural report shall be provided to support and demonstrate this.

6 Development proposals affecting any heritage assets (both designated and non-designated) and /or their setting must demonstrate sufficient understanding of the significance of the heritage asset and / or its setting and for this information to be used at an early stage to inform development proposals in order to avoid or minimise harm, ensuring that heritage is at the heart of place-making. Heritage statements must provide detail proportionate to the importance of the heritage asset. Such assessments shall demonstrate the following;

a How the understanding of significance has informed the principles of the proposal and the potential impact of the proposal on the heritage asset and why the works proposed are desirable or necessary. As a minimum, the historic environment record as well as the Tonbridge and Malling Heritage Strategy should be consulted and positively addressed within the heritage statement including referencing the heritage themes of the strategy that apply [if applicable] and the heritage assets assessed using the appropriate expertise where necessary;

b Has considered and positively addressed the cumulative impact of incremental change from development on the significance of heritage assets; and

c Proposals affecting historic farmsteads within the borough shall be informed by and draw upon the Kent Farmsteads Guidance [2014] or its equivalent replacement.

7 Where a proposal would result in the partial or total loss of a heritage asset or its setting, the applicant will be required to secure a programme of recording and analysis of that asset and archaeological excavation where relevant and ensure that the information is recorded to an appropriate standard and submitted to the Kent Historic Environment Record.



Reasoned Justification

8.8 Heritage is a powerful driver of social cohesion, wellbeing, sustainability, environmental stewardship, and economic renewal, placing it at the heart of place-making that can enhance our quality of life.

8.9 The NPPF defines the conservation of heritage assets as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'. Policy HE1 seeks to support this and sit alongside the national policy requirements at the local level providing a positive, proactive and tailored approach to the uniqueness of the borough's heritage for the overall conservation and enjoyment of the historic environment. Managing change to the borough's historic environment and ensuring that the value of its heritage assets is maintained is a vital part of the council's planning function.

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Policy Implementation

8.10 This policy refers to all heritage assets across the borough, including designated and non-designated assets. Proposed development affecting a heritage asset, including its setting, shall be assessed against the effect that such development will have on its significance. Any harm to designated heritage assets will require clear and convincing justification.

8.11 The policy sets out the requirement for a Heritage Statement. Heritage Statements are required for all Listed Building Consent applications and planning applications which affect a heritage asset. The Heritage Statement must include a description of the significance of the heritage asset or assets. Heritage statements should follow best practice and Historic England's advice notes.

8.12 Understanding the borough's heritage is an important first step to ensuring development is sympathetic to local character and applicants are advised to use resources such as the council's Heritage Strategy, Historic Environment records and Heritage Impact Assessments to fully understand the significance of affected heritage assets.



Listed Buildings



Introduction

8.13 The borough's historic environment includes over 13,000 designated Listed Buildings, reflecting its rich architectural and cultural heritage. The vast majority of these are Grade II listed, but the borough also hosts a small number of Grade II* and Grade I listed buildings. A Grade I listed building is a structure considered to be of exceptional interest, and a Grade II* listed building is deemed to be of particularly special interest or national importance.

8.14 Such assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Policy HE2 sets out how statutory Listed Buildings within the borough will be managed and afforded such protection.

Policy HE2: Listed Buildings

1 Development proposals affecting statutorily listed buildings shall have special regard to the desirability of preserving the asset or its setting. Loss of or harm to a statutorily listed building or its setting will only be permitted in exceptional circumstances, where it can be demonstrated that the loss or harm achieves substantial public benefits.

Proposals affecting statutory Listed Buildings will be required to:

a Preserve or enhance the historic character, qualities and special interest of the building;

b Not be detrimental to the architectural and historical integrity and detailing of the Listed Building's interior and exterior;

c Protect the special interest of buildings of architectural or historic interest; and

d Protect, and where possible enhance the setting of the building;

2 Proposals will be supported for alternative uses for listed buildings including change of use applications that contribute positively to their conservation either individually or as part of wider strategies for regeneration and must be compatible with, and respect, the special architectural or historic interest of the asset and setting. The Local Planning Authority will support proposals that improve public access where these are not prejudicial to the heritage assets existing character or appearance.

3 Proposals to install energy efficiency improvements or improve environmental sustainability will be supported where it can be demonstrated that the proposed measures take a 'whole building approach' and are suitable for the asset, and informed by an understanding of their specific performance, including construction and materials. The suitability of improvements will need to be weighed against the significance of the asset and / or its setting, or any features of special architectural / heritage interest that may be impacted. In accordance with policy HE1(6) above, as part of the application, additional details shall also be submitted in the form of a structural report to demonstrate that the integrity of the building would not be undermined including any proposed internal/external alterations.





Reasoned Justification

8.15 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for Listed Buildings and areas of special architectural or historic interest. National Policy within the NPPF also seeks to protect designated assets and requires any harm or loss of the significance of a designated heritage asset to require clear and convincing justification.

8.16 Development proposals can affect the significance of heritage assets in a range of different ways. Physical impacts can range from minor internal and external alterations, new buildings or to the complete loss of the asset. Other impacts may not physically alter the asset but may affect its setting, which in turn could affect the significance of the heritage asset. As such, proposals require diligent consideration and management.

8.17 An inappropriate change of use of a heritage asset has the potential to result in long-lasting damage, not only physically but also through a potential loss of a historical past use and its contribution to society through time. A change of use of heritage assets will only be permitted where the proposal is considered to protect its historic significance whilst contributing to enjoyment and improving public access (if appropriate).

8.18 Overall, development proposals must demonstrate that they have given special regard to preserving the asset or its setting. It is important to consider the character and significance of listed assets in a holistic manner, whereby the character of the interiors can be just as important as external appearance. The protection and enhancement of all aspects of significance should be considered and great weight will be given to their preservation and, where appropriate, their restoration to optimal condition.

8.19 The setting of a heritage asset is normally the surroundings in which a heritage asset is situated. Its extent is not fixed and can alter over time as the environment evolves. The importance of setting lies in its contribution to the significance of the heritage asset or to the ability to appreciate that significance. Failure to consider and subsequently preserve the setting may result in the council refusing planning and listed building consent.

8.20 It is important that any energy improvement proposals demonstrate a 'whole building' approach that is based on an understanding of the construction, history and evolution of the building to ensure a balance is achieved in protecting the special historic character and setting, whilst ensuring worthwhile energy savings. Historic England have produced advice on the 'Whole Building Approach for Historic Buildings' which relies on an understanding of a building in its context to find balanced solutions that save energy, whilst sustaining heritage significance and maintaining a comfortable indoor environment.

8.21 Furthermore, it should be acknowledged that historic/ traditional buildings are generally very sustainable, having mostly been built of local, traditional, natural materials via local labour and therefore having an inherently low carbon footprint. These are also quite often located within very sustainable locations such as market towns and mixed-use settlements. The removal and replacement of traditional buildings and materials with modern buildings/ materials is considered likely to use more energy and carbon than retention and repair using traditional, local materials.





Policy Implementation

8.22 Policy HE2 refers to all designated Listed Buildings and sets out more detailed criteria for development proposals affecting Listed Buildings. It does not cover non-designated assets.

8.23 In accordance with policy HE1, all development proposals affecting a designated Listed Building must be supported by a Heritage Statement. Applications without an accompanying statement will not be validated. The Heritage Statement should identify the significance of the asset and set out the impact of the development. The applicant should consult the relevant Historic Environment Record (HER). The level of detail required to support the application should be proportionate to the significance of the heritage asset and the impact of the development. In some cases, depending on the nature of the works, a structural report to demonstrate that the integrity of the building will not be undermined, covering both internal and external areas of the building, may be needed. This must be carried out by a suitably qualified structural/building engineer. The Heritage Statement should be prepared by a conservation professional with appropriate qualifications and experience.

8.24 There are many measures that can be applied to traditionally built historic buildings to improve energy performance whilst ensuring protection of heritage significance. Many do not require planning permission/listed building consent and would be permitted development, such as loft insultation or draft excluders. For proposals that require planning permission and/or Listed Building Consent, the council will take into consideration the nature, character and scale of the proposed measures and the subsequent public benefits gained, and weigh these against the scale of harm to the significance of the heritage asset.







Conservation Areas

Introduction

8.25 Conservation Areas are designated and maintained by the local authority for their "special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance"[1]. Designation provides recognition in the planning process of the special character of an area and ensures that preservation or enhancement of this character is a priority in decision making.

8.26 There are 60 Conservation Areas in the Borough, with the majority of these covering historic village cores, hamlets, parkland, and areas of historic townscape. Conservation Areas in the borough are of varying scales and sizes. 16 of the Borough's Conservation Areas have published appraisals that detail the aspects of their character which make them significant. In addition, the council has recently progressed work on an additional four Conservation Area Appraisals.

8.27 These appraisals provide an understanding of the special interest of a Conservation Area to ensure that development or changes are sensitive and appropriate to the character of the area. Conservation Area Character Appraisals are a consideration when considering planning applications.

8.28 In the absence of Conservation Area Appraisals for other Conservation Areas, the council is progressing work to ensure that information is available to support the plan-making process. Conservation Area Statements are being progressed as an interim measure to support plan-making and the development management function. The council is committed to progressing and reviewing Conservation Area Appraisals and has set a firm commitment to progress these also.

8.29 Once an area is designated as a Conservation Area, additional controls are introduced to preserve and enhance the identified special historic character and interest, for example, control over works to trees and control over demolition of unlisted buildings.

8.30 One of the biggest threats to Conservation Areas is the gradual erosion of their special architectural or historic character through inappropriate development. However, not all change within Conservation Areas is detrimental, and the right development of a high-quality design or removal of a visually harmful building can provide an opportunity to enhance the character and appearance of the Conservation Area and 'uplift' the environment visually.

8.31 The setting of a Conservation Area can also have significance, as can views both into and out of the area. Where these are important, an analysis should form part of any Heritage Statement.

8.32 Policy HE3 sets out the council's approach to managing change within Conservation areas.

1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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Policy HE3: Conservation Areas

1 Development proposals within or affecting a Conservation Area will be supported where it is demonstrated to preserve or enhance the character or appearance of the Conservation Area and its setting taking into account cumulative impact.

2 All new development and alterations within or affecting Conservation Areas and their settings shall:

a Be of an appropriate land use that respects the origins and development of the settlement, historic functioning, character and appearance of the area;

b Be sensitively designed to respect the physical form, layout, scale, massing, architectural features, materials, height, building lines, roofscapes, relationships between buildings and the spaces and enclosures between them;

c Preserve trees and landscaping, open spaces, historically significant boundaries, boundary treatment including historic walls and railings that positively contribute to the character and appearance of the Area;

d Preserve traditional features such as shop fronts, signage, street furniture and lighting and surface treatment including the absence of kerbstones in some areas that positively contribute to the character and appearance of the Area;

e Preserve important views and vistas into and out of the Conservation Area including views of surrounding landscapes; and

f Take into consideration and positively address any recommendations set out in the applicable Conservation Area Appraisal (where one is adopted).

3 Proposals involving demolition or substantial demolition will only be granted, subject to conditions, if it can be demonstrated that:

a The structure to be demolished makes no material contribution to the special character or appearance of the Conservation Area; or,

b It can be demonstrated that the structure is beyond repair or incapable of an alternative suitable use; or

c The removal of the structure and its subsequent replacement would enhance the area; and

d Redevelopment of the site that would make an equal or greater contribution to the character and appearance of the conservation area.

4 Proposals for energy efficiency and/or measures to mitigate climate change will be supported, as appropriate, where they preserve or enhance the character or appearance of the Conservation Area and its setting and are easily reversible.

5 The council will review its Conservation Areas and update conservation area appraisals and management plans and these will be used to assess relevant applications. Applications will be supported where recommendations are implemented.



Reasoned Justification

8.33 The policy sets out the council's approach to the management of change within Conservation Areas and seeks to promote enhancement, protection of significance and to ensure that new development is sympathetic to the character and appearance of the Conservation Area.

8.34 Conservation Areas are designated for their special architectural or historic interest in accordance with Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Areas are a heritage asset and therefore considered to be an irreplaceable resource which should be conserved in a manner appropriate to their significance. The vast majority of the borough's statutory listed buildings are also contained within Conservation Areas, further adding to their historic significance.





Policy Implementation

8.35 The council will support proposals that demonstrates that they preserve or enhance the special character of a Conservation Area and its setting, including where relevant, views into and out of the area. Policy HE3 lists the planning considerations that are important in relation to Conservation Areas and development proposals are expected to have full regard to these. New development will be expected to respect, and where appropriate, positively contribute to the character of the Conservation Area.

8.36 Planning applications which directly or indirectly affect the significance of a Conservation Area should be informed by and respond to the Conservation Area Appraisal or the Conservation Area Statement.

8.37 Development within Conservation Areas can result in positive, negative and neutral impacts. Proposals that include the restoration of original details, historic fabric or preservation of special features of interest that make a positive contribution to the character and appearance of a Conservation Area will be supported.

8.38 The council will look favourably upon applications that replace or renovate buildings that make a negative or neutral contribution to a Conservation Area, for example if a building has been identified as having such an effect within an adopted Conservation Area Appraisal. For new buildings and extensions within or affecting Conservation Areas, the council will expect a high standard of design that positively responds to special architectural or historic interest, which does not exclude innovative, modern and contemporary design.

8.39 For applications involving demolition within Conservation Areas, the council will assess the condition of the building or structure and the contribution it makes to the character or appearance of the Conservation Area. Where it is considered that the building or structure makes a positive contribution, the total or substantial demolition of the building or structure will be resisted.

8.40 A programme of reviewing the existing Conservation Area Appraisals and preparing new Conservation Area Appraisals for the remaining areas which currently do not have an appraisal in place is underway and will continue over the Plan period. significance of the heritage asset.

Historic Parks and Gardens

Introduction

8.41 As a rural borough within the Garden of England, TMBC is fortunate to accommodate a number of designated (registered) and non-designated Historic Parks and Gardens.

8.42 Historic Parks and Gardens are a precious part of the borough's historic environment, comprising gardens, grounds and open designed spaces. Quite often they are associated with historic houses such as Mereworth Castle and Oxen Hoath and frequently located within historic areas such as Conservation Areas.

8.43 These gardens quite often have traditional features and structures such as historic walls, sculptures, follies, landscaping and veteran trees. They are also a multi-faceted resource, being part of the borough's open space asset as well as providing benefits for biodiversity, tourism, recreation and education.

8.44 Policy HE4 seeks to ensure that development proposals affecting Historic Parks and Gardens do not adversely impact upon these irreplaceable historic assets and seeks to protect them for future generations to enjoy. The policy is relevant to both designated (registered) Historic Parks and Gardens and non-designated Parks and Gardens.

Policy HE4: Historic Parks and Gardens (Designated and Non-Designated)

Development proposals affecting Historic Parks and Gardens on the national register or of local significance (as listed within the Kent Gardens Compendium and Annex 3) will be supported where they maintain, conserve or enhance the character, appearance, historic interest and setting, significance, design and layout of the landscape and views into and from the historic park or garden.

Reasoned Justification

8.45 Historic Parks and Gardens are considered to be valuable heritage assets and the council must consider the impact that development proposals may have on their special character.

8.46 The borough currently has 5no. registered historic parks and Gardens listed on the national register. These are Mereworth Castle, Oxan Hoath, Somerhill, Mabledon and Ightham Moat. In addition to the national register, within the borough there are 45no. Historic Parks and Gardens (non-designated) listed within the Kent Gardens Compendium which are also relevant and worthy of protection. The Kent Gardens Compendium is a comprehensive Register of Parks and Gardens of historic, horticultural, amenity or other value in the County of Kent, produced by KCC and the Kent Gardens Trust.

Policy Implementation

8.47 This policy refers to both designated (registered) Historic Parks and gardens which are listed on the national register and non-designated Historic Parks and Gardens which are contained within the Kent Gardens Compendium.

8.48 Development proposals which are considered to affect these assets will only be supported where they maintain, conserve or enhance their historic interest.

8.49 For registered Historic Parks and Gardens of national importance, great weight will be given to their conservation, in similarity to designated listed buildings. For non-designated Historic Parks and Gardens (that are not of national importance) a balanced judgement will be applied that has regard to the scale of the harm/loss posed by the development and the significance of the heritage asset.

8.50 It is considered that one of the biggest threats posed to Historic Parks and Gardens is the pressure for new development within their setting and also through views, which may have a detrimental impact on their significance. Development proposals affecting the setting and/or views into and out of Historic Parks and Gardens should have particular regard to detrimental effects, including the ability to access them.

Archaeology

Introduction

8.51 Tonbridge and Malling's archaeological sites shape local identity, uncovering the borough's past and enriching its sense of place. Archaeology is an irreplaceable and fragile resource which is vulnerable to damage or degradation over time and that requires specialised management and recording. Archaeology can include both below ground as well as above ground assets. The Kent County Council Historic Environment Record is the definitive record of all known archaeology in the County.

8.52 Within the borough, archaeology is a significant and rich heritage asset that includes area of both national and local significance ranging from Palaeolithic rock shelters at Oldbury Hill, to World War II remains at Kings Hill, West Malling. Whilst there are a number of Scheduled Ancient Monuments (SAM) identified throughout the borough, the majority of archaeological sites are not SAM's and are locally important non-designated assets. There can also be sites where there are currently no records of archaeological value but which can later be revealed before or during development works.

8.53 Should significant archaeological finds occur during development, the council will seek specialist advice and encourage appropriate action. In some instances, permitted schemes may need to be amended to avoid damage to archaeological remains.

8.54 Policy HE5 sets out detailed criteria for development proposals affecting all archaeological assets.

Policy HE5: Archaeology

1 The borough's archaeology and historic integrity of Scheduled Monuments and other important archaeological assets, as well as their settings, will be conserved and where possible enhanced.

2 Where it is considered that a development could either directly or indirectly impact on a heritage asset with archaeological interest (above or below ground), development will only be permitted where it can be justified in the archaeological interest (significance) of the heritage asset or its setting. This includes direct impacts on designated sites e.g. Scheduled Monuments, indirect impacts on the setting of designated sites and impacts on sites of archaeological interest.

3 Development proposals on sites where there is, or is the potential for, an archaeological asset, shall include an appropriate desk-based assessment of the asset. Where the assessment reveals that important or potentially significant archaeological assets may exist, developers will be required to, where necessary, undertake field surveys/ evaluations by an appropriately qualified person prior to the determination of the planning application. Such an evaluation shall determine;

a The character, significance and condition of any archaeological deposits or structures within the application site; and

b The likely impact of the proposed development on the archaeology, its significance and setting; and

c Measures to mitigate the effect of the proposed development including a statement setting out the impact of the development.

4 All stages of archaeological fieldwork shall be subject to a Written Scheme of Investigation approved by the local planning authority. No development shall take place on the proposed development site until the applicant, or their agents or successors in title, is in receipt of a Written Scheme of Investigation that has been approved by the Local Planning Authority.

5 In circumstances where development proposals affect non-designated heritage assets within an archaeological setting, the council will expect the archaeological deposits to be preserved in-situ. On sites where this is not possible, clear justification will be required. Where the justification is accepted, a programme of archaeological excavation and recording is likely to be required to be carried out. The fieldwork will be proportionate to the significance of the archaeological asset and must be carried out by an appropriately qualified contractor following a written specification agreed by the Borough Council. The programme will include all phases of desk-based and fieldwork, post-excavation analysis, publication of the results and deposition of the site archive in an appropriate repository.

Reasoned Justification

8.55 National Policy advises that 'there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point' (NPPF Annex 2 Glossary). Archaeology is therefore a material planning consideration with the key objective to conserve and enhance the historic environment of any development proposal.

8.56 Our archaeological heritage is rich and diverse and includes 25no. nationally important Scheduled Monuments of archaeological significance. In addition to this, it is estimated that there is approximately 12,500 hectares of land with archaeological potential including within Conservation Areas and Listed Buildings. Such land may hold archaeological remains that require appropriate investigation, recording and preservation.

8.57 Planning decisions will therefore take account of the significance of remains, including the wider advantages that conservation of the historic environment can deliver. Development proposals that affect heritage assets of archaeological significance should include a desk-based assessment and where appropriate, archaeological fieldwork.

Policy Implementation

8.58 This policy refers to all archaeological assets, both designated and non-designated, and seeks to conserve and where possible enhance all assets including their setting.

8.59 Where development proposals are likely to impact upon known assets, developers are advised to consult the Historic Environment Records (HER) to gain a clear understanding of the asset's significance. Applicants are expected to undertake a heritage assessment which should accompany any such application with a full Heritage Statement. It is also recommended that pre-application advice is sought prior to the submission of an application at the earliest stages. Development which affects a scheduled monument, and its setting will require permission from the Secretary of State.

8.60 Applicants proposing development on sites where there is, or is the potential for archaeology to be found will be required to undertake an appropriate desk-based assessment of the area. Where the assessment reveals that important or potentially significant archaeological assets may exist, developers will be required to, where necessary, undertake field surveys/evaluations by an appropriately qualified person prior to the determination of the planning application. This fieldwork must be informed by a Written Scheme of Investigation and approved by the council.

8.61 However, in some circumstances, the council may decide to impose a condition to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation, which should be in accordance with the professional standards of the Chartered Institute for Archaeologists (CfIA).

8.62 The conservation of an archaeological asset in its original location (preservation in situ) is the council's preferred approach where possible. Quite often this can be achieved by avoiding sensitive areas. If this cannot be done, a clear justification must be provided to the council. Where this justification is agreed by the council, a programme of archaeological excavation and recording will be required. The fieldwork will be proportionate to the significance of the archaeological asset and must be carried out by an appropriately qualified contractor following a written specification agreed by the council. The result of all field work phases must be recorded, and this record shall be publicly accessible, being placed in an appropriate repository such as a record office or accredited museum.

8.63 As well as physical impacts on archaeology, development proposals can also affect the setting of archaeological assets. This could be from the loss of important views, vantage points or the introduction of new and visually harmful development to the area. The setting forms part of the significance of the asset and will be assessed as part of any application.

Enabling Development for Heritage Assets

Introduction

8.64 In some instances, development proposals are submitted which do not accord with national or local policy but may be regarded as acceptable to secure the long-term conservation of a heritage asset. Such development is referred to as 'enabling development'.

8.65 Such development is an exception to policy and seeks to ensure that the heritage asset can be preserved in the public's interest for future generations to enjoy.

8.66 Policy HE6 seeks to support enabling development for heritage assets where it is justified and it is the last option to secure a heritage asset's preservation.

Policy HE6: Enabling Development for Heritage Assets

1 Applications proposing enabling development to a heritage asset where there is no other alternative option available, which may conflict with policies in this Plan and/or national planning policies but would secure the future conservation of a heritage asset will be supported where it is demonstrated to meet the following criteria:

a The proposal will not demonstrably harm the heritage values of the asset or its setting;

b It can be demonstrated that alternative solutions were unsuccessful;

c The proposed development is the minimum necessary to protect the significance of the heritage asset;

d The proposal complies with the guidance set out in the Historic England Enabling Development and Heritage Assets GPA4 (2020) or its equivalent replacement;

e A legal agreement to secure the restoration of the asset is agreed and signed; and

f It facilitates public appreciation of the saved heritage asset.

Reasoned Justification

8.67 This policy is required in the interests of the conservation of a small minority of heritage assets at risk.

8.68 National Planning policy advises that Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Policy Implementation

8.69 Enabling development should only ever be regarded as a last choice in conserving heritage assets once all other options have been considered. Development should form the minimum required to cover the conservation needs only.

8.70 The proposed works should not harm the historic significance of the asset or its setting and should result in public benefits that outweigh the dis-benefits of conflicting with key policies.

8.71 The need for enabling development normally occurs as a result of the difference between the costs of renovating the asset in an appropriate manner and the final end value. This is known as the 'conservation deficit' and the proposed development should be the absolute minimum required to cover this deficit.

8.72 Any such application should be accompanied with a full heritage assessment set out in a heritage statement as well as a fully costed conservation management plan that refers to the conservation deficit. As part of the supporting information, the applicant needs to be able to demonstrate that they have explored all alternative ways of securing the asset, including sources of public and private investment. The enabling development must follow the guidance set out in the Historic England Enabling Development and Heritage Assets GPA4 (2020) document or its equivalent replacement. To secure the long-term conservation benefits, a Section 106 legal agreement will be used.




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09 DESIGN

Achieving High Quality Design

Introduction

9.1 Good design is essential to delivering sustainable development. It enhances quality of life, improves perceptions of place, and supports environmental and economic benefits.









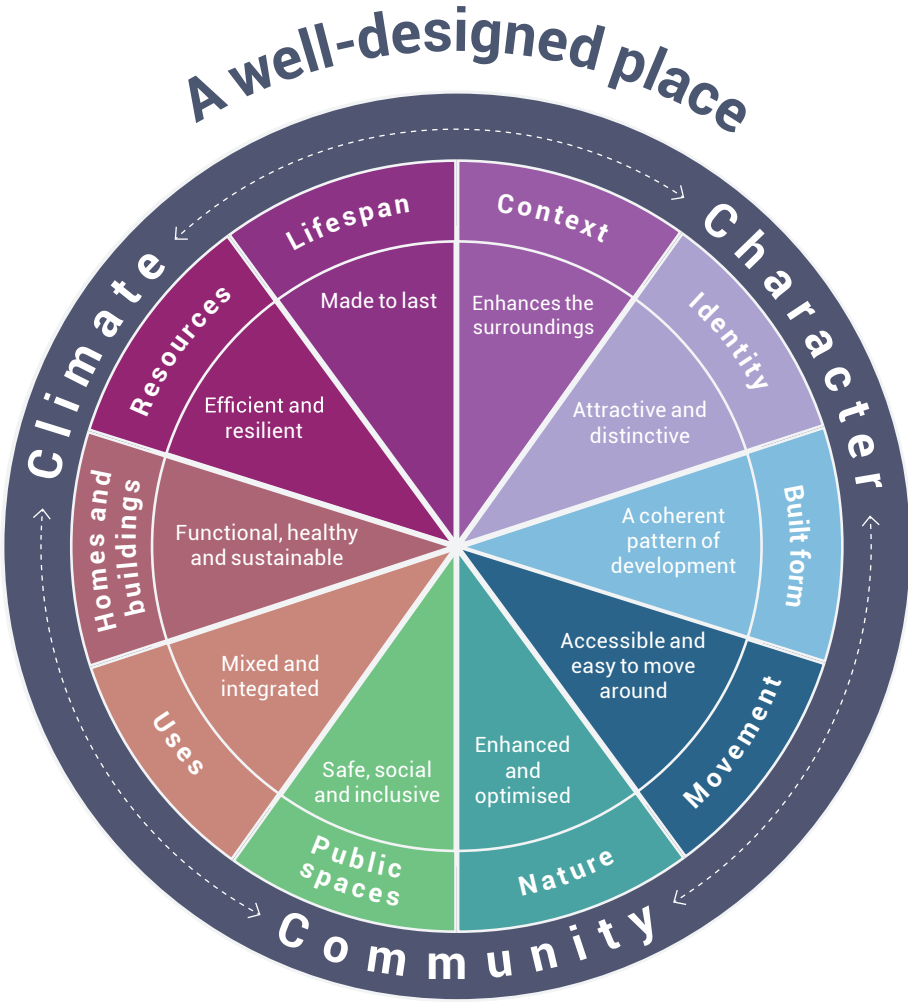
9.2 The NPPF attaches great importance to creating better places in which to live and work by achieving inclusive and beautiful design and sets out how this can be achieved through both plan-making as well as through the evolution and assessment of individual proposals. This plan provides draft site allocations, the design of which will be critical in creating vibrant, safe and functional communities with a distinctive sense of place that respect their local context. A key objective of this plan therefore is to ensure that all future development is designed with quality at its heart.

9.3 The borough has a rich and diverse urban and rural environment, containing many established and attractive places and buildings with distinctive architecture worthy of protection and enhancement. Such examples are the vibrant and modern garden village settlement of Kings Hill built on a former WW II airfield that provides a high-quality environment for homes and businesses, the unique Grade I listed Victorian Gothic Hadlow Tower locally known as "May's Folly" and the numerous traditional oast houses of the historic hop industry, built of Kentish vernacular design and materials.

9.4 This Plan seeks to ensure that new buildings and spaces complement the rich character of the borough and create inclusive, attractive and healthy places which reinforce local distinctiveness. Furthermore, well-designed places can promote economic benefits including reduced heating bills, and in environmental terms, the use of sustainable materials can reduce the effects of climate change, with appropriate planting (including native species) increasing biodiversity levels on site and in the surroundings.

9.5 National planning policy is clear that the protection and enhancement of our built environment is fundamental to the achievement of sustainable development and is embedded within the overarching objectives of the planning system (Chapter 2, Paragraph 8 (c) of the NPPF). The importance of the built environment is further strengthened in Chapter 3 of the NPPF which requires local plans to contain strategic policies that (amongst other material planning issues) make sufficient provision for the conservation and enhancement of the built and historic environment.

Figure 5.1: National Model Design Code Diagram



9.6 In 2019 the Government published the National Design Guide which sets out 10 principles of well-designed places (updated 2021). This is shown in the diagram opposite.







9.7 As a borough that is predominantly rural in character, to achieve well designed places, developments should also respond positively to the borough's landscape characters and settings as informed by the Landscape Assessment of Kent (2004) and other landscape evidence including the borough's Local Landscape Character Assessment (2025) and Landscape Visual Impact assessments (2025).

9.8 When assessing the appropriateness of design, the council is informed by the Kent Design Guide (2000) and a suite of Character Area Appraisals, as well as the Kent Downs AONB Management Plan 2021-2026 and the High Weald AONB Management Plan 2024-2029.

9.9 Sensitively designed schemes can help reduce the likely energy demands of developments - and thereby mitigate the impacts on climate change - through the orientation of buildings and landscaping that makes the best use of natural light, heat and even shade. Well-designed places can also help reduce crime and disorder through natural surveillance and create secure environments. With this in mind, applicants should have regard to guidance in 'Secured by Design' or equivalent good practice at the time the application is made. In addition, a high quality well- designed environment can make a positive contribution to the health and well-being of residents and visitors.



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9.10 **Policy D1** sets out the council's design expectations for proposals in the borough and includes key principles that should inform all proposed development.

Policy D1: Achieving High Quality Design

1 All development in the borough must incorporate principles of good design, be of the highest quality, and create inclusive, attractive places which promote a sense of place, pay regard to local distinctiveness and character and contribute to health and wellbeing.

2 Design must be considered at the earliest opportunity, having regard to national and local design guidance (including The Kent Design Guide), relevant design guides and Design Codes.

3 Major applications will be expected to demonstrate early, proactive and effective engagement with the community on design issues, where appropriate and as advised via any pre-application discussions.

4 Development proposals will be supported where they:

Context and Identity

a Are locally distinctive, respond cohesively and create a positive sense of place by demonstrating a thorough understanding of the context and character of an area, including but not limited to, important views, topography, landscape and landscape features, townscape, form, details, materials, scale, skyline and heritage;

b Respond positively to the scale, density, grain, massing and rhythm of the area; and

c Are visually attractive and demonstrate a well-considered design response within the proposed elevational design, architectural detailing and use of local, traditional and high quality materials.

Built Form and Layout

d Promote inclusive design;

e Demonstrate that they meet the government's latest Nationally Described Space Standard in respect of internal accommodation, clearly setting out the floor area, number of dwelling storeys, the number of beds and built in storage area for each dwelling typology;

f Make efficient use of land with sustainability at the heart, with ease of access to local public transport, facilities and services;

g Incorporate way finding by using landmarks, vistas, destinations and focal points;

h Be of an appropriate density for the area. Higher density development will be encouraged in sustainable and accessible locations where this is appropriate and is complementary to prevailing character. Lower density development may be appropriate in edge-of-settlement locations. Overall, density should be optimised in a way that accounts for the type of development required to meet the borough's needs, whilst also taking account of the character of the area;

i Make a positive contribution to the visual harmony of the area;

j Are designed to avoid unacceptable adverse impacts or harm to the amenities of neighbouring properties and their users / occupants in terms of privacy, sunlight and daylight, overbearing, noise, odour, traffic and vibration;

k have regard to 'Building for a Heathy Life' and National Space Standards;

l Where appropriate, provide high quality multi-functional green open spaces and public spaces, ensuring that open spaces are designed to be resilient to climate change and adaptable over time;

m Support habitat conservation and creation for wildlife and maximise opportunities for Biodiversity Net Gain, including incorporating tree lined streets and other planting;

n Make appropriate and visually attractive provision for service areas, refuse storage (including waste and recycling bins) and collection areas;

Movement

o Ensure easy navigation through a clear hierarchy of street and routes that are of appropriate widths and that ensure inclusivity and accessibility;

p Are well connected in transport terms and integrate well into the existing network;

q Provide high quality pedestrian and cycle infrastructure including PRoW connections and prioritise safe and sustainable transport choices;

r Consider walkable neighbourhood and the prioritisation of people over cars, including looking to reduce vehicle speeds;

s Provide vehicle and cycle parking and charging points in an attractive way that is well integrated and does not dominate or clutter the street scene or detract from the public realm, and responds to local character and design standards; and

t Ensure safe access/egress from development and at each collection point for service vehicles (including appropriate turning areas), paying regard to published council guidance.

Lifespan

u Are designed to be adaptable to changing/ evolving needs and to facilitate opportunities for home working;

v Are designed to last, adding to the overall quality of the area utilising local and traditional materials;

5 Development should, where practicable and proportionate, be designed to:

a deter crime and reduce the fear of crime, paying regard to the principles set out in Secured by Design;

b maximise opportunities for healthy active lifestyle choices; and

c reduce overheating and regulate the internal temperature of buildings through building form, orientation, passive ventilation and cooling, landscaping, urban greening and street trees, shading mechanisms, external colouring and green roofs and living walls.



Reasoned Justification

9.11 The NPPF requires the creation of high quality, beautiful and sustainable buildings and places which are fundamental to what the planning and development process should achieve. Good design creates better places to live and work, boosts health and well-being and helps make development acceptable to our communities. To this end, the NPPF requires that local plans set out a clear design vision and expectations for design policies to reflect local aspirations and for these to be grounded in an understanding and evaluation of each area's defining characteristics.

9.12 The NPPF is also clear that 'development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design'. Applicants will be expected to demonstrate how a high-quality design has been achieved and how national and local design guidance (including The Kent Design Guide) has been considered.

Policy Implementation

9.13 Development proposals must provide evidence, through their Design and Access Statements, to demonstrate how they have responded positively to the design policies in the local plan and local guidance, including The Kent Design Guide, Character Appraisals and where relevant, conservation Area Appraisals and Statements. Design and Access statements should explain how the principles of **Policy D1** have been considered and reflected in the project design. Where design and access statements are not required, proposals must comply with the design requirements set out in the local plan and national guidance and policy. A Design and Access Statement should be provided in addition to any issue-specific assessment that is required via the council's validation checklist.

9.14 Proposals should demonstrate, as per the NPPF, how they make the effective use of land including achieving appropriate densities, by paying regard to an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change.

9.15 Pre-application consultation is encouraged to establish requirements prior to the submission of planning applications and major applications will be expected to demonstrate early, proactive and effective engagement with the community on design issues, where appropriate and as advised via any pre-application discussions. This may include the submission of a Statement of Community Involvement. This should clearly set out the outcome of any public involvement including exhibitions or design workshops.

Design Codes and Masterplans

Introduction

9.16 New development should create environments in which residents can live and work and also deliver benefits for existing communities, where relevant. A well-designed scheme will result in sustainable places which help to meet the development needs of the area whilst integrating well with existing settlements whilst also meeting wider local plan objectives.

9.17 The NPPF confirms that in order to provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. These can be for particular areas or strategic sites. Strategic sites are those sites which have been identified in this local plan for either housing and/ or other non-residential uses, for example, retail, employment or leisure uses.

9.18 Design guides and codes therefore provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design.

9.19 The requirement for a masterplan on sites that deliver 100 plus dwellings and on significant non-residential sites (such as large-scale employment or mixed use – see Policy Implementation) will help to drive up design quality and ensure the creation of sustainable places. Design codes are also encouraged for developments of 100 or more dwellings or in relation to specific development types. Large strategic sites of 500 plus dwellings will require the submission of a design code in addition to a masterplan in order to provide a more detailed framework for creating high quality, sustainable and locally distinctive places. Design codes help deliver consistency and give certainty to the community.

9.20 Through this policy the council aspires to achieve high-quality design throughout the borough that responds positively to its built environment as well as encouraging innovative, sustainable, modern and contemporary design.

Policy D2: Design Codes and Masterplans

1 The council will require the submission of a masterplan for all sites of 100 or more dwellings, or sites for significant non-residential development (such as large-scale employment or mixed uses), submitted in either full or outline. Such masterplans must be informed by best practice, and a thorough understanding of the site and the area and comply with the principles set out within Policy DM1. For proposals of less than 100 dwellings, the submission of a masterplan is recommended.

2 Design Codes will be developed for large key sites as identified in the spatial strategy and on the Proposals Map. On large scale strategic sites of 500 or more dwellings the council will require Design Codes (in addition to masterplans). Design Codes are encouraged for developments of 100 or more dwellings or in relation to specific development types. The council will work collaboratively with site promoters in developing these. These will provide a framework for creating places that deliver high-quality and sustainable design.

3 For schemes proposing 500 or more dwellings, or where significant design implications are identified, these applications will be referred to a Design Review Panel.

4 Design Codes will specifically be required for self-build or custom build projects proposing 5 or more units, to encourage a coordinated approach to the design and development of individual plots.

5 New development and redevelopment will be expected to adhere to the requirements and provisions set out in design codes and design guides.

6 Preparation will consider the advice contained in National Planning Policy, the National Design Guide and the National Model Design Code as well as other evolving good design practice.

7 Design Codes and masterplans will reflect local aspirations and be informed by community engagement.

Reasoned Justification

9.21 The NPPF seeks to secure high-quality design and makes clear that poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions should be refused. Design codes should provide a framework for creating high-quality places. The National Model Design Code defines codes as a set of simple, concise, illustrated design requirements that are visual and numerical wherever possible to provide specific, detailed parameters for the physical development of a site or area.

Policy Implementation

9.22 Masterplans are expected to be prepared by the applicant/developer and should provide detailed supporting evidence of the design concept and evolution, providing a thorough site analysis, an evaluation of constraints and opportunities and provide a framework for new development on the site. Masterplans should be subject to pre-application advice and community engagement.



9.23 Design Codes for sites referred to in **Policy D2** are expected to be prepared by the applicant/developer and should use the National Design Guide and the National Model Design Code as a framework for how they should be prepared, including the seven-step coding process they need to follow. The content and level of detail of the Design code will be agreed at pre-application which should take place as early as possible. Design codes should be submitted to the council for consideration before final submission as part of any planning application.



9.24 To ensure that development delivered is of the highest quality, the council will seek to ensure that the quality of approved development is not materially diminished between permission being granted and the construction of the development.



10 HOUSING

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10 HOUSING

Introduction

10.1 Housing is central to this Local Plan's vision to ensure that the borough is a place where all residents can access good quality, affordable homes that meet their needs, whether renting or buying.

10.2 The Local Plan plays a vital role in delivering this vision by setting out a framework for sustainable housing growth and in doing so it is important that the development that comes forward responds to local needs, supports community wellbeing, and aligns with national planning policy.

10.3 There are a range of housing challenges within the borough, including affordability pressures, an ageing population, and the need to improve the condition and energy efficiency of existing homes. The council's Housing Strategy identifies four key priorities that underpin the approach to housing:

- Making best use of existing homes, improving housing quality and sustainability.
- Improving housing options and opportunities to prevent homelessness.
- Delivering the homes our residents need in the places they are needed.
- Working in partnership to achieve shared housing goals.

10.4 This chapter supports the delivery of these priorities by setting out policies to guide the location, type, tenure, and design of new homes, ensuring development contributes to inclusive, resilient, and environmentally sustainable communities. It also promotes housing that supports independent living, meets the needs of vulnerable groups, and contributes to the borough's wider strategic objectives, including those in the council's Corporate Strategy.











Housing to Address Needs

Introduction

10.5 The council is committed to delivering housing that meets the diverse needs of its communities and supports the creation of inclusive, mixed, and sustainable places. Policy H1 sets out the council's approach to ensuring that new residential development contributes to a balanced housing market, ensuring that new housing reflects local needs in terms of type, size and tenure and will contribute to enabling equality of access to suitable accommodation.

10.6 The policy reflects the principles of the National Planning Policy Framework (NPPF), which requires local planning authorities to plan for a sufficient supply and mix of housing to meet the needs of different groups, including families, older people, people with disabilities, and those wishing to build their own homes. It also responds to local evidence, including the Strategic Housing Market Assessment (SHMA) and Housing Register data, to guide the delivery of appropriate dwelling types, tenures, and sizes.

Policy H1: Housing to Address Needs

1 The council will respond to meeting local housing need by seeking to support the delivery of a wide choice of high quality and well-designed homes which will contribute to the creation of mixed, balanced, inclusive and sustainable communities.

2 Proposals for all housing schemes will be expected to provide for a mix of dwelling types, tenures, and sizes as well as provide a range and mix of housing formats to meet both national and local policy requirements and to meet local housing needs, as evidenced in the latest Strategic Housing Market Assessment and / or other relevant evidence that is provided to justify the mix of homes required during the plan period.

3 Housing development will be supported that is consistent with policies in this local plan including the settlement hierarchy and spatial strategy.

4 Overall housing mix will be achieved by the provision of:

a Market and affordable dwellings;

b Housing for those with specialist needs (including dwellings for older people, adaptable and accessible housing and Use Class C2 accommodation including care homes);

c Self-build and custom build plots; and

d Gypsy and Travellers and Travelling Showpeople accommodation.

Housing mix

5 The council will seek the following housing mix by tenure on sites of 10 dwellings (net) or more:

	Market	Affordable home ownership	Affordable housing (rented)
1 bedroom	10%	20%	25%
2 bedrooms	30%	45%	35%
3 bedrooms	40%	25%	30%
4+ bedrooms	20%	10%	10%

6 Where applicants propose a different mix of market and affordable homes than that detailed above, proposals will only be supported where they are supported by up-to-date evidence of need including that which demonstrates the suitability of the proposal in relation to the following, which is not listed in priority order:

a Site viability;

b The context, character, density and location of the site / development including whether brownfield or greenfield development;

c Site constraints;

d The role and function of the development location and the specific characteristics of local households;

e Diversifying housing stock to ensure equitable housing provision for all;

f Accessibility to local transport and transport connections;

g Market demands and market conditions including the existing mix and turnover of properties at the local level; and

h Housing Register Data or other relevant up-to-date evidence no older than 3 years.

Reasoned Justification

10.7 A varied and responsive housing supply is essential to meeting the borough's demographic and economic needs. The policy is informed by the SHMA and other local evidence, which highlight the importance of providing homes of different sizes and tenures to reflect household changes, population ageing, and affordability challenges.

10.8 In particular, there is a strong need for 2 and 3 bedroom homes across all tenures, with targeted provision of 1 bedroom and 4+ bedroom dwellings to meet specific needs. For affordable rented housing, evidence points to a requirement for at least 40% of homes to have three or more bedrooms, including 10% with four or more bedrooms, to support larger households and reduce overcrowding.

10.9 The policy also seeks to address under-occupancy in the market sector by encouraging more efficient use of new housing stock. By promoting a mix of dwelling sizes and formats, the policy supports greater market choice, helps overcome absorption constraints, and contributes to improved delivery rates.

Policy Implementation

10.10 Policy H1 will be implemented through the development management process, with housing proposals expected to demonstrate how they contribute to a balanced and inclusive housing mix. Applicants must refer to the latest (SHMA), housing needs surveys, and other relevant evidence to determine the most appropriate mix of dwelling types, sizes, and tenures for each site.

10.11 Requirements vary across the borough so factors such as proximity to public transport and services, place and site characteristics will determine what is a suitable dwelling mix at any particular location. The final mix will be negotiated with the developer on a site-specific basis, so as to ensure compliance with the policy and regard to the most up to date SHMA.

10.12 Tonbridge and Malling's housing stock is characterised by a high proportion of semi-detached homes (41.9%) and owner-occupation (72.1%), with relatively high levels of under-occupancy (42.1%) and low levels of overcrowding. To address this imbalance, the council will resist an over-supply of 1- and 2-bedroom flats and instead promote a more diverse mix that reflects actual need, particularly for 2 and 3 bedroom homes across all tenures. For affordable rented housing, at least 40% of homes should have three or more bedrooms, with 10% having four or more bedrooms.

10.13 Homes of different sizes and tenures should be distributed across a scheme to provide variation in character and form and to support social mix through having a range of different sized households (and households at different life stages) which will provide more integrated and balanced communities. Similarly, clustering of homes of a particular tenure can result in less socially cohesive schemes. Affordable homes for rent should be 'pepper-potted' unless there are servicing issues that requires them to be provided in clusters.

10.14 All proposals must comply with other policies within this plan in relation to design and other matters. Monitoring of housing delivery and mix will be undertaken through the Authority Monitoring Report (AMR), which will inform future updates to the Local Plan and ensure continued alignment with local needs.

Affordable Housing

Introduction

10.15 The provision of affordable housing is a critical component of sustainable development and inclusive communities. Policy H2 sets out the requirements for affordable housing delivery across the borough, ensuring that new residential development contributes meaningfully to meeting identified housing needs.

10.16 This policy applies to proposals that include a residential element, including Use Class C2 and permanent residential caravan sites, and seeks to secure affordable housing both on-site and through financial contributions where appropriate. The policy also addresses tenure mix, design integration, and exceptional circumstances where viability may affect delivery.



10.17 The Tonbridge and Malling Borough Council (SHMA) identifies an acute need for affordable housing across all sub-areas of the borough, and therefore the council will seek to maximise delivery at every opportunity. The majority of need arises from households who are unable to buy or rent on the open market, which points to a particular requirement for social and affordable rented housing rather than affordable home ownership products.



10.18 This policy also seeks to address housing affordability and the supply of specialist housing, aiming to significantly boost the supply of homes to support sustainable communities..

Policy H2: Affordable Housing

1 To meet the borough's need for affordable housing, development proposals which include a residential element (including C2 and permanent residential caravan sites) will be required to deliver 40% affordable housing on site where:

a proposals are for 10 or more (net) units, or

b proposals for 6 or more units within a National Landscape, or

c where sites provide 0.5 hectares or more of developable area.

Financial contributions will be sought in lieu of on-site affordable housing on permanent residential caravan sites.

2 Relevant proposals as above must include an Affordable Housing Statement that sets out how the application meets policy requirements. Provision should accord with the definition of affordable housing as set out within national policy and in accordance with the policies of this plan. Affordable housing should genuinely be affordable to those identified as being in housing need as set out by the government eligibility criteria and any relevant policy requirements.

3 At least 50% of the housing must be affordable, on land which is proposed to be released from the Green Belt or on land within the Green Belt.

Tenure mix of affordable homes

4 Developments will be required to deliver a mix of affordable housing tenures. This should include a tenure mix of 50% social rent, 30% affordable rent and 20% intermediate accommodation unless a different tenure mix would be more suitable taking into account the location of the site and any other relevant factors. Where intermediate products are proposed there should be a preference of shared ownership. However, alternatives to shared ownership housing may be delivered where it is demonstrated that this will contribute to meeting local affordable housing need as indicated by up-to-date evidence and where these can be demonstrated to be genuinely affordable.

5 All affordable housing secured through policy must remain affordable in perpetuity. Legal agreements will make provision for achieving clawback on long-term phased schemes if affordable housing is converted to another tenure.

Exceptional circumstances

6 The council will seek to maximise affordable housing delivery, however, there may be exceptional circumstances where on-site affordable housing is not viable. In these circumstances, evidence will be required to be submitted to demonstrate why the level or tenure mix of affordable housing cannot be achieved on site. Any proposal for alternative tenure mix or a reduction in affordable housing provision should be discussed with the council at the earliest opportunity alongside the submission of detailed evidence for not meeting the policy.

7 In the exceptional circumstances where it is not viable to deliver affordable housing on-site, then either off-site serviced plots or a commuted sum in lieu of on-site delivery for the same number of units will be required. Viability will be subject to an independent assessment at the applicants cost. All proposals required to submit evidence of viability will be subject to viability reviews. Should viability improve prior to completion then affordable housing contribution would change accordingly.

8 Where a lower percentage of affordable housing or differing tenure mix is agreed on viability grounds, developers will be required to enter into an agreement that allows affordable housing contributions to be made in the future should higher levels become viable through an overage clause. The council will require viability to be re-appraised on subsequent phases of larger schemes of 10 units or more.

Design

9 The affordable housing provision must be well-integrated into a scheme and externally indistinguishable from market housing, including quality of materials, design and open spaces. The units should be located throughout the site in a manner that supports integration but can also be managed efficiently by Registered Providers.



Reasoned Justification

10.19 The analysis of the future mix of housing required takes account of demographic change, including potential changes to the number of family households and the ageing of the population.

10.20 The SHMA is clear that social rents are more affordable and could benefit a wider range of households – social rents should therefore be prioritised where delivery does not prejudice the overall delivery of affordable homes.

10.21 The borough faces significant challenges in meeting the demand for affordable housing, with affordability pressures continuing to impact residents across a range of income levels. Evidence from the SHMA and other local housing needs assessments demonstrates a persistent shortfall in affordable housing provision, particularly for social rent and intermediate tenures.

10.22 The SHMA analysis has taken account of local housing costs (to both buy and rent) alongside household income estimates and confirms the need for both social rent and affordable rent products.

10.23 Data from the Regulator of Social Housing (RSH) for 2024 shows that Private Registered Providers (PRPs) own approximately 9,800 properties in the borough. Of these, 80% are general needs rented homes, with 84% of those let at social rent levels and the remainder at affordable rent. A further 12% are low-cost home ownership properties, such as shared ownership, and 8% are supported housing or housing for older people.

10.24 The SHMA justifies a policy position of 80%

low-cost rented housing and 20% affordable home ownership. Within the rented category, up to 60% of affordable housing at social rents being justified in need terms, equating to around 50% of all affordable housing. Low cost home ownership provision should focus on shared ownership, with no strong evidence of need for First Homes or discounted market housing.

10.25 The analysis of future housing mix also considers demographic change, including the ageing population and shifts in household composition, such as the number of family households.

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10.26 To ensure clarity and consistency, the policy aligns with the National Planning Policy Framework (NPPF) definition of affordable housing (Annex 2), which includes:

- Social Rent: Set in accordance with Government rent policy, managed by registered providers, and retained as affordable in perpetuity.
- Affordable Rent: At least 20% below market rent, managed by registered providers or as part of Build to Rent schemes.
- Discounted Market Sales Housing: Sold at a minimum 20% discount below market value, with eligibility based on local incomes and house prices.
- Other Affordable Routes to Home Ownership: Includes shared ownership, equity loans, rent to buy, and other low-cost sale options.

10.27 Policy H2 responds to this need by requiring a minimum of 40% affordable housing on qualifying sites, with a higher threshold of 50% on land released from or within the Green Belt to reflect the exceptional nature of such development and the NPPF Golden Rules. The tenure mix prioritises social rent, in line with national guidance and local evidence, while allowing flexibility where justified.

10.28 The policy also ensures that affordable housing remains genuinely affordable and available in perpetuity, supporting long-term community stability. By requiring integration of affordable units within developments and ensuring design quality, the policy promotes inclusive neighbourhoods and avoids social segregation.

10.29 Where viability constraints arise, the policy provides a clear framework for negotiation, evidence submission, and independent review, ensuring transparency and accountability. This approach balances the need for flexibility with the overarching objective of maximising affordable housing delivery.

Policy Implementation

10.30 Development proposals that meet the thresholds set out in the policy, including those of 10 or more net residential units or 6 or more units within a National Landscape, or sites of 0.5 hectares or more, must deliver 40% affordable housing on-site. Permanent residential caravan sites must provide financial contributions in lieu of on-site delivery. Where development occurs on land within or released from the Green Belt, at least 50% of the housing must be affordable.

10.31 There are a range of affordable housing options that may be appropriate to meet identified needs. These include rented forms of affordable housing, such as social rent and affordable rent, and intermediate housing products such as shared ownership or discounted market housing. In relation to intermediate housing products, the SHMA evidence indicates that shared ownership should be the primary focus, with limited justification for First Homes or discounted market sale products.

10.32 The council strongly encourages early pre-application discussions for all development proposals with an affordable housing element. Wherever possible, these pre-application discussions should include a Registered Provider. Topics for discussion should include the amount, type, size, and tenure of affordable housing; the design and location of units within the wider development; identification of potential Registered Providers and funding opportunities; and agreement of the Heads of Terms for the Section 106 Agreement to secure delivery.

10.33 All qualifying proposals must include an Affordable Housing Statement. This statement must clearly set out what is being proposed in relation to affordable housing and provide a justification for the amount, type, and location of provision. As a minimum, it should include:

- The total number of residential units proposed;
- The percentage of affordable housing;
- The tenure mix and percentage split;
- The number of bedrooms and property types across all tenures;
- Space standards and floor areas of affordable units;
- Scaled plans showing the location of affordable units within the site;
- Details of any Registered Providers involved or market testing evidence;
- The levels or types of affordability proposed for different units; and
- An explanation of how the affordable housing will be managed.

10.34 In the case of outline applications, where some details may not yet be known, the Affordable Housing Statement must confirm that a legal agreement will be entered into to secure compliance with the adopted policy. Further information on our outline application validation requirements is available via the TMBC website

10.35 Affordable housing must be well-integrated into the overall development and indistinguishable from market housing in terms of design, materials, and layout. Units should be distributed across the site to support social inclusion and efficient management by Registered Providers. The council will not accept significant locational or design differences between private and affordable tenures unless supported by robust evidence demonstrating necessity for viability or management reasons.

Section 106 TCPA 1990 Provisions for Affordable Housing

10.36 The council has prepared model planning obligations relating to the delivery of affordable housing to seek to ensure wherever possible that tenure and bed size mix parameters are set at outline stage and these will be the starting point for all s106 negotiations relating to affordable housing. TMBC is mindful that in some instances, particularly with very large schemes, not all detail will be available at outline application stage. However, we will expect that the evidence base laid out at section 3 of the Affordable Housing Protocol is utilised to inform affordable housing proposals both at outline and reserved matter application stages and the draft s106 clauses are designed to ensure that is the case.

10.37 Affordable housing must remain affordable in perpetuity. Legal agreements will secure this requirement and include clawback provisions for phased schemes to prevent conversion to other tenures. The council will also require viability to be re-appraised on subsequent phases of larger schemes and will apply overage clauses where reduced affordable housing provision is agreed on viability grounds.

Viability

10.38 Where on-site delivery is not viable, applicants must submit robust viability evidence for independent assessment, the cost of which will be borne by the applicant.

10.39 In such cases, commuted sums or serviced plots will be required in lieu of on-site provision. Viability reviews will be undertaken, and if viability improves prior to completion, the affordable housing contribution will be adjusted accordingly.

Off-site delivery

10.40 In exceptional circumstances, the council may approve off-site delivery of affordable housing. Should on-site and off-site delivery be ruled out as options, a commuted sum may be deemed acceptable.

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Build-to-Rent

Introduction

10.41 The NPPF sets out that the needs of people who rent their homes (as separate from affordable housing) should be assessed and reflected in planning policies (Para 63). The NPPF glossary defines Build to Rent (BtR) development as:

"Purpose-built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses but should be on the same site and/or contiguous with the main development."

10.42 It therefore represents development which is constructed with the intention that it will be let rather than sold.

10.43 There are 94 BtR units in the borough, across two schemes. All of the units are 3-bedroom. Although one scheme was developed by Vistry, it is now operated by Leaf Living. Further analysis of the Leaf Living website indicates that they operate two further developments in proximity, one in East Malling at Pippin's Place and another outside TMBC in Paddock Wood. All these schemes are "single-family" BtR, which are typically suburban in style.

10.44 There are two BtR schemes in neighbouring Medway, at Chatham (71 units) and Gillingham (192 units) waterfronts. These are multi-family BtR schemes which are typically higher-density flatted developments. These developments are operated by Three Sixty Space and Way of Life.

10.45 Even though there are only two BtR schemes in TMBC at the moment, the presence of several schemes built by different developers and managed by different operators in neighbouring locations indicates that there is likely to be further interest from the development industry in promoting BtR development in the area. The policy therefore sets out the requirements in the eventuality of a build-to-rent proposal.

10.46 BtR developments are a distinct form of housing provision, purpose-built for long-term rental and typically held in single ownership with professional management. The National Planning Policy Framework (NPPF) recognises the specific needs of renters as separate from affordable housing, and paragraph 63 requires that these needs be assessed and reflected in planning policies.

10.47 BtR schemes can play a valuable role in diversifying housing supply, meeting the needs of households who prefer or require rented accommodation, and supporting housing delivery. They often include communal facilities and services that foster a sense of community and offer greater security of tenure than traditional private rented housing.

10.48 This policy sets out the council's approach to supporting BtR schemes in appropriate locations, ensuring they contribute positively to housing supply, affordability, and quality of life for residents.

Policy H3: Build-to-Rent

1 To help meet affordable housing need and to diversify housing supply through the provision of rental homes, the council will support build-to-rent proposals in sustainable locations with good public transport connections. Build-to-rent schemes should:

a Provide at least 10 homes;

b Provide high-quality accommodation that fosters a sense of community through the provision of communal areas, community facilities and services as part of the development;

c Provide sufficient internal space for all new dwellings, including changes of use and conversions, to cater for future occupants. The gross internal floor area for each new dwelling should meet or exceed the Nationally Described Space Standard or any subsequent equivalent space guidance;

d Offer a range of tenancy options to suit the renter including a minimum 3-year tenancy to meet renter needs;

e Is secured for the long-term (e.g. minimum 30 years); and

f Will be professionally managed and preferably in single ownership and management control.

2 A build-to-rent scheme, will be required to provide at least 20% of units as Affordable Private Rent to be maintained in perpetuity. The affordable private rent units must be at a minimum discount of 20% to local market rents and must be let to households with a local connection. They must also be built and maintained to the same standards as the build to rent properties;

3 A viability appraisal will be required to demonstrate affordable housing contributions, paid for by the applicant; and

4 Proposals for build-to-rent schemes should submit a build-to-rent report setting out how it intends to operate, manage and let the build-to-rent Scheme, to be agreed with the council.

Reasoned Justification

10.49 The Planning Practice Guidance (PPG) on Build-to-Rent recognises that where a need is identified, local planning authorities should include a specific policy to promote and accommodate BtR development. The council has identified a growing interest in BtR schemes locally and regionally, and this policy responds to that emerging need.

10.50 Given the BtR schemes in Tonbidge and Malling and neighbouring local authority areas suggests that the borough is well-positioned to attract further BtR investment.

10.51 The PPG sets out that at least 20% of units in BtR schemes should be provided as Affordable Private Rent, with a minimum 20% discount to local market rents. These units should be managed collectively by a single landlord and maintained in perpetuity. The council supports this benchmark and will require evidence to justify any deviation from it.

10.52 Given this context, it is important that the Local Plan sets out clear expectations for BtR development. This includes ensuring high-quality design, long-term management, and affordability through the provision of Affordable Private Rent units. The policy aligns with national guidance and supports the delivery of professionally managed rental housing that meets local needs.

Policy Implementation

10.53 To ensure Build-to-Rent (BtR) schemes contribute positively to housing delivery and community wellbeing, proposals will be expected to meet a range of implementation criteria. BtR developments should be located in sustainable areas with good access to public transport, services, and employment opportunities. This aligns with the spatial strategy of the Local Plan and will be assessed through site allocations or individual site assessments for windfall development.

10.54 All BtR homes must meet or exceed the Nationally Described Space Standard (NDSS), or any subsequent national guidance, to ensure sufficient internal space for future occupants. Developments should incorporate communal spaces and facilities that support resident wellbeing and foster a sense of community. In addition, schemes should provide appropriate outdoor space, secure cycle storage, and measures to support active travel, in line with wider design and sustainability standards.

10.55 Tenure arrangements must reflect the needs of renters, offering a range of tenancy options including a minimum three-year tenancy. BtR schemes must be secured for long-term rental use, typically for a minimum of 30 years, and should be held in single ownership with professional management to ensure consistency and quality of service. This reflects the definition of BtR set out in the National Planning Policy Framework (NPPF), which emphasises long-term tenancies and professional management.

10.56 The mix of units within each scheme should be appropriate to the type and location of the development. For example, multi-family flatted schemes are unlikely to deliver larger homes such as four-bedroom units, whereas single-family suburban schemes may offer a broader mix. The council will assess the proposed mix in the context of local housing need and site characteristics.

10.57 In accordance with Planning Practice Guidance (PPG), at least 20% of units within a BtR scheme must be provided as Affordable Private Rent. These units must be let at a minimum 20% discount to local market rents, calculated at the point of letting or tenancy renewal, and maintained in perpetuity. Affordable Private Rent units must be indistinguishable from market rent units in terms of quality and management, and must be let to households with a local connection. All units, both market and affordable, should be managed collectively by a single landlord.

10.58 Applicants will be required to submit a viability appraisal to demonstrate the scheme's ability to deliver affordable housing contributions. In addition, a Build-to-Rent Report must be provided, setting out the scheme's operational model, management arrangements, tenancy structures, and affordability mechanisms. This report will be reviewed and agreed with the council prior to determination.

10.59 The council will secure the long-term affordability and management of BtR schemes through planning conditions and/or legal agreements. Monitoring will be undertaken to ensure compliance with affordability, tenancy, and management commitments. Rent increases for Affordable Private Rent units should follow the same basis as those applied to longer-term market tenancies within the development.

Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites

Introduction

10.60 Gypsies, Travellers and Travelling Showpeople form part of Tonbridge and Malling's diverse communities and have distinct accommodation needs. National planning policy requires local authorities to ensure fair and equal treatment for these groups, including facilitating the provision and safeguarding of sites to meet identified needs.

10.61 The Planning Policy for Traveller Sites (PPTS) 2024 updated the planning definition of a Traveller, removing travelling behaviour as a determining factor in assessing need in some cases where people no longer travel. This change broadens the scope of who may be considered in need of accommodation and reinforces the importance of safeguarding existing lawful sites.

10.62 Gypsies and Travellers typically live on pitches within sites, while Travelling Showpeople reside on plots within yards, sometimes grouped into Showpersons' developments. The council recognises the need to set pitch and plot targets to address both permanent and transit accommodation needs across the Borough.

10.63 This policy seeks to safeguard existing lawful sites and ensure that any proposed loss is appropriately mitigated, maintaining the overall supply of pitches and plots in the borough.

Policy H4: Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites

1 The council will safeguard and protect lawful existing Gypsy, Traveller and Travelling Showpeople sites. Where a loss is proposed, and there is a need in the Borough for pitches or plots, proposals will only be permitted where alternative provision is made, resulting in no net loss, and is in either an equivalent or an improved location. The alternative site must be provided before the original is lost and this will be secured as either a planning condition or via a S106 agreement.

2 Should a site have a personal planning condition attached to it relating to the site occupier, the council will support applications to modify or remove the condition (as relevant) to allow the continued use of the site as a Gypsy, Traveller and Travelling Showpeople site in perpetuity, subject to other policies in this plan.

Reasoned Justification

10.64 The borough has a recognised need for Gypsy, Traveller and Travelling Showpeople accommodation, as identified through the most recent Gypsy and Traveller Accommodation Assessment (GTAA). Existing lawful sites play a critical role in meeting this need and supporting the rights of these communities to live in culturally appropriate accommodation.

10.65 Safeguarding these sites is essential to prevent further shortfalls in provision, which could lead to unauthorised encampments, increased pressure on public services, and social exclusion. Where a site is proposed for loss, it is vital that suitable alternative provision is secured to ensure no net loss of accommodation. This approach aligns with national policy and promotes sustainable, inclusive communities.

10.66 Additionally, many sites have personal planning conditions attached to them, limiting occupation to named individuals. As circumstances change, it is important to allow flexibility to ensure continued use of these sites for their intended purpose, particularly where there is ongoing need and the site remains suitable in planning terms.

Policy Implementation

10.67 The council will safeguard all lawful Gypsy, Traveller and Travelling Showpeople sites i.e. sites that have been granted planning consent. Planning permission will not normally be granted for development involving the loss of such accommodation unless alternative provision is made to make good any loss. The alternative site must be provided before the original is lost and secured via a planning condition or Section 106 agreement.

10.68 Any replacement site must be of an equivalent or improved location, with appropriate access to services, infrastructure, and opportunities for community integration. Proposals will be assessed against the borough's current accommodation needs and relevant site suitability criteria.

10.69 Where a site has a personal planning condition attached to it relating to the site occupier, the council will support applications to modify or remove the condition to allow the continued use of the site as a Gypsy, Traveller or Travelling Showpeople site in perpetuity, subject to compliance with other policies in the Local Plan.

10.70 Applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the current NPPF and PPTS.

10.71 The council will consider the following issues, among other relevant matters, when determining planning applications for Traveller sites:

a The existing level of local provision and need for sites;

b The availability (or lack) of alternative accommodation for the applicants;

c Other personal circumstances of the applicant;

d Locally specific criteria used to guide the allocation of sites in plans or to assess applications on unallocated sites;

e Applications from any Travellers, not just those with local connections.

10.72 The council will maintain an up-to-date register of lawful sites and regularly review the effectiveness of this policy through its Authority Monitoring Report (AMR). The GTAA will be updated as required to ensure the policy remains responsive to changing needs.

Gypsy, Traveller and Travelling Showpeople – Site Criteria

Introduction

10.73 Government policy encourages authorities to meet the needs of all Gypsies, Travellers and Travelling Showpeople and in the context of Travelling communities councils need to consider the Human Rights Act 1998, the Equalities Act 2010 and the Housing and Planning Act 2016 section 124 for Traveller Sites. These policies are used to plan for the accommodation needs of those Gypsies, Travellers and Travelling Showpeople who continue to lead a nomadic habit of life, even if they have stopped travelling for certain reasons.

10.74 The council recognises the importance of providing appropriate accommodation for Gypsies, Travellers and Travelling Showpeople in line with national planning policy and local needs. Gypsies, Travellers and Travelling Showpeople have distinct cultural traditions and accommodation requirements, and it is essential that the Local Plan supports their inclusion and integration within the wider community.

10.75 The overarching aim of the National Planning Policy for Traveller Sites is to ensure fair and equal treatment of the travelling community, in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community. As part of this, the council is required to proactively plan to meet the housing needs of Gypsies, Travellers and Travelling Showpeople in the Borough.

10.76 The NPPF confirms that 'Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document'.

Policy H5: Gypsy, Traveller and Travelling Showpeople – Site Criteria

1 Proposals for new, extended or intensification of permanent or temporary gypsy, traveller and travelling showpeople sites will be supported where applications meet the following criteria:

a The site is in a sustainable location and is either located within or adjoining a settlement confines boundary or within good proximity to a range of services including shops, schools and primary health care facilities accessible by public transport, to enable integration into the community;

b The site is suitable in terms of vehicular access for cars, caravans and emergency vehicles, parking, turning, road safety and servicing arrangements, and has access to essential services such as water supply, sewerage, drainage and waste disposal;

c Appropriate landscaping is included within the proposal to ensure that the scheme does not result in any adverse landscape impacts. In cases where proposals are in or adjacent to a National Landscape, the scale and the extent of development should be limited, sensitively located and designed to enhance, mitigate or avoid impacts;

d The site is not affected by adjacent uses or environmental hazards that may affect the residents' health or welfare or located in an area of high risk of flooding, including functional floodplains;

e The site promotes peaceful and integrated co-existence between the site and the local community;

f The site demonstrates the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability;

g The site is suitable in scale when considering its location and the settlement hierarchy and the range of existing local infrastructure and services;

h The proposal achieves a well-designed lay-out, includes amenity space and space for equipment and animals with minimal hard standing and permanent structures and integrates with adjacent communities. Where amenity blocks are proposed these must be appropriate to the scale of the site;

i Proposals make adequate provision for on-site facilities that meet best practice for modern Traveller site requirements, including, storage, provision for recycling and waste management;

j No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site; and

k All proposals must comply with The Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.

2 Where there is a demonstrated need for additional plots / pitches, suitable expansion or the intensification or regularising of existing sites will be supported by the council subject to meeting policy requirements. Where windfall sites are proposed then the application must demonstrate that the national policy definition for gypsy and travellers and travelling showpeople can be met as well as demonstrating that there is a strong local connection to the area.

Reasoned Justification

10.77 To support the wider needs of Gypsies and Travellers, the policy sets out criteria to inform future planning applications. The criteria set is to guide land supply allocations where there is identified need. Where there is no identified need, the criteria-based policy is included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.

10.78 National guidance states that in general, new sites in the countryside, away from existing settlements, or where a site could dominate the nearest settled community, should be resisted. But as with bricks and mortar housing: well-planned and well-designed sites that make effective use of previously developed land and/or that positively enhance the environment will be supported. Enclosing a site with hard landscaping, high walls or fences, may give the impression that the site and its occupants are deliberately isolated from the rest of the community and will not be supported.

10.79 Similarly, it is vital that residents are able to access education, health and utilities (such as mains water supply, drainage and community facilities) in the same way that the settled community can.

10.80 This policy sets out the criteria against which planning applications will be assessed to meet the needs of Gypsies, Travellers and Travelling Showpeople. These criteria also provide a robust framework to consider any unidentified needs of the community during the plan period.

10.81 To support the wider needs of these communities, the policy provides a fair and balanced criteria-based approach. This ensures that land supply allocations are guided to where there is identified need, and that applications can still be assessed where no specific need has been identified. The criteria are designed to facilitate the traditional and nomadic lifestyle of Travellers while respecting the interests of the settled community.

Policy Implementation

10.82 All proposals must meet best practice design standards, including safe access, adequate amenity space, landscaping, and access to essential services. The council will resist schemes that enclose sites with hard boundaries or isolate residents, in line with national guidance.

10.83 Planning permissions will include conditions limiting occupancy to Gypsies and Travellers. Caravan site licences must be obtained from the council's Environmental Health Team prior to occupation. Conditions may also regulate the number of caravans, layout, and duration of stay to ensure compliance with the Caravan Sites and Control of Development Act 1960.

10.84 The council will continue to engage with communities and stakeholders to promote peaceful and integrated co-existence, ensuring that Traveller sites are planned and managed in a way that supports both the travelling and settled populations.

Specialist Housing to Meet the Needs of Older and Vulnerable People

Introduction

10.85 Tonbridge & Malling has a similar age structure to regional and national averages in terms of older people, but with lower levels of disability. However, the borough is experiencing a significant demographic shift. Between 2024 and 2042, the population aged 65 and over is projected to increase by over 38%, with those aged 85 and over increasing by nearly 62%. This ageing trend is expected to result in a higher prevalence of disability, dementia, and mobility issues.

10.86 Older residents in the borough are more likely to be homeowners, with 75% of older person households owning their homes outright. This presents both a challenge and an opportunity: while many older people may have significant housing equity, they may also be living in homes that are no longer suitable for their changing needs.

10.87 The Local Plan seeks to widen housing choices for older people by securing a diverse supply of market and affordable housing, including specialist accommodation. This includes age-restricted housing, sheltered and extra care housing, and residential care homes. The aim is to enable older and vulnerable people to live independently for as long as possible, in homes that are adaptable, accessible, and located near local services and facilities.

Policy H6: Specialist Housing to Meet the Needs of Older and Vulnerable People

1 Given the borough's need for specialist accommodation for older and vulnerable communities, sites between 20 to 99 dwellings, will, subject to viability, be required to deliver at least 5% specialist accommodation as C3 and schemes for 100 or more dwellings will be required to deliver 5% specialist accommodation as either C3 dwellings or C2 equivalents taking into account local housing need.

2 The council will support development proposals for specialist housing[1] for older people and vulnerable groups. Proposals will be considered to take the following into account:

a That the proposal makes a positive contribution to the borough's need for specialist housing as set out in the council's Strategic Housing Market Assessment or is supported by robust up-to-date evidence to support the proposal in the context of the local area for which the development will be located;

1 Specialist housing for older people include Age-restricted general market housing, Retirement living or sheltered housing (housing with support), Extra care housing or housing-with-care (housing with care) and Residential care homes and nursing homes (care bedspaces).

b That the proposal seeks to meet the evidenced needs of the older or vulnerable community, ensuring that provision is affordable for the intended occupants and is of an appropriate mix;

c That any proposal for accommodation is located in a sustainable location, within a settlement confines boundary and with good accessibility to infrastructure and services including shops, community facilities, public transport, primary health care, all of which could be reached without a car;

d That the proposal is suitable in relation to the nature and topography of the site and that appropriate infrastructure can be provided to support walking and wheeling;

e The design and layout addresses the health and well-being needs of older and vulnerable people, including, where appropriate, those with dementia and other long-term conditions;

f The proposal meets the accessibility Policy H7, the Nationally Described Space Standard and provides amenity and garden space appropriate to the scheme as well as appropriate refuse storage;

g An appropriate level of car parking is provided for residents, staff and visitors delivered in line with Kent County Council Parking standards including electric vehicle charging points;

h The accommodation is appropriately designed and supported by a Care Needs Assessment to justify the development proposal's scale, design, tenure and accommodation type; and

i The proposal provides affordable housing as set out in Policy H2 of this plan, calculated based on floorspace.

3 The loss of specialist accommodation for older or vulnerable communities will not be supported unless:

a Evidence demonstrates that there is no longer an identified need for the accommodation within the borough;

b Alternative provision that meets the borough's needs is provided elsewhere; or

c The housing cannot be converted to alternate specialist provision for older or vulnerable people / communities due to it not being able to meet minimum standards for any form of specialist accommodation or it is not viable to improve the accommodation to provide any form of specialist or social care accommodation.

Reasoned Justification

10.88 The Strategic Housing Market Assessment (SHMA) and supporting evidence provide a strong justification for this policy. The SHMA identifies a clear need to increase the supply of accessible and adaptable dwellings, wheelchair-user homes, and a range of specialist housing options for older people. This includes both market and affordable provision, reflecting the diverse needs, health conditions, and financial circumstances of older residents.

10.89 Between 2024 and 2042, the SHMA has identified that the borough will require:



10.90 The SHMA analysis shows a total of just under 1,800 units of housing with support or care, which represents around 135 per 1,000 people aged 75 and over. There is some variation by sub-area, with Tonbridge seeing the highest number (544 units), but the highest proportion per population aged 75+ is in Malling & Kings Hill.

10.91 For nursing and residential care, a slightly lower level of supply is shown, with a total of 744 bedspaces, the highest number being in Tonbridge, although the proportion per 1,000 people aged 75+ is highest within the Medway Facing sub-area.

10.92 While current provision is broadly aligned with need, particularly for extra care and nursing care, projections to 2042 indicate a requirement for additional provision across all types and tenures.

10.93 The policy therefore aims to widen housing choices for older people by securing a diverse supply of market and affordable housing, including specialist accommodation. It supports the development of well-designed, accessible housing such as care homes and extra care schemes, located near local facilities to promote independence and community integration.

10.94 The policy aligns with national guidance, including the Planning Practice Guidance (PPG), and is grounded in robust local evidence. It ensures that the borough is planning proactively for an ageing population, recognising the likely increase in disability and health-related needs among older people. By supporting a range of housing types and tenures, the policy helps ensure that older residents can access appropriate accommodation that meets their needs over time.

Policy Implementation

10.95 Applicants should refer to the SHMA and any subsequent updates to understand the scale and type of need in the borough. Proposals should be supported by a Care Needs Assessment and demonstrate how they meet the health and well-being needs of older people, including those with dementia and long-term conditions. Developments must also include a mix of housing types and sizes, and deliver a minimum percentage of specialist housing, as per the policy requirement.

10.96 The council will support a range of specialist housing types, including:

- Use Class C3: Age-restricted general market housing, retirement living, sheltered housing, and extra care housing;
- Use Class C2: Residential and nursing care homes, including dementia and end-of-life care;
- Other models which will be assessed based on the level of care and communal facilities provided.

10.97 The classification of specialist housing proposals will be determined on a case-by-case basis, taking into account the level of care provided and the scale of communal facilities. This ensures clarity in how different types of accommodation are treated in planning terms and supports appropriate delivery mechanisms.

10.98 Schemes should prioritise accessibility, affordability, and integration with existing communities. The council will expect developments to meet relevant space and accessibility standards, including M4(2) and M4(3) where appropriate. Proposals must also demonstrate how they contribute to wider health and well-being objectives, including the creation of dementia-friendly environments and support for active ageing.

10.99 Monitoring will be carried out through the Authority Monitoring Report (AMR), tracking the delivery of specialist housing types, tenure mix, and geographic distribution. The council will also monitor the loss of existing specialist accommodation and assess proposals for redevelopment against the policy criteria.

Accessible and Adaptable Homes

Introduction

10.100 The council is committed to ensuring that new housing development in the borough meets the needs of all residents, including older people, disabled people, and those with temporary or permanent mobility impairments. As the population ages and household needs diversify, it is essential that new homes are designed to be accessible, adaptable, and inclusive. This policy sets out the requirements for new residential development to meet higher accessibility standards, supporting independent living and reducing the need for costly adaptations in the future.

Policy H7: Accessible and Adaptable Homes

1 To meet the Borough's need for accessible and adaptable homes, all new dwellings (in all tenures) will be required to meet the accessibility standards set out in part M4(2) of the Building Regulations, subject to site suitability.

2 On schemes of 20 or more, developments will be required to meet M4(3) standards for 5% of the dwellings proposed in the market sector and 10% of all affordable housing provision.

3 The approach to providing accessible and adaptable homes should be discussed with the council at an early stage in the application process to ensure that the scheme proposed can reflect local need.

4 Only in circumstances where it can be robustly demonstrated by the applicant that it is not practicable or financially viable to deliver the provisions above or where the requirements are clearly incompatible with the location, will new development be exempt from this policy requirement. This will need to be evidenced by a viability assessment, paid for by the applicant.

Reasoned Justification

10.101 The council's approach to accessible and adaptable housing is grounded in national policy, local evidence, and demographic projections. The National Planning Policy Framework (NPPF) requires local planning authorities to plan for the needs of different groups in the community, including older and disabled people. The optional technical standards in Part M of the Building Regulations provide a mechanism for delivering homes that are more inclusive and capable of adapting to changing needs over time.

10.102 Estimates of need draw on data from the English Housing Survey (EHS), primarily from the 2020/21 dataset. This includes information on the age structure of wheelchair users, the extent of work needed to make homes 'visitable', and the distribution of wheelchair users by tenure. Nationally, around 3.1% of households include a wheelchair user, with approximately 1% using a wheelchair indoors.

10.103 Locally, analysis for the borough uses household age structure projections and adjusts this for relative health conditions by age. This modelling estimates that there were approximately 1,345 wheelchair user households in 2024, and this is set to rise to 1,813 by 2042. National EHS data also shows that around 25% of wheelchair user households live in homes that are either problematic or not feasible to make fully visitable. Applying this proportion locally suggests a current need for 336 additional wheelchair user homes, with a further 117 homes needed between 2024 and 2042, resulting in a total estimated need of 453 homes, or 25 dwellings per annum.

10.104 Tenure-based data from the EHS (2020/21) further supports the policy approach. It shows that 6.7% of social tenants are wheelchair users (including 1.8% who use a wheelchair indoors or all the time), compared to 2.6% of owner-occupiers (0.8% indoors/all the time). This justifies the higher proportion of M4(3) homes required within the affordable housing sector.

10.105 This policy ensures that new homes are accessible and adaptable, meeting both current and future needs by requiring compliance with specific building regulations. It supports independent living, reduces the need for costly retrofitting, and contributes to a more inclusive and sustainable housing stock across the Borough.

Policy Implementation

10.106 Given the SHMA evidence, the council requires all dwellings (in all tenures) to meet the M4(2) standards and around 5% of homes meeting M4(3) – wheelchair user dwellings in the market sector (a higher proportion of around 10% in the affordable sector).

10.107 Where the authority has nomination rights on properties, the supply of M4(3) dwellings would be constructed for immediate occupation (M4(3)(B) wheelchair-accessible dwellings, and in the market sector, they should be constructed to be adjustable for occupation by a wheelchair user (M4(3)(A)) wheelchair-user adaptable dwellings.

10.108 The council recognises that there will be cases where this may not be possible (e.g. due to viability or site-specific circumstances) and there may also be some practical issues to consider, such as the ability of any individual development to have mixed tenure, given the way care and support services are paid for.

10.109 Early discussions with the council are required to obtain up-to-date information on the specific need for wheelchair user housing in the local area.

10.110 Planning applications should include an Affordable Housing Statement detailing the number and types of affordable housing units.

10.111 Applicants should demonstrate how proposals respond to the Borough's accessibility objectives through clear design integration and supporting documentation. This includes identifying which dwellings will be built to enhanced accessibility standards and how these are distributed across the site.

10.112 For larger developments, the layout and mix should reflect the need for inclusive design, with accessible homes located in areas that offer convenient access to parking, public transport, and community facilities. These homes should be indistinguishable in appearance and tenure from other dwellings in the scheme.

10.113 Given the findings of the SHMA, the council expects all new dwellings to meet enhanced accessibility standards, with a proportion of homes designed to accommodate wheelchair users. Where the council has nomination rights, wheelchair user dwellings should be constructed to be immediately occupiable (M4(3)(B)). In the market sector, such homes should be built to be adaptable for future wheelchair use (M4(3)(A)).

10.114 Early engagement with the council is encouraged to ensure that proposals align with local needs and site characteristics. Pre-application discussions should explore how the development will contribute to a more inclusive housing stock and whether any site-specific constraints may affect delivery. These discussions should also be used to obtain up-to-date information on the specific need for wheelchair user housing in the local area.

10.115 Where full compliance is not achievable, applicants must provide a proportionate and transparent justification. This may include:

- A site-specific assessment identifying physical or environmental constraints.
- A viability appraisal, where relevant, prepared in accordance with national and local guidance.
- Consideration of practical issues such as the feasibility of mixed tenure provision in relation to care and support service delivery.

10.116 Planning applications should include an Affordable Housing Statement detailing the number, type, and accessibility of affordable housing units proposed.

10.117 The council will assess such cases on their merits, balancing the evidence provided against the borough's strategic need for accessible housing. Monitoring will be undertaken through planning approvals and completions data, with delivery reviewed periodically to ensure the policy remains effective and responsive to demographic change.

Self and Custom Build Housing

Introduction

Self-build and custom housebuilding covers a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation ('turnkey').

10.118 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

10.119 As of 1st April 2016, and in line with the Act and the Right to Build, relevant authorities in England are required to have established and publicised a self-build and custom housebuilding register which records those seeking to acquire serviced plots of land in the authority's area to build their own self-build and custom houses.

10.120 The Levelling Up and Regeneration Act 2023 (LURA) made some amendments to the 2015 Self and Custom Housebuilding Act which advised how the supply and demand of self and custom build housing plots can be assessed.

10.121 The PPG (Paragraph: 16a Reference ID: 57-016a-20210208) is clear that self-build or custom build helps to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design and layout of their homes and can be innovative in both their design and construction.

10.122 The council supports opportunities for Self and Custom build development within the Local Plan and encourages a proportion of plots on larger schemes to be marketed for Self or Custom Build use.

10.123 Self-build and custom housebuilding offers an important opportunity to diversify the housing market and increase consumer choice. It enables individuals or groups to play a significant role in the design and delivery of their own homes, ranging from managing the entire construction process to commissioning a builder for a 'turnkey' home tailored to their preferences.

10.124 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) defines self-build and custom housebuilding as homes built or completed by individuals, associations of individuals, or persons working with or for them, to be occupied as homes by those individuals. The LURA further clarified how supply and demand for such housing should be assessed.

Policy H8: Self and Custom Build Housing

1 To diversify the housing market and increase consumer choice, the provision of new homes of a high-quality design through Self-Build, custom housebuilding and other community led approaches will be supported in sustainable locations to meet the demand for self-build and custom housebuilding in the borough.

2 A minimum of 5% of dwellings on sites of 70 or more homes must be delivered as self or custom build plots on site. The onus will be on the applicant to demonstrate that self or custom build plots are not required based on the self-build register evidence.

3 Self or custom build plots should:

a Once delivered be properly marketed at a reasonable price for a period of 6 months before the plots can revert to market accommodation;

b Be marketed to those with a local connection for the first three months or to those on the self and custom build register for the first three months, with the remaining time being marketed to others with an interest;

c Provide a suitable housing mix and size of plots reflecting housing need and the housing market in the local area, ensuring that the land provided uses land efficiently and provides an appropriate density.

4 The Self-Build or Custom house building projects will be required to be of a high-quality design and have regard to policies within this plan and National Guidance. For sites which either propose or have potential to contain 10 or more units of Self Build or Custom Build accommodation, a Design Code will be required to encourage a coordinated approach to the design and development of individual plots.

5 The provision of Self and Custom build plots will be in addition to the level of affordable housing as required by this Local Plan.

6 Self-Build applications will be required to complete a Section 106 Planning Obligation or a Unilateral Undertaking in the event that the Self-Build plot does not come forward in line within criteria 3 of this policy.

Reasoned Justification

10.125 Custom and self-build housing contributes to the overall housing supply and offers an alternative to mainstream housing delivery. It allows individuals to tailor homes to their specific needs, often resulting in cost savings due to the absence of developer profit. This form of housing can also promote innovation in design and construction, support community-led development, and make more efficient use of land.

10.126 The PPG highlights the role of self-build and custom housebuilding in diversifying housing supply and increasing consumer choice. The council supports this approach and encourages the inclusion of self-build plots within larger housing developments.

10.127 In Tonbridge and Malling, as of the end of Base Period 10, a total of 203 households/ individuals had registered on the self-build register. This equates to 22 per base period. Against which 83 plots were permitted for self and custom-build dwellings, 9 per annum. The council has 3 years from an individual's entry to the register to permit a plot to satisfy the need they create. Therefore, as of the 30th of October 2024, the need is the cumulative total entries on the register at the end of Base Period 6 (30th of October 2021), which was 184. On the 30th of October 2025, the need will rise to the cumulative total entries on the register at the end of Base Period 7 (30th of October 2022), which would be 194.

10.128 With 83 suitable permissions allowed in Tonbridge and Malling, the need is currently not being met with an overall supply shortfall of 101 plots; this would rise to 111 plots in October 2025 if no further suitable permissions are allowed in the current base period. As well as the backlog need, in taking this assessment forward, we will need to address the scale of any future registrations. An indication of this can be garnered by past trends, and these suggest a need for 22 suitable plots per base period.

10.129 To ensure delivery, Policy H8 requires a minimum of 5% of dwellings on sites of 70 or more homes to be provided as self or custom build plots. These plots must be marketed appropriately, prioritising those with a local connection and those on the self-build register. The policy also ensures that these plots reflect local housing needs and are designed to a high standard, with larger schemes requiring a Design Code to guide development.

10.130 The council has introduced a Local Connection Test, a Financial Viability Test, and an administration fee for applicants to the register. These measures ensure that those on the register have a genuine connection to the borough and the financial means to bring forward a self-build project.

Policy Implementation

10.131 To support the delivery of self and custom build housing, the council will require applicants to demonstrate their intention to bring forward such plots through a Self-Build Delivery Statement submitted at validation or during the decision-making process. This ensures clarity from the outset and enables effective monitoring of delivery. The council maintains a statutory register of individuals and groups seeking serviced plots, and permissions granted will be monitored against the demand to ensure compliance with national legislation.

10.132 Marketing requirements will be enforced to ensure plots are genuinely offered to those seeking self-build opportunities. This includes prioritised marketing to individuals with a local connection or those on the register, followed by broader promotion if plots remain available. Where plots are not taken up within the required timeframe, legal mechanisms such as Section 106 agreements or Unilateral Undertakings will secure their reversion to general market housing, maintaining flexibility while safeguarding delivery.

10.133 For larger schemes, particularly those with potential for 10 or more self-build units, a Design Code will be required to guide development and ensure a coherent and high-quality built environment. The council will also continue to apply local eligibility tests to its register, including a Local Connection Test and a Financial Viability Test, introduced in August 2023, to ensure that applicants have both a genuine link to the borough and the means to deliver a self-build project.

10.134 This policy will be monitored through annual base period reviews, with the council committed to addressing both the existing shortfall and future demand. The approach supports a more diverse housing market and empowers individuals and communities to shape their own homes.

Houses in Multiple Occupation

Introduction

10.135 Houses in Multiple Occupation (HMOs) provide an important source of low-cost, private rented accommodation, particularly for students, young professionals, and those on lower incomes. A small HMO (Use Class C4) is defined as a property occupied by between three and six unrelated individuals who share basic amenities such as a kitchen or bathroom. Larger HMOs, with seven or more occupants, fall under the Sui Generis use class and always require planning permission. While small HMOs are generally permitted development for property already in residential use, the council may introduce an Article 4 Direction (A4D) in areas where there is evidence of harm to local character or amenity, requiring planning permission for all HMO conversions.

10.136 Although HMOs contribute to housing choice, unmanaged concentrations can lead to negative impacts on residential character, community cohesion, and the physical environment. This policy sets out criteria to ensure that HMOs are well-designed, appropriately located, and effectively managed, supporting the creation of mixed and balanced communities in line with national planning policy.

Policy H9: Houses in Multiple Occupation

Where planning permission is required, proposals for the change of use of an existing residential property to a house in multiple occupation (HMO) will be supported if the following criteria are met:

a Existing homes must be capable of conversion without causing harm to the amenity of future occupants, neighbours or wider area and without significant extension or alteration to the existing property;

b The scheme does not adversely affect the character of the area including by eroding the balance between different types of housing;

c Living spaces and communal facilities are of a good standard and are suitable for the intended residents;

d The development must not cause privacy or noise issues for occupants or neighbouring properties;

e The scheme provides suitable vehicular access and an appropriate level of car and cycle parking unless the site is located within 800m of a defined town centre, that offers regular public transport services;

f Adequate space is provided to accommodate bin and recycling storage areas. Sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal;

g Evidence is provided to demonstrate how a good standard of management will be provided; and

h All proposals must comply with the council's HMO Amenity Standards and Kent Parking Standards or the most updated standards.

Reasoned Justification

10.137 Policy H9 aligns with the NPPF by supporting the delivery of diverse housing types, including affordable private rented accommodation. It ensures that HMOs meet both planning and licensing requirements, safeguarding the health, safety, and welfare of tenants. The policy also responds to the wider need to maintain mixed and balanced communities, avoiding high concentrations of any single housing type, including HMOs.

10.138 While HMOs can meet specific housing needs, such as for seasonal workers or those employed in rural or business-related settings, their proliferation in residential areas can erode local character and strain infrastructure. Examples within the borough include large HMOs in rural locations like Plaxtol, which are likely linked to agricultural or staff accommodation, and others associated with business operations such as Carroty Wood and Harpwood House. These cases highlight the varied nature of HMOs and the importance of context-sensitive planning controls.

10.139 The policy provides a framework to manage the impacts of HMOs on the streetscape, environment, and community cohesion. It ensures that conversions do not undermine the availability of family housing, particularly smaller homes, and that proposals are supported by evidence of local need and good management practices.



Policy Implementation

10.140 Planning applications for HMOs will be assessed against the criteria in Policy H9, with a focus on maintaining residential amenity, protecting local character, and ensuring high living standards. Proposals must demonstrate that conversions can be achieved without significant structural alterations and that the property is suitable for shared living. Adequate communal space, waste storage, and parking provision must be incorporated, informed by the council's HMO Amenity Standards and Kent Parking Standards.

10.141 To protect the supply of small family homes, the subdivision of properties with three or fewer bedrooms will not be supported. The council will also resist the loss of existing HMOs unless there is clear evidence of lack of demand or viability. In assessing applications, the need for HMO accommodation in the specific location will be a key consideration, and applicants must provide supporting evidence of demand.

10.142 The council will monitor the distribution of HMOs and may introduce Article 4 Directions in areas where their concentration is considered harmful. This will ensure that all changes of use to HMOs are subject to planning control, allowing for a balanced approach that meets housing needs while safeguarding the character and amenity of neighbourhoods.

Residential Extensions, Alterations, Annexes and Ancillary Accommodation

Introduction

10.143 Alterations and extensions to existing buildings can play a vital role in meeting the changing needs of residents and enhancing the functionality of homes. However, such development must be carefully managed to ensure it respects the character of the original building, protects the amenity of neighbouring properties, and preserves the quality of the wider built environment. This policy sets out the criteria against which proposals for extensions, alterations, and ancillary accommodation will be assessed to ensure high-quality design and appropriate integration with existing development.

10.144 Permitted development rights allow certain extensions and outbuildings without planning permission if specific conditions are met. This policy addresses those cases that exceed these limitations, where planning permission will be required.



Policy H10: Residential Extensions, Alterations, Annexes and Ancillary Accommodation

The council will permit alterations and extensions to buildings which:

a Are compatible with and integrate coherently with the character of the original building in terms of elevational design, layout, size, bulk, mass, height and position, use of dormers and window placement and choice of materials which should be in visual harmony with the original dwelling;

b Are set behind the building line to provide a visual break. With two storey or first floor flank extensions a minimum gap of 1 metre from the common boundary with the adjoining dwelling should be retained for the whole length of the extension. Roofs should be designed to complement the existing roof type and tiled to match the existing dwelling;

c Will not result in unacceptable loss of privacy and sunlight, or unacceptable overlooking or overshadowing to neighbouring properties. New windows and balconies should have their principal outlook so that it avoids direct overlooking into such areas. Windows which have a flank outlook into the private garden area of an adjoining property will not be permitted unless suitable obscure glazing is included;

d Are not detrimental to the amenity and character of the locality and streetscape; and

e Do not cause harm to the special architectural character of listed buildings and non-listed buildings in conservation areas.

Proposals for annexes and ancillary accommodation, must:

f Be within the curtilage of the main dwelling and have a functional connection with the main dwelling (for example, the occupant should be a dependent relative of the residents of the main dwelling or employed at the main dwelling);

g Be used in conjunction with the main house and be in the same ownership as the main dwelling;

h Be of an appropriate layout with sufficient usable space and contain windows in all habitable rooms to facilitate comfortable living conditions with natural light and ventilation;

i Be designed in such a way as to easily allow the annex to be used at a later date as an integral part of the main dwelling and have no boundary demarcation or subdivision of the land between the main dwelling and the annexe;

j Be accompanied by a written statement to explain who it will be used by, their relationship with the occupants of the main house and how the use of the annexe will comply with this Policy;

k Where an annexe is permitted, the council will ensure that occupation of the proposed annexe is tied to the existing host dwelling by use of a planning condition of s.106 agreement as appropriate; and

l In cases where an extension, outbuilding and/or annex is permitted, particularly in rural locations, the council will consider attaching a planning condition(s) to that approved planning permission to remove permitted development rights where it is considered that subsequent extension to the dwelling will adversely impact the character of the area, or the amenities of neighbouring occupiers.

Reasoned Justification

10.145 The council recognises that household extensions and alterations are a common form of development and can contribute positively to the housing stock when sensitively designed.

10.146 However, poorly designed additions can result in visual harm, loss of privacy, and adverse impacts on the character of neighbourhoods and streetscapes.

10.147 This policy ensures that proposals:

- Respect the architectural integrity of the original building, maintaining coherence in design, scale, and materials.
- Avoid overdevelopment and maintain adequate spacing between buildings, particularly in areas where gaps between properties contribute to the character of the street.
- Safeguard residential amenity by preventing unacceptable overlooking, overshadowing, or loss of sunlight.
- Protect heritage assets, including listed buildings and buildings within conservation areas, from unsympathetic alterations.
- Ensure that annexes and ancillary accommodation are genuinely subordinate to the main dwelling, functionally connected, and do not lead to the creation of separate, independent dwellings.

10.148 The policy also provides a mechanism for the council to manage future development through the use of planning conditions or legal agreements, particularly in sensitive locations such as rural areas or conservation areas.

Policy Implementation

10.149 In determining applications for alterations and extensions to buildings, the council will assess whether the proposed development demonstrates a high standard of design that responds positively to the architectural character of the original building.

10.150 This includes careful consideration of scale, form, and materials to ensure visual coherence and to avoid incongruous additions that may detract from the appearance of the host property or the surrounding area.

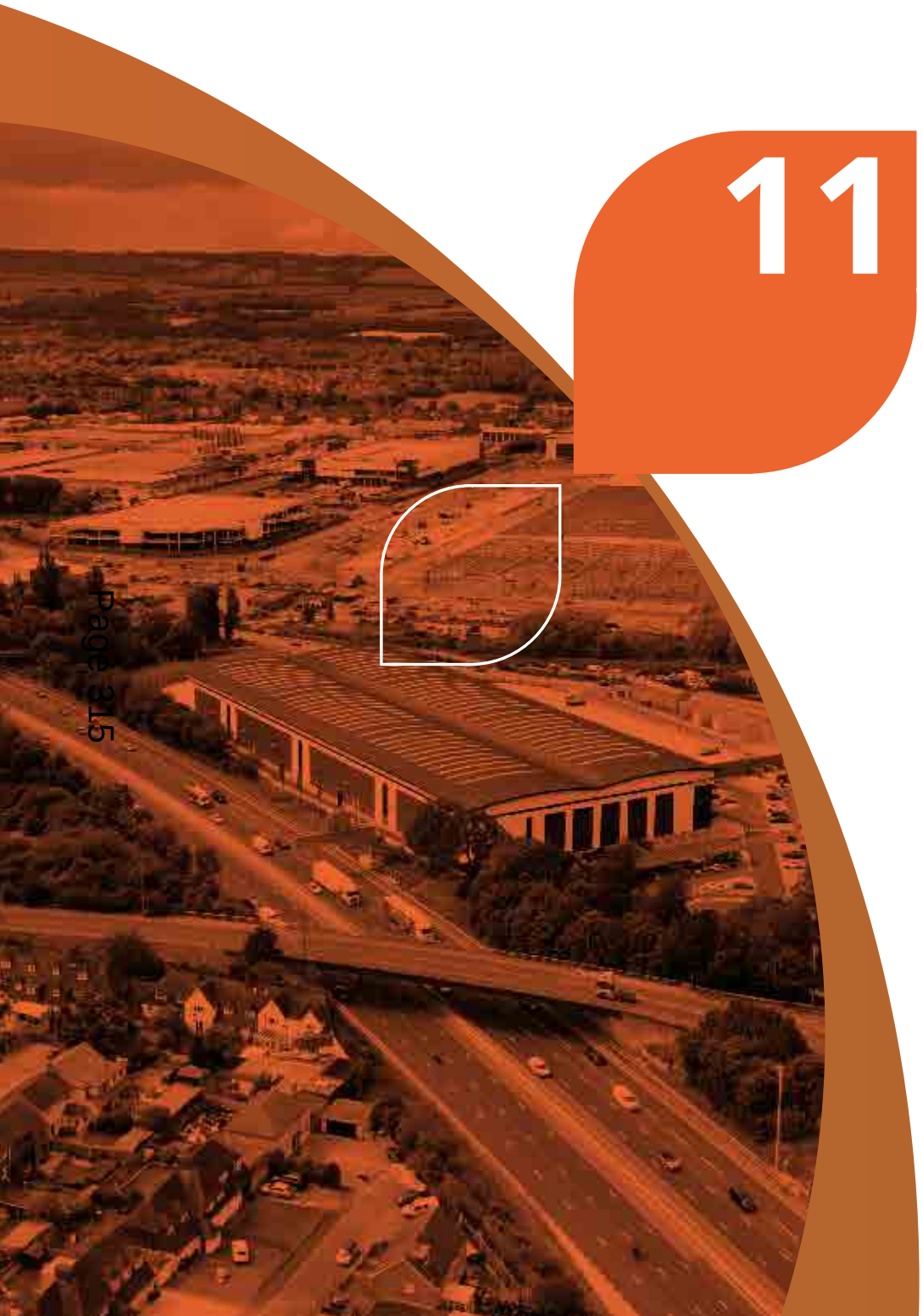
10.151 Proposals will be expected to maintain appropriate spacing between buildings, particularly in cases involving side extensions. This helps preserve the rhythm and openness of the streetscape and prevents the visual merging of properties. Roof design and detailing will also be considered to ensure compatibility with the existing dwelling, with particular attention paid to roof pitch, materials, and integration with existing features.

10.152 The council will give significant weight to the protection of residential amenity. This includes evaluating the potential for overlooking, overshadowing, and loss of privacy. The positioning and orientation of windows, balconies, and other openings will be assessed to ensure they do not result in intrusive views into neighbouring gardens or habitable rooms. Where necessary, design amendments or mitigation measures may be required.

10.153 In areas of special architectural or historic interest, including conservation areas and settings of listed buildings, proposals must demonstrate that they preserve or enhance the character and appearance of the heritage asset. The council will expect applicants to provide sufficient detail to show how the development respects the significance of these areas.

10.154 For annexes and ancillary accommodation, the council will require clear evidence that the proposed use is genuinely subordinate to the main dwelling. This includes ensuring that the accommodation is located within the curtilage of the host property, shares access and services, and is not physically or functionally separate. Applications must be accompanied by a supporting statement explaining the intended use, the relationship of the occupant to the main household, and how the proposal meets the criteria for ancillary accommodation.

10.155 To prevent future subdivision or independent occupation of annexes, the council will impose planning conditions or seek legal agreements to tie the accommodation to the main dwelling. In sensitive locations, such as rural areas or where cumulative development could harm local character, the council may also remove permitted development rights to control future alterations and extensions.



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11 ECONOMY

Introduction

11.1 This chapter sets out the strategy for supporting economic development and employment growth in Tonbridge and Malling over the Local Plan period to 2042.

11.2 The policies within this chapter are informed by the Tonbridge and Malling Economy Study (May 2025), which provides a comprehensive assessment of employment land supply and demand, commercial property market signals, and sector growth opportunities. The Study updates the 2022 Economic Development Needs Study and forms part of the Local Plan evidence base.

11.3 The December 2024 update to the National Planning Policy Framework (NPPF) places renewed emphasis on enabling economic growth through the planning system. Paragraphs 86 and 87 require local planning authorities to identify suitable locations for modern economy sectors and to recognise the specific locational requirements of different industries.

11.4 Tonbridge and Malling is located within the West Kent Functional Economic Market Area (FEMA), with strong economic ties to Tunbridge Wells and Sevenoaks, while the north-east of the borough in particular has strong linkages with Maidstone. Tonbridge and Malling's economy is underpinned by a strong and diverse employment base, with particular strengths in professional services, administrative and support services, and logistics. The borough has a notably higher concentration of financial services relative to the national average, and its strategic location along the M20 corridor supports a thriving logistics and





distribution sector, including major warehousing hubs at Aylesford and New Hythe. The borough also benefits from a strong education sector and a growing presence in specialised construction and life sciences, particularly at East Malling Research Station. These strengths mean that Tonbridge and Malling is well-placed to support the Government's modern economy agenda and to attract further investment in high-value, knowledge-based and infrastructure-linked industries.

11.5 Tonbridge and Malling's commercial property market is currently characterised by a strong industrial base and a more subdued office sector. The borough has one of the largest stocks of employment space in West Kent, with industrial uses accounting for over 80% of total floorspace. Key industrial locations such as Aylesford, New Hythe, and Tonbridge continue to attract strong demand, particularly for warehousing and logistics, supported by easy access to the M20 corridor. Despite a long-term decline in overall employment floorspace, driven largely by industrial losses, net absorption in the industrial sector has remained positive, and rents have steadily increased, indicating a resilient and competitive market. There is potential for this to be enhanced in the future with the completion of the Lower Thames crossing.

11.6 In contrast, the office market has been more affected by structural changes post-Covid, with limited new development, rising vacancy rates, and a shift in demand toward smaller, high-quality, flexible spaces. Kings Hill remains the borough's primary office location, though speculative development is currently unviable. Overall, while the office sector faces challenges, the industrial market remains buoyant and is expected to underpin future employment growth.

Supporting a Prosperous, Inclusive and Sustainable Economic Future

11.7 The Local Plan supports sustainable economic growth that meets the needs of local businesses, residents and future generations. This includes ensuring a sufficient supply of employment land, supporting town centre vitality, enabling rural enterprise, and responding to the challenges and opportunities presented by technological change, climate adaptation, and the transition to a low-carbon economy.

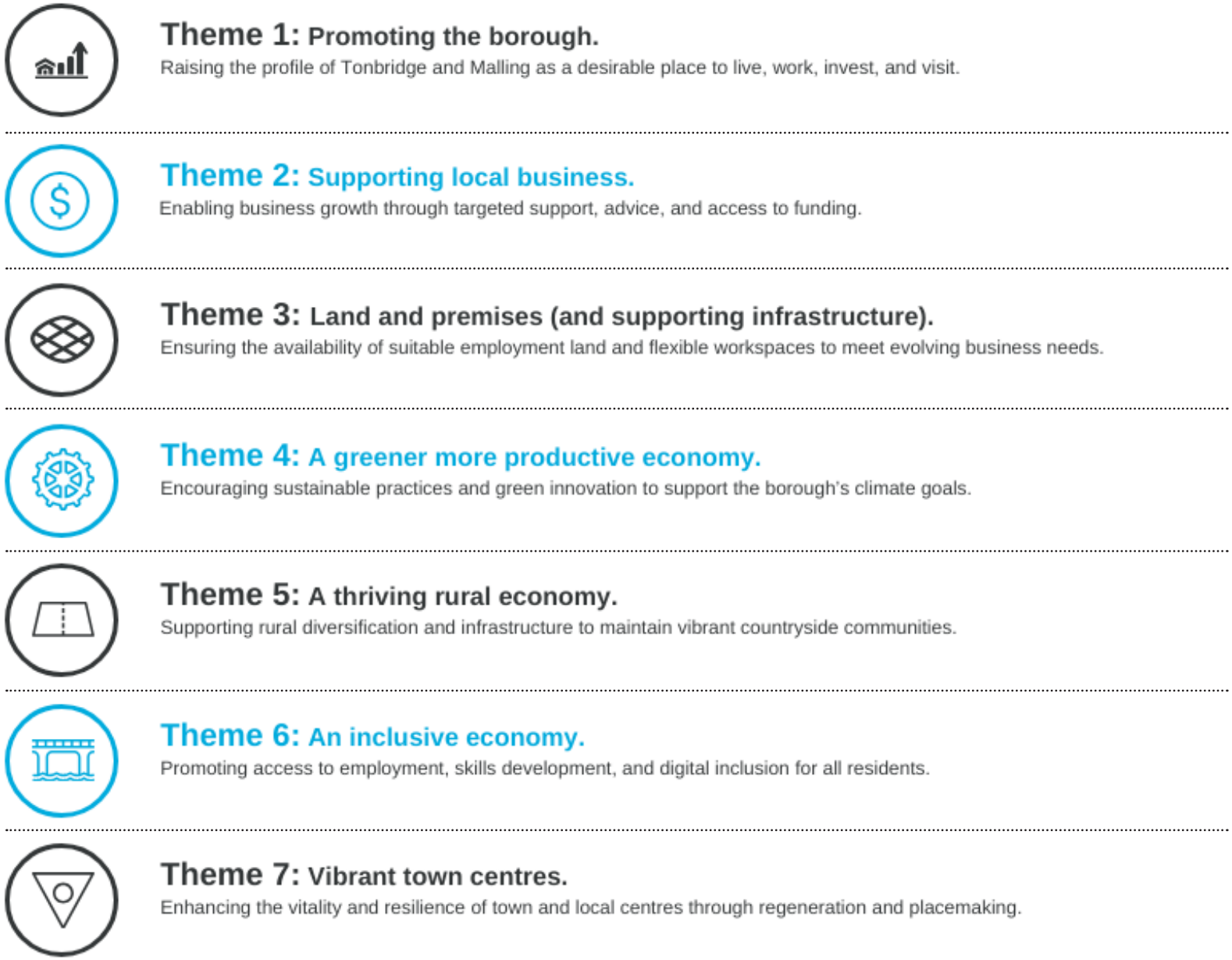
11.8 The council's policy approach is guided by the Tonbridge and Malling Economic Development Strategy (2023-2027) which sets out the council's vision for the economy to:

"Maximise the unique strengths of the local area to help create a resilient, dynamic and inclusive economy that fosters sustainable growth."

11.9 Figure 11.1 sets out the strategic objectives from the Strategy. These objectives underpin the policies and proposals set out in this Chapter, which aim to deliver a strong, adaptable, and inclusive economy.



Figure 11.1: Strategic Objectives





11.10 Tonbridge and Malling's strengths identified within the Strategy include its proximity to London and international gateways, high quality of life, a strong business community, low unemployment and high levels of household income relative to other areas of Kent. Meanwhile, existing challenges include identifying new employment sites to meet future needs, decarbonising the economy, past losses of commercial premises through changes of use including through Permitted Development Rights (PDR) and recruitment difficulties in some sectors including land based and care roles.

11.11 Policy E1 supports the delivery of the council's economic development aspirations and compliments other initiatives and work undertaken by the council and its partners to support the local economy. This includes providing business support and advice, assisting businesses to access funding and finance, attracting and promoting inward investment, effective partnership working to secure key infrastructure including the completion of full fibre and 5G networks, ensuring our town centres and visitor offer remain competitive, and to support existing businesses to become Net Zero.

Policy E1: Supporting a Prosperous, Inclusive and Sustainable Economic Future

1 Economic development proposals will be supported where they contribute towards the delivery of a prosperous, inclusive and sustainable economic future in the borough. This will be achieved through the following:

a Protecting and retaining existing employment floorspace and supporting proposals for new employment floorspace that is well-designed, of good quality and is flexible in terms of operation and use;

b Supporting proposals for different employment premises at a range of scales that meet business needs within the industrial, logistics and offices sectors, that clearly evidence relevant market demand;

c Supporting proposals that seek to improve or upgrade the quality of employment premises / floorspace including through redevelopment, conversion, refurbishment, intensification or reconfiguration, which will lead to an improvement of employment provision, an increase in job growth and / or will assist to meet the needs of modern-day businesses and market demands;

d Locating employment floorspace near to labour supply and in appropriate locations as relevant to the nature of the business including transport requirements and proximity to strategic routes;

e Support proposals that will deliver the necessary infrastructure in a timely manner or where there is currently or will be sufficient capacity to support the proposal;

f Supporting business startups and small and medium sized enterprises (SME's) by creating conditions in which businesses can innovate and grow;

g Ensuring that proposals deliver environmental and climate change policy requirements to assist in decarbonising the economy including adaptation of existing businesses. This includes delivering sustainably constructed business premises and delivering energy efficient buildings, sustainable business operations and processes, sustainable travel infrastructure opportunities and improvements, innovation and technology development, digital infrastructure improvements to facilitate home working as appropriate, EV charging points and cycle storage; and

h Supporting proposals that will contribute to addressing local skill shortages, support local employment, re-skilling and retraining and those that enable green economy outcomes.





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Reasoned Justification

11.12 The borough's economic landscape is evolving and Policy E1 is designed to ensure that economic development within the borough is future-proofed, inclusive, and environmentally sustainable.

11.13 The Policy supports the retention and enhancement of employment floorspace to safeguard existing jobs and accommodate future growth. It recognises the need for flexibility in employment premises to meet the operational requirements of modern businesses, including SMEs and startups, which are vital to innovation and economic resilience.

11.14 Evidence from employment land reviews and market assessments highlights a need for better quality and more adaptable industrial, logistics, and office space. The Policy responds to this by encouraging redevelopment, refurbishment, and intensification of older or underutilised sites, particularly those that are vacant or of poor quality.

11.15 Locational criteria are embedded in the policy to ensure employment uses are situated where they can thrive, close to labour supply, transport infrastructure, and strategic routes. This supports sustainable commuting patterns and enhances business connectivity.

11.16 Infrastructure provision is a critical enabler of economic growth. The Policy ensures that development proposals are supported by adequate infrastructure capacity or deliver necessary improvements, aligning with wider spatial and transport strategies.

11.17 In line with national and local climate objectives, the Policy promotes low-carbon economic development. This includes energy-efficient buildings, sustainable travel options, and digital infrastructure to support remote working and reduce carbon emissions.

11.18 In addition, the Policy supports initiatives that address local skills shortages and promote inclusive employment opportunities. By encouraging re-skilling, retraining, and green economy outcomes, the Policy contributes to a more equitable and sustainable future for all residents.

Policy Implementation

11.19 This Policy will be applied to all relevant development proposals, alongside the application of other development management policies. Proposals should demonstrate how they contribute to the borough's economic objectives, including job creation, modernisation of employment space, and environmental sustainability. Applications should be accompanied by evidence of market demand, employment impact, and infrastructure capacity.

11.20 Where there is a requirement to secure site-specific infrastructure to mitigate proposals, the council will consider the use of either planning obligations or planning conditions to secure this.



Strategic Employment Areas

Introduction

11.21 Strategic Employment Areas (SEAs) are essential to the borough's economic vitality, providing a range of industrial, logistics, and office-based employment opportunities. These areas support a significant proportion of local jobs and are critical to maintaining a diverse and resilient economy.

11.22 The NPPF emphasises the importance of building a strong and competitive economy and requires planning policies to set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth. Policy E2 responds to this by identifying and safeguarding a network of key employment locations across the borough.

11.23 These areas are protected for uses within Use Classes E(g), B2, and B8, which reflect the operational needs of modern businesses. The policy supports the expansion, intensification, and adaptation of employment space in these locations, provided proposals enhance employment provision, are compatible with surrounding uses, and do not result in unacceptable impacts on infrastructure or amenity.

11.24 The Policy also allows for limited ancillary services, such as trade counters, where they support the primary employment function. Proposals for non-employment uses will only be permitted in exceptional circumstances, where robust evidence demonstrates that the proposed use will not undermine the employment role of the site and meets specific criteria.

Policy E2: Strategic Employment Areas

1 The following strategic employment sites, premises and floorspace will be retained and safeguarded for employment purposes.

2 New employment space or the expansion or adaptation of employment space in these locations will generally be supported where uses are for E(g), B2 and B8, as identified in the table and where the proposal:

a Will lead to an improvement in the quantity and quality of employment floorspace and related jobs;

b Will not result in unacceptable impacts on the road network, providing sufficient parking for the use proposed;

c Will not affect the amenity of neighbouring properties;

d Complements the employment area and maximises the employment potential of the area. Ancillary services such as trade counters will be supported but only where they are a subsidiary and de-minimis feature of the employment unit, support the primary business function of the unit and where they do not adversely affect the business function of the employment area or surrounding area, including unacceptable parking or highways impacts that cannot be appropriately mitigated.

3 Development for non-B2, B8 and E(g) uses in these locations including sui generis uses will only be permitted where there is a clear and evidenced justification for a departure from this policy and where the following criteria can be demonstrated:

a There will be no adverse impact on the employment land supply (amount, type, quality and use) and jobs;

b It can be demonstrated that there is a need for the type of employment use proposed to be located within the strategic employment site and that the use cannot be suitably provided elsewhere;

c That the current employment use is no longer viable for its current or last lawful use;

d That the proposed use will not inhibit the ability to provide equivalent employment on the site in the future; and

e That the alternative employment use supports the integrity and function of the employment site and is suitable when considering its relationship to other employment uses.

4 Ancillary services such as trade counters will be supported but only where they are a subsidiary feature of the employment unit, support the primary business function of the unit and where they do not adversely affect the business function of the employment area or surrounding area, including by giving rise to unacceptable parking or highways impacts that cannot be appropriately mitigated.

5 Where the proposal relates to a non-employment use, due to there being no longer a demand for the site or premises or feature(s) associated with the employment use, then this should be demonstrated through:

a A minimum prior 12-month marketing exercise, where the site or premises have been genuinely offered for sale or letting on the open market at a realistic price and no reasonable offers have been refused.

b Written evidence from a suitable commercial agent(s) will be required to support this.

Employment Area	Acceptable Uses
Tonbridge Industrial Area including premises at Cannon Lane, Vale Road, Vale Rise, Morley Road, Sovereign Way and Tannery Road (47.2 ha)	**General Industry - B2** **Storage and Distribution - B8** **Ancillary Office - E(g)**
New Hythe Industrial Area including Panattoni Park Aylesford (126 ha)	
Quarry Wood Industrial Area including Britania Business Park and Priory Park, Aylesford (37.6 ha)	
North Snodland Industrial Area including Vantage Point and Arc Logistics Park (8.5 ha)	
East Snodland Industrial Area including Mid Kent Business Park and Smurfit Kappa (26 ha)	
South Snodland Industrial Area, including premises at Hays Road (17.5 ha)	
Forstal Road Industrial Area, Aylesford (part within Tonbridge and Malling), including premises at the Deacon Trading Estate, Cottage Industrial Estate and Beddow Way (19.1 ha)	
Industrial Area North of M20 Jn6, including premises at Coldharbour Lane and Frank Sando Way (11.7 ha)	
Innovation Park Medway, Rochester (part within Tonbridge and Malling), including premises at Laker Road (8.6 ha)	**General Industry - B2** **Ancillary Office - E(g)**
Wrotham Heath Industrial Area including Invicta Business Park and Panattoni Park Sevenoaks (4.3 ha)	
East Peckham Industrial Area including premises at Branbridges Industrial Estate, Archers Park, Adams Wharf and Arnold Business Park (10.4 ha)	
Borough Green Industrial Area, including premises at Cricketts Farm Business Park and H+H Celcon (13 ha)	
Platt Industrial Estate, St Mary's Platt (6.6 ha)	
Tonbridge Town Centre (24.7 ha)	**Office, Research and Development - E1(g) i) and ii)**
Kings Hill Business Park including premises at Kings Hill Avenue, Gibson Drive, Alexander Grove and Jubilee Way (51 ha)	
Hermitage Court, Hermitage Lane, Maidstone (5.5 ha)	

Figure 11.2: Strategic Employment Areas



Reasoned Justification

11.25 National planning policy requires local planning authorities to plan proactively to meet the development needs of business and support an economy fit for the 21st century. Policy E2 aligns with this by safeguarding a portfolio of well-located, accessible, and high-quality employment sites that are capable of supporting a range of business activities.

11.26 The Tonbridge and Malling Economy Study (2025) provides the evidence base for identifying these Strategic Employment Areas and highlights the importance of protecting employment land from competing uses, particularly in areas of high demand or where there is limited supply.

11.27 By clearly defining acceptable uses and setting out criteria for assessing alternative proposals, Policy E2 provides clarity and certainty for developers, businesses, and communities. It ensures that employment land is used efficiently and remains available to meet current and future economic needs.

11.28 The policy also supports the modernisation of employment space to meet changing business needs, contributing to productivity growth and economic resilience. It ensures that any departure from employment use is justified, does not harm the overall employment function of the area, and supports the long-term economic strategy of the borough.

Policy Implementation

11.29 Planning applications within Strategic Employment Areas will be assessed against the policy's criteria. Proposals must demonstrate compliance with the use classes B2, B8 and E(g) as stated and provide robust evidence where alternative uses are proposed, in line with paragraph 86 e) of the NPPF, which supports flexible approaches to planning for employment land.

11.30 Any planning application that proposes the loss of employment uses within designated Strategic Employment Areas must be sufficiently justified and must meet criteria 3a-e.

11.31 Proposals for 'main town centre uses', including offices, must also comply with Policy E8 (Sequential and Local Impact Tests), ensuring consistency across the Local Plan.

11.32 The council will work with landowners, developers, and business support organisations to promote investment in Strategic Employment Areas and to facilitate the delivery of high-quality employment space.

11.33 If the council require the review of any submitted marketing and viability information by an independent consultant, it is expected that the applicant will cover the cost of this.

Other Employment Sites, Premises and Floorspace

Introduction

11.34 Other existing employment sites are located throughout the borough and offer a wide variety of employment stock, uses and opportunities. These premises are of varying age, quality and price, which helps to support a wide variety of businesses, especially small and medium-sized enterprises (SMEs). These premises play a vital role in supporting the local economy, providing jobs, and sustaining business activity. These sites include uses within the B2, B8 and E(g) use classes, which encompass offices, research and development, light industry, general industrial, and storage and distribution.

11.35 It is important to protect these employment sites from loss to non-employment uses and to encourage investment in their reconfiguration and intensification. This will also help the borough to support the growth of local businesses, inward investment, and related jobs. Retaining and strengthening the local business base will help to provide balanced growth, through providing more local job opportunities for residents that will help minimise out-commuting from the borough.

11.36 The demand for offices and other uses under Use Class E(g) is likely to fluctuate over the plan period in response to changing economic and market conditions. The Covid-19 pandemic and the related growth in home and hybrid working have resulted in reduced demand for office stock. Changes to the General Permitted Development Rights Order (GPDO) have enabled the change of use of Use Class E(g) stock, including offices, to residential use. This, in addition to other permitted losses of office stock, particularly at Kings Hill, has reduced the availability of premises for growing and new businesses.

11.37 Policy E3 seeks to safeguard these existing employment locations from being lost to non-employment uses unless specific criteria are met. The Policy recognises that while some sites may no longer be suitable for continued employment use, any proposed change must be carefully assessed to ensure it does not undermine the wider employment function of the area or negatively impact neighbouring uses and residential amenity.

11.38 The Policy supports proposals that demonstrate clear economic benefits, such as job creation or retention, and improvements to the local environment or amenity. It also encourages the intensification, redevelopment, or upgrading of existing employment premises where this aligns with modern business needs and contributes positively to the borough's employment offer.

Policy E3: Other Employment Sites, Premises and Floorspace

1 Existing B2, B8 and E(g) employment sites premises and floorspace which are not situated within sites identified in policy E2 will be protected against loss to non-employment uses.

2 Proposals that will result in the loss of employment use will only be permitted where:

a The current employment use is no longer viable for its current or last lawful use;

b The proposed use will not have an unacceptable adverse impact on the function or operation of the employment site, neighbouring businesses/uses or unduly affect neighbouring residential amenity due to transport movements, car parking, noise, or hours of operation;

c The proposal would result in economic benefits including job provision; and

d The current use of the site is not appropriate to be continued, and development of the site would result in an improvement to the built environment or the amenity of the area.

3 Proposals for intensification, redevelopment or upgrading of existing facilities will be supported where they respond to modern day business needs, support job retention and creation, as well as maintain or exceed the extent of employment floorspace.

4 Where the partial loss of employment use is proposed then applications will only be supported where the partial loss will contribute to the continuation of the existing employment use (should the existing use require less floorspace) and it can be demonstrated that the existing use would otherwise be unviable but can be retained by cross-subsidy.

5 Proposals that would result in the loss of features associated with an employment use, that are likely to undermine a site's viability, such as but not limited to car parking, will be refused planning permission unless the impact can be sufficiently mitigated and there are clearly justified circumstances for such a proposal to proceed.

6 Where the proposal relates to a non-employment use, due to there being no longer a demand for the site or premises or feature(s) associated with the employment use, then this should be demonstrated through:

a A minimum prior 12-month marketing exercise, where the site or premises have been genuinely offered for sale or letting on the open market at a realistic price and no reasonable offers have been refused.

b Written evidence from a suitable commercial agent(s) will be required to support this.





Reasoned Justification

11.39 The protection of employment land is essential to maintaining a balanced and resilient local economy. Employment sites provide a range of job opportunities and support business growth, innovation, and inward investment. The loss of such sites to non-employment uses can undermine economic sustainability and reduce the availability of land for future business needs.

11.40 Evidence from the Tonbridge and Malling Economy Study (2025) indicates that there is ongoing demand for employment space across the borough, particularly for flexible and modern premises. Retaining and enhancing existing employment sites is therefore critical to meeting current and future economic needs.

11.41 This Policy ensures that employment land is not lost unnecessarily and that any changes are justified by clear economic or environmental benefits. It also supports the borough's strategic objectives for economic development and aligns with national planning policy on supporting business growth and productivity.

Policy Implementation

11.42 The aim of this Policy is to ensure that existing employment sites across the borough are retained and enhanced in line with the Local Plan's economic objectives and the criteria set out within the Policy. Applicants seeking to redevelop or change the use of employment land must provide clear and robust evidence that the site is no longer viable or suitable for continued economic use.

11.43 To support decision-making, proposals should be accompanied by a marketing assessment demonstrating sustained efforts to let or sell the site for employment use for a prior 18-month period. Other evidence will also be required to be submitted in an economic impact assessment proportionate to the application outlining the implications of the proposed change and how the application meets the Policy criteria.

11.44 The council will encourage investment in the reconfiguration, intensification, and modernisation of employment premises to meet evolving business needs, particularly for small and medium-sized enterprises (SMEs). Proposals that support the delivery of flexible, affordable, and sustainable employment space will be supported.

11.45 If the council require the review of any submitted marketing and viability information by an independent consultant, it is expected that the applicant will cover the cost of this.





Employment and Skills

Introduction

11.46 Tonbridge and Malling is changing and growing as more people choose to live and work in the borough. As part of West Kent, the borough plays a strong role in contributing towards the West Kent economy. The council's Economic Development Strategy identifies that "gross value added (GVA) per head is £36,690 compared to £27,907 across Kent as a whole. However, when compared to other locations equidistant to London, such as Guildford, it is clear that there is room for improvement" (ED Strategy, page 3).

11.47 Supporting the prosperity of local residents through the availability of training opportunities to equip them with high-level skills, as well as employment opportunities is vital to supporting the economic vitality of the borough and inward investment. The relationship between GVA and skills is an important one given that improved skills contribute to productivity, which in turn increases GVA.

11.48 It is important that the borough offers the right skills profile to cater for the needs of current and future employers, and to overcome any skills gaps. The council's Economic Development Strategy seeks to "ensure that everyone sees the benefit of improvements in our economy, and that no-one is left behind" (ED Strategy, page 5). By supporting an inclusive approach, we can help to increase skills levels and reduce unemployment through creating training and job opportunities for local people. This could include focusing on groups overrepresented in unemployment including young people, ethnic minority groups, and women in ethnic minority groups. This could enhance equal access to employment and income equality to all local residents.

11.49 To help achieve this aspiration, planning applications for 1,000 sqm of commercial or community floorspace (net) or applications for residential development of 20 units or more should be accompanied by an Employment and Skills Training Plan (ESTP).

Policy E4: Employment and Skills

1 Proposals for 1,000 sqm of commercial or community use floorspace or for residential developments of 20 units or more will be required to submit an Employment and Skills Training Plan to demonstrate how the proposal will contribute to employing, educating and training local people. The Employment and Skills Training Plan will need to consider both the construction and operation phase of the development (as appropriate).

2 The Employment and Skills Training Plan will need to at a minimum:

a Set out training to be provided to local people;

b Set out how jobs will be promoted to the community;

c Set out how local people will be prioritised for new opportunities, including those relating to sub-contractors;

d Set out how local education will be invested in; and

e Set out how the above will be monitored.





Reasoned Justification

11.50 Tonbridge and Malling has a diverse economy, however, there are pockets of skill shortages and economic inactivity, particularly among young people and those seeking to re-enter the workforce. Requiring ESTPs for certain developments ensures that the benefits of growth are shared more equitably. These plans will help address local skills gaps, support apprenticeships and training schemes, and foster stronger links between developers, employers, and education providers. This approach aligns with national planning guidance and supports the council's objectives for inclusive growth and social mobility.

Policy Implementation

11.51 The Government defines major development as 10 or more residential units or more than 1,000sqm of commercial floorspace. It is considered that the development of 10 residential units is relatively small with regards to this issue and therefore requiring employment and skills plans from these developments could prove over burdensome. The council therefore require a more appropriate threshold for residential development in implementing this policy of 20 or more units.

11.52 The council will provide guidance on the preparation of ESTPs, including model clauses and best practice examples. Developers will be expected to engage with local job centres, training providers, and schools/ colleges to deliver the commitments set out in an agreed ESTP.

11.53 The council will also explore opportunities to align ESTPs with other local initiatives and through liaising with relevant partners, to maximise impact and avoid duplication.

11.54 ESTPs will be secured via a S106 legal agreement.


Robert Dyas
THE IRONMONGERS
GREGGS
The co-operative
TRAVEL

Town Centres

Introduction

11.55 This section sets out the strategy for how our town, district and local centres can develop, as well as where new town centre uses should be brought forward. Recent events and trends have changed the role of town centres nationally, including the rise of internet shopping, driven by the Covid-19 pandemic and the forced temporary closure of non-essential stores.

11.56 There has also been the relaxation of planning regulations for town centre uses, which has allowed for certain town centre uses to interchange without planning permission, including the introduction of residential uses.

11.57 High streets are the beating hearts of our towns and villages, and maintaining and enhancing the vibrancy and vitality of our centres will be important to ensure that they continue to play a positive and important role in our local economy as well as ensuring that our centres meet the needs of local residents.

11.58 Tonbridge is the largest and dominant centre in the borough, it benefits from a collection of unique assets including close proximity to the River Medway and Tonbridge Castle, as well as Tonbridge Racecourse Sportsground and Park. As the only town in the borough, it provides the most varied range of facilities and is the only centre with a truly borough-wide catchment area. There are ongoing shifts in demand and expectations for town centres, with a shift towards the town centre being a location for non-retail uses which in Tonbridge increased from 42% in 2003 to 47% in 2025 (Retail and Town Centres Needs Study 2025, paragraph 5.50).

11.59 There are a number of other centres in the borough of varying sizes that have a more limited and proportionate comparison goods offer, to that provided by Tonbridge. These centres play an important role in the provision of convenience goods and access to services, especially so for more rural settlements.

11.60 The borough does not have any significant urban or edge of centre sites with a substantial sub-regional catchment, in contrast to neighbouring Tunbridge Wells, Maidstone and Bluewater which draw consumers and spending away from the borough.

Town Centre Hierarchy

11.61 The NPPF confirms that local planning policies should define a network and hierarchy of town centres to promote their long-term vitality and viability. Designated centres remain the expected focus for retail, leisure and other main town centre uses. This is defined in the NPPF as 'Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

11.62 Figure 11.3 overleaf sets out the retail hierarchy for Tonbridge and Malling borough, this identifies town, district and local centres, which is informed by analysis provided in the Retail and Town Centres Needs Study (2025), in terms of the number and mix of outlets available, as well as turnover and market share.

- Town centre: The retail study identified Tonbridge to be at the top of the hierarchy given its number of outlets (172) and mix of facilities.
- District centres: These centres are smaller (with between 22 to 86 outlets). District centres have a more limited range and choice of comparison goods shopping.
- Local centres: Local centres include a range of small shops of a local nature, serving a small catchment (with between 6-15 outlets).

11.63 Policy E5 sets out the approach to supporting the borough's hierarchy of centres and includes criteria against which town centre proposals will be assessed.

11.64 Town Centre is defined in the NPPF at Annex 2: *"Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres."*

Figure 11.3: Retail Hierarchy for Tonbridge and Malling Borough

Centre Name	Type
Tonbridge	**Town Centre**
Borough Green	**District Centre**
Kings Hill	
Martin Square and London Road, Larkfield	
Snodland	
West Malling	
Martin Hardie Way, Tonbridge	**Local Centre**
York Parade, Tonbridge	
Twisden Road, East Malling	
Woodlands Parade, Ditton	
Little Market Row, Leybourne	
Hadlow	
Hildenborough	

Policy E5: Supporting the Vitality of Town, Service and Local Centres

1 The hierarchy of centres will be expected to be the focus for main town centre uses and the role and function of the centres will be protected and enhanced.

2 Within the defined centres, proposals will be supported where they are located within the town centre boundary and contribute to the vitality and viability of the town centre including for retail, food and drink, financial and professional services, leisure, entertainment, indoor sport and recreation, offices, arts, culture and tourism, residential and employment development as well as markets.

3 Proposals within town centre boundaries will be supported where:

a They are located within the defined town centre boundaries;

b They provide an active frontage, ensuring that there is no break in active frontages;

c The proposal maintains and enhances the centres vitality and viability by contributing to the overall balance, mix and diverse offer of town centre uses to support the local communities;

d The proposal is of an appropriate scale commensurate to the size, function and character of the centre and does not result in amenity issues, such as noise and odour; and

e The proposal positively contributes to wellbeing and placemaking including the identity of the centre as opportunities allow. Providing an improved service and experience, improved accessibility and sustainable travel facilities, enhanced public realm, urban greening including linking to blue and green infrastructure, as well as enhancing heritage assets and their setting.

4 Within defined local centres proposals will be supported where they provide a direct service to the general public and the use would not result in the loss of local accessible (by walking or wheeling) shopping facilities. For town centre regeneration proposals, these should be supported by relevant impact assessments to ensure that the development will be inclusive.

5 Meanwhile uses will be supported in town centres where they enhance the character and vitality of the area, maintain active ground floor frontages and retain any existing shopfronts. Meanwhile uses should be precursors to permanent uses or development, that secure the reoccupation of a vacant site or premises, and which contribute economic, social and/or environmental benefits to the centre.

6 Proposals relating to the night-time economy in Tonbridge town centre and district centres will be supported where they do not affect day-time footfall, have an active frontage and will not result in any negative environmental or amenity effects with appropriate mitigation in place.

7 Within the defined centres a change of use at ground floor level to a non-main town centre use will not be permitted, unless the site is allocated to deliver residential development. This includes the change of use of existing ground floor premises to residential.

Reasoned Justification

11.65 Policy E6 supports the vitality and viability of Tonbridge's town, district, and local centres by directing appropriate development to these locations in line with the town centre hierarchy. This reflects national policy (NPPF), which highlights the need for diversification and a positive strategy to help centres adapt to rapid changes in the retail and leisure sectors.

11.66 The borough benefits from a well-established network of centres that serve their communities. Maintaining this hierarchy in the Local Plan is essential to ensure sustainable shopping patterns, direct main town centre uses to accessible locations and define a clear role and strategy for our centres.

11.67 The Policy promotes a balanced mix of uses, active frontages, and development that is appropriate in scale and character. It supports placemaking, improved accessibility, and enhancements to the public realm and green infrastructure. Meanwhile uses are encouraged where they activate vacant spaces and contribute positively to the area.

11.68 Night-time economy proposals will be supported where they complement daytime activity and avoid negative impacts. To protect the function of centres, changes of use at ground floor level to non-town centre or residential uses are restricted unless allocated for housing.

Policy Implementation

11.69 Policy E6 ensures that proposals for main town centre uses align with the defined hierarchy of centres. Development must be of a scale appropriate to the role and function of the centre in which it is located. For example, major retail proposals will not normally be supported in local centres, while most new retail floorspace is expected to be accommodated within existing town and district centres and strategic sites. The hierarchy is intended to guide appropriate development, not to prioritise investment in one centre over another.

11.70 To retain and enhance the vibrancy and vitality of centres, proposals must support a balanced mix of retail, leisure, cultural, and service uses. These should reflect the scale and character of the centre and avoid undermining the function of surrounding areas. Proposals should also avoid over-concentration of any single use. For instance, while sui generis uses such as bars and live music venues can enhance the evening and night-time economy, applicants must demonstrate that such uses will not harm daytime footfall or residential amenity.

11.71 Meanwhile uses are those that reoccupy vacant and underutilised. These units will be supported in principle to maintain the vitality and viability of centres. Where planning permission is required, the council may apply conditions, such as restrictions on opening hours to safeguard the amenity of neighbouring occupiers.

Primary Shopping Areas

Introduction

11.72 The NPPF continues to indicate that the first preference for retail and other town centre uses should be Primary Shopping Areas (PSA) for retail uses and the town centre boundary for other town centre uses.

11.73 Primary Shopping Areas (PSAs) represent the vibrant heart of a town centre, where retail activity is most concentrated and footfall is highest. These areas typically include the core frontages where a high proportion of shops, services, and food and drink uses are located, forming the commercial backbone of a town. The ability to focus new retail uses within the PSA, rather than the wider town centre area, has however become more difficult with the introduction of the new Class E, which allows free movement to and from retail use and other town centre uses.

11.74 The need for separate town centre and primary shopping area boundaries has been considered in preparing the Local Plan. It is considered that a PSA is only appropriate for Tonbridge town centre which has significant leisure assets but not for the district and local centres. This is considered sufficient for sequential test purposes.

11.75 As Tonbridge continues to evolve, the PSA will remain central to efforts to enhance the town centre experience, attract investment, and ensure that the town remains a thriving and inclusive place for all. Where planning permission is required, it will help to resist inappropriate changes of use that could undermine the retail function of the town centre.

Policy E6: Primary Shopping Areas

1 To ensure that Tonbridge continues to meet the shopping needs of the community, proposals for development within the primary shopping area, as defined on the Policies Map, will be supported and encouraged where:

a They improve the quality and mix of uses within Class E to enhance the role of the town centre and their vitality, viability and street-level vibrancy;

b They provide a complimentary town centre function (for non-E class uses);

c They seek to retain and enhance the active frontage at ground floor level contributing to the character and function of the town centre and public realm; and

d They provide a high-quality shop front design and ensure accessibility for all users.

2 Uses within the Primary Shopping Area that are considered to detract from the overall shopping function, including those with closed or inactive frontages will not be supported.

Reasoned Justification

11.76 Tonbridge town centre is a key focus for retail, commercial, and community activity within the borough. The designation of a Primary Shopping Area (PSA) provides a clear spatial framework for managing development and investment in the town centre, ensuring that the most active and accessible frontages are protected and enhanced.

11.77 The PSA encompasses the core retail streets, including the High Street and key adjoining frontages, where footfall is highest and where the concentration of shops and services is most significant. This area plays a vital role in supporting the town's economic health, providing essential services, and contributing to the town's identity and sense of place.

11.78 Designating the PSA helps guide planning decisions, manage change, and focus investment in the most active parts of the town centre. It supports the delivery of a vibrant, accessible, and sustainable place that meets the needs of residents, businesses, and visitors alike.

11.79 Town centre boundaries have also been defined for Tonbridge and other identified centres in the hierarchy. These reflect the extent of commercial, leisure and community uses that are currently available. It is acknowledged that the Tonbridge town centre boundary may change in the Regulation 19 Local Plan, to reflect the outcome of ongoing masterplanning work for the regeneration of sites East of High Street.

11.80 This approach aligns with national planning policy, which emphasises the importance of promoting competitive and vibrant town centres and supports the council's wider regeneration and place-making objectives for Tonbridge.

Policy Implementation

11.81 The introduction of Use Class E has increased flexibility for town centre uses, allowing a range of commercial, business, and service activities to operate without the need for planning permission. While this flexibility is welcomed, it also presents challenges in maintaining a strong retail presence and ensuring that ground floor uses contribute positively to the vibrancy and attractiveness of the town centre.

11.82 This Policy seeks to strike a balance between enabling adaptability and protecting the core retail function of the PSA. It supports a mix of Class E uses that generate footfall and maintain active frontages, while allowing for appropriate diversification where it enhances the overall vitality of the area.

11.83 The Policy also recognises the importance of high-quality design, accessibility, and the need to manage change sensitively.

Above Ground Floorspace

Introduction

11.84 Upper floors in town centres represent a valuable and often underused resource. In Tonbridge and Malling, many buildings within the borough's centres, particularly in Tonbridge and West Malling, feature upper storeys that have the potential to contribute more actively to the vitality, viability, and sustainability of these areas.

11.85 Historically, upper floors have been used for a mix of purposes, including residential accommodation, offices, and storage. However, changing retail patterns and the need to make more efficient use of urban land have highlighted the importance of bringing these spaces back into active use.

11.86 Encouraging the reuse and sensitive adaptation of upper floors can support a more diverse and resilient town centre economy. It can also contribute to housing delivery, provide opportunities for small businesses and co-working spaces, and enhance the overall character and safety of town centres by increasing activity and natural surveillance.

11.87 This Policy sets out the council's approach to managing development proposals involving upper floors, ensuring that they are well-integrated, accessible, and contribute positively to the function and appearance of defined centres.

Policy E7: Above Ground Floorspace

1 Proposals for upper floor uses within the defined town centre boundaries that contribute to the centre's vitality, viability and sustainability, including residential uses, commercial uses, co-working spaces, cultural uses or community facilities will be supported where:

a The redevelopment of upper floors does not result in the loss of ancillary storage space or other beneficial uses to the extent that it would make a ground floor unit unviable;

b The redevelopment would not result in the loss of residential or employment floorspace, unless the use is located in the primary shopping area and is for a Class E use;

c The proposal makes efficient use of space and contributes to the overall mix of uses;

d The proposal provides a separate and adequate access to the upper floor(s) ensuring that any new entrance or use does not affect the character and appearance of the building, the public realm, or the functionality or character of the town centre;

e The use does not affect or adversely exacerbate the properties existing servicing arrangements, parking or result in adverse traffic impacts;

f The upper floors have sufficient refuse storage and collection space and cycle storage space, where this is possible.

2 Where upper floors are located within conservation areas or involve heritage assets, proposals must preserve or enhance the significance of those assets and comply with relevant heritage policies.

Reasoned Justification

11.88 Town centres are diverse, combining both commercial and residential functions and upper floors within town centres represent a significant opportunity to support sustainable development, enhance town centre vitality, and make more efficient use of existing buildings.

11.89 Where vacant units exist above ground floor commercial premises, these present an ideal opportunity to contribute positively to the local economy and community. Encouraging the reuse of above-ground floorspace aligns with national planning policy objectives to promote mixed-use development, increase housing supply in accessible locations, and support the diversification of town centres.

11.90 Residential uses on upper floors can help increase footfall, improve natural surveillance, and support evening and weekend activity, while office, co-working, and community uses can contribute to daytime vibrancy and employment opportunities.

11.91 This policy supports the sensitive conversion and reuse of upper floors for appropriate uses, including those within Use Class E and residential accommodation, provided they do not compromise the function of ground floor commercial premises. It also promotes good design, accessibility, and integration with the surrounding built environment, particularly in conservation areas and heritage settings.

11.92 By enabling a broader mix of uses above ground level, the policy contributes to the council's wider objectives for regeneration, housing delivery, and town centre resilience, while helping to reduce vacancy rates and support the long-term sustainability of town centres across the borough.

Policy Implementation

11.93 Planning applications involving the change of use, conversion, or redevelopment of upper floors within town centres will be assessed against this policy. Proposals should demonstrate how they contribute to the vitality of the centre, maintain or enhance the function of ground floor uses, and provide safe, accessible, and high-quality accommodation or workspace.

Sequential and Local Impact Tests

Introduction

11.94 Town centres play a vital role in the economic, social, and cultural life of the borough. To maintain their vitality and viability, it is essential that new development is directed to the most sustainable and appropriate locations. National planning policy promotes a 'town centre first' approach, requiring that proposals for main town centre uses are located within defined centres wherever possible.

11.95 This Policy sets out the local application of the sequential and impact tests for proposals involving retail, leisure, and other town centre uses. It ensures that development outside of defined centres is only permitted where no suitable sites are available within or on the edge of centres, and where it can be demonstrated that there will be no significant adverse impact on existing centres. The Policy also introduces a locally defined impact threshold to reflect the scale and character of the borough's centres and to provide a proportionate level of scrutiny for developments likely to affect them.

Policy E8: Sequential and Local Impact Tests

1 In accordance with the NPPF, main town centre uses should be located in the defined town centres. Where main town centre uses are proposed elsewhere then the sequential approach will be applied where applicants must be able to demonstrate, with a robust justification, that sites firstly within town centres and then secondly on the edge of town centres are not available.

2 Where the sequential approach is met, then main town centre uses will need to be located in accessible and sustainable locations which are well connected to the nearest town centre.

3 Opportunities to utilise town centre or edge of centre sites should be fully explored, including a satisfactory area of search, before considering sites elsewhere. This will need to be demonstrated including considering flexibility on issues such as format and scale.

4 Outside designated Tonbridge primary shopping area and other town centre boundaries, applications for retail and leisure uses, or retail and leisure uses combined, will be required to submit an impact assessment where the development is for 400sqm or more (gross external area) of retail or leisure floorspace. This includes combined floorspace across different phases of development and mixed-use developments.

5 The impact assessment should be proportionate to the size of the development being proposed and must sufficiently demonstrate that the proposal will not have an adverse effect on any town centre within the borough or in surrounding areas, either on its own or cumulatively.

Reasoned Justification

11.96 The purpose of Policy E9 is to support the long-term health and sustainability of the borough's town, district, and local centres by ensuring that new development is appropriately located and does not undermine the role of existing centres. The Policy reflects national planning policy, which promotes a 'town centre first' approach to the location of retail, leisure, and other main town centre uses.

11.97 The sequential test is a key tool in directing development to the most sustainable locations. It ensures that proposals for main town centre uses are only permitted in edge-of-centre or out-of-centre locations where no suitable sites are available within defined centres. This approach helps to consolidate investment in existing centres, supports their regeneration, and reduces the need to travel by car.

11.98 The Policy also introduces a locally defined impact threshold of 400 sqm gross for retail and leisure development outside or on the edge of defined centres. This lower threshold, recommended by the Retail and Town Centres Needs Study, reflects the scale and character of the borough's centres and the potential for even modest developments to divert trade and impact centre vitality. The threshold applies to individual proposals as well as cumulative floorspace across phases or within mixed-use schemes.

11.99 By requiring proportionate impact assessments and applying planning conditions where necessary, the policy provides a robust framework for assessing the potential effects of development on town centres. This ensures that growth is managed in a way that supports the borough's spatial strategy and protects the role of its centres as accessible, vibrant, and inclusive places.

Policy Implementation

11.100 This Policy will be applied to all applications for town centre uses which are proposed on sites situated outside of defined centre boundaries.

11.101 Policy E9 will ensure that proposals for main town centre uses are directed to the most appropriate locations in line with the sequential and impact tests. Applicants will be required to demonstrate compliance with the sequential test by providing evidence that no suitable sites are available within or on the edge of defined centres, including consideration of site flexibility in terms of format and scale.

11.102 In rural areas, the sequential test will be applied proportionately. While the NPPF excludes small-scale rural offices and other small-scale rural development from the sequential test, it does not define "small-scale" in terms of floorspace. Therefore, the council will consider such applications on a case-by-case basis. In line with the locally defined impact threshold, proposals below 400 sqm gross floorspace will generally be considered small-scale for the purposes of the sequential test.

11.103 For proposals outside defined centres, the council will require impact assessments for retail and leisure developments exceeding 400 sqm gross floorspace, including cumulative floorspace across phases or within mixed-use schemes. For other town centre uses, the threshold for impact assessments will be 2,500 sqm gross. These assessments must be proportionate to the scale of development and should be agreed with planning officers during the pre-application process. As a minimum, assessments must address:

- The impact on existing, committed, and planned public and private investment in centres within the proposal's catchment area.
- The impact on the vitality and viability of defined centres, including consumer choice and trade in the town centre and wider retail catchment.

11.104 Planning conditions and legal agreements may be used to manage the mix of uses and prevent future changes that could undermine town centres. This is particularly relevant in light of the introduction of Use Class E, which allows retail uses to occupy non-retail premises without requiring planning permission. Where planning consent is required and there is potential for retail use to impact the health of Tonbridge or other centres, the council may apply conditions to restrict the use accordingly.

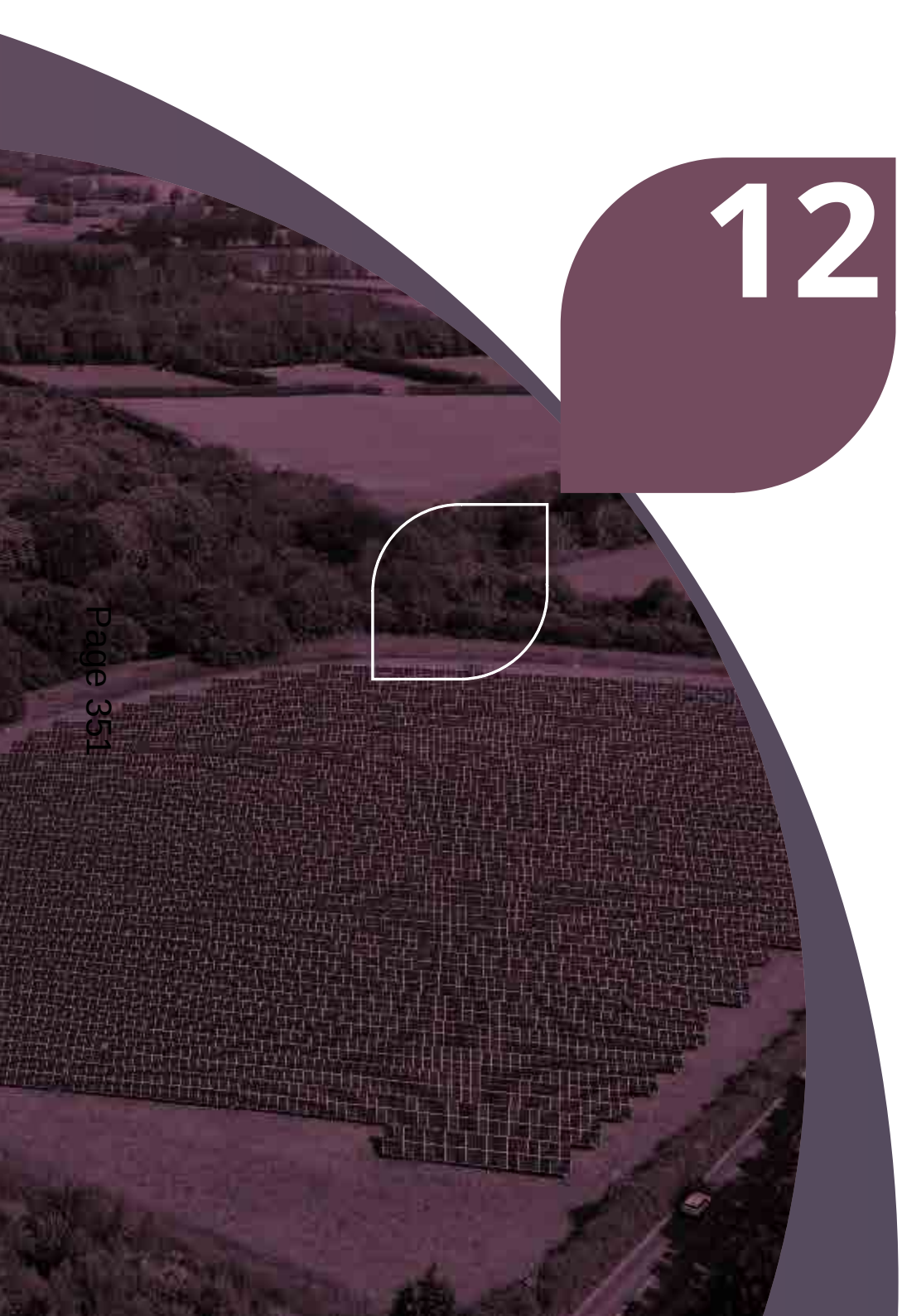
11.105 Planning conditions and legal agreements may be used to manage the mix of uses and prevent future changes that could undermine town centres. The council will also monitor the effectiveness of the policy through planning application data, retail health checks, and town centre performance indicators, and will review thresholds and criteria as necessary in response to changing market conditions and national policy updates.











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12 RURAL DEVELOPMENT

Introduction

12.1 Tonbridge and Malling Borough is defined by its diverse and valued countryside, which includes the nationally protected landscapes of the Kent Downs and High Weald National Landscapes, extensive areas of high-quality agricultural land, and a significant portion of the Metropolitan Green Belt.

12.2 These rural areas are central to the borough's identity, supporting biodiversity, heritage, and the wellbeing of its communities.

12.3 The countryside is home to a network of villages and hamlets, each with its own distinct character and history. It provides a setting for recreation, tourism, and a resilient rural economy, while also contributing to the borough's environmental sustainability. The Local Plan recognises the need to protect the intrinsic value of the countryside, while enabling appropriate development that supports the vitality of rural communities and responds to local needs. The planning policies provided are aligned with the strategic objectives of the Local Plan and reflect national planning guidance, including the National Planning Policy Framework (NPPF).





Rural Exception Sites





Introduction

12.4 Tonbridge and Malling Borough contains a diverse range of rural communities, many of which face increasing pressure from high housing costs and limited development opportunities. In these areas, particularly where services and facilities are scarce, enabling local people to remain in their communities is essential to maintaining their vitality and long-term sustainability.

12.5 Rural Exception Sites offer a targeted solution by allowing small-scale affordable housing development on land that would not normally be used for housing. These sites are specifically intended to meet the needs of local households who are unable to access market housing, and who have a strong connection to the area.

12.6 The council supports the use of Rural Exception Sites to help meet evidenced local housing needs in smaller communities. This policy provides a framework for bringing forward such sites in appropriate locations, ensuring that development is locally supported, well-designed, and secured for long-term community benefit.

Policy R1: Rural Exception Sites

1 Small scale residential development in rural areas outside the settlement confines may be permitted where they are consistent with all other Local Plan policies, accord with national Green Belt policy and meet all the following criteria:

a The site is identified to meet unmet local housing need either within the Parish or an adjacent Parish that cannot be located elsewhere and as evidenced by an up-to-date and robust housing needs survey;

b The exception site is adjacent to an existing settlement or an existing sustainable location near a settlement confine;

c The proposed development reflects the required housing need in terms of appropriate size, type, tenure, mix and price, is of high-quality design and in keeping with the character of any adjoining development and the locality;

d The affordable homes are of the same or similar design to any of the market homes that may be allowed in terms of scale and number of bedrooms;

e The development provides suitable and safe access and parking;

f The homes are secured as affordable homes in perpetuity, through a Legal Agreement to ensure that the housing remains available to meet the affordable housing needs of local people; and

g The proposal does not include mixed uses.

2 Proposals that require a small element of market housing to enable the delivery of affordable homes will only be permitted where a viability assessment confirms that the need for market housing is necessary. The scheme will be subject to an independent viability assessment, the costs of which will be paid for by the applicant. The minimum amount of market housing will be supported to ensure that the primary purpose of the development is to deliver affordable homes.



Reasoned Justification

12.7 House prices in rural areas often exceed local incomes, making it difficult for younger people, families, and key workers to remain in or return to their communities. This has implications for the long-term sustainability of rural settlements, including the viability of local services, schools, and businesses.

12.8 Paragraph 82 of the NPPF requires planning policies and decisions to be responsive to local circumstances and to support housing developments that reflect local needs. The NPPF also enables the provision of affordable housing through rural exception site policies. This Policy therefore aligns with national policy.

Policy Implementation

12.9 The council will assess proposals for Rural Exception Sites based on clear evidence of local housing need. This should be demonstrated through an up-to-date housing needs survey, ideally undertaken within the last five years, and supported by data from the council's Housing Register or other up-to-date assessments. Proposals must show that the identified need cannot be met within existing settlement boundaries.

12.10 Given the exception-based nature of this policy, it is essential that any affordable housing delivered is secured in perpetuity. This will be achieved through Section 106 legal agreements, and only tenures that guarantee long-term affordability will be supported. The homes must be allocated to households with a strong local connection as per the council's latest adopted Housing Allocations Policy.

12.11 Design quality is a key consideration. Developments must be well-integrated with the surrounding built and natural environment, particularly in areas such as the Kent Downs National Landscape, where national policy gives great weight to conserving landscape and scenic beauty. Affordable homes should be indistinguishable from any market homes in terms of appearance and layout.

12.12 Where a small proportion of market housing is proposed to support scheme viability, this must be justified through a viability assessment. The council will commission an independent review of the assessment, with costs met by the applicant. Only the minimum number of market homes necessary to deliver the affordable element will be permitted.

12.13 Rural exception sites are normally brought forward by a Registered Provider or can be brought forward by a Community Land Trust. It will be important for any provider to liaise with the parish council to ensure that a scheme is supported and early and meaningful engagement is encouraged.

Housing For Rural Workers



Introduction

12.14 With much of the borough being rural there are many farmholdings, horticultural enterprises, equestrian facilities, and other land-based rural businesses. These enterprises are vital to the local economy and the stewardship of the countryside. In undertaking business activities, there may sometimes be special circumstances where it is essential for a rural worker to live permanently at or near their place of work.

12.15 The Policy below seeks to address the specific housing needs of rural workers by enabling the provision of accommodation outside settlement confines, where a genuine and essential need is demonstrated.

Policy R2: Housing For Rural Workers

1 Housing for rural workers will be permitted outside settlement confines where the following criteria is met:

a The proposal is in accordance with national Green Belt policy where relevant;

b That there is an essential occupational or functional need for a full-time worker to live permanently at the site or due to the nature of the business requires to be at the site most times;

c That suitable accommodation, either for sale or rent, cannot be found via existing housing in a nearby settlement or location or at the existing site through existing buildings or conversion of existing buildings;

d The business has been operating for a minimum of three years and the business is likely to remain financially viable for the foreseeable future;

e All permanent housing should be of a size that is commensurate with the established functional requirement and sited as close as possible to existing buildings;

f All housing will comply with minimum health standards; and

g All proposals will provide the necessary services to serve the dwellings including access, hardstanding, drainage and ventilation.

2 Evidence submitted on financial viability will be subject to an independent assessment by the council's appointed consultant, of which, the costs for the independent assessment will be paid for by the applicant.

3 If a new dwelling is essential to support new or existing farming activity, in the first three years of business or criteria 1a-c is not sufficiently demonstrated, then temporary accommodation may be permitted in locations where rural worker's accommodation is considered suitable. Planning conditions shall be used to limit the duration of the proposed use up to three years. After three years, 1a-c will need to be demonstrated should permanent rural workers accommodation be required.

4 Both permanent and temporary accommodation will be subject to an occupancy condition, limiting its use for occupation to people employed as a rural worker. Removal of such a condition will only be permitted where there is clear evidence that there is no need for the condition to remain in place. In addition, where there is a clear planning justification, permission may be subject to a legal agreement preventing the future separation of farmhouses from any adjoining farm buildings/land.

5 Permitted development rights will be removed for rural workers dwellings to ensure that the dwelling remains of a size commensurate to the needs of the business. Extensions to or replacement of agricultural or forestry or rural business-related dwellings will require a reassessment of need, excluding minor works. Temporary or seasonal accommodation requirements to serve rural enterprises will be considered on a case-by-case basis.



Reasoned Justification

12.16 This Policy supports the sustainability of rural businesses and communities, while ensuring that development in the countryside remains sensitive to its character and complies with national planning policy, including Green Belt protections where applicable. The policy aligns with paragraph 84 of the NPPF, which recognises that isolated homes in the countryside may be justified by an essential need for a rural worker to live permanently at or near their place of work.

12.17 Housing development in the countryside must be carefully controlled to protect the openness of rural areas and prevent unnecessary encroachment beyond settlement confine boundaries. This policy therefore provides a framework that supports genuine rural occupational housing where this cannot be met through existing accommodation, while ensuring that proposals are essential, justified, proportionate, and sustainable.

Policy Implementation

12.18 Planning applications will be assessed against the criteria set out in the policy. Applicants will be required to submit detailed evidence demonstrating the essential need for on-site accommodation, the absence of suitable alternatives, and the financial viability of the enterprise. This evidence will be subject to independent assessment commissioned by the council, with costs borne by the applicant. To assess whether the existing business is viable, financial information from the three years prior to the planning application will be required to show that the business was profitable for at least one of those years.

12.19 Where permanent accommodation is not justified, temporary structures may be permitted for up to three years, subject to occupancy conditions and a reassessment of need thereafter. All rural workers' dwellings, whether permanent or temporary, will be subject to occupancy restrictions to prevent misuse and ensure continued alignment with the policy's objectives.

12.20 To avoid new isolated market housing in the countryside, proposals to remove occupancy restriction conditions will rarely be approved. Any application to remove an occupancy condition will need to demonstrate, that the need for which the dwelling was approved, no longer exists. This includes demonstrating that there is no longer a need for the accommodation to support the business; that the dwelling is not needed to provide for affordable housing; or, to meet rural accommodation needs in the locality. Permitted development rights will be removed to maintain the scale and function of the dwelling in line with the business need. Any proposals for extensions or replacement dwellings will require a reassessment of the original justification, excluding minor works.





Replacement Dwellings Outside Settlement Confines



Introduction

12.21 While the focus remains on directing development to the borough's most sustainable settlements, there is also recognition of the needs of those already living in rural areas. In particular, some residents may wish to replace existing dwellings that are no longer fit for purpose, whether due to age, condition, or design, so they can continue to live in the countryside in homes that meet their needs.

12.22 Although the construction of new buildings in the countryside is generally restricted, the replacement of lawful dwellings can offer a sustainable alternative to new development on greenfield land. Such proposals can help retain the existing rural housing stock, make better use of previously developed land, and support the long-term sustainability of rural communities. The policy below provides a clear framework for assessing these proposals, ensuring that replacement dwellings are appropriately scaled, sensitively designed, and located in a way that respects the rural setting.

Policy R3: Replacement Dwellings Outside Settlement Confines

1 Replacement dwellings outside settlement confines will be supported where the following criteria are met:

a Replacement dwellings will be on a 'one for one' basis and will only be supported where it can be demonstrated that the property benefits from a lawful residential use and the use has not been 'abandoned';

b The replacement dwelling is of a comparable size and scale to the existing dwelling and can be accommodated appropriately within the footprint of the existing dwelling, unless there are clear benefits from locating the replacement dwelling in an alternative position e.g. landscape, heritage, local amenity. Where the latter is applicable, then the dwelling must be located within the curtilage of the existing dwelling;

c The dwelling which is to be replaced is demolished within three months of first occupation of the new dwelling;

d The design of the replacement dwelling is in keeping with the character of the area and is sympathetic to its setting in terms of form and massing and is no more visually intrusive than the existing dwelling;

e The replacement dwelling provides suitable access, parking and amenity space without harming the living conditions of nearby residents or adversely impact other nearby uses; and

f Where the proposal is located in the Green Belt, it accords with Policy SP8 and national Green Belt policy.



Reasoned Justification

12.23 The Policy supports a balanced approach to rural development by recognising the legitimate needs of existing rural residents while safeguarding the countryside from inappropriate or unsustainable change. The NPPF encourages housing in locations that enhance or maintain the vitality of rural communities, and this Policy reflects that principle by enabling the replacement of dwellings where it contributes to the continued occupation and stewardship of rural homes.

12.24 Replacement dwellings can help address issues such as outdated design, poor energy performance, or inadequate internal space, allowing households to remain in their communities without the need to develop new greenfield sites. However, to ensure that such development does not undermine the character or openness of the countryside, the Policy sets clear parameters around scale, siting, and design. It also ensures that only lawful and active residential uses are eligible for replacement, preventing the reintroduction of residential use where it has ceased. In Green Belt locations, additional scrutiny is required to ensure proposals are consistent with national policy and do not result in harm to openness or conflict with the purposes of Green Belt designation.

Policy Implementation

12.25 Applicants should provide clear and proportionate evidence that the dwelling to be replaced is lawful and has not been abandoned. This may include planning permissions, lawful development certificates, or other relevant documentation. Proposals should be accompanied by plans and supporting statements that demonstrate how the replacement dwelling aligns with the policy criteria, particularly in relation to scale, siting, and visual impact.

12.26 Where a new dwelling is proposed in a different location within the curtilage, applicants must justify the relocation with reference to specific benefits such as improved landscape integration, heritage conservation, or reduced impact on neighbouring uses. The demolition of the original dwelling will be secured through planning conditions, with a requirement for this to occur within three months of first occupation of the replacement dwelling to prevent the creation of additional units.

12.27 In Green Belt areas, proposals must be assessed against both local and national Green Belt policy. Applicants should demonstrate that the replacement dwelling does not result in a materially larger building and does not harm the openness or purposes of the Green Belt. Pre-application discussions are encouraged to ensure that proposals are well-informed and policy-compliant from the outset.

Conversion of an Existing Building to Residential Use Outside Settlement Confines



Introduction

12.28 Outside settlement confines, the countryside is protected from unsustainable or inappropriate forms of development. However, there are limited circumstances where the conversion of existing buildings to residential use may be acceptable, particularly where it supports the re-use of redundant or underused buildings and contributes to the vitality of rural areas. National planning policy supports the principle of making effective use of previously developed land and existing buildings, provided that development is sensitive to its surroundings and does not undermine the character of the countryside.

12.29 Policy R4 sets out a clear and robust framework for assessing proposals for the conversion or sub-division of buildings to residential use in rural areas. It ensures that such proposals are only supported where there is a genuine need, where the building is suitable for conversion without significant alteration, and where the location allows for reasonable access to services and facilities. The policy also safeguards against the loss of viable rural businesses and protects the architectural and historic value of rural buildings.

Policy R4: Conversion of an Existing Building to Residential Use Outside Settlement Confines

1 The conversion or sub-division of an existing building to residential use outside settlement confines will only be supported where the proposal is sufficiently justified and where the following criteria are met:

a It has been demonstrated through the submission of information alongside the application that the existing use / operation of the building or business use of the building has been continually, actively and effectively marketed at an appropriate rate for a minimum of 12 months with a specialist agent;

b The building is proven, by the submission of a structural survey, that it is structurally sound, permanent and of substantial construction to facilitate conversion or sub-division to residential use;

c That the building can achieve conversion or sub-division without requiring extension or alteration including new buildings.

d Residents of the dwelling would be able to safely access sustainable transport options to access services and facilities in a nearby settlement;

e Any curtilage of the dwelling shall be restricted to that which is necessary to facilitate parking or provide a reasonable level of amenity garden space;

f The proposal does not have an adverse effect on the character, appearance or features that are of architectural or of historic interest including its setting; and

g Where the proposal is located in the Green Belt, it accords with Policy SP8 and national Green Belt policy.



Reasoned Justification

12.30 The conversion of existing buildings outside settlement confines can offer a sustainable way to meet housing needs, particularly where it avoids the need for new-build development on greenfield land. However, such proposals must be carefully managed to ensure they do not result in the unjustified loss of employment or community uses, or lead to sporadic and unsustainable patterns of development in the countryside.

12.31 This Policy ensures that residential conversions are only permitted where the building is no longer viable for its current or previous use, as demonstrated through a meaningful period of marketing. It also requires that the building is structurally capable of conversion without substantial rebuilding or extension, in line with national policy. This approach helps to retain the character and integrity of rural buildings, many of which contribute positively to the landscape and local distinctiveness. The policy also ensures that any new residential use is appropriately located, with access to sustainable transport options and without adverse impacts on the surrounding environment or heritage assets.

Policy Implementation

12.32 Applicants will be expected to provide a comprehensive marketing report, prepared by a qualified agent, demonstrating that the building has been actively and appropriately marketed for at least 12 months for its existing or other suitable uses. The marketing must be realistic in terms of price, terms, and visibility, and should include evidence of enquiries received and reasons for lack of take-up.

12.33 A structural survey must also be submitted to confirm that the building is of permanent and sound construction and capable of conversion without the need for significant rebuilding or extension. Proposals that involve new buildings or substantial alterations will not be supported under this policy. The extent of any residential curtilage should be clearly defined and limited to what is necessary for parking and amenity space, avoiding the domestication of the wider rural setting.

12.34 In all cases, proposals must demonstrate that the new residential use would not harm the character or setting of the building, particularly where it is of architectural or historic interest. Where proposals fall within the Green Belt, they must also comply with national Green Belt policy and any relevant local policies. Early engagement with the local planning authority is encouraged to ensure that proposals are well-evidenced and policy compliant.



Residential Parks



Introduction

12.35 Residential parks, including caravan sites, form an important part of the housing mix, offering flexible and often more affordable accommodation options. While their contribution to meeting housing needs is recognised, it is essential that new proposals are appropriately located and designed to respect their surroundings. This policy sets out the criteria under which new residential park development or small-scale extensions to existing sites will be considered acceptable.

Policy R5: Residential Parks

1 Proposals for new caravans will be permitted within settlement confines or where small-scale extensions to existing sites can contribute to meeting the council's housing need, providing the following criteria are met:

a The proposal is sympathetic to the existing surroundings in scale, siting, design characteristics and in relation to the amenity of neighbouring properties;

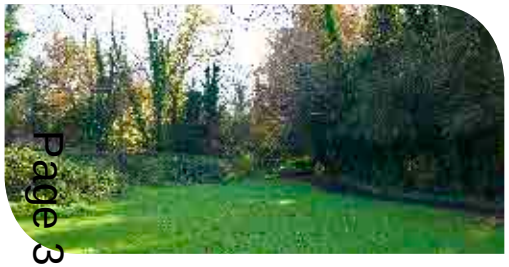
b The proposal would not have an adverse impact on local character or the amenities of adjoining sites or settlements;

c The proposal includes safe vehicular and pedestrian access, storage areas for waste and recycling and sufficient parking arrangements;

d Adequate services and utilities are provided and the site has good accessibility by sustainable modes of transport to a sustainable settlement;

e It can be demonstrated that there will be no unacceptable adverse effect on the character or appearance of the countryside, residential amenities, traffic conditions or public safety; and

f Where the proposal is located in the Green Belt, it accords with Policy SP8 and national Green Belt policy.



Reasoned Justification

12.36 This Policy supports new caravans within settlement confines or small-scale extensions where applicable. The NPPF encourages planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

12.37 The council acknowledges the role that residential parks can play in broadening housing choice, particularly for older people and those seeking lower-cost home ownership. However, such developments must be carefully managed to ensure they integrate well with existing communities and do not detract from the character or amenity of the area.

12.38 The criteria within the Policy are designed to ensure that proposals are of a scale and are designed appropriately to their context, provide adequate infrastructure and services, and do not result in harm to the countryside, Green Belt, or neighbouring uses. The policy also supports the delivery of housing in sustainable locations, aligning with national planning objectives and the council's strategic housing aims.

Policy Implementation

12.39 Proposals for new residential park developments or extensions to existing sites will be assessed against the criteria set out in the policy. Applicants should provide supporting evidence that demonstrates how the proposal responds to its context, including details on scale, design, and relationship to surrounding uses. Applications must include information on access arrangements, parking provision, waste and recycling storage, and the availability of essential services and utilities. Where relevant, assessments of landscape impact, transport accessibility, and effects on residential amenity should be submitted. In locations within or adjacent to the Green Belt, proposals must clearly demonstrate compliance with national policy, particularly in relation to preserving openness and avoiding inappropriate development. The council will also consider cumulative impacts where multiple proposals are brought forward in close proximity, to ensure that the overall character and infrastructure capacity of the area are not compromised.



Employment Development Outside Existing Settlement Confines



Introduction

12.40 The NPPF encourages planning policies that support a prosperous rural economy, including the sustainable growth and expansion of all types of business in rural areas (Paragraph 85). This includes enabling the development and diversification of agricultural and other land-based rural businesses, and the re-use of redundant or disused buildings. While development is generally directed toward existing settlements, the NPPF does not define settlement boundaries, nor does it prohibit development outside them where proposals are not isolated and can be justified in terms of sustainability.

12.41 The Policy to the right responds to this national direction by providing a locally tailored framework to support employment development in rural areas, ensuring that proposals contribute positively to the economy while respecting the character and openness of the countryside and Green Belt.

Policy R6: Employment Development Outside Existing Settlement Confiness

Intensification or extension of existing employment development.

1 Proposals for the intensification or extension of employment development within the existing operational site boundaries of an employment site will be supported outside settlement confines where:

a A need is demonstrated to facilitate new or expanding operational functions; or

b It can be demonstrated that the business premises is operating at full occupancy or near to it.

2 Where a need is demonstrated, a proposal will only be supported where:

a It is of a scale that is consistent with the proposed use and the existing size and scale of the site and also is acceptable taking into account the character of the area;

b It would not prejudice existing uses at the site by way of any increase in proposed operations;

c It can be demonstrated that all options to re-use or adapt existing buildings within the site have been considered and prioritised, with extensions or new buildings only being proposed where re-use or adaption of existing buildings is not viable or practical;

d The proposal would not generate an inappropriate amount or type of additional traffic movements and the site's existing vehicular access and parking provision is suitable or can be made suitable; and

e Where the proposal is located in the Green Belt, it accords with Policy SP8 and national Green Belt policy.

Re-use of existing rural buildings for business use.

3 Development proposals that seek to re-use, convert or adapt existing redundant rural buildings for business use that are currently or were last used for employment use will only be supported where:

a A rural location for the type of business can be justified and sustained, without the requirement of further rural buildings to facilitate its use;

b The business will positively contribute to the rural economy through the provision of local employment opportunities;

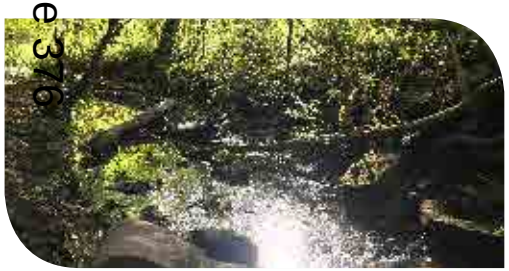
c The building is permanent and structurally sound and capable of re-use, conversion or adaptation without major re-building, alterations or extensions;

d The building is not required for agricultural purposes both now or in the future;

e The development makes an efficient and viable use of a building that would otherwise remain redundant; and

f Where the proposal is located in the Green Belt, it accords with Policy SP8 and national Green Belt policy.





Reasoned Justification

12.42 This Policy supports employment growth on existing rural sites while protecting the countryside's character. It balances economic development with environmental sensitivity, ensuring new uses are appropriate in a countryside location, are proportionate and prioritise the reuse of existing structures.

12.43 NPPF para. 88 enables *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings*.

12.44 The Policy supports intensification and extension of existing employment sites where operational need is demonstrated, aligning with national guidance that encourages the reuse of previously developed land and existing buildings. It also reflects the NPPF's requirement to protect the Green Belt from inappropriate development, ensuring that proposals do not compromise its openness or permanence. By requiring evidence of occupancy levels, operational need, and consideration of existing buildings, the policy ensures that development is both necessary and proportionate, contributing to sustainable economic growth without undermining environmental objective.

Policy Implementation

12.45 Planning applications should be supported by proportionate evidence that explains why the proposed development is necessary and how it responds to the specific characteristics of the site. Proportionate evidence will be required setting out operational need, site context, and the principles of sustainable rural development. This includes demonstrating that the proposal is a logical evolution of existing activity, and that it makes efficient use of land and buildings already in employment use. Where new buildings or physical expansion are proposed, applicants should show that alternatives, such as internal reconfiguration or reuse of existing structures have been fully explored.

12.46 The Policy's emphasis on scale, character, and transport impacts means that proposals must be carefully designed to integrate with their surroundings and avoid adverse effects on local infrastructure. In rural and Green Belt locations, particular attention should be paid to visual containment, site layout, and the use of materials that reflect local vernacular. Proposals should also be informed by early engagement with relevant consultees, including highways and landscape officers, to ensure that technical matters are addressed from the outset.



Agriculture, Forestry and Horticulture

Introduction

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12.47 The attractiveness of Tonbridge and Malling includes a rich historic heritage, a working countryside that includes small villages and hamlets supported by agriculture, horticulture and forestry. This includes some of the very best productive land in the country and other notable features such as the upper reaches of the River Medway and rich and diverse wildlife habitats.

12.48 Agriculture, forestry and horticulture are all important elements of the rural economy and supports many ancillary businesses. They offer good opportunities for economic development and job creation.

12.49 The council supports proposals for new buildings or structures for the purpose of agriculture, forestry, horticulture and other rural land-based uses in the countryside, focusing on reusing, adapting or converting existing buildings within the site first.

12.50 Agriculture, forestry, and horticulture are integral to the rural identity, economy, and landscape of the borough. These land-based industries not only provide food, timber, and other essential resources, but also contribute to the stewardship of the countryside, biodiversity, and the character of rural settlements. As these sectors evolve in response to climate change, market demands, and technological innovation, there is a need to ensure that planning policy supports their continued viability while safeguarding the intrinsic qualities of the rural environment.

12.51 Policy R7 recognises the importance of enabling appropriate development that supports rural land-based enterprises. It provides a framework for assessing proposals for new buildings and structures associated with these uses, ensuring that development is justified, sensitively designed, and appropriately located. The Policy also reflects the need to balance operational requirements with the protection of landscape character, heritage assets, and the amenity of nearby communities.

Policy R7: Agriculture, Forestry and Horticulture

1 Development proposals for new buildings or structures for the purpose of agriculture, forestry, horticulture and other rural land-based uses including agricultural diversification will be supported where the following criteria are met:

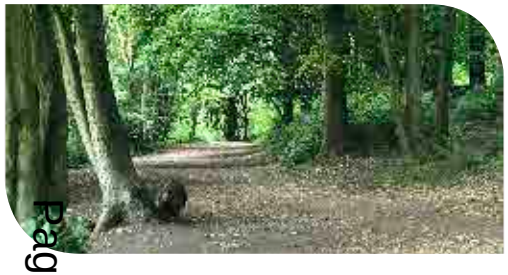
a A robust business case is provided that demonstrates the operational need for the development at the scale and location proposed;

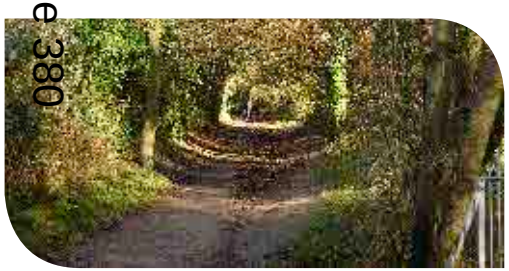
b It can be demonstrated that all options to re-use or adapt/convert existing buildings within the site have been considered and prioritised first, with new buildings or structures only being proposed where re-use or adaption / conversion of existing buildings is not viable or practical; Where this is not viable or practical, the new building or structure should be sited in or adjacent to an existing group of buildings, retain the agricultural character of the site and be of an appropriate scale and design;

c The design and / or location of the building respects rural distinctiveness and farmstead groupings, where applicable with location also reflecting the buildings proposed rural use;

d Any outdoor storage is provided as an ancillary element of other uses; and

e Where temporary coverings or polytunnels are needed, they should be capable of being predominately removed from site when not required and when out of season. This may be a condition of any planning permission granted.





Reasoned Justification

12.52 The Policy responds to the need for a clear and consistent approach to managing development in the countryside that supports rural productivity while maintaining environmental quality. Evidence from local and national sources, including agricultural land use data and rural economic strategies, highlights the importance of enabling modern, fit-for-purpose infrastructure for farming, forestry, and horticulture. However, this must be achieved without undermining the visual, ecological, or cultural value of the rural landscape.

12.53 The requirement for a robust business case ensures that proposals are genuinely necessary for the operation of the enterprise and not speculative or unrelated to land-based activities. Prioritising the reuse of existing buildings aligns with sustainability principles and helps preserve the traditional character of farmsteads. Where new development is necessary, siting and design considerations are essential to ensure that buildings integrate well with their surroundings and do not result in visual or functional harm.

12.54 Temporary structures such as polytunnels, while often essential for horticultural production, can have cumulative landscape and drainage impacts if not carefully managed. The policy therefore includes provisions to ensure their seasonal use is controlled and reversible.

Policy Implementation

12.55 The Policy addresses the requirement for agriculture, forestry and horticulture development within the countryside, should there be an operational need for the development at the scale and location.

12.56 New agricultural buildings and the conversion of certain agricultural buildings to residential, or for business use may be covered by permitted development However, within the Green Belt, National Landscapes, heritage assets or conservation areas planning permission may still be required. Therefore, this Policy relates to proposals where planning permission is required.

12.57 Planning applications will be assessed against the criteria set out in the Policy and relevant national and local guidance. Applicants will be expected to provide clear and proportionate information and evidence.

12.58 Where development is proposed within or near the Kent Downs or High Weald AONBs, additional landscape and visual impact assessments may be required. Proposals affecting high-quality agricultural land will be considered to ensure that land use is justified and does not result in unnecessary loss of productive capacity.

12.59 Planning conditions may be used to control the scale, appearance, and duration of development, particularly for temporary structures. The council will also encourage early engagement through pre-application advice, especially for proposals in sensitive landscape areas.





Farm Diversification

Introduction

12.60 Farm diversification plays a vital role in sustaining the viability of agricultural businesses and enhancing the resilience of the rural economy. As farming faces increasing pressures from the market, climate change, and policy reform, diversification offers opportunities for farms to supplement income, retain employment, and contribute to the broader economic and social fabric of rural communities. This policy supports development proposals that enable farms to diversify in a way that complements their primary agricultural function, respects the rural character of the area, and contributes positively to the local economy.

12.61 The Policy recognises the importance of maintaining the integrity of agricultural holdings while allowing for appropriate ancillary uses such as farm shops, tourism, education, and small-scale renewable energy. It encourages the reuse of existing buildings and infrastructure and ensures that new development is sensitively designed and located to preserve the distinctiveness of the countryside and the openness of the Green Belt.

Policy R8: Farm Diversification

1 Development proposals relating to farm diversification will be supported where the following criteria are met:

a A diversification plan is submitted, which demonstrates that the proposed development is necessary to support the continued viability of the existing agricultural business and will provide long-term benefit to the agricultural business;

b Diversification activities will remain ancillary to the primary agricultural business;

c The development will contribute to the rural economy through the provision of local employment opportunities;

d The proposal prioritises the use of existing buildings, infrastructure, utilities, parking and vehicular access, with new buildings and associated facilities and access only being proposed where the use of existing is not viable or practical; Where this is not viable or practical, development should be sited in or adjacent to an existing group of buildings, retain the agricultural character of the site and be of an appropriate scale and design;

e The design and / or location of the building respects rural distinctiveness and farmstead groupings, where applicable, with location also reflecting the buildings proposed rural use;

f Development is restricted to the minimum level reasonably required for the operation of the diversified business;

g The proposal will avoid the loss of the best and most versatile agricultural land, where possible;

h The diversified activities are sensitive to the character of their rural setting and the nature of the business will not adversely affect local amenity;

i The proposal would not generate an inappropriate amount or type of additional traffic movements and the site's existing vehicular access and parking provision is suitable or can be made suitable; and

j Where the proposal is located in the Green Belt, it accords with Policy SP8 and national Green Belt policy.

Farm shops

2 Where farm diversification relates to farm shops or extensions to farm shops, developments will generally be supported provided that it meets the above requirements and:

a The shop relates to and will be ancillary to the existing rural business;

b The scale and scope of the business will not harm the accessible convenience retail offer available to the community in the surrounding area;

c The produce sold in the farm shop aims to sell:

i A minimum of 40% of products or produce from that produced on the premises or holding;

ii 30% or more from the Kent region; and

iii The remainder being sourced from the Southeast region.

3 Where appropriate, the council may impose conditions to control the future expansion or nature of the farm diversification business including farm shops when granting planning permission. New farm shops will likely be restricted to Use Class E(a) retail with ancillary Use Class E(b) food and drink.



Reasoned Justification

12.62 The NPPF in para 88 supports the development and diversification of agricultural and other land-based rural businesses. Supporting farm diversification will help to secure the long-term sustainability of agricultural enterprises and the wider rural economy. Evidence from national surveys indicates that over half of UK farms engage in diversified activities, with income from these ventures often exceeding that from traditional farming operations. Diversification can reduce reliance on agricultural subsidies, provide more predictable revenue streams, and help farms adapt to changing consumer demands and environmental challenges.

12.63 In Kent, the character and heritage of farmsteads are particularly valued, and the Policy ensures that diversification proposals respect traditional farmstead groupings and rural design principles. The inclusion of criteria for farm shops reflects the growing consumer interest in local produce and the role such enterprises play in strengthening local food networks.

Policy Implementation

12.64 Planning applications will be assessed against the criteria set out in the Policy. Applicants will be expected to submit a diversification plan demonstrating the necessity and benefits of the proposal for the agricultural business. Proposals should prioritise the reuse of existing buildings and infrastructure, and any new development must be appropriately scaled, designed, and located to minimise landscape and amenity impacts.

12.65 Where proposals involve farm shops, additional criteria will apply to ensure that the retail offer remains ancillary to the farm business and supports local and regional food produce. Conditions may be imposed to control the nature and scale of the enterprise, including restrictions on use classes and future expansion.



Sustainable Tourism and Visitor Accommodation



Introduction

12.66 Tonbridge and Malling is home to a rich blend of historic towns, picturesque villages, and diverse landscapes including the Kent Downs and High Weald National Landscape and the River Medway corridor. These assets underpin a growing visitor economy that contributes significantly to local employment and business vitality. The borough's tourism offer includes heritage attractions, walking and cycling routes, nature reserves, and seasonal events that draw both domestic and international visitors.

12.67 The Policy below supports the development of sustainable tourism and visitor accommodation that enhances the borough's appeal while safeguarding its environmental and community assets. It aligns with the council's strategic priorities to promote economic resilience, protect the Green Belt, and improve access to nature and cultural heritage. The policy encourages well-located, high-quality proposals that contribute to the visitor experience and support the borough's identity as a destination for sustainable leisure and recreation.

Policy R9: Sustainable Tourism and Visitor Accommodation

1 New tourism facilities, including visitor accommodation[1] or improvements and extensions to existing tourism or visitor accommodation facilities will be supported where the following can be demonstrated:

a The proposal is located within settlement confines or where the proposal relates to tourism facilities can justify why the proposal would not be suitable to be located within settlement confines;

b The proposal meets an identified and evidenced demand for the facilities or accommodation, positively contributing to tourism in the borough and does not detract from the vitality and viability of town or village centres and other local facilities;

c The proposal closely relates to or is closely associated to an existing visitor attraction or tourism use that is seeking to expand, contributing to the retention or enhancement of existing facilities and the tourism offer;

d The location of the proposal is accessible using sustainable modes of transport including walking, cycling and wheeling;

e The proposal would not generate an inappropriate amount or type of additional traffic movements and the site's existing vehicular access and parking provision is suitable or can be made suitable;

f The proposal, either alone or cumulatively with other tourism or visitor uses in the area, will not detract from the experience of visitors or adversely affect the character, historical significance, landscape, natural environment, appearance or amenity of the area;

g The proposal makes best use of existing buildings and structures. Where new structures or buildings are demonstrated to be necessary, these must relate physically and functionally to existing buildings or structures associated with the enterprise and be of an appropriate design and scale;

h Where the proposal is located in the Green Belt, it accords with Policy SP8 and national Green Belt policy.

2 Development proposals that would result in a loss of tourist facilities and / or visitor accommodation to alternative uses will need to be considered in line with Policy R9.

3 Where proposals for temporary structures such as yurts, glamping pods, towing caravans are acceptable in relation to this and other relevant policies in the plan, then a condition or legal agreement may require removal from site when not required and when out of season.

4 The occupation of any new tourist accommodation will be restricted via condition or legal agreement to ensure it is a tourist use solely and not for permanent residential occupation.

1 Visitor accommodation includes hotels, guesthouses, bed and breakfast establishments, self-catering accommodation and outdoor accommodation such as caravan, camping sites and glamping sites (including yurts, log cabins and pods).





Reasoned Justification

12.68 Tourism in Tonbridge and Malling supports over 4,500 staying trips annually and contributes to Kent's wider visitor economy, which generated over £4 billion in 2023. The borough's proximity to London, combined with its rural character and heritage assets, makes it an attractive location for short breaks, day visits, and nature-based tourism. However, the sector faces challenges including seasonal fluctuations, pressure on infrastructure, and the need to balance growth with environmental protection.

12.69 The Policy responds to these challenges by setting clear criteria for new and expanded tourism development. It ensures that proposals are evidence-led, meet identified demand, and are accessible via sustainable transport. The policy also reflects the borough's Green and Blue Infrastructure Strategy, which highlights the importance of protecting natural assets and enhancing biodiversity through sensitive development.

12.70 The Policy supports the reuse of existing buildings and encourages proposals that complement existing attractions. It also introduces safeguards to prevent the loss of tourism facilities and to ensure that visitor accommodation remains in seasonal or short-term use, avoiding conversion to permanent residential dwellings.

Policy Implementation

12.71 The Policy seeks a balanced approach that supports tourism growth while safeguarding the borough's environmental and community assets. Planning applications will be assessed on their ability to contribute positively to the visitor economy, with particular attention given to their location, accessibility, and relationship to existing attractions or infrastructure. Proposals situated outside settlement confines will need to demonstrate a clear rationale, such as proximity to a geographically fixed natural or heritage feature, or alignment with rural tourism objectives.

12.72 Applicants will be expected to provide evidence of demand for new or expanded facilities, which may include market research, business plans, or alignment with borough-wide tourism strategies. Accessibility will be a key consideration, with developments required to demonstrate how they can be reached via sustainable modes of transport, including walking, cycling, and public transport. Where vehicular access is necessary, the impact on local roads and parking provision will be carefully considered.

12.73 Design quality and integration with the surrounding landscape will be essential, particularly in areas of high sensitivity such as the Green Belt or the Kent Downs or High Weald National Landscape. The reuse of existing buildings will be encouraged, and where new structures are proposed, they must be of a scale and form that complements the existing built and natural environment. Temporary and seasonal accommodation, such as glamping pods or yurts, may be supported where they are appropriately managed, including conditions or legal agreements requiring removal during off-season periods.

12.74 To prevent the erosion of the borough's tourism offer, proposals involving the loss of visitor accommodation or facilities will be subject to scrutiny under Policy R9, requiring evidence of marketing and viability. Furthermore, all new tourist accommodation will be subject to occupancy restrictions to ensure it remains in short-term use and does not transition into permanent residential occupation.

12.75 Justification on why the proposal would not be suitable to be located within settlement confines may include a requirement to rely on a geographically fixed resource or where there is an overriding benefit for locating the tourism facility not within settlement confines.

Equestrian Facilities in the Countryside

Introduction

12.76 The Borough contains two National Landscapes, the Kent Downs and the High Weald. 40% of Kent's bridleways are in the Kent Downs National Landscape, making the Kent Downs a significant area for horse riding in Kent. This network of bridleways continues beyond the National Landscapes into the wider countryside. Horses are also an increasingly common grazing animal in the borough and equestrian activities can play an important role in the land-based economy and can make a positive contribution to landscape character. However, the subdivision of paddocks, new structures, overgrazing, lighting and ménages can detract from the landscape character if poorly designed and managed.

12.77 The keeping of horses and horse riding is an increasingly popular recreational pursuit and can be one form of farm diversification. The Landscape Character Assessment identifies locations across the borough where horse paddocks and grazing land are part of the intrinsic character of an area.

12.78 Horses kept for recreation, sport and business are not classed as an agricultural activity. Equine facilities therefore do not have any agricultural permitted development rights, meaning that most development requires planning consent. To ensure that equestrian facilities are located sustainably, proposals for new stables will be expected to demonstrate how they will be managed without the need for new supporting residential accommodation being provided on the site.

12.79 Equestrian-related development is important to the rural economy and the Council supports proposals for appropriate equestrian facilities in the countryside.

12.80 This Policy supports proposals for appropriate equestrian facilities in the countryside, focusing on reusing or adapting or converting existing buildings to minimise new development.

Policy R10: Equestrian Facilities in the Countryside

1 Proposals for appropriate equestrian facilities in the countryside should have regard to the Tonbridge and Malling Landscape Character Assessment, the National Landscape Management Plans and national Green Belt policy where relevant, and should ensure that:

a It can be demonstrated that all options to re-use or adapt/convert existing buildings within the site have been considered and prioritised first, with new buildings or structures only being proposed where re-use or adaption / conversion of existing buildings is not viable or practical;

b the scale of the facility is no more than is reasonably required for the proper functioning of the enterprise or the use of the land to which it is associated;

c the facility is unobtrusively located and designed so as not to introduce a prominent urban element into a countryside location, including the impact of any new or improved access and car parking areas;

d the proposal should be accompanied by a lighting strategy and should not lead to significant increases in light pollution in accordance with Policy NE12;

e in the case of all-weather riding arenas or other facilities for the exercising of horses, the degree of engineering operation required and the resultant re-grading of land, including any earth mounding and retaining structures, does not result in incongruous or discordant landform out of character with its setting that cannot be mitigated through the use of appropriate hard and soft landscape techniques. Structures, engineering works and buildings serving equine uses should be removed from the site when they are no longer in use and are no longer required to serve the equine use of the land. Sufficient grazing land for horses will also be required to be available;

f the proposal does not generate traffic of a type or amount inappropriate for rural roads or would impact the character of the rural roads: and

g the proposal would not result in ground contamination or pollution risk associated with waste and will be accompanied by a waste management plan; and

h Where the proposal is located in the Green Belt, it accords with Policy SP8 and national Green Belt policy.

Reasoned Justification

12.81 This Policy supports proposals for appropriate equestrian facilities in the countryside. It will be used to guide decisions on the provision of equestrian facilities to ensure any proposals should retain and utilise existing buildings where possible, with new buildings requiring justification and sensitivity to the site.

12.82 In order to minimise any impact of any such development on the landscape character of the area, priority should be given to the conversion of existing buildings where they exist, and, where this is not possible, careful consideration should be given to the design, scale, siting, external appearance, access, lighting, and landscaping of any new development.

Policy Implementation

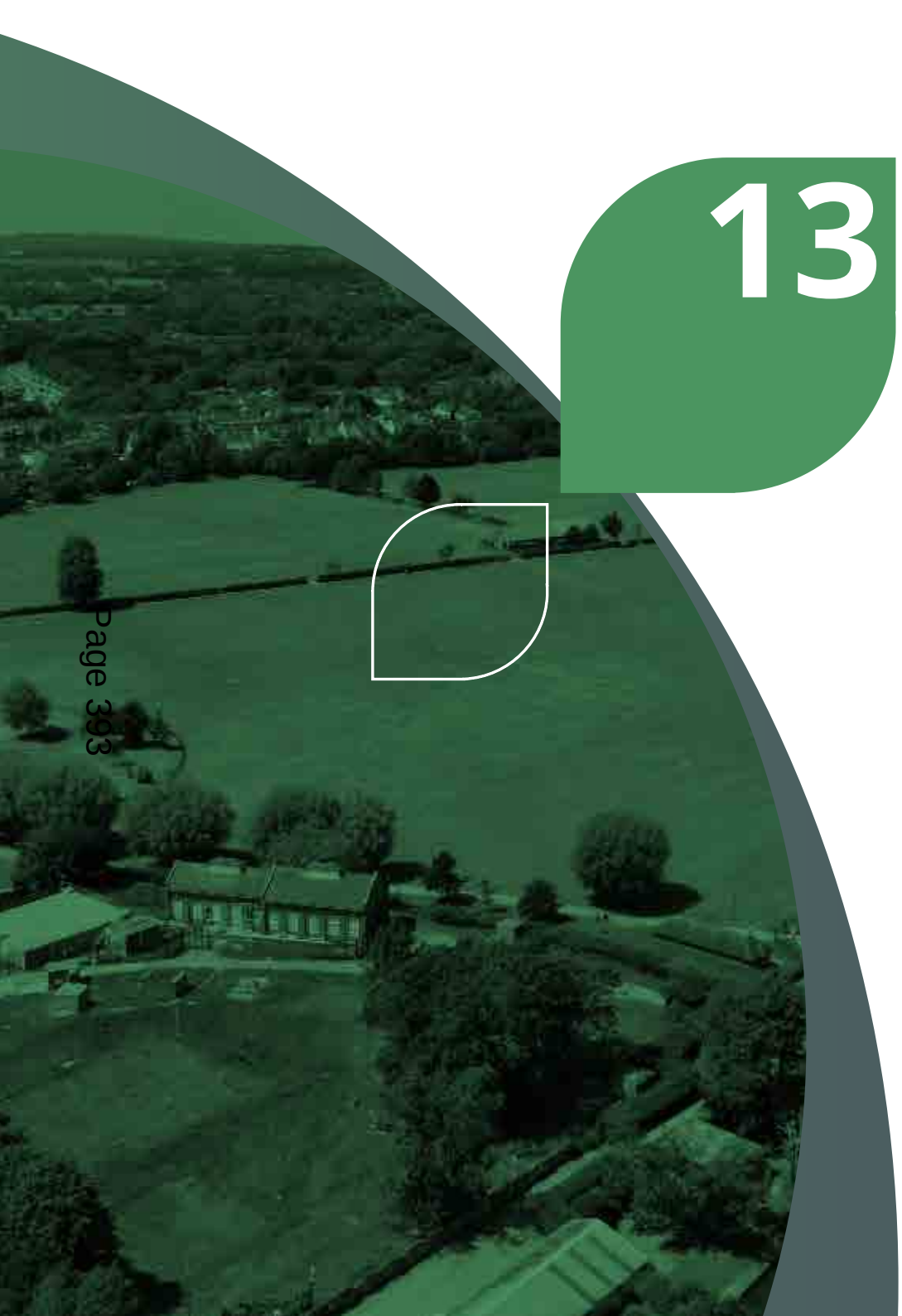
12.83 This Policy applies to proposals for appropriate equestrian facilities in the countryside. For the protection of the countryside, proposals for stables, liveries and other horse related activities should consider the effect the proposed development will have on the countryside and the local area. In addition, the effect the proposed development on areas of nature conservation importance, archaeological sites and the local landscape should be considered.

12.84 A proposed development for equine development must not result in an irreversible loss of the best and most versatile agricultural land and as such, should the equestrian use cease, the land must be capable of being restored to a productive green environment.

12.85 Development proposals should have regard to national Green Belt policy where relevant, the Landscape Character Assessment, and if located within one of the National Landscapes or their settings, should have regard to the relevant Management Plan and associated guidance. In addition, proposals for development in the Kent Downs National Landscape should have regard to Managing Land for Horses – a guide to good practice in the Kent Downs National Landscape.

12.86 Any proposed external lighting would need to be demonstrated to be necessary and designed to have minimal impact on both residential amenity and the visual amenity of the surrounding area.

12.87 The proposed development should consider its relationship to the existing bridleway network and proximity to the main network, as well as the safety and comfort of horses in terms of space for grazing, exercising and waste management.



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13 INFRASTRUCTURE

Introduction

13.1 It is important that growth and development is accompanied by required transport and other infrastructure, to ensure that new communities become thriving places that are well integrated with existing settlements.

13.2 The provision of infrastructure in the right location, at the right scale and at the right time, is therefore essential to support future growth.

13.3 Through our partnership work with infrastructure and service providers we have identified that improvements to existing infrastructure and in some cases the provision of new infrastructure will be required to support development. An Interim Infrastructure Delivery Plan (IDP) has been published alongside this Regulation 18 Local Plan. This sets out our early understanding of the quality and capacity of our existing infrastructure, our infrastructure deficiencies as well as the infrastructure that will likely be required to support the delivery of development during the plan period. It is recognised that this is a live and iterative document that will be progressed further alongside the stages of the Local Plan. The council will therefore continue to work with its partners to identify requirements to ensure that development is supported by the appropriate level of infrastructure.

13.4 There are numerous partners involved in preparing our IDP, some are private sector such as utility providers, some are public sector such as Kent County Council, the NHS and emergency services. Not all planned infrastructure and service investments require funding through the planning process. There are a range of infrastructure requirements that may be necessary to ensure that development is acceptable in planning terms, Figure 13.1 on the right sets out potential infrastructure types that should be considered (although this should not be considered as an exhaustive list). Further detail regarding identified infrastructure projects and investments is set out in the accompanying interim IDP and delivery schedules.

Figure 13.1: Infrastructure Types

ADEQUATE HIGHWAYS ACCESS AND CAPACITY	CHILDREN'S PLAY AREAS AND EQUIPMENT	FIRE, POLICE AND RESCUE SERVICES	MOBILE PHONE SIGNAL COVERAGE	REPLACEMENT / NEW HABITAT
ADULT SOCIAL CARE	CLEAN WATER SUPPLY	FLOOD DEFENCES AND DRAINAGE INFRASTRUCTURE	NATURAL AND SEMI-NATURAL GREEN SPACES	SOCIAL AND COMMUNITY FACILITIES
AMBULANCE SERVICES	CYCLING AND WALKING FACILITIES	HIGH SPEED INTERNET ACCESS	NURSERY SCHOOLS	SPORTS FACILITIES
ALLOTMENTS	EDUCATION PROVISION - PRIMARY AND SECONDARY	HOSPITAL CAPACITY	PARKS AND OPEN SPACES	SUPPORTED ACCOMMODATION
CAR PARKING	ENERGY SUPPLIES - GAS AND ELECTRICITY	LANDSCAPING	PRIMARY AND COMMUNITY CARE SERVICES	SUSTAINABLE DRAINAGE SYSTEMS
CEMETERIES AND CHURCHYARDS	ELECTRIC VEHICLE CHARGING POINTS	LIBRARIES	PUBLIC TRANSPORT	WASTE MANAGEMENT AND DISPOSAL

13.5 Once the Local Plan has been adopted the IDP will be reviewed regularly and will provide a key reference in identifying area and site-specific requirements. Not all infrastructure requirements planned in the borough are required to mitigate new development and may be required due to asset renewal or other reasons. New development is only required to provide for new or improved infrastructure that is necessary to make the development acceptable in planning terms.

Infrastructure Contributions

13.4 The funding and delivery of infrastructure is complex, often requiring funding from different sources to enable delivery. This may be undertaken directly by a developer or via a financial contribution depending on the needs of the development and site-specific circumstances. The following are the main funding mechanisms available to the council.

S106 Planning Obligations

13.1 Planning obligations also known as Section 106 development contributions, are legal agreements made between interested parties, usually the developer / landowner and the Council. They are used to secure funding for the provision of infrastructure and facilities to support the community. The council does not currently have a Community Infrastructure Levy (CIL) regime.

13.2 Related planning obligations must meet the statutory tests in regulation 122 of The Community Infrastructure Levy Regulations (2010). These being that the planning obligation(s) must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

13.3 S106 obligations can either be in the form of on-site delivery of infrastructure such as a community hall or as a financial contribution that will be utilised by a service provider including the council for purposes outside the control of the developer. An example might be a financial contribution for education which is passed to Kent County Council for the delivery of new or improved education facilities that will serve the new community.

S278 Agreements

13.5 A Section 278 agreement (or S278) is a section of the Highways Act 1980 that allows developers to enter into a legal agreement with the Highway Authority (Kent County Council or National Highways) to make alterations or improvements to a public highway, as part of a planning application. The details of the S278 are set out in the S106 agreement but are monitored by the relevant Highways Authority.

Infrastructure Funding Statement

13.6 In December each year, the council publishes an Infrastructure Funding Statement (IFS) which provides information on the developer contributions collected each year. This document also provides information on the types of infrastructure secured and the projects to which the funding received and secured will be allocated.

13.7 In liaison with and taking account of advice from infrastructure providers, the council will continue to seek funding for infrastructure projects from new development. The Local Plan plays a key role in enabling the council to secure investment, allowing providers to plan for the delivery of identified projects that will support growth across the borough.

13.8 The council will also continue to seek funding through a range of other sources including central government, funding bids to partner organisations and other grant funding as this becomes available.





Policy INF1: Provision of Infrastructure and Services

1 Adequate infrastructure and services are important for creating and sustaining communities. New developments will be required to consider their impact upon the capacity of existing infrastructure and services. Early engagement with infrastructure providers is expected, to identify whether new or improved infrastructure and services including utilities will be required to support the growth proposed.

2 Planning permission will only be granted where it can be demonstrated that there is or will be, sufficient infrastructure and services to meet the requirements arising from the proposed development.

3 New healthcare, education facilities and other services (where required) should be provided in locations that relate well to both existing and new development. These facilities should be accessible by existing or new/improved public transport services and walking, wheeling and cycling routes.

4 Development that supports or provides carbon neutral utilities schemes that contribute to helping the council meet its carbon neutral target will be supported.

5 Applicants must work with commercial providers at an early stage to deliver broadband and mobile connectivity within their housing and employment developments, ensuring high speed connections and sufficient mobile telecommunications coverage are available.

6 New or improved infrastructure and services will be delivered either on-site by developers or off-site through S106 or S278 agreements. Planning obligations will be linked to development phasing or trigger points to ensure delivery occurs when required.

7 Long-term maintenance and management of infrastructure assets must also be considered, and , if required, contributions towards maintenance and management secured.

Phased delivery of infrastructure and services

8 The delivery of new or improved infrastructure and services will need to be agreed in terms of its delivery phasing and timing. This should be informed by liaison with infrastructure and service providers to ensure that infrastructure becomes become available when required to support the needs arising from the development in parallel. Some infrastructure requirements or contributions may need to be delivered prior to the commencement of development or first occupation.

9 Developments that are brought forward in phases or by multiple developers must ensure that infrastructure and services including utilities are delivered to the boundary of each phase or parcel, to ensure that future parcels or services can be achieved without retrofitting. The delivery of infrastructure and services will be in

accordance with any masterplan and / or phasing plan for the overall development and will be secured by S106 agreements. Proposals that would compromise existing utilities infrastructure or encroach on future connections will be refused.

10 All infrastructure and services must be built to the required regulatory standards as agreed with infrastructure providers with appropriate arrangements for in perpetuity management and maintenance so that adoption by the regulatory body, subject to the agreement of the local planning authority and regulatory body.

Viability

11 Viability reasons for non-delivery will only be considered in exceptional circumstances. To demonstrate this, applicants must provide a satisfactory viability assessment (open book) prior to the validation of the planning application. All costs associated with the development should be clearly set out including any abnormal or unforeseen costs. The assessment will be required to demonstrate how the value of planning obligations has been maximised. The council will use an independent consultant to verify the assessment, the cost of this will be funded by the applicant. All viability assessments will be published as part of the application documents.

12 If the full requirement of infrastructure and services mitigation requirements is not able to be delivered due to viability, including affordable housing requirements, then developments will only be permitted where their benefits outweigh the harm as a result of the lack of full mitigation and other relevant requirements, having regard to all material considerations.

13 Where viability is an issue in the delivery of infrastructure and services, a clawback mechanism will be included in the legal agreement(s) to ensure that the full infrastructure and service requirements can be provided, should viability, as informed by relevant viability assessments, improve following the grant of planning permission.



Reasoned Justification

13.9 The provision of adequate infrastructure and services is fundamental to the creation of sustainable, inclusive, and resilient communities. As development places increased pressure on existing infrastructure networks, it is essential that new proposals are supported by timely and proportionate infrastructure delivery. This Policy ensures that development does not outpace the capacity of essential services such as transport, education, healthcare, utilities, and digital connectivity.

13.10 Early engagement with infrastructure and service providers is critical to identifying requirements and securing delivery mechanisms. The policy supports a proactive approach to infrastructure planning, ensuring that new development contributes to the provision of necessary facilities and services either directly or through planning obligations. It also aligns with the council's carbon neutrality objectives by encouraging low-carbon utility schemes and sustainable transport access.

13.11 The Policy reflects national planning guidance and local strategic priorities, ensuring that infrastructure delivery is phased appropriately and coordinated across development parcels. It also introduces mechanisms to address viability concerns, ensuring transparency and accountability in the assessment of development contributions.

Policy Implementation

13.12 This Policy will be applied to all forms of development and seeks to ensure that infrastructure and services are planned and delivered in a timely, coordinated, and sustainable manner. Developers must demonstrate that sufficient infrastructure capacity exists or will be provided to support the development proposal.

13.13 Developers should review existing infrastructure provision at the outset of the planning process, and consideration should be given to the most recent IDP and other evidence available on the council's website. These will provide guidance on any deficiencies that may exist by infrastructure and service type and indicate what provision may be necessary to mitigate development impacts. Developers will be expected to discuss infrastructure provision at the pre-application stage and engage with providers. The area and/or site-specific infrastructure identified will determine the type and level of contribution(s) that are likely to be required including ongoing maintenance funding as relevant.

13.14 Infrastructure delivery may be secured through on-site provision or off-site contributions via S106 or S278 agreements. These will be linked to development phasing or trigger points as relevant to ensure infrastructure is available when needed. Long-term maintenance and management arrangements must be agreed to ensure infrastructure remains fit for purpose.

13.15 Where development is phased or involves multiple developers, infrastructure must be delivered to the boundary of each phase to enable future connections. Proposals that compromise existing infrastructure or future delivery will not be supported.

13.16 In cases where viability is a concern, applicants must submit an open-book viability assessment prior to validation. The council will independently review these assessments, and clawback mechanisms will be used to secure full infrastructure delivery if viability improves post-permission. Viability will only be considered in exceptional circumstances and must be robustly justified.

Sustainable Transport

13.17 New development across the borough will add pressure onto existing transport networks, this will require suitable mitigation to ensure that development does not have unacceptable highways impacts. The Policy approach for transport is now vision led, not the traditional approach of 'predict and provide' where highways capacity and related mitigation is the primary focus.

13.18 This approach is being pursued due to a recognition that new highways capacity is not the only solution, and a need to respond to the climate crisis by aiming for carbon neutrality and better transport mode choices. Decarbonising transport can be achieved by reducing the need to travel and prioritising sustainable transport, including better integrated and accessible active travel options.

13.19 The Kent Local Transport Plan 5 (2024) sets out the following development management principles:

- To ensure Local Planning Authorities and developers work effectively with KCC to effectively design development and local transport so as to reduce its pressure on the existing road network and embed sustainable travel from the start.
- To implement an infrastructure-first approach to secure initial improvements to the whole transport system to reduce pressure on the road network.
- To recognise the uncertainty in how occupants of new developments will travel by assessing a range of outcomes and ensuring the right mitigations are implemented in response to observed impacts.

13.20 This will be achieved with a 'decide and provide' approach, which supports achieving a greater choice of transport modes to help reduce traffic generation onto the existing highway network whilst also addressing impacts that do require mitigation. This will be delivered by ensuring planning agreements make provisions for uncertainty in transport impacts and by applying a monitor and manage approach.

13.21 The current high level of car ownership and vehicular trips, and gaps in sustainable transport infrastructure with poor connectivity particularly within Tonbridge and other district centres, are key challenges. The Local Plan therefore seeks to address this by allocating development in sustainable locations therefore reducing the need to travel long distances for key services and ensuring that the connections between places can be achieved through the improvement of sustainable modes.

13.22 The council has been working with Kent County Council and National Highways to undertake transport modelling to inform this Regulation 18 stage 2 Local Plan. The council has also commissioned local junction modelling covering the hotspot areas to assess junction performance in detail. The council is continuing to work with Kent County Council and National Highways to define mitigation for the identified roads and junctions that require this. Details of currently known mitigation schemes are provided in the IDP.

13.23 The council will continue to work with partners as the Plan progresses to Regulation 19 stage to develop its understanding of transport matters, to ensure that development can be supported by sustainable transport solutions and mitigated appropriately.





Policy INF2: Sustainable Transport and Active Travel

1 The council recognises the importance of delivering and enhancing sustainable and active travel infrastructure which is essential to support the vitality of new and existing communities. Adopting a 'decide and provide' approach, the council will work in partnership with Kent County Council, Highways England and transport providers to ensure that developments mitigate their travel demand and traffic impacts.

2 Proposals as relevant will be required to design schemes that will contribute to healthy places and streets and enable an integrated and improved transport network for all users, reducing car journeys and providing greater sustainable travel choices.

Public transport and active travel

3 It is acknowledged that mitigation options will vary from site to site. Site promoters should however prioritise:

a Supporting and enhancing existing bus services especially those connecting rural service centres and larger villages, to make these more attractive and commercially sustainable through enhanced service frequency, hours of operation and through the provision of high-quality vehicles and kerb-side facilities (as required). There will also be support for measures that are identified in the Kent Bus Services Improvement Plan (BSIP);

b Supporting rail services through the provision of access and station facilities improvements, that make it more desirable, convenient and safer for passengers to undertake linked non-car journeys;

c Including measures for on-site public rights of way improvements for walking, wheeling and cycling as appropriate; and

d Having regard to the Kent Public Rights of Way Improvement Plan and borough Active Travel Strategy, in protecting and enhancing off-site public rights of way to achieve a high-quality network of routes for walking, wheeling, cycling and equestrian use which where possible are compliant with (Local Transport Note 1/20 or any subsequent guidance);

e Providing a contribution towards the borough council's car club scheme (subject to operational coverage), in-particular where on-site parking provision is restricted.

4 Active travel infrastructure should be accessible and inclusive. Cycleways should provide enough space for adapted cycles such as tricycles, tandems, wheelchair cycles.

Traffic and highways

5 In terms of traffic and highway design, developments will be supported where:

a The nature and level of traffic can be accommodated without adversely impacting upon the safety, amenity or character of the surrounding area;

b Roads and junctions within the development, including those to be altered or added as a result of the development, are designed and delivered in accordance with appropriate highway design standards;

c Suitable and safe vehicle access and turning and access provision for service vehicles e.g. refuse and emergency service vehicles can be made in a forward direction;

d The development provides a design and layout that will encourage slower driving speeds prioritising non-motorised travel (walking, wheeling and cycling) where segregated provision for these modes can't be achieved.

6 A Transport Assessment or Transport Statement and Sustainable Travel Plan, as relevant to the scale and nature of the development should be submitted with all applications (in line with Kent County Council guidance). Where assessments are required, they must cover the full extent of transport implications arising from the development.

7 Any transport improvements required will be secured by legal agreement.



Reasoned Justification

13.24 It is vital that growth is supported by necessary transport mitigation so that negative impacts are avoided and the ambition and outcomes of the Kent Local Transport Plan 5 are achieved. In particular delivering a safe, reliable, efficient and affordable transport network which prioritises emission free travel, increasing the use of public transport and making walking, wheeling and cycling more attractive.

13.25 Not delivering necessary transport mitigation will have unwanted development impacts which are likely to include the following. Worsening congestion, queueing and related journey time delays, sustained poor air quality, worsening public health indicators due to inactivity as people avoid active travel options due to perceptions of safety and a lack of dedicated infrastructure for walking, wheeling and cycling. These impacts must be proactively avoided by all parties involved in the development process, to ensure that Tonbridge and Malling becomes a more successful and attractive place to live and work.

Policy Implementation

13.26 Where on-site transport improvements are required; these should be clearly set out within the detail of proposed site layout, access and other plans that are submitted as part of the planning application. Where off-site transport improvements are required, these should also be clearly set out within the detail of the planning application, including the supporting Transport Assessment or Transport Statement and Travel Plan where these are required. Kent County Council has published 'Transport Assessment and Travel Plan Guidance (2025)', this sets out related requirements in further detail.

13.27 A Transport Assessment is a comprehensive technical document that assesses in detail, the transport proposals, issues and implications arising from a development proposal, for all transport modes. It also sets out measures to improve accessibility to and from the site to an appropriate level for the intended use and reduce the impacts of the development on the local highway network. It is an impartial report, typically undertaken by a competent professional employed by the developer and usually includes evidence to support the application including safe and suitable access for all modes, and strategic / detailed junction capacity modelling.

13.28 Whether or not a Transport Assessment will be required will depend on the size, nature and location of the development. Applicants should liaise with KCC at an early stage in the planning application process to determine whether a Transport Assessment is likely to be needed to support an application. It is recommended that applicants engage in separate pre-application discussions with KCC, to agree what level of assessment is required (Transport Assessment, Transport Statement, Travel Plan) and the key contents.

13.29 A Travel Plan is a long-term strategy for managing multi-modal access to a site, promoting sustainable modes and reducing the proportion of car-based trips. Travel Plans help to enhance the accessibility and transport efficiency of the site, while minimising any adverse impact on either the local highway network or on other elements of the local transport system.

13.30 The KCC guidance sets out the general thresholds for when a Travel Plan will be required. However, the size of a site should not be the only determining factor when considering the requirement for a Travel Plan. In some cases, the location of the site, such as those located in congested areas or within an Air Quality Management Area, may warrant a Travel Plan to be prepared and subsequently implemented.

Parking

13.31 The NPPF is clear that parking along with other transport considerations is integral to the design of developments and contributes to making high quality places. The council requires the appropriate provision of parking in new developments and will ensure that this is both provided and adequately maintained to meet the needs of occupants. This includes parking for private vehicles, visitors and bicycles as well as other uses.

13.32 Currently for all development the council applies the parking standards set out in the KCC guidance, this sets out the requirements for new developments in Kent. It considers parking for all types of vehicles and seeks to balance the need to provide an appropriate parking provision, ensure the safe operation of the public highway and encourage travel by sustainable modes. It provides advice on parking design and layout, disabled parking and mobility aids, parking for residential and non-residential uses, electric vehicles, as well as motorcycles, cycles and adaptive cycles.

13.33 The guidance provides provision standards for town centre, edge of centre, suburban and rural developments, which are intended to be a starting point in considering the provision required. This no longer sets maximum levels of parking provision, which have proven problematic previously in increasing pressure for on-street parking in edge of centre and suburban developments. A pragmatic approach is therefore encouraged that is also informed by site-specific considerations.

13.34 The Local Plan has sought to respond to the challenges of climate change, as well as the need to optimise the density of development in locations that are well served by public transport provision. This may result in some residential and employment developments requiring less parking provision, where this is centrally located with easy access to frequent rail and bus services, for example in Tonbridge town centre.

Policy INF3: Parking

1 All new developments will be required to consider and provide adequate and well-integrated parking for all types of vehicles, taking account of KCC's Parking Standards (2025) for these or any subsequent replacement guidance. This guidance is the starting point for engagement with the Local Planning and Highway Authority on parking and layout matters relating to new developments and early engagement on the quantity and design of parking is encouraged.

2 In considering new parking provision for all types of vehicles, the applicant shall consider local circumstances including:

a Reasonable demand that will derive from the development including visitor use / parking requirements;

b The proximity, accessibility and availability of public transport;

c How to encourage travel by sustainable modes of transport;

d Levels of car ownership;

e Existing parking controls;

f Local travel patterns;

g The safe operation of the public highway; and

h access to and from the residential development.

3 For residential developments, the consideration of the amount, location, layout and design of parking will be required to be considered at an early stage and as an integral part in the design of the development. It will be important to ensure that parking provision is appropriate to the development including:

a How the parking spaces / infrastructure will be used in practice,

b Ensuring that parking provision does not detract from the public realm; and

c Ensuring that parking is as secure as possible to encourage use.

4 For non-residential uses, parking should be considered on a 'first principles' approach taking into account predicted parking requirements and local circumstances. Applicants will be required to demonstrate that demand for parking (including staff) is either met on-site or mitigated and managed as appropriate.

5 New developments should also provide an appropriate level of disabled parking, parking for mobility aids, parking for adaptive bicycles and provision of electric vehicle and bike charging, with appropriate signage, which takes into consideration Kent County Council guidance. Parking and storage for bicycles, e-bicycles and motorcycles should also be provided in accordance with the guidance.

6 Transport assessments and Travel Plans will be required to support and justify proposed parking arrangements including their effective operation. Where the proposed supply of parking deviates significantly from the Kent County Council recommended standard, a detailed justification will be required to be submitted with the planning application.





Reasoned Justification

13.35 There are few issues that can anger residents and others more than the inadequacies of parking provision. The implications of having badly designed or too little provision can have serious effects on highway safety because of unintended levels of on street parking, while over provision can result in poor design, wasted space and apparent encouragement to use cars in preference to walking, cycling and public transport.

13.36 Parking problems can also manifest themselves in pavement parking, obstruction of driveways and accesses, hindrance to larger vehicles, damage to soft landscaping and footways, and cluttered, unsightly streets. Such outcomes can lead to tension between neighbours, affect people's perceptions about highway safety and reduce the likelihood of children using streets for play. Otherwise, well-designed neighbourhoods can be compromised in terms of their appearance and enjoyment by ill-considered approaches to the provision of parking for residents and visitors.

13.37 Parking is therefore a key issue for all new developments, getting it right is not just about minimising conflict it is also about ensuring the quality of life for occupants, and good management of the public realm. It is important that adequate parking provision for all is provided which takes account of the KCC guidance. Access to alternative sustainable modes of transport should inform the level of car parking provision that is provided for both residential and non-residential development.

Policy Implementation

13.38 The KCC standards are intended to be flexible and a starting point for dialogue with the Local Planning and Highway Authorities. KCC recognise that travel patterns, car ownership and transport technologies are evolving. As such, parking design will need to be flexible in the face of technology-driven changes to the way we use vehicles, and therefore it is expected that their guidance will be updated in the future as innovation that impacts the way we travel requires.

13.39 Parking must be provided at a level that is appropriate for the size, type and location of development it is to support, and should consider future demand for plug-in hybrid and electric vehicle charging as well as other assisted modes such as e-bicycles.

13.40 Developers must have a realistic expectation of the impact that modal shift will have on the level of parking, as informed by relevant Local Plan transport and other evidence. Insufficient vehicular parking or reliance on unallocated or visitor spaces, can lead to unforeseen parking stress. Where this impacts local roads due to increased on-street parking, this can hinder the flow of traffic and access for service and emergency vehicles, subsequently requiring retrofitted restrictions, and must be avoided.





Community Facilities

13.41 The NPPF requires planning policies and decisions to ensure that new development can be integrated effectively with existing businesses and community facilities, these may be privately or publicly owned. The council recognises that community facilities play an essential role in sustaining the long-term health and well-being of local communities. The ability to access local services that are in close proximity to where people live, has a significant relationship with well-being and a positive quality of life.

13.42 There are a range of community facilities across the borough including community centres and village halls, local shops, places of worship, education facilities, healthcare facilities, libraries, public houses and cultural venues. These facilities are used for a wide range of social, educational, spiritual, recreational, leisure and cultural purposes, and are valued by those who use them. The use of local facilities for a broad range of activities is key to strengthening community cohesion and social interaction.

13.43 The council wishes to ensure that existing facilities are sustained, that new facilities are provided where these are required, and that all are protected against future loss. The council will support the diversification of local business to fulfil a wider range of local services for the community they serve, particularly where this will improve the long-term sustainability and viability of these premises. For example, the role of long-term vacant public house could be adapted by introducing a range of other valued services, such as a post office/banking hub, convenience store or dentist.

13.44 The council will also support proposals that seek to enhance the range of local services, particularly in rural settlements and within strategic residential site allocations, subject to them satisfactorily meeting all other relevant policies within the Local Plan. Development proposals for new community facilities should create flexible and adaptable premises, that, if required, can be used for a range of different purposes, such as meeting places, drop-in services and private hire. This will ensure that buildings can maximise their usage and role in serving the local community, securing their long-term future.

13.45 The council will protect buildings and premises that provide services that benefit the local community both socially and economically, resisting the loss of these where it is demonstrated that they are valued by the community they serve, and the relevant criteria of Policy INF4 are not met.

Policy INF4: Community Facilities

1 The council will encourage the retention, extension and provision of new community facilities, particularly in areas where there are poor levels of provision and where community facilities are required to meet identified needs arising from new development. Improvements to existing facilities should ensure that quality standards and service provision remain or are enhanced to ensure that all residents have access to facilities to meet their needs.

2 New or enhanced community facilities will be delivered via on-site measures and / or through off-site financial contributions, secured through planning obligations.

New and additional facilities

3 Proposals for new or improved community facilities will be supported, where the below criteria are met:

a Provision is within, adjoining or physically near to a built-up settlement boundary, unless it can be demonstrated that the proposed location is the only suitable option, is well-related to the community it will serve and will ensure that the character of the area is not harmed;

b Accessible to the majority of the community it serves by walking or wheeling;

c Designed, where possible, for flexible use and facility sharing to encourage a range of uses and activities and to ensure adaptability if demand for the facility changes;

d Designed to ensure all potential users can access the facility and include accessible public toilet facilities for childcare and for those with a disability; and

e Be designed in a way that will reduce the potential for crime and anti-social behaviour.

Loss of existing facilities

4 Development proposals that will result in the loss or partial loss of a community facility will not be permitted unless it is demonstrated that:

a The activities provided by the facility are adequately served by an existing or new accessible facility within the community at an alternative location. Where a new facility is proposed this should be of equal or higher value than the lost facility;

b The facility is no longer required by the community or is no longer feasible, financially viable or operational reasons for closing or moving the facility can be demonstrated;

c The facility has been vacant for 12 months and it can be demonstrated via an active market campaign that there is no current or alternative use demand for the facility; and

d The partial loss will contribute to the continuation of the existing community use (should the existing use require less floorspace) and it can be demonstrated that the existing use would otherwise be unviable but can be retained by cross-subsidy.

5 Proposals that would result in the loss of features associated with a community facility, that are likely to undermine a sites viability, such as but not limited to car parking or function rooms, will be refused planning permission unless the impact can be sufficiently mitigated and there are clearly justified circumstances for such a proposal to proceed.



Reasoned Justification

13.46 Community facilities play a vital role in supporting the health, wellbeing, and cohesion of local communities. They provide essential services and spaces for social interaction, education, recreation, and support. The retention and enhancement of such facilities is particularly important in areas with poor provision or where new development generates additional demand.

13.47 This Policy seeks to ensure that community facilities are protected and enhanced, and that new facilities are delivered in accessible and appropriate locations. It supports flexible, inclusive, and safe design to meet the diverse needs of users and to adapt to changing community requirements over time. The policy also sets out clear criteria for the loss of existing facilities, ensuring that any such proposals are robustly justified and do not undermine community infrastructure.

Policy Implementation

13.48 Planning applications will be assessed against the criteria set out in the Policy to ensure proposals for new or improved facilities meet location, accessibility, and design requirements. Proposals should promote flexible use, inclusivity, and safety, including features such as accessible toilets and crime prevention measures

13.49 At an early stage in the planning application process applicants should consider local needs assessments for community facilities, infrastructure delivery plans, and community engagement (as relevant) to identify gaps in provision and to help inform the design and type of community facility.

13.50 Applicants proposing the loss of a facility must demonstrate that it is no longer viable or needed, including evidence of active marketing over a minimum period of 12 months. Independent reviews may be commissioned at the applicant's expense.





Open Space and Sports and Recreation

13.51 The provision of accessible, high-quality and well-maintained open spaces, sports and recreational facilities is important to support people in living active and healthy lifestyles and in providing opportunities for people of all abilities and ages to participate in sport and recreation. They also contribute to positive social, economic and environmental benefits, improving public health, well-being and quality of life. In addition, outdoor recreational space can also contribute to the public realm as well as providing other functions associated with green infrastructure also.

13.52 To understand both the current and likely future position in relation to the need for open space, sports and recreation provision a number of studies have been progressed. This includes:

- Open Space Study (2025) identifies those areas in the borough that have an open space deficiency in relation to the differing types of open space. These deficiencies are identified in terms of quantity, quality and accessibility.
- The Playing Pitch and Outdoor Sports Strategy (2025) presents a supply and demand assessment of all formal playing pitch and outdoor sport facilities across the borough.
- The Indoor Sports Facilities Strategy (2025) presents a supply and demand assessment for indoor sports facilities across the borough.

13.53 On a general basis, the evidence identifies a need to protect provision, improve the quality of existing provision, improve the maintenance of provision, and provide additional provision to support future development.

13.54 The facilities covered by this Policy include:

- Parks and Gardens - including country parks, parks and formal gardens;
- Natural and Semi-Natural Greenspaces - including heathland and nature reserves, woodland, wetlands, water courses, ponds and unimproved grassland;
- Amenity Greenspaces – including informal recreational open space, green space in residential development, village greens, other incidental landscaped areas and private greenspace that has visual or other value, even if no physical public access is possible;
- Play Areas for Children and Young People - including equipped play facilities, wheeled sports facilities (e.g. Skatepark), ball courts, meeting places and shelters;
- Outdoor Sports Facilities – including sports pitches & Tennis courts, bowing greens and athletics tracks, school playing fields (where there are local agreements for community use or where the field is crossed by a public right of way);

- Indoor Sports Facilities – including multi-use sports halls, competition and leisure swimming pools, health and fitness facilities, squash courts, indoor tennis facilities and indoor bowls facilities;
- Allotments – including allotments, community gardens and city farms; and
- Cemeteries and churchyards – including public cemeteries, burial grounds, churchyards and crematoria grounds.



Policy INF5: Outdoor and Indoor Sports, Recreation and Open Space Provision

1 The council will protect existing and support the provision of new and enhanced high quality open space, sports, and recreation provision to ensure that residents and visitors can enjoy the benefits that such facilities bring including contributing to health and wellbeing.

The provision of new or enhanced open space provision

2 Residential developments of 6 or more dwellings (use classes C3 and C4) will be required to provide or contribute towards the provision or improvement of open space, sports and recreation facilities in accordance with Annexe 4.

3 High quality on-site provision should be sought as per Annexe 4 unless exceptional circumstances exist where off-site provision would better provide for the community, there is already excess provision or where site constraints cannot be overcome to deliver on-site provision.

4 The type(s) of open space, sports and recreation provision to be provided will be discussed with the applicant at the pre-application stage taking into account the most up-to-date published Open Space Study, Annexe 4 and other information as relevant, that provides a qualitive and quantitative assessment of open space requirements. An early consideration of open space requirements and designing high quality provision into the scheme from the outset will be required.

5 Where provision is negotiated off-site, contributions will be sought to provide or improve open space within the ward or nearby ward to which the development is located, to ensure provision is locally specific, with contributions secured through a S106 legal agreement.

Sports provision (including indoor facilities, playing pitches and ancillary facilities

6 Proposals for sports provision will be supported where they meet the needs of the local community and/or unmet need within the borough. The requirement for new or enhanced sports provision will be informed by the Playing Pitch and Outdoor Sports Facility Strategy (2025) and the Indoor Sports facilities Study (2025) (or any subsequent updates to these) and any further information in relation to the distance and capacity of existing facilities. The Sport England Sports Facility Calculator and Playing Pitch Calculator will also be used by the council to help determine whether a development will be required to provide new provision or contribute to existing provision.

7 Residential development of 6 or more dwellings (use classes C3 and C4) will be required to contribute to the provision or enhancement of sports provision (in addition to open space and recreation provision) to meet the needs and demand of its future occupants. Where shortfalls are identified but do not require the provision of new facilities or provision on site, the council will seek developer contributions for the enhancement and maintenance of existing sports provision secured through a S106 legal agreement.

8 The scale of development and the site-specific context will inform whether provision should be made on site or through contributions towards existing sites. New provision will need to include appropriate ancillary facilities and parking.

9 Sports provision will be supported where it will facilitate community access including sports provision within schools, secured with a community use agreement.

10 In accordance with other policies in this plan, the provision and design of new open space, sports and recreation provision will be expected to provide safe and accessible facilities, be sustainably located, include opportunities for habitat creation and sustainable urban drainage, and consider use of lighting including LED heads and switching gear.

11 Publicly accessible open space, sport and recreation facilities once provided, need to be maintained to a good standard. As such a clear management plan and operational arrangements that will sustain the provision in perpetuity, need to be identified and agreed with the council. Contributions towards maintenance will be secured by S106 legal agreement.





Reasoned Justification

13.55 As the borough continues to grow, it is essential that new development contributes to the creation and enhancement of accessible and inclusive recreational spaces. Residential developments, particularly those comprising six or more dwellings, generate additional demand for such facilities. Without appropriate planning and investment, this can lead to increased pressure on existing infrastructure and a decline in service quality.

13.56 5.5 This policy ensures that new development responds to both the quantitative and qualitative needs identified in the council's evidence base, including the Open Space Study, the Playing Pitch and Outdoor Sports Facility Strategy (2025), and the Indoor Sports Facilities Study (2025). These documents provide a robust framework for assessing local provision and identifying gaps in accessibility, capacity, and quality.

13.57 The Policy also recognises the importance of flexibility in delivery. While on-site provision is generally preferred to ensure direct access for new residents, off-site contributions may be appropriate where they offer greater community benefit, where existing provision is sufficient, or where site constraints limit feasibility. In all cases, contributions will be secured through legal agreements to ensure transparency and long-term stewardship.

13.58 Furthermore, the Policy promotes inclusive access to sports facilities, including those located within educational settings, through community use agreements. It also supports sustainable design principles, encouraging biodiversity, sustainable drainage, and energy-efficient infrastructure.

13.59 By securing appropriate provision and long-term management arrangements, this Policy aims to ensure that open space, sports, and recreation facilities remain fit for purpose, resilient, and beneficial to the community in perpetuity.

Policy Implementation

13.62 This Policy will be applied to all residential developments of 6 or more dwellings (use classes C3 and C4). This includes both market and affordable housing, older persons housing (where occupants are active) and permanent mobile homes). This threshold reflects the scale at which new development begins to generate meaningful demand for such infrastructure.

13.63 The type and scale of provision required will be determined through reference to the most up-to-date evidence base including those studies mentioned above as well as Sport England's Sports Facility Calculator and Playing Pitch Calculator. Details relating to thresholds and standards taken from the council's open space, sports and recreation evidence base are provided in Annex 4. Annex 4 sets out the standards for on-site provision for open space including amenity green space, natural green space and parks. It also sets out calculations for the provision of equipped children's play provision and allotments / community gardens.

13.64 Applicants will be expected to engage with the council at the pre-application stage to discuss open space, sports and recreation provision requirements. Early consideration will ensure that provision is integrated into the design of the development and reflects local needs.

On-site vs off-site provision

13.60 High-quality on-site provision will be sought in accordance with Appendix X. Off-site contributions may be considered where:

- On-site provision is not feasible due to site constraints;
- Off-site provision would better serve the community;
- There is demonstrable surplus provision in the locality.

13.61 Off-site contributions must be locally specific and will be secured via Section 106 legal agreements.

Securing Open Space, Sports and Recreation Facilities

13.65 Both on and off-site contributions will be secured through either planning conditions and / or S106 planning obligations at a level that is proportionate to the proposed development. Where a development is for 100% affordable housing and qualifies for a regulation 49 exemption (Community Infrastructure Levy Regulations 2010 (as amended), financial contributions where required for off-site provision and / or maintenance contributions, will be secured via S106 agreement.

13.66 In relation to indoor and outdoor sports provision, the council will use the Sport England Indoor Sports Facility Calculator and/or the Playing Pitch Calculator to help determine requirements for financial contributions. This will be used alongside other relevant information as relevant to determine financial contributions for both the provision and long-term maintenance of sports facilities.

13.67 Where sports facilities are required to be delivered on site, Sport England provide comprehensive guidance on the design, cost and delivery of recreational and sports facilities, which applicants should refer to in relation to designing on-site facilities. The guidance sets out the minimum standards developers should aim for to deliver best practice solutions.

Maintenance Contributions

13.68 There will be a requirement for developers to demonstrate that where on-site provision is to be provided, it will be well managed in the future. Options for the ongoing maintenance of new on-site facilities may include:

- The developer being responsible for maintenance of the asset(s) or facility for an initial agreed defined period or as part of an estate management structure.
- Sums to cover the maintenance costs of the asset(s) or facility once transferred to an agreed body, intended to cover an agreed defined period.



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14 DEVELOPMENT ALLOCATIONS

Introduction

14.1 This Chapter sets out the proposed site allocations for housing and employment development across Tonbridge and Malling Borough to meet identified needs over the plan period to 2042.

14.2 These allocations are a key component of the spatial strategy and have been selected following a robust assessment of their suitability, availability, and deliverability, in line with national planning policy and guidance.

14.3 The identification of a site within this Regulation 18 Local Plan does not confer automatic planning consent. All proposals will be subject to the usual planning application process and must demonstrate compliance with the policies of the development plan when read as a whole, alongside other relevant guidance. Early engagement with the council and stakeholders is strongly encouraged to ensure that proposals are well-informed and policy-compliant.

14.4 Proposed site allocations have been informed by a range of evidence including the Strategic Housing and Employment Land Availability Assessment (SHELAA), infrastructure capacity studies, sustainability appraisal, and public consultation responses. The council has sought to allocate land to meet the Government's housing need in a way that supports sustainable patterns of growth, protects the borough's environmental assets, and contributes positively to local character and community wellbeing.

14.5 Should the council receive evidence during the Regulation 18 consultation on the Draft Local Plan which identifies that a site should be amended or not included in the emerging Local Plan, then these changes can be made ahead of Regulation 19. However, in order to meet the Government housing target, the proposed number of units would have to be identified elsewhere.

14.6 The council will work with site promoters to ensure that development meets the strategic aims and objectives of the emerging Local Plan. Between Regulation 18 and Regulation 19 stages, the council will also progress detailed allocation policies to ensure that such development is managed and coordinated within each location. This will involve working with infrastructure providers and other stakeholders.

14.7 The below general requirements are covered by policies within this plan and the detail of these policies should be referred to, with the Plan considered as a whole. The below is provided as a summary of matters covering areas such as climate change mitigation, design quality, infrastructure provision, and biodiversity enhancement. The summary is intended to ensure that development contributes to the creation of high-quality places.

Climate Change

- Development proposals, as relevant to their nature and scale, will need to demonstrate that a proactive and best practice approach has been taken to mitigate climate change, contribute towards reducing greenhouse gas emissions and the transition to net zero and also maximise the use of measures to adapt to climate change.
- Development should look to deliver low carbon development maximising opportunities such as renewable energy, low carbon energy generation and storage, active travel and green infrastructure, ensuring that development supports a circular economy including the re-use of building materials, working towards a goal of net zero waste to landfill.
- Development should look to reduce the amount of energy used in the construction and use of buildings and improve energy efficiency in accordance with the energy hierarchy contained within this Plan.
- Developments will be required to adopt a fabric first approach. Developments must, as a minimum, be designed and constructed to be carbon ready by design, including new residential dwellings to be built to a minimum 3-star standard or above of the Home Quality Mark, and new non-residential/commercial buildings to meet the BREEAM Very Good rating or higher.
- All new residential development must be designed and built to achieve a maximum water use of 110 litres per person per day or the highest water efficiency standard that applies at the time of the planning application. All proposals for non-residential development should maximise water efficiencies under the mandatory water credits category in the BREEAM Water Consumption assessment methodology.
- Major development proposals will be required to be accompanied at the planning application stage with an energy and climate change statement which demonstrates how climate change principles have been considered and included in the development, where applicable. For all major developments, a circular economy statement shall be submitted and / or included as part of the energy and climate change statement, as well as a Whole Lifecycle Carbon assessment.

See also
Chapter 6 Climate Change and Policies:
CC1 Strategic Climate Change
CC3 Sustainable Design and Construction
CC4 Energy and Heating
CC6 Water Efficiency

Design (including Masterplans)

- Development proposals must provide evidence, through their Design and Access Statements, to demonstrate how they have responded positively to the design policies in the local plan and local guidance, including The Kent Design Guide, Character Appraisals and where relevant, conservation Area Appraisals and Statements.
- Major applications will be expected to demonstrate early, proactive and effective engagement with the community on design issues, where appropriate and as advised via any pre-application discussions.
- The council will require the submission of a masterplan for all sites of 100 or more dwellings, or sites for significant non-residential development (such as large-scale employment or mixed uses), submitted in either full or outline. For proposals of less than 100 dwellings, the submission of a masterplan is recommended.
- Design Codes will be developed for large key sites as identified in the spatial strategy and on the Proposals Map. On large scale strategic sites of 500 or more dwellings the council will require Design Codes (in addition to masterplans). Design Codes are encouraged for developments of 100 or more dwellings or in relation to specific development types.

See also
Chapter 9 Design and Policies:
D1 Achieving High Quality Design
D2 Design Codes and Masterplans

Historic Environment and Heritage Assets

- All development proposals should consider the impact on the historic environment including designated heritage assets such as listed buildings, conservation areas, scheduled monuments and registered historic parks and gardens, as well as non-designated heritage assets and their setting. This should be considered early on as part of the scheme's design and new development should avoid harm to designated/non-designated heritage assets.
- Any development affecting a heritage asset (both designated and non-designated) should include a Heritage Statement as part of the planning application that should establish the significance of those heritage assets and their settings, explain how this understanding of significance has informed the principles of the proposal, the impact of development on this significance and, if appropriate, mitigation measures.
- Development proposals on sites where there is, or is the potential for, an archaeological asset, shall include an appropriate desk-based assessment of the asset.

See also
Chapter 8 Historic Environment and Policies:
HE1 The Historic Environment
HE3 Conservation Areas
HE5 Archaeology

Landscape, Biodiversity and Green/Blue Infrastructure

- Development is expected to contribute to the conservation and enhancement of the natural environment by protecting and enhancing valued landscapes, sites of biodiversity or geodiversity value and soils, recognising the intrinsic character and beauty of the countryside, minimising impacts on and delivering net gains in biodiversity, and preventing new and existing development from contributing to, or being adversely affected by unacceptable levels of pollution.
- Proposals should adopt a landscape led approach and must protect and enhance the intrinsic character and quality of the landscape character area, within which development will be situated.
- Within the National Landscape, proposals will be required to submit appropriate information as part of an application to enable any impacts to be considered, taking into account the relevant Management Plan, landscape character or sensitivity assessments and any associated supporting documents and/or guidance.
- All relevant new developments are required to provide a minimum of 10% biodiversity net gain and submit a Biodiversity Gain Plan. Biodiversity net gain must be calculated using the relevant Statutory biodiversity metric and be secured for a minimum of 30 years after the development is completed.
- New development proposals must ensure that the loss of existing new green and blue infrastructure is avoided, and that new green and blue infrastructure is considered and integrated into the scheme design from the outset. The loss of existing wildlife rich corridors and stepping stones, should be avoided. Planning applications will be expected to be supported by relevant environmental information, which is informed by appropriate and up-to-date ecological data/ surveys.
- In the case of Land North of Holborough Lakes, Snodland (SN1), the Habitats Regulations Assessment (HRA) recommends that this site should take the opportunity to deliver a large area of semi-natural publicly accessible open space as part of the development, in order to mitigate for any potential adverse effects from potential recreational pressure on site integrity on the North Downs Woodland Special Area of Conservation (SAC), which lies approximately 600m to the west. Land has been identified within this allocation to deliver this.

See also
Chapter 7 Natural Environment and Policies:

NE1 Conserving and Enhancing the Natural Environment
NE2 National Landscapes
NE3 Landscape Character
NE5 Biodiversity Net Gain
NE6 Green and Blue Infrastructure

Flood Risk, Drainage and Water Management

- New development proposed in an area identified as being at current or future risk of any source of flooding must meet the sequential tests and where required, the exceptions test (as set out in the NPPF). Development proposals must be accompanied by a site-specific Flood Risk Assessment.
- All development proposals which could affect drainage on or around the site will be required to manage surface water resulting from the development using sustainable drainage systems (SuDS). All sustainable drainage systems shall be designed to operate without any flooding occurring during any rainfall event up to (and including) the critical 1 in 30 year storm (3.33% Annual Exceedance Probability (AEP).
- The system must also be able to accommodate the rainfall generated by events of varying durations and intensities up to (and including) the critical, climate change adjusted 1 in 100 year storm (1% AEP).

See also
Chapter 6 Climate Change and Policies:

CC7 Managing Development within Flood Risk Areas

CC8 Sustainable Drainage Systems

Open Space, Sports and Recreation

- Residential developments of 6 or more dwellings (use classes C3 and C4) will be required to provide or contribute towards the provision or improvement of open space, sports and recreation facilities. High quality on-site provision should be sought unless exceptional circumstances exist where off-site provision would better provide for the community, there is already excess provision or where site constraints cannot be overcome to deliver on-site provision.
- Residential development of 6 or more dwellings (use classes C3 and C4) will be required to contribute to the provision or enhancement of sports provision (in addition to open space and recreation provision) to meet the needs and demand of its future occupants. Where shortfalls are identified but do not require the provision of new facilities or provision on site, the council will seek developer contributions for the enhancement and maintenance of existing sports provision secured through a S106 legal agreement.
- The requirement for new or enhanced sports provision will be informed by the Playing Pitch and Outdoor Sports Facility Strategy (2025) and the Indoor Sports facilities Study (2025) (or any subsequent updates to these) and any further information in relation to the distance and capacity of existing facilities.

See also

Chapter 13 Infrastructure and Policy:

INF5 Outdoor and Indoor sports, recreation and open space provision

Access and Highways

- A Transport Assessment or Transport Statement and Sustainable Travel Plan, as relevant to the scale and nature of the development should be submitted with all applications (in line with Kent County Council guidance). Where assessments are required, they must cover the full extent of transport implications arising from the development.
- All new developments will be required to consider and provide adequate and well-integrated parking for all types of vehicles, taking account of KCC's Parking Standards (2025) for these or any subsequent replacement guidance.

See also
Chapter 13 Infrastructure and Policies:

INF2 Sustainable Transport and Active Travel

INF3 Parking

Utilities

- For all proposed site allocations, it is expected that the applicant will liaise with water, wastewater, gas and electricity providers to ensure that appropriate works are undertaken in line with the construction phasing of the proposed development.
- Applicants must work with commercial providers at an early stage to deliver broadband and mobile connectivity within their housing and employment developments, ensuring high speed connections and sufficient mobile telecommunications coverage are available.
- New or improved infrastructure and services will be delivered either on-site by developers or off-site through S106 or S278 agreements. Planning obligations will be linked to development phasing or trigger points to ensure delivery occurs when required.

See also
Chapter 13 Infrastructure and Policy:

INF1 Provision of Infrastructure and Services

Contaminated Land

- Development proposals located on or near sites which have previously been used for activities which pose a risk of land contamination shall be informed by a contaminated land desktop study identifying all previous site uses, potential contaminations associated with those uses

See also
Chapter 7 Natural Environment and Policy:

NE11 Ground Contamination

Housing Site Requirements

- Proposals for all housing schemes will be expected to provide for a mix of dwelling types, tenures, and sizes as well as provide a range and mix of housing formats to meet both national and local policy requirements and to meet local housing needs, as evidenced in the latest Strategic Housing Market Assessment and / or other relevant evidence that is provided to justify the mix of homes required during the plan period.
- On sites of 10 units or more, development will be expected to meet the housing tenure mix set out in Policy H1.
- Development proposals which include a residential element (including C2 and permanent residential caravan sites) will be required to deliver 40% affordable housing on site where proposals are for 10 or more (net) units, or proposals for 6 or more units within a National Landscape and / or where sites provide 0.5 hectares or more of developable area. Relevant proposals must include an Affordable Housing Statement that sets out how it meets policy requirements.
- Developments will be required to deliver a mix of affordable housing tenures. This should include a tenure mix of 50% social rent, 30% affordable rent and 20% intermediate accommodation.
- Large sites will, subject to viability, be required to deliver at least 5% specialist accommodation as C3 and schemes for 20 dwellings or more will be required to deliver 5% specialist dwellings as either C3 or C2.
- All new dwellings (in all tenures) will be required to meet the accessibility standards set out in part M4(2) of the Building Regulations, subject to site suitability. On schemes of 20 or more, developments will be required to meet M4(3) standards for 5% of the dwellings proposed in the market sector and 10% of all affordable housing provision.
- All new residential development, including dwellings created through the subdivision of existing dwellings or conversion, shall comply with Nationally Described Space Standards, or any subsequent government standard.

See also
Chapter 10 Housing and Policies:

H1 Housing to Address Needs

H2 Affordable Housing

H6 Specialist Housing to Meet the Needs of Older and Vulnerable People

H7 Accessible and Adaptable Homes

Employment Site Requirements

- Economic development proposals will be supported where they contribute towards the delivery of a prosperous, inclusive and sustainable economic future in the borough.
- Existing B2, B8 and E(g) employment sites, premises and floorspace will be protected against loss to non-employment uses, which are not situated within sites identified in policy E2.
- Proposals for 1,000 sqm of commercial or community use floorspace or for residential developments of 20 units or more will be required to submit an Employment and Skills Training Plan to demonstrate how the proposal will contribute to employing, educating and training local people. The Employment and Skills Training Plan will need to consider both the construction and operation phase of the development (as appropriate).

Delivery

Paragaph 72 of the NPPF states that local planning authorities should have planning policies that identify a supply of:

- specific, deliverable sites for five years following the intended date of adoption; and
- specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period.

The council will progress work on its housing trajectory and will publish this at the Regulation 19 stage once further work has been undertaken.

See also
Chapter 11 Economy and Town Centres and Policies:

E1 Supporting a Prosperous, Inclusive and Sustainable Economic Future

E3 Other Employment Sites, Premises and Floorspace

E4 Employment and Skills

Policy A1: Housing and Employment Allocations

To meet the identified need for new housing and employment land to 2042, the following sites, as defined on the Policies Map, are proposed for allocation. All housing and employment site allocations must be delivered in accordance with the development plan when read as a whole.

Housing Sites

Reference	Site	Parish	Settlement	Yield (Net dwellings)	Component LAA sites
EC1	Land Opposite Hale House, Pilgrims Way, Aylesford	Aylesford	Eccles	40	59702
AY1	Land at Aylesford Lakes, Aylesford	Aylesford	Eccles, Aylesford Village	800	59676, 59675, 59763, 59678
AY2	Land south of High Street, Aylesford	Aylesford	Aylesford Village	33	58499, 59674
AY3	North of Pratling Street, Aylesford	Aylesford	Aylesford Village	90	68428
AY4	Land east of 4 Pratling Street and south of Pratling Street, Aylesford	Aylesford	Aylesford Village	40	68406
MG1	Land off Hall Road, Royal British Legion Industries, Aylesford	Aylesford	Medway Gap	75	59781
MG2	Existing premises at Heart of Kent Hospice, Preston Hall, Aylesford	Aylesford	Medway Gap	10	68351
MG3	Land at Bunyards, Beaver Road, Allington, Maidstone	Aylesford	Medway Gap	435	59852
MG4	Land east of Kiln Barn Road and west of Hermitage Lane, Aylesford	Aylesford	Medway Gap	1,300	59861
BG1	Land north of Borough Green, Sevenoaks	Borough Green	Borough Green	3,000	59830, 59732

Housing Sites

Reference	Site	Parish	Settlement	Yield (Net dwellings)	Component LAA sites
BG2	Land south and west of Tillmans Off, Crouch Lane, Sevenoaks	Borough Green	Borough Green	50	59843
MG8	Winterfield Farm, East Malling	East Malling & Larkfield	Medway Gap	25	58538
EM1	Paris Farm, Rocks Road, East Malling	East Malling & Larkfield	East Malling & Mill Street	105	58576
KH1	Land at Broadwater Farm, Kings Hill, West Malling	East Malling & Larkfield, Kings Hill	Kings Hill	900	59740, 59634
MG5	Existing premises at 56 to 62 Martins Square, Larkfield	East Malling & Larkfield	Medway Gap	16	59953
MG6	Land adjacent to Larkfield Library	East Malling & Larkfield	Medway Gap	30	58550
HS1	Land west of Hale Street, East Peckham, Tonbridge	East Peckham	Hale Street	140	59782
EP1	Land west of Addlestead Road, East Peckham, Tonbridge	East Peckham	East Peckham	50	59613
EP2	Land south of Church Lane, Hale Street	East Peckham	East Peckham, Hale Street	396	58751, 59789, 68376
HA1	Land north of The Paddock and East of Carpenters Lane, Tonbridge	Hadlow	Hadlow	120	59776

Policy A1: Housing and Employment Allocations continued

Housing Sites

Reference	Site	Parish	Settlement	Yield (Net dwellings)	Component LAA sites
HA2	Land south of Common Road, Hadlow	Hadlow	Hadlow	101	59842
HA3	Land north of Court Lane, Hadlow	Hadlow	Hadlow	65	59647, 68365
HA4	Court Lane Nurseries, Court Lane, Hadlow, Tonbridge	Hadlow	Hadlow	85	68449
TO3	Hilden Farm Road, Tonbridge	Hildenborough	Tonbridge and Hilden Park	30	59745
TO4	Land north west of Hilden Park, Tonbridge	Hildenborough	Tonbridge and Hilden Park	289	68401, 59893
HI1	East of Riding Lane, Hildenborough	Hildenborough	Hildenborough	77	59896
HI2	Land off Stocks Green Road, Hildenborough	Hildenborough	Tonbridge and Hilden Park	629	59653, 59615, 59692, 68432
IG1	Land Known as Churchfields Farm and Coney Field, Fen Pond Road, Ightham	Ightham	Ightham	8	59871
IG2	Land south of Bramleys, Rectory Lane, Ightham, Sevenoaks	Ightham	Ightham	10	59770
KH3	Existing premises at 1 Tower View, Kings Hill, West Malling	Kings Hill	Kings Hill	60	68437
KH4	Existing premises at 42 Kings Hill Avenue, Kings Hill	Kings Hill	Kings Hill	55	68448

Housing Sites

Reference	Site	Parish	Settlement	Yield (Net dwellings)	Component LAA sites
KH5	Existing premises at 11 Tower View, Kings Hill, West Malling	Kings Hill	Kings Hill	70	68450
KH6	Existing premises at 32 Tower View, Kings Hill, West Malling	Kings Hill	Kings Hill	60	68443
KH7	Existing premises at 34 Tower View, Kings Hill, West Malling	Kings Hill	Kings Hill	45	68447
MG7	Land between Ashton Way and London Road, Leybourne, West Malling	Leybourne	Medway Gap	70	59844, 59756
PL1	Rear of Platt Mill Close, Platt	Platt	Platt	10	58613
PL2	Land south of Potash Lane and north of Paddock Orchard, Platt	Platt	Platt	5	59617
RY1	Holmes Paddock, Ryarsh	Ryarsh	Ryarsh	20	58665
SN1	Land north of Holborough Lakes, Snodland	Snodland	Snodland	1,300	68423
TO1	Land north east of Tonbridge	Tonbridge	Tonbridge and Hilden Park	1,671	59721, 59693, 59685, 68388, 59690
TO2	Coblands Nursery and Little Trench Farm, Trench Road, Tonbridge	Tonbridge	Tonbridge and Hilden Park	294	59746, 59625

Policy A1: Housing and Employment Allocations

Housing Sites

Reference	Site	Parish	Settlement	Yield (Net dwellings)	Component LAA sites
TO5	Land at south west Tonbridge	Tonbridge	Tonbridge and Hilden Park	423	68456, 59893
TO6	Land adjacent to Vauxhall Gardens and The Vauxhall Inn, Vauxhall Lane, Tonbridge	Tonbridge	Tonbridge and Hilden Park	75	68419
TO7	Land north of Priory Road, south of the Railway, Tonbridge	Tonbridge	Tonbridge and Hilden Park	136	59878
TO8	Angel Centre, Tonbridge	Tonbridge	Tonbridge and Hilden Park	56	68472
TO9	Sovereign Way North, Tonbridge	Tonbridge	Tonbridge and Hilden Park	122	68471
TO10	The River Centre, Tonbridge	Tonbridge	Tonbridge and Hilden Park	118	58846
WA1	Land east of Red Hill, Wateringbury, Maidstone	Wateringbury	Wateringbury	30	59654
KH2	Land west of King Hill and Northwest of Ashton Way / Malling Road roundabout, West Malling	West Malling	Kings Hill	30	59603
WO1	Land at Wouldham Allotments and rear of Oldfield Drive, Wouldham, Rochester	Wouldham	Wouldham	40	68436
WR1	Land south of London Road and rear of Howlands Court, Wrotham, Sevenoaks	Wrotham	Wrotham	25	68372

Employment

Reference	Site	Parish	Settlement	Estimated Floorspace (sm)	Use Class	Component LAA Sites
E1	Celcon Works, Borough Green	Ightham	Borough Green	4,000	E(g(i))	58631
E2	East Malling Research Station, New Road, East Malling	Ditton	East Malling & Mill Street	45,080	E(g(i))	59856
E3	Land south of Hermitage Court, Hermitage Lane, Maidstone	Aylesford	Medway Gap	1,000	E(g(i))	59738
E4	Land east of Coldharbour Lane (Junction 5 of M20) and south of M20, Aylesford	Aylesford	Medway Gap	12,000	B2/B8	68444
E5	Land at Spider Hall, Bull Road, Leybourne, West Malling	Leybourne	Medway Gap	1,000	E(g(i))	59863
E6	Land East of Platt Industrial Estate, Platt	Platt	Platt	8,000	B2	59822
E7	Land west of Hays Road, Snodland	Snodland	Snodland	3,000	E(g(i))	59874
E8	Land at Sanderson Way and Little Postern, Tonbridge	Tonbridge	Tonbridge and Hilden Park	44,700/2,500	B2/B8	68358
E9	Land west of Rochester Airport, Rochester	Wouldham	Walderslade	14,000	B2	68412

Next steps

14.8 To ensure the successful delivery of the proposed development allocations, further work will be undertaken to help inform the next stage in the Local Plan process. This will include progressing further evidence and testing, further liaison with site promoters including developing masterplans and design codes (as relevant), infrastructure providers and key stakeholders. We will also need to consider any new sites should these be submitted as part of the Land Availability Assessment call for sites process. This further work will help to inform the spatial strategy and site allocations for the Regulation 19 Local Plan including detailed site allocation policies to ensure that such development is managed and coordinated within each location. This will involve working with infrastructure providers and other stakeholders.



15 GLOSSARY

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15 GLOSSARY

A

Active frontage:
Business or retail uses with windows and doors onto the street which create interest and activity.

Active Travel:
a mode of transportation achieved by human physical activity, such as walking and cycling.

Affordable housing:
housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a **Social Rent:** meets all of the following conditions:
   i the rent is set in accordance with the Government's rent policy for Social Rent;
   ii the landlord is a registered provider; and
   iii it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

b **Other affordable housing for rent:** meets all of the following conditions:
   i the rent is set in accordance with the Government's rent policy for Affordable Rent, or is at least 20% below local market rents (including service charges where applicable);
   ii the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and
   iii it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

c **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Air Quality Management Area (AQMA):
An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives.

Ancient or veteran tree:
A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Ancient Woodland:
An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).

Ancillary use:
Describes a secondary building or building use associated with the main use of a building or defined area of land

Annual Average Daily Traffic (AADT):
A measure of traffic levels that could be expected on a given day for transport assessment, monitoring and reporting

Areas of Outstanding Natural Beauty (AONB):
Now known as 'National Landscape'. See National Landscape definition.

Article 4 direction:
A direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 which withdraws permitted development rights granted by that Order.

Authority Monitoring Report (AMR):
an annual report prepared by a Local Planning Authority (LPA) to assess the implementation of its local planning policies and the progress of its Local Development Scheme (LDS).

B

Best and Most Versatile (BMV) Agricultural Land:
Land in grades 1, 2 and 3a of the Agricultural Land Classification

Biodiversity:
The number, abundance, variety and variability of different species (including organisms, animals and plants) living within a particular habitat and/or area.

Biodiversity Net Gain (BNG):
Am approach to development that leave biodiversity n a better state than before

Brownfield Land:
See Previously developed land

Build to Rent (BtR):
Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.

C

Carbon Storage:
The process of capturing and storing atmospheric carbon.

Circular economy:
A model of production and consumption, with the aim to minimise waste and extend the life cycle of resources through reuse, repair and recycling.

Climate change adaptation:
Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.

Climate change mitigation:
Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

Conservation Area:
A designated area given an increased level of protection due to its historic significance and/or character, as defined in the Planning (Listed Buildings and Conservation Areas) Act 1990

D

Degree of Saturation:
Degree of Saturation (DoS) modelling is a method used in traffic modelling to evaluate junction performance by comparing traffic demand to the junction's capacity. A higher DoS percentage indicates more congestion and a greater likelihood of queue formation, with values over 90-100% generally signalling an over-capacity situation. Traffic modelling software uses DoS to predict if a junction can handle the expected traffic volume, assess the impact of changes, and optimize signal timings to prevent or mitigate congestion.

Density:
Density refers to a measurement of the number of dwellings per hectare.

Design Code:
A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

Design Guide:
A document providing guidance on how development can be carried out in accordance with good design practice, often produced by a local authority.

Designated heritage asset:
A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

Development:
Defined under the 1990 Town and Country Planning Act as "the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land". Most forms of development require planning permission (see also "permitted development")

Dwelling (or dwellinghouse):
A self□contained building, or part of a building, in residential use and usually housing a single household

E

Ecological Networks:
Connected areas of natural habitat. The protection and creation of these is a key strategy for biodiversity conservation in response to climate change.

Ecosystem services:
Services provided by the natural environment which benefit human wellbeing and quality of life. For example: food, water, building materials, plants used for medicine, natural flood defences, pollination of plants.

English Housing Survey (EHS):
is a government survey that collects detailed data on the housing circumstances and conditions of homes in England, including the energy efficiency of housing stock.

F

Functional Economic Market Area (FEMA):
When planning for economic growth, the Government's Planning Practice Guidance (PPG) states that economic needs should be assessed in relation to relevant Functional Economic Market Areas (FEMAs), these are the spatial levels at which local economies and markets operate. In most cases, these will extend beyond administrative boundaries and are defined in economy evidence prepared to inform the Local Plan.

G

Greenfield:
Refers to land which has not been previously developed.

Green Infrastructure (GI):
A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

Green Belt:
A planning constraint that aims to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Grey belt:
For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

Green infrastructure (GI):
A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

Gypsy and traveller:
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 or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Gypsy and Traveller Accommodation Assessment (GTAA):
is a study to identify and provide a robust assessment of the current and future accommodation needs of Gypsy, Traveller, and Travelling Showpeople communities within their area. These assessments use various evidence and data, sometimes including local outreach, to estimate the number of pitches or plots required, which then informs the local planning policy to meet these housing need.

H

Habitats Regulation Assessment (HRA):
an assessment under the Habitats Regulations to test if a plan or project proposal could significantly harm the designated features of a European site. A European site is protected by the Conservation of Habitats and Species Regulations 2017 as amended (known as the Habitats Regulations).

Heritage asset:
A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Historic environment:
All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

House in Multiple Occupation (HMO):
a property rented out to three or more people from more than one household, sharing basic amenities like a kitchen or bathroom, or a building converted into non-self-contained flats. HMOs often require a licence from the local authority, particularly if they are "large HMOs" rented to five or more people.

Housing Market Areas (HMA):
is a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work

I

Infrastructure:
Facilities or services needed to which are needed to support developments including transport, flood defences, schools, hospitals and medical facilities, sporting and recreational facilities and open spaces.

Infrastructure Delivery Plan (IDP):
A formal document identifying the infrastructure needed to support the development proposed in the Local Plan.

Irreplaceable habitat:
Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.

J

Junction level of service (LOS):
In transport modelling this assesses how well a junction performs by calculating factors like vehicle delay, queues, and potential conflicts to quantify the quality of service provided to road users, including drivers, cyclists, and pedestrians.

L

Land Availability Assessment (LAA):
This identifies a potential future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period.

Levelling Up and Regeneration Act 2023 (LURA):
a law passed in October 2023 that aims to reduce geographic disparities and speed up the planning system by reforming local government, town and country planning, and compulsory purchase legislation. Key measures include creating a new system for local plans, changing rules for the Community Infrastructure Levy (CIL) to an Infrastructure Levy, enabling councils to charge more council tax on empty second homes, and establishing Environmental Outcome Reports (EORs) for specific projects and plans. The Act provides the legal framework for these changes, with many measures requiring further secondary legislation to take full effect.

Listed building:
A buildings or structures which have been identified as being of special architectural or historic interest and are designated as either Grade I, Grade II* or Grade II by Historic England. This relates to the quality and relative interest of the building.

Local Green Space (LGS):
A designation determined by a Local Planning Authority to a defined area for its amenity value on a local level. This is not to be confused with Open Space, which has a broader definition and concerns less localised matters.

Local housing need:
The number of homes identified as being needed through the application of the standard method set out in national planning practice guidance.

Local Nature Recovery Strategy (LNRS):
Spatial strategy which sets out priorities for nature recovery and proposes actions to achieve these priorities.

Local Nature Reserves (LNR):
Statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 by principal local authorities.
for areas with wildlife of geological features that are of local interest.

Local Plan:
A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community, under the Town and Country Planning (Local Planning) (England) Regulations 2012. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

Local Wildlife Sites (LWS):
Areas of land selected for their local nature conservation value, which can contain important, and threatened habitats and species.

M

Major development:
For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m2 or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

N

National Landscapes:
An area with statutory national landscape designation, the primary purpose of which is to conserve and enhance natural beauty, legally designated as areas of outstanding natural beauty under the National Parks and Access to the Countryside Act 1949 and Countryside and Rights of Way Act 2000.

National Planning Policy Framework (NPPF):
This sets out the Government's planning policies for England and how these are expected to be applied. It provides the wider context for the Local Plan.

Nationally Described Space Standards:
Standards that sets out requirements for the gross internal floor area at a defined level of occupancy as well as floor areas and dimensions for key areas in new dwellings.

Natural Flood Management:
managing flood and coastal erosion risk by protecting, restoring and emulating the natural 'regulating' function of catchments, rivers, floodplains and coasts.

Natural resources:
Naturally occurring materials or substances that are found in the environment and are developed without human intervention.

Neighbourhood Plan:
A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.

Net Zero:
The state in which the volume of greenhouse gases emitted to the atmosphere is balanced by their removal out of the atmosphere, through natural carbon sinks like forests, and new technologies like carbon capture.

Night-time economy:
range of business, social, and cultural activities taking place in town and city centres between approximately 6pm and 6am.

O

Open space:
All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Older people:
People over or approaching retirement age, including the active, newly- retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

P

People with disabilities:
People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

Permitted Development (or Permitted Development Rights):
The ability (within planning) to carry out certain limited forms of development without the need to make an application to a Local Planning Authority, as granted under the terms of the Town and Country Planning (General Permitted Development) Order.

Planning condition:
A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

Planning Obligation:
A legal agreement entered into between a local authority and a developer under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Planning Practice Guidance (PPG):
Sets out how the Government's expects the planning policies in the National Planning Policy Framework to be interpreted and implemented.

Planning Policy for Traveller Sites (PPTS) 2024:
is the government's policy document that provides guidance to local planning authorities on how to assess the accommodation needs of Gypsy and Traveller and Travelling Showpeople households and plan for sufficient, suitable, and deliverable sites.

Previously developed land:
Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Primary Shopping Area (PSA):
Defined area where retail development is concentrated within a town centre. Characterised by a high density of shops and other retail uses, the PSA is intended to support the vitality and economic health of a town centre.

Priority habitats and species:
Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.Regionally Important Geological Sites (RIGS).

Private Registered Providers (PRPs):
are organisations, such as housing associations, charities, and some for-profit companies, that provide social housing and are not local authorities. As registered, independent entities, PRPs are regulated and are a key sector for building and managing affordable homes in the UK. Private registered providers were previously termed Registered Social Landlords or housing associations.

R

Regulator of Social Housing (RSH):
is a non-departmental public body responsible for regulating social housing providers in England to ensure they are financially viable, well-governed, and deliver decent, safe, and energy-efficient homes for tenants. The RSH sets economic and consumer standards, conducts inspections, and can take action, including issuing unlimited fines, if providers fail to meet them.

Renewable and low carbon energy:
Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Rural diversification:
The expansion, enlargement or variation of the range of products or fields of operation of a rural business.

Rural exception sites:

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

S

Settlement Hierarchy:

A settlement hierarchy is an important tool that categorises settlements and groups them together based on their sustainability. It helps decide on the most sustainable locations for future growth. Further details can be found in the Council's Sustainable Settlement Study.

Self-build and custom-build housing:

Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act. Self-build and Custom Housebuilding Act 2015: requires local authorities in England to keep a register of individuals and associations interested in self-build or custom housebuilding projects and to consider this demand when carrying out their planning functions. The Act defines self-build as where a person builds their own home on a plot of land, and custom build as a similar process, often with a developer facilitating, but with the individual having primary input into the design and construction. Sites of Special Scientific Interest (SSSI): Sites designated by Natural England under the Wildlife and Countryside Act 1981.

Spatial Strategy:

is how a local plan's vision and objectives aim to be delivered by guiding development to the most sustainable locations and by delivering growth that takes account of people, places and the environment. It sets out how and where growth should be distributed across a local area.

Special Areas of Conservation (SAC):

Areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites.

Strategic Flood Risk Assessment (SFRA):

Document prepared by the local planning authority to evaluate flood risk across the area, prepared as part of the evidence base for the Local Plan.

Strategic Housing Market Assessment (SHMA):

Anevidenced base document that provides an understanding of housing market dynamics, an assessment of future housing needs for both market and affordable housing and the housing requirements of different groups within the population.

Sustainability Appraisal (SA):

is a systematic process that must be carried out during the preparation of local plans and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

Sustainable development:

This is growth that meets the social and economic needs of the community within the environmental limits without compromising the ability of future generations to meet their own needs

Sustainable Drainage System (SuDs):
A sustainable drainage system controls surface water run off close to where it falls, combining a mixture of built and nature-based techniques to mimic natural drainage as closely as possible, and accounting for the predicted impacts of climate change. The type of system that would be appropriate will vary from small scale interventions such as permeable paving and soakaways that can be used in very small developments to larger integrated schemes in major developments.

Sustainable transport modes:
Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles, car sharing and public transport.

T

Town centre:
Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance.

Transport assessment:
A comprehensive and systematic process that considers and sets out transport issues relating to a proposed development, in the context of the vision for the scheme. It identifies measures required to support alternatives to the car such as walking, cycling and public transport, and to promote accessibility and safety, together with measures that will be needed to deal with the anticipated transport impacts of the development.

Travel plan:
A long-term management strategy for an organisation or site that details how agreed sustainable transport objectives are to be delivered, and which is monitored and regularly reviewed.

Travelling showpeople:
Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers.

Tree Preservation Order (TPO):
is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity.

U

Use class:
The use of a building, structure or land as categorised in The Town and Country Planning (Use Classes) Order 1987.

V

Volume to capacity ratio (V/C):
In transport modelling, this measures how much traffic is using a road link or junction compared to its maximum theoretical flow. A V/C ratio close to 1.0 indicates saturation and potential congestion, while a ratio below 0.5 suggests free-flow conditions. This ratio is a fundamental indicator of performance, influencing speed-flow relationships, queuing, and the overall level of service. It is used in traffic modelling to explain existing conditions and the impact of proposed changes.

W

Water stress:
This occurs when the demand for water in an area exceeds the available supply, or when poor water quality restricts its use.

Wildlife corridor:
Areas of habitat connecting wildlife populations.

Windfall sites:
Sites not specifically identified in the development plan.



16 ANNEXES

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Annex 1: Allocations Removed from the Green Belt

Allocation Reference	Allocation Name	Proposed Use(s)	Parish	Settlement	Development Yield (sqm)
BG1	Land north of Borough Green, Sevenoaks	Residential	Borough Green	Borough Green	2,000
BG2	Land south and west of Tillmans Off, Crouch Lane, Sevenoaks	Residential	Borough Green	Borough Green	50
EP1	Land west of Addlestead Road, East Peckham, Tonbridge	Residential	East Peckham	East Peckham	50
EP2	Land south of Church Lane, Hale Street	Residential	East Peckham	East Peckham	396
EP1	Land west of Hale Street, East Peckham, Tonbridge	Residential	East Peckham	Hale Street	140
HA1	Land north of The Paddock and east of Carpenters Lane, Tonbridge	Residential	Hadlow	Hadlow	120
HA2	Land south of Common Road, Hadlow	Residential	Hadlow	Hadlow	101
HA3	Land north of Court Lane, Hadlow	Residential	Hadlow	Hadlow	65
HA4	Court Lane Nurseries, Court Lane, Hadlow, Tonbridge	Residential	Hadlow	Hadlow	85
HI1	Land east of Riding Lane, Hildenborough	Residential	Hildenborough	Hildenborough	77
HI2	Land off Stocks Green Road, Hildenborough	Residential	Hildenborough	Hildenborough	629
TO3	Hilden Farm Road, Tonbridge	Residential	Hildenborough	Tonbridge and Hilden Park	30
TO4	Land north west of Hilden Park, Tonbridge	Residential	Hildenborough	Tonbridge and Hilden Park	289
E1	Celcon Works, Borough Green	Employment	Ightham	Borough Green	4,000
IG1	Land Known as Churchfields Farm and Coney Field, Fen Pond Road, Ightham	Residential	Ightham	Ightham	8

Allocation Reference	Allocation Name	Proposed Use(s)	Parish	Settlement	Development Yield (sqm)
IG2	Land south of Bramleys, Rectory Lane, Ightham, Sevenoaks	Residential	Ightham	Ightham	10
E5	Land at Spider Hall Farm, Bull Road, Leybourne, West Malling	Employment	Leybourne	Medway Gap	1,000
E6	Land east of Platt Industrial Estate, Platt	Employment	Platt	Platt	8,000
PL1	Land rear of Platt Mill Close, Platt	Residential	Platt	Platt	10
PL2	Land South of Potash Lane and North of Paddock Orchard, Platt	Residential	Platt	Platt	5
RY1	Holmes Paddock, Ryarsh	Residential	Ryarsh	Ryarsh	20
E7	Land west of Hays Road, Snodland	Employment	Snodland	Snodland	3,000
SN1	Land north of Holborough Lakes, Snodland	Residential	Snodland	Snodland	1,300
E8	Land at Sanderson Way and Little Postern, Tonbridge	Employment	Tonbridge	Tonbridge and Hilden Park	44,700/2,500
TO1	Land north east of Tonbridge	Residential	Tonbridge	Tonbridge and Hilden Park	1,671
TO2	Coblands Nursery and Little Trench Farm, Trench Road, Tonbridge	Residential	Tonbridge	Tonbridge and Hilden Park	294
TO5	Land at south west Tonbridge	Residential	Tonbridge	Tonbridge and Hilden Park	423
TO6	Land Adjacent to Vauxhall Gardens and The Vauxhall Inn, Vauxhall Lane, Tonbridge	Residential	Tonbridge	Tonbridge and Hilden Park	75
WA1	Land east of Red Hill, Wateringbury, Maidstone	Residential	Wateringbury	Wateringbury	30
KH2	Land west of King Hill and Northwest of Ashton Way / Malling Road roundabout, West Malling	Residential	West Malling	Kings Hill	30

Annex 2: Sites that are being considered for Local Green Space designation

Site Name or Address	Parish
Land to the east (front) of Aylesford Secondary School, Teapot Lane, Aylesford, ME20 7JU	Aylesford
Land west of Russett Close, Aylesford, ME20 7PL	Aylesford
Land to the east, south and west of St. Andrews Close, Aylesford, ME20 7FW	Aylesford
Land north of Abery Drive and West of Ingra Close, New Hythe, Aylesford	East Malling and Larkfield
Land south of Bradbourne Park Road and West of Collinge Close, East Malling, West Malling, ME19 6QS	East Malling and Larkfield
Land east of Carnation Crescent and South of Columbine Road, East Malling, West Malling	East Malling and Larkfield
Land north of Bradbourne Park Road and West of Forsyth Close, East Malling, West Malling	East Malling and Larkfield
Martin Square Car Park, Martin Square, Aylesford	East Malling and Larkfield
Land east of The Lakes and South of Carp Close, Aylesford	East Malling and Larkfield
Land at Heath Farm, Wateringbury Road, West Malling	East Malling and Larkfield
Land east of Broadwater Road and South of Clare Lane, West Malling	East Malling and Larkfield
East Malling playing fields, north of Mill Street and west of New Road, East Malling	East Malling and Larkfield
Land off (north) Amber Lane, Kings Hill, West Malling	East Malling and Larkfield / Kings Hill
Land north of Westwood Road	East Peckham
Land south of Tower View, Kings Hill, West Malling	Kings Hill
Land north of Tower View and East of Hazen Road, Kings Hill, West Malling	Kings Hill
Land south of Discovery Drive, West Malling	Kings Hill
Land east of Oxley Shaw Lane and South of Willowmead, Leybourne, ME19 5QU	Leybourne
Land east of Castle Way and North of Lillieburn, West Malling, ME19 5HQ	Leybourne
Land east of Castle Way and South of Lillieburn, West Malling, ME19 5HF	Leybourne
Land west of Lillieburn and North of Old Orchard, West Malling, ME19 5LY	Leybourne

Site Name or Address	Parish
Land adjacent to Oxley Shaw Lane and The Old Rectory Public House, West Malling, ME19 5LZ	Leybourne
Land east Of Baywell, Leybourne, ME19 5QQ	Leybourne
Land known as Offham Recreation Ground, North of Teston Road and West of Pepinstraw Close, Offham, West Malling	Offham
Land knowns as The Cosgrave Field, South of North Meadow and West of Church Rioad, Offham, West Malling	Offham
Land Parcel 1, Royal West Kent Avenue, Tonbridge, TN10 4NU	Tonbridge
Land south of Salisbury Road and North of Rochester Road, Tonbridge, TN10 4PB	Tonbridge
Land east of Quincewood Gardens and North of Cedar Crescent, Tonbridge	Tonbridge
Land north of the A21 (Tonbridge by-pass and West of Brindle's Fields, Ton-bridge	Tonbridge
Land surrounding (north of) playground West of Brindles Field, Tonbridge	Tonbridge
Land (car park) north of Ryarsh Lane and west (rear of) Davison Close, West Malling	West Malling
Land at junction of Ewell Avenue and Stratford Road, West Malling	West Malling
Land parcel north of Woodland Close and east of Alma Road, West Malling	West Malling
Wouldham Recreation Ground, Knowle Road, Wouldham	Wouldham
Land known as Cottenham Orchard, south of Cottenham Road, East Malling	East Malling and Larkfield
Land parcels (multiple) East of Lime Crescent and south of Beech Road, East Malling	East Malling and Larkfield
Land at Warren Woods Nature Park, north of (off) Amber Lane and South of The Heath, Kings Hill	East Malling and Larkfield
Land north of railway line, Station Road, Aylesford	Aylesford
Land off Hall Road, Royal British Legion Industries, Aylesford, ME20 7NX	Aylesford
Land northwest of, Bell Lane, Rochester, ME1 3SY	Burham
Larkfield and New Hythe Sports and Social Club, 251 New Hythe Lane, Larkfield, Aylesford	East Malling and Larkfield
Hildenborough Village Green, Hildenborough	Hildenborough

Site Name or Address	Parish
Extra grassy space at Maypole Drive and Tower View, Kings Hill	Kings Hill
Land Fronting 2 To 16, Chaucer Gardens, Tonbridge	Tonbridge
Land west of Arundel Close, Tonbridge	Tonbridge
Land between Keyes Gardens and Milton Gardens, Tonbridge	Tonbridge
Land between Milton Gardens and Chaucer Gardens, Tonbridge	Tonbridge
Land west of Darwin Drive, Tonbridge	Tonbridge
Land north of Shakespeare Road and east of Scott Road, Tonbridge	Tonbridge
Frog Bridge Recreation Ground, Tonbridge	Tonbridge
Land north of Higham School Road and east of Hunt Road, Tonbridge	Tonbridge
Land south of Knight Road and west of Hunt Road, Tonbridge	Tonbridge
Land at Milton Gardens, Tonbridge	Tonbridge
Land parcels at Molescroft Way and west of Upper Haysden Lane, Tonbridge	Tonbridge
Land northeast of Town Lock and west of Redbud Road, Tonbridge	Tonbridge
Land north of Brionne Gardens and west of Lodge Oak Lane, Tonbridge	Tonbridge
Land north of Hectorage Road and south of Tonbridge-Ashford railway, Ton-bridge	Tonbridge
Land at Scotchers Field, west of Higham Lane, Tonbridge	Tonbridge
Land at corner of Lavenders Road and Swan Street, West Malling	West Malling
Land southwest of West Malling railway station, Station Approach, West Malling, ME19 6JH	West Malling / East Malling And Larkfield
Land parcels south of Larkfield Leisure Centre and west of New Hythe Lane, Larkfield	East Malling & Larkfield
Land at King George's Field, Maidstone Road, St Mary's Platt	Platt

Annex 3: Historic Parks and Gardens on the National Register or of Local Significance

Name	List Entry number	Category	Grade	Location
Somerhill	1000381	Park and Garden	Grade: II	Capel, Tunbridge Wells, Kent
Mabledon	1001296	Park and Garden	Grade: II	Non Civil Parish, Tonbridge and Malling, Kent
Oxen Hoath	1001355	Park and Garden	Grade: II*	West Peckham, Tonbridge and Malling, Kent
Ightham Court	1000405	Park and Garden	Grade: II	Ightham, Tonbridge and Malling, Kent
Mereworth Castle	1000938	Park and Garden	Grade: II*	East Peckham, Tonbridge and Malling, Kent

Annex 4: Open Space Standards

1.1 The 2025 Open Space Study (OSS) (2025) assesses the quantity, quality, and accessibility of public open spaces within the borough and categorises open spaces into a number of typologies. Based on these typologies, the strategy provides an assessment of the existing provision of open space across the borough and defines local standards in relation to quality, accessibility and quantity.

Table 1: Summary of Open Space Quantity and Accessibility Standards

Typology	**Quantity Standards** (ha per 1000 population)	Access Standard
Parks and Gardens	0.80	1200m radial walking distance (20-minute drive time for strategic parks)
Amenity Greenspace	0.80	480m radial walking distance
Natural Greenspace	1.80	960m radial walking distance
Children's and Young Peoples Play	0.25	480m radial walking distance
Total for new provision	**3.65**	
MUGAs	1 per 7,500 people	10 minutes' walking time
Skateparks/BMX Tracks	1 per 20,000 people	15 minutes' cycling time
Outdoor Fitness Gyms	1 per 10,000 people	15 minutes' walking time

1.2 The quantity and accessibility standards to the left should be used as a starting point to calculate future open space requirements alongside a consideration of the Council's open space priorities, evidence and any other relevant and up-to-date information.

1.3 Access standards are a tool to capture whether communities are served by existing facilities, defined as the distance that would be travelled by most users. They are provided as a starting point to help identify deficiencies in a catchment area.

1.4 Developments that deliver a net increase of 6 dwellings or more will be required to contribute to new or enhanced open space provision. When calculating requirements, the following occupancy rates should be used. This is based on 2021 census data.

1.5 New developments of 6 net dwellings will need to provide 3.65 hectares of open space provision per 1,000 population. This equates to 36.5 sqm per person.

Occupancy Rates by dwelling size

1.6 The occupancy levels to be used to determine the additional population from a development proposal is provided below. Where occupancy is unknown, the average household occupancy rate of 2.4 can be used.

Table 2: Household Occupancy Rates Based on Size of Dwelling

Number of Bedrooms	Occupancy Rate (Persons per Household)
1 bedroom	1.80
2 bedrooms	2.30
3 bedrooms	2.70
4 bedrooms	3.10
5+ bedrooms	3.50

On or off-site provision

1.7 The Council will take a sequential approach to the provision of open space. Firstly, on-site provision will be sought in accordance with the adopted standards set out in table 1 above, where the site is in an area of quantitative deficiency, i.e. there is a need for additional open space.

1.8 On-site provision will be dependent on the size of the development, where larger developments will be expected to provide all types of provision on-site to serve the additional population.

1.9 Best practice guidance from organisations like Fields In Trust (FIT), recommends that provision below certain sizes should not be provided as on-site provision and instead provided as off-site contributions. This is to avoid the creation of numerous small sites often of less recreational value (and quality over time). The following minimum area sizes are suggested to help inform when new provision should be provided on-site:

Table 3: On-site provision – minimum area sizes

Play space	Average No. of dwellings	Minimum area (ha)
Local Areas of Playspace (LAP) and informal play space	21-99 homes	0.01
Local Areas of Play (LAPs), Local Equipped Areas of Play (LEAPs) and informal play spaces	100-499 homes	0.04
Equipped Areas of Play (LEAPs) and informal play spaces	500+ homes	0.1
Open space		
Amenity / Natural Greenspace	16 homes	0.05
Park – small / medium / large	41 / 208 / 416 homes	0.3/ 1.5 / 3
Natural Green Space to meet Natural England standard (AGNSt)	500+ homes	2
MUGA	416 homes	0.08
Skateparks / BMX tracks	500+ homes	Min 0.02 for a skatepark Min 0.0375 for a freestyle BMX Park
Outdoor Fitness Gyms	100+ homes	Minimum 0.002
Allotment / Community Garden	500+ homes	0.0125 for allotment or 0.006

1.10 New provision for amenity, parks and natural green greenspace should be considered in relation to multifunctional greenspace in relation to local deficiencies. It may be that there are circumstances where smaller parks are warranted and this will need to be considered on a case-by-case basis.

1.11 Play provision requirements for any development which does not trigger the on-site contribution will generally be sought as off-site contributions. However, if the development is not within reach of an existing play site than on-site provision may be warranted regardless of the small size of the development.

1.12 Consideration for the provision and requirement of allotments or community gardens will need to be on a case-by-case basis.

Annex 5: Local Plan Monitoring Indicators

Chapter 5 Spatial Strategy

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
SP1: Spatial Strategy	SP1	SA2, SA4, SA5, SA6, SA8, SA9, SA10, SA11, SA12, SA13, SA14	Number of dwellings granted planning permission by size, type and tenure	To reflect need	Developers, local authority	TMBC
			Number of net additional dwellings on previously developed land	Maximise	Developers, local authority	TMBC
			Number of dwellings approved within or adjacent to Tier 5 settlements	Minimise	Developers, local authority	TMBC
			Annual monitoring of employment sites and floorspace losses and gains, including office (use class Eg), general industry (use class B2) and storage and distribution (use class B8).	No net loss	Developers, local authority	TMBC
			Percentage of Town centre unit vacancies within Town, district or local centres	Reduce	Developers, local authority	TMBC
			Number of developments determined with an energy and climate change statement.	All major developments	Developers	TMBC

			Number of developments meeting BREEAM standards	All major developments	Developers	TMBC
			Number of planning decisions including appeals, granting permissions for inappropriate development in the Green Belt.	Zero	Developers, local authority	TMBC
			Number of net dwellings permitted within the Green Belt.	Minimise	Developers, local authority	TMBC
Policy SP2: Delivering Homes for our Communities	SP2	SA14	Total number of dwellings completed annually against the hosing need figure.	To reflect need	Developers, local authority	TMBC
Policy SP3: Settlement Hierarchy and General Development Principles	SP3	SA6, SA14	Number of dwellings approved within or adjacent to Tier 5 settlements	Minimise	Developers, local authority	TMBC
			Net additional new affordable dwellings completed on rural exception sites.	Maximise	Local authority	TMBC
Policy SP4: Gypsy, Traveller and Travelling Showpeople - Accommodation Needs	SP4	SA6, SA14	Permissions granted for adequate sites (pitches/plots)	No net loss	Developers, local authority	TMBC
Policy SP5: Future	SP5	SA4, SA6, SA9, SA10, SA11	Annual monitoring of employment sites and floorspace losses and gains,	No net loss	Developers, local authority	TMBC

Employment Growth			including office (use class Eg), general industry (use class B2) and storage and distribution (use class B8).			
			Annual monitoring of employment sites and floorspace losses and gains, within strategic employment areas. This will include office (use class Eg), general industry (use class B2) and storage and distribution (use class B8).	Increase	Developers, local authority, local businesses	TMBC
			Annual monitoring of employment sites and floorspace losses and gains, within site allocations. This will include office (use class Eg), general industry (use class B2) and storage and distribution (use class B8).	Increase	Developers, local authority, local businesses	TMBC
			Annual monitoring of employment sites and floorspace losses and gains, within non-strategic sites. This will include office (use class Eg), general industry (use class B2) and storage and distribution (use class B8).	Minimise loss of existing employment sites.	Developers, local authority, local businesses	TMBC
			Net amount of employment floorspace gained, or loss during the monitoring year	No net loss	Developers, local authority	TMBC

Chapter 6: Climate Change

Policy SP6: Town Centre Needs	SP6	SA2, SA4, SA6, SA14	Total retail floorspace completed annually	Increase	Developers, local businesses, local authority	TMBC
			Percentage of Town centre unit vacancies within Town, district or local centres	Reduce	Developers, local authority	TMBC
Policy SP7: Green Belt	SP7	SA5, SA9	Area of Green Belt in hectares.	Minimise loss	Local authority	Ministry of Housing, Communities and Local Government
Policy SP8: Managing Development in the Green Belt	SP8	SA2, SA5, SA6, SA9, SA14	Number of planning decisions including appeals, granting permissions for inappropriate development in the Green Belt.	Zero	Developers, local authority	TMBC
			Number of net dwellings permitted on Green Belt and grey belt land.	Minimise	Developers, local authority	TMBC
Policy SP9: Local Green Gap	SP9	SA1, SA2	Number of planning applications refused contrary to this policy but allowed at planning appeal	Zero	Local authority	TMBC

Chapter 6 Climate Change

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
CC1: Strategic Climate Change	SP1	SA2, SA8, SA9, SA10, SA11, SA12	Number of developments determined with an energy and climate change statement.	All major developments	Developers	TMBC
			Total greenhouse gas emissions for the borough broken down by industry including commercial, public sector, domestic and transport.	Reduce total emissions	Developers, local authority	Department for Energy Security and Net Zero
CC2: Circular Economy	SP1, SP3	SA10, SA13	Number of new developments on previously developed land.	Increase	Developers, local authority	TMBC
			Percentage of household waste sent for reuse, recycling or composting	Maximise	Households, local authority	Department for Environment, Food & Rural Affairs
			Conversion and demolition rate of existing buildings: Number of change of use and demolitions approved.	Increase conversions, decrease demolitions.	Developers, local authority	TMBC
CC3: Sustainable Design and Construction	SP1	SA8, SA9, SA10, SA11, SA13	EPC energy performance certificates submitted looking at rating A-C.	Increase	Developers, local authority	Ministry of Housing, Communities & Local Government
CC4: Energy & Heating	SP1	SA10, SA13, SA14	EPC energy performance certificates submitted looking at rating A-C.	Increase	Developers, local authority	

CC5: Renewable and low carbon and heat projects	SP1	SA6, SA9, SA10, SA11	Number of developments for renewable and/or low carbon energy projects approved.	Increase	Developers, local authority	TMBC
			Number of renewable energy installations at Local Authority Level.	Increase	Developers, utility providers, local authority	Department for Energy Security and Net Zero
CC6: Water Efficiency	SP1	SA8	Water company's per capita consumption of water in litres.	Reduce	Local authority, developers, water company	Southeastern Water, Southern Water
CC7: Managing development within flood risk areas	SP1, SP3	SA11	Planning permissions granted contrary to Environment Agency advice on flooding grounds within the borough during the monitoring period.	Zero	Local authority	Environment Agency, TMBC
			The number of flood management projects approved in the borough.	Increase	Developers, local authority	TMBC
CC8: Sustainable Drainage Systems [SUDS]	SP1	SA11	Planning permissions granted contrary to Kent County Council as Local Lead Flood Authority advice on sustainable drainage in the borough during the monitoring period.	Zero	Local authority	TMBC

Chapter 7: Natural Environment

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
NE1: Conserving and Enhancing the Natural Environment	SP1	SA5, SA6, SA7	Number of applications approved contrary to Natural England advice	Zero	Local authority	TMBC
NE2: National Landscapes	SP1	SA6	Number of new dwellings (net) permitted within the Kent Downs National Landscape.	Minimise	Local authority, developers	TMBC
			Number of new dwelling (net) permitted within the High Weald National Landscape.	Minimise	Local authority, developers	TMBC
			Quantum of floorspace (net) permitted for employment uses within the Kent Downs National Landscape.	Minimise	Local authority, developers	TMBC
			Quantum of floorspace (net) permitted for employment uses within the High Weald National Landscapes.	Minimise	Local authority, developers	TMBC
			Major development proposals approved within the National Landscapes	Minimise	Local authority, developers	TMBC
			Number of planning applications approved contrary to advice from Natural England or the	Zero	Local authority	TMBC

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
			Kent Downs and High Weald AONB unit.			
NE3: Landscape Character	SP1	SA5, SA6, SA7	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	TMBC
NE4: Designated Sites, Irreplaceable Habitat and Priority Habitat and Species	SP1	SA5, SA6	Recorded condition of SACs	Improve the condition / status of site	Local Authority, developers, public agencies, such as Natural England	Natural England
			Percentage of SSSI in favourable condition.	Improve the condition	Local Authority, developers, public agencies, such as Natural England	Natural England
			Percentage of Ancient woodland habitat within the borough.	Minimise loss	Local Authority, developers	TMBC
			Changes in (a) priority habitat and (b) species (by type)	Minimise loss	Local Authority, developers	TMBC
			The area (Ha) under Woodland Trust Management.	Minimise loss	Woodland Trust	Woodland Trust
NE5: Biodiversity Net Gain	SP1	SA5	The percentage of sites that deliver at least 10% biodiversity net gain through the planning application process	Achieve a minimum of 10% BNG.	Developers, local authority	TMBC
NE6: Green and Blue Infrastructure	SP1	SA1, SA5	Area (Ha) of green and blue infrastructure delivered through strategic allocations.	Increase over plan period	Local Authority, developers	TMBC

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Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
NE7: Woodland, Trees and Hedgerows	SP1	SA5, SA11	Additional tree preservation orders made.	Increase over plan period	Local authority, landowners	TMBC
			Percentage of Ancient woodland habitat within the borough.	Minimise loss	Local Authority, developers	TMBC
			Veteran trees	Minimise loss	Developers, local authority	TMBC
NE8: Best and Most Versatile Land	SP1	SA9	The total amount of land used for agriculture within the borough for the monitoring period.	Minimise loss	Developers, local authority	Ministry of Housing, Communities and Local Government
			Approvals of planning permission contrary to advice from Natural England on the loss of BMV agricultural land (ha) per annum.	Zero	Developers, local authority	TMBC
NE9: Noise, Vibration and Odour	SP1	SA12	The rate of complaints about noise and odour.	Reduce	Developers, local authority	TMBC
NE10: Air Quality	SP1	SA5, SA12	Number of Air Quality Management Areas within the borough.	Minimise and ensure development supports improvements to air quality	Developers, local authority	Kent Air
			Pollutant levels at key locations	Reduction in air pollution levels	Local authority	Kent Air

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
NE11: Ground Contamination	SP1	SA9	Number of applications approved contrary to Environmental Health/Environment Agency advice on ground contamination grounds	Zero	Developers, local authority	TMBC
NE12: Light Pollution	SP1	SA12	The average (mean) rank of the district for light pollution.	Maintain current level of lighting	Developers, local authority	Campaign to Protect Rural England (CRPE)
			Deterioration in dark skies mapping in National Landscapes	No deterioration	Developers, local authority	Campaign to Protect Rural England (CRPE)

Chapter 8: The Historic Environment

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
HE1: The Historic Environment	SP1	SA6, SA7	Number of planning permissions granted contrary to the advice from Historic England within the monitoring period.	Zero	Local Authority	TMBC
HE2: Listed Buildings	SP1	SA6, SA7	Number of Listed Buildings within the borough.	No loss	Local Authority, Historic England	Historic England
			Number of Listed Buildings at risk within the borough within the monitoring period.	Reduce number of buildings at risk	Land owners, Local Authority, Historic England	Historic England
			Number of planning applications refused contrary to this policy but allowed at planning appeal.	Zero	Local authority	TMBC
HE3: Conservation Areas	SP1	SA7	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	TMBC
			Number of Conservation Areas with character appraisals and management plans.	Increase	Local authority	TMBC
HE4: Historic Parks and Gardens (designated and	SP1	SA7	Number of Registered Historic Parks and Gardens in the borough at risk.	Reduce	Land owners, local authority, Historic England	Historic England

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
non-designated)						
HE5: Archaeology	SP1	SA7	Number of planning applications approved contrary to the advice received from Kent County Council archaeology team.	Zero	Local authority	TMBC
HE6: Enabling development for heritage assets	SP1	SA7	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	TMBC
			Number of Section 106 agreements signed relating to enabling development for a heritage asset.	Reduce number of buildings at risk	Developers, local authority	TMBC

Chapter 9: Design

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
D1: Achieving High Quality Design	SP1, SP3	SA1, SA2, SA5, SA6, SA11	Number of planning applications refused contrary to this policy but allowed at planning appeal.	Zero	Local authority	TMBC
D2: Design Codes and Masterplans	SP1, SP3	SA6	Number of masterplans and design codes submitted and approved by the local planning authority within the monitoring period.	Masterplans and design codes submitted for all required applications.	Local authority, developers	TMBC

Chapter 10: Housing

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
H1: Housing to address needs	SP1, SP2, SP3	SA14	Number of dwellings granted planning permission by size, type and tenure	To reflect need	Developers, local authority	TMBC
H2: Affordable Housing	SP1, SP2, SP3	SA14	Net new affordable homes completed by tenure	Maximise	Developers, local authority	TMBC
			Total number of homeless households in priority need	Reduce	Local authority	TMBC
H3: Build-to-Rent	SP1, SP2, SP3	SA2, SA14	Net new Build to Rent homes completed	Maximise	Developers, local authority	TMBC
H4: Gypsy, traveller and travelling showpeople – safe guarding sites	SP4	SA14	Number of planning applications refused contrary to this policy but allowed at planning appeal	Zero	Local authority	TMBC

H5: Gypsy, traveller and travelling showpeople – site criteria	SP4	SA6, SA14	Permissions granted for adequate sites (pitches/plots) Losses: change of use/redevelopment of existing permanent authorised sites	No net loss	Developers, local authority	TMBC
H6: Specialist housing to meet the needs of older and vulnerable people	SP1, SP2, SP3	SA1, SA14	Number of units completed by type and tenure	Increase	Developers, local authority	TMBC
H7: Accessible and adaptable homes	SP1, SP2, SP3	SA14	No. of new dwellings that are accessible and adaptable	Maximise	Developers, local authority	TMBC
H8: Self and custom build housing	SP1, SP2, SP3	SA14	Number of self and custom build units	Meet policy requirements	Developers, local authority	TMBC

H9: Houses in Multiple Occupation	SP1, SP2, SP3	SA6, SA14	Net number of new HMOs and number of net new dwellings created	None	Developers, local authority	TMBC
H10: Residential extensions, alterations, annexes and ancillary accommodation	SP1, SP2, SP3	SA6, SA14	Number of planning applications refused contrary to this policy but allowed at planning appeal	Zero	Local authority	TMBC

Chapter 11: Economy

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
E1: Supporting a Prosperous, Inclusive and Sustainable Economic Future	SP1, SP3, SP5	SA4, SA9, SA10, SA11	Annual monitoring of employment sites and floorspace losses and gains, including office (use class Eg), general industry (use class B2) and storage and distribution (use class B8).	No net loss	Developers, local authority	TMBC
E2: Strategic Employment Areas	SP1, SP3, SP5	SA4	Annual monitoring of employment sites and floorspace losses and gains, within strategic employment areas. This will include office (use class Eg), general industry (use class B2) and storage and distribution (use class B8).	Increase	Developers, local authority, local businesses	TMBC
			Number of planning permissions for reuse/redevelopment of business sites in these areas for residential use	Minimise	Developers, local authority	TMBC
E3: Other Employment Sites, Premises and Floorspace	SP1, SP3, SP5	SA4	Annual monitoring of employment sites and floorspace losses and gains, within non-strategic sites. This will include office (use class Eg), general industry (use class B2)	Minimise loss of existing employment sites.	Developers, local authority, local businesses	TMBC

			and storage and distribution (use class B8).			
E4: Employment and Skills	SP1, SP3, SP5	SA3, SA4	Annual review of Employment and Skills Training Plans secured through the planning process.	Employment and Skills Training Plan submitted for all proposals requiring one.	Developers, local authority, training providers	TMBC
			Further education and skills participation - People aged 19 and above participating in further education and skills learning per 100,000 people	Increase	Local authority, training providers	ONS
E5: Supporting the Vitality of Town, Service and Local Centres	SP1, SP3, SP5, SP6	SA2, SA4, SA6, SA14	Amount of floorspace gained or lost in the Town, District and Local Centres.	Increase	Developers, local businesses, local authority	TMBC
			Percentage of Town centre unit vacancies within Town, district or local centres	Reduce	Developers, local authority	TMBC
E6: Primary Shopping Areas	SP1, SP3, SP5, SP6	SA4, SA6	Amount of retail floorspace (sqm) gained or lost within the Primary Shopping Area.	Maximise retail floorspace gained	Developers, local authority	TMBC
			Percentage of primary frontage in non-retail use	Minimise	Developers, local authority	TMBC
E7: Above Ground Floorspace	SP1, SP3, SP5, SP6	SA2, SA4, SA7, SA14	Amount of floorspace (sqm) gained or lost of upper floor uses within the defined town centre boundaries.	No net loss	Developers, local authority, local businesses	TMBC
E8: Sequential and Local Impact Tests	SP1, SP3, SP5, SP6	SA4	Amount of retail floorspace (sqm) gained or lost within the	No net loss	Developers, local authority	TMBC
			designated centres.			

Chapter 12: Rural Policies

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
R1: Rural Exception Sites	SP1, SP3	SA6, SA14	Net additional new affordable dwellings completed on rural exception sites.	Maximise	Local authority	TMBC
R2: Housing for Rural Workers	SP1, SP3	SA4, SA14	Number of planning applications refused contrary to this policy but allowed at planning appeal	Zero	Local authority	TMBC
R3: Replacement Dwellings Outside Settlement Confines	SP1, SP3	SA6, SA7, SA14	Number of planning applications refused contrary to this policy but allowed at planning appeal	Zero	Local authority	TMBC
R4: Conversion Of An Existing Building To Residential Use Outside Settlement Confines	SP1, SP3	SA14	Number of planning applications refused contrary to this policy but allowed at planning appeal	Zero	Local authority	TMBC
R5: Residential Parks	SP1, SP3	SA6, SA14	Number of planning applications refused contrary to this policy but allowed at planning appeal	Zero	Local authority	TMBC

R6: Employment development outside existing settlement confines	SP1, SP3	SA4, SA6, SA9	Net amount of employment floorspace gained, or loss during the monitoring year outside development boundaries and existing strategic employment sites	No net loss	Developers, local authority	TMBC
R7: Agriculture, forestry and horticulture	SP1, SP3	SA4, SA9	New floorspace gained or loss to alternative uses.	Increase	Developers, local authority	TMBC
R8: Farm diversification	SP1, SP3	SA1, SA4, SA6, SA9	Growth by unit and sector and Use Class E(a) retail with ancillary Use Class E(b) food and drink.	Increase where appropriate	Developers, local authority	TMBC
			Net increase in business floorspace in converted rural buildings	Increase	Developers, local authority	TMBC
R9: Sustainable tourism and visitor accommodation	SP1, SP3	SA1, SA2, SA4, SA6	Net number of new tourist facilities and attractions and net number of new bedspaces for visitor accommodation	Increase	Developers, local authority	TMBC
R10: Equestrian facilities in the Countryside	SP1, SP3	SA6, SA9, SA12	Number of planning applications refused contrary to this policy but allowed at planning appeal	Zero	Local authority	TMBC

Chapter 13: Infrastructure

Policy	Spatial Planning Objectives	SA Objective	Indicator	Target	Implementation	Data Source
INF1: Provision of Infrastructure and Services	SP1, SP3	SA2, SA4, SA8, SA10, SA12	The value of section 106 contributions held and secured by the council in the monitoring period.	Maximise	Developers, local authority	TMBC
INF2: Sustainable Transport and Active Travel	SP1, SP3	SA2, SA10, SA12	Station entry and exit data captured from gate lines for all stations in the borough.	Maximise	Developers, local authority	Office for Rail and Road
			Bus patronage data captured from onboard electronic ticket machines and provided by Kent County Council.	Maximise	Bus companies, local authority, KCC	KCC data
			Gains and losses to the PROW network	Increase	TMBC, KCC	KCC data
			Percentage of relevant applications where a Transport Assessment and Travel Plan is secured	All relevant applications	Developers	TMBC
			Mode of travel used to commute to work (%)	Reduce travel to work by private motor vehicle over the plan period	Developers, local authority	ONS (census)
			Travel to Work distances	Reduce travel to work	Developers, local authority, KCC	ONS (Census)
INF3: Parking	SP1, SP3	SA2, SA10	Number of planning applications refused contrary to	Zero	Developers, local authority	TMBC

			this policy but allowed at planning appeal			
INF4: Community Facilities	SP1, SP3	SA1, SA2, SA6	Net community facility floorspace completed within the monitoring period (sqm).	Increase in floorspace	Developers, local authority	TMBC
			Developer contributions received for new or enhancement of community facilities	Maximise	Developers, local authority	TMBC
INF5: Outdoor and Indoor sports, recreation and open space provision	SP1, SP3	SA1, SA2	Net amount (ha) of open space, sports or recreation provision	Increase	Developers, local authority	TMBC
			Developer contributions received for open space, indoor sports facilities and outdoor playing pitch and sports facilities	Increase	Developers, local authority	TMBC

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Annexe 2: Proposed allocated housing and employment growth by settlement to 2042

Settlement	**Settlement Hierarchy**	**Total Housing Numbers**	**Total Employment sqm**
Aylesford Village	Tier 4 - Secondary Village	163	0
Borough Green	Tier 2 - Service Centre	2050	4,000
East Malling & Mill Street	Tier 3 - Primary Village	105	45080
East Peckham & Branbridges	Tier 3 - Primary Village	446	0
Eccles	Tier 4 - Secondary Village	840	0
Hadlow	Tier 3 - Primary Village	371	0
Hale Street	Tier 4 - Secondary Village	140	0
Hildenborough	Tier 3 - Primary Village	706	0
Ightham	Tier 4 - Secondary Village	18	0
Kings Hill	Tier 2 - Service Centre	1220	0
Leybourne Chase	Tier 4 - Secondary Village	0	0
Medway Gap	Tier 1 - Principal Service Centre	1961	14000
Platt	Tier 4 - Secondary Village	15	8000
Ryarsh	Tier 4 - Secondary Village	20	0
Snodland & Ham Hill	Tier 2 - Service Centre	1300	3000
Tonbridge including Hilden Park	Tier 1 - Principal Service Centre	3214	47200
Walderslade	Tier 1 - Principal Service Centre	0	14000
Wateringbury	Tier 3 - Primary Village	30	0
Wouldham	Tier 3 - Primary Village	40	0
Wrotham	Tier 4 - Secondary Village	25	0
Totals		**12,664**	**135,280**

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Annexe 3: Local Plan Evidence Base

(A) List of Evidence base to be published for consultation prepared by external consultants

The following evidence has been progressed to inform plan-making and will be provided alongside the Draft Regulation 18 Local Plan consultation:

- Sustainability Assessment Scoping Report (2025)
- Interim Sustainability Appraisal (2025)
- Habitats Regulation Assessment (2025)
- Interim Viability Assessment (2025)
- Health and Equalities Impact Assessment (2025)
- Interim Infrastructure Delivery Plan (2025)
- Forecast Baseline Report and Appendices (2025)
- Local Plan Tests Report and Appendices (2025)
- Local Plan Junction Modelling Report and Appendices (2025)
- Mode Share Strategy (2025)
- Green Belt Methodology (2025)
- Green Belt Stage 1 Assessment (2025)
- Green Belt Stage 2 Assessment (2025)
- Landscape Character Assessment (2025)
- Landscape Sensitivity Assessment (2025)
- Landscape Visual Appraisal of sites (2025)
- Green Gap Study (2025)
- Strategic Flood Risk Assessment Level 1 (2025)
- Strategic Flood Risk Assessment Level 2 Scoping Report (2025)
- Air Quality Assessment (2025)
- Strategic Housing Market Assessment (SHMA) (2025)
- Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment
- Interim Land Availability Assessment (LAA) (2025)
- Housing Market Delivery Study (2025)
- Housing Constraints Assessment (2025)
- Economy Study update (2025)
- Retail Study (2025)
- Draft Active Travel Strategy (2025) – separate consultation
- Local Plan Climate Change Policy Support Review (2024)
- Economy Study (2024)
- Retail and Town Centre Needs Study (2024)

Already publicly available

The following evidence has been available on our website. This will form part of our Local Plan evidence base.

- Open space Study (2025)
- Playing Pitch and Outdoor Sports Strategy (2025)
- Indoor Sports Facilities Strategy (2025)
- Heritage Strategy (2024)
- Green and Blue Infrastructure Strategy (2024)

From Reg 18 in 2022 – already publicly available

A number of studies were progressed to inform the Regulation 18 consultation in 2022. Many of these have been updated and superseded. However, the below are still relevant.

- Economic Development Needs Study (2022)
- Urban Capacity Study plus Appendices A-E (2022)

(B) Evidence base progressed by officers and Topic Papers – These will be available for consultation but not for HPSSC

- Interim Land Availability Assessment (2025)
- Windfall Allowance Topic Paper (2025)
- Site selection Topic Paper (2025)
- Spatial Strategy Topic Paper (2025)
- Sustainable Settlement Study (2025)
- Settlement Confines Boundary Topic Paper (2025)
- Local Green Spaces Topic Paper (2025)
- Duty to Cooperate Topic Paper (2025)

(C) Evidence to be progressed

The following evidence is either currently being progressed or will be progressed shortly to inform the emerging Local Plan at Regulation 19 stage.

- Preferred development option VISUM modelling and additional junction validation
- Transport Assessment
- Bus study
- Green Belt Extension Study
- Green Belt Exceptional Circumstances note
- Urban Capacity Study - update as required
- Density and character study
- SFRA Level 2
- Renewables Landscape Sensitivity Assessment
- Climate change evidence - update as required
- Gypsy and Traveller and Travelling Showpeople site assessments
- Housing Trajectory Position Paper
- Conservation Area Statements / Conservation Area Appraisals

(D) Further updates to the evidence base to inform Regulation 19

The following evidence will be updated as a minimum at the Regulation 19 stage.

- Sustainability Appraisal
- Habitats Regulation Assessment
- Viability Assessment Infrastructure Delivery Plan
- Infrastructure Delivery Plan
- Duty to cooperate including Statements of Common Ground
- Playing Pitch and Outdoor Sports Strategy Stage E review
- Indoor Sports Facilities Strategy Stage E review
- Active Travel Strategy
- Transport modelling of the Regulation 19 Local Plan
- Junction capacity modelling and design
- Transport Assessment
- Health and Equalities Impact Assessment
- Plus any site-specific work that may need to be undertaken should additional sites be submitted in the ‘call for sites’

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ANNEXE 4

Local Development Scheme



October~~February~~ 2025

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1. Introduction

1.1 The council is required by the Planning and Compulsory Purchase Act 2004 (as amended) to prepare and maintain a Local Development Scheme (LDS) alongside its Local Plan. A LDS provides information to enable communities, partners and stakeholders to find out about the planning documents that the Council intends to prepare, the timetable for the production of the documents, the geographical scope of the documents and also provides information as to when communities, partners and stakeholders can take part in the plan making process, at its various consultation stages.

1.2 The Council published an LDS in February 2025~~June 2023~~, which accounted for a change in the timetable taking account of a change in Government ~~however, due to a change in Government~~ in June 2024 and the subsequent publication of new national planning policy on 12th December 2024. ~~it has been necessary to review the timetable for delivering the new Tonbridge and Malling Local Plan.~~ This document ~~therefore~~ replaces the February ~~June~~ 2025 version~~3~~. This LDS covers the period to 2027 and relates to the administrative boundary of Tonbridge and Malling.

1.3 At this stage, this LDS does not include any plans or associated timetables for supplementary planning documents or other documents that might be published by Tonbridge and Malling Borough Council. This is because the Government have set a tight deadline to submit a Local Plan to be examined by 12th December 2026 and the Government are considering a reform to the plan-making system, where the role and requirements of supplementary planning documents are currently uncertain.

1.4 The LDS should be read in conjunction with the Statement of Community Involvement which sets out how the council will involve the local community, businesses and other stakeholders in carrying out its local planning authority functions.

1.5 Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended) requires Development Plan Documents (DPDs) to be prepared in accordance with the LDS. Progress against this LDS will therefore be reviewed annually through the Council's Authority Monitoring Report (AMR).

2. The Planning System

2.1 Planning Acts and Regulations and the National Planning Policy Framework (NPPF) (December 2024) and associated guidance sets out the requirements

for plan making. The NPPF states that the planning system should be genuinely plan-led, providing a positive vision for the future of each area, a framework for meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

2.2 The NPPF at paragraphs 17 – 19 states that a development plan must include both strategic and non-strategic policies to address each local planning authority's priorities for the development and use of land in its area and that these can either be produced in joint or individual local plans, produced by authorities working together or independently. Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies and / or in local or neighbourhood plans that contain just non-strategic policies. The development plan for an area comprises the combination of strategic and non-strategic policies which are in force at a particular time.

2.3 The NPPF is clear that in preparing and reviewing plans that policies should be underpinned by relevant and up-to-date evidence and that this should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and taking into account market signals. Local Plans should also be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements, demonstrating how the plan has addressed relevant economic, social and environmental objectives.

2.4 The Planning and Compulsory Purchase Act 2004 (as amended) also sets out a number of other requirements for plan-making. This includes a requirement to have regard to national policy and advice, to produce certain documents such as this LDS, the Statement of Community Involvement and Authority Monitoring Reports, to ensure that policies are contained in the plan to contribute to, the mitigation of and adaptation to, climate change. The Town and Country Planning (Local Planning) (England) Regulations 2012 also requires a policies map to be produced and to have regard to transport and waste plans and policies. It also requires local plans to be independently examined by a person appointed by the Secretary of State.

2.5 As part of the plan-making process, engagement with partners, stakeholders, interested parties and communities is also an important and key element in local plan production and the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the requirements for consultation. This includes two statutory consultation stages. A Regulation 18 stage, which is where a Draft Plan is consulted upon and a Regulation 19 stage, where the submission plan is published and under Regulation 20, representations are invited on whether the plan has been positively prepared, is justified, effective,

and consistent with national policy. Local Plan consultation periods must be for a minimum of six weeks.

2.6 Supplementary Planning Documents (SPDs) can also be produced to build upon and provide advice that is more detailed or guidance on policies in an adopted local plan. They form a material consideration in decision-making. SPDs when produced are consulted upon; however, they are not subject to an independent examination.

2.7 The preparation of Neighbourhood Plans are not a compulsory requirement of the planning system. However, when 'made' (adopted) they are a statutory document which forms part of the Development Plan. Neighbourhood Plans can be produced by town or parish councils in consultation with their communities. Their purpose is to shape the development and growth of their local area to meet their community's needs. Tonbridge and Malling Borough Council has a legal duty to support the preparation of any neighbourhood development plan, which must conform to the NPPF and the 'strategic policies' contained in the Local Plan.

3. The Current Development Plan

3.1 This section sets out the documents that comprise Tonbridge and Malling Borough Council's Development Plan. This includes the following documents:

- Core Strategy (adopted September 2007)
- Development Land Allocations DPD (adopted April 2008)
- Tonbridge Central Area Action Plan (adopted April 2008)
- Managing Development and the Environment DPD (adopted April 2010)
- The Kent Minerals and Waste Local Plan (adopted Sept 2020)
- Saved Policies document of the Tonbridge and Malling Borough Local Plan (1998)

The Core Strategy Local Plan (September 2007)

3.2 The core strategy sets out the strategic spatial planning policies that underpin the other plans that make up the development plan. It sets out the Council's vision, aims and objectives and indicates general locations for growth. It was adopted in September 2007 and covered the period up to 2021. Although the plan period has expired, it continues to form part of the adopted development plan.

Development Land Allocations Development Plan Document (DPD) (April 2008)

3.3 The Development Land Allocations (DLA) DPD allocates and safeguards specific sites for development to meet the needs of the area as identified in general terms in the core strategy.

Tonbridge Central Area Action Plan (April 2008)

3.4 The Tonbridge Central Area Action Plan (TCAAP) sets out the spatial strategy for the regeneration of the central area of Tonbridge.

Managing Development and the Environment DPD (April 2010)

3.5 The Managing Development and the Environment DPD contains policies designed to manage development in a way that maintains and enhances environmental quality while preserving a sense of place.

Saved policies in the Tonbridge and Malling Borough Local Plan (1998)

3.6 The adopted Tonbridge and Malling Local Plan 1998 contains a number of saved policies relevant to development within the borough. These policies were saved as of 28th September 2007 by approval of the Secretary of State under paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004.

3.7 The Proposals Map is a component part of the 1998 Tonbridge and Malling Local Plan and will be saved until it is replaced. Until then, the Proposals Map should be read in tandem with the list of 'saved policies'. A list of 'saved policies' has been produced and can be found on the Council's website.

3.8 The 1998 Proposals Map is partially superseded by the Development Land Allocations DPD and the Tonbridge Central Area Action Plan proposals map.

The Kent Minerals and Waste Local Plan (2020) (as amended by early partial review) and Minerals Sites Plan (2020).

3.9 The County Council has a statutory responsibility to plan for future minerals supply and waste management in Kent. This is being fulfilled through the preparation of the Kent Minerals and Waste Local Plan (MWLP).

3.10 The Kent Minerals and Waste Local Plan (2020) (as amended by an early partial review) is the main Local Plan Document. It describes:

- the overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management of all waste streams that are generated or managed in Kent, and
- the spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.

3.11 The Minerals site Plan (adopted in 2020) provides the spatial detail for meeting requirements for sharp sand and gravel and for soft sand as set out in

the Minerals and Waste Local Plan. The Kent Mineral Sites Plan identifies potential locations for extraction of sharp sand and gravel and of soft sand, providing communities and the minerals industry with greater certainty about where minerals development may take place within Kent and the criteria that will need to be met.

4. Neighbourhood Plans

4.1 Neighbourhood planning was introduced in the Localism Act 2011. Preparing a neighbourhood development plan provides an opportunity for communities to develop a shared vision for their area and shape the development and growth within their local area. Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs. Currently there are no 'made' Neighbourhood Plans within Tonbridge and Malling's administrative area. However, the following parishes are designated neighbourhood areas within the borough.

- Ditton (covering the whole of the parish) - approved on 24 June 2015;
- West Malling (covering the whole of the parish) - approved on 6 September 2016;
- Hildenborough (covering the whole of the parish) - approved on 18 January 2021.

5. Other Planning Documents

Policies map

5.1 The Policies Map, which was previously called a Proposals Map, forms part of a Development Plan. It illustrates geographically the policies in the plan. The current Policies / Proposals Map consists of:

- The proposals map as relevant to saved policies of the Tonbridge and Malling Borough Local Plan (1998)
- The Development Land Allocations DPD Proposals Map
- The Tonbridge Central Area Action Plan Proposals Map

Statement of Community Involvement

5.2 The Statement of Community Involvement (SCI) sets out how stakeholders and communities will be consulted and involved in the planning process. The objective of an SCI is to ensure that effective engagement takes place with all sections of the community and that appropriate engagement techniques are used. The Council adopted its SCI in September 2022.

5.3 To ensure that the SCI remains relevant and has regard to new methods of engagement, the council will keep this under review, updating it when necessary.

Supplementary Planning Documents

5.4 Supplementary Planning Documents do not set out policies but are a material consideration when considering planning applications. These may cover a range of issues, which provide detailed guidance on policies in a Development Plan Document. SPDs are currently produced in consultation with interested parties and stakeholders but are not subject to examination. The following Supplementary Planning Documents (SPDs) are currently a material consideration in the determination of planning applications:

- Affording Housing SPD – adopted July 2008
- Kent Design SPD (sorry don't know when this was adopted).
- Character Area Appraisals SPD – adopted 2011

5.5 It is no longer a requirement for details of SPDs and their timetables for preparation to be included within an LDS. Therefore, details of any future SPDs will be provided on our website, as relevant.

Authority Monitoring Report

5.6 The Authority Monitoring Report (AMR) is issued at the end of every year and assesses whether policies, targets and milestones have been met and it will inform the review of the LDS.

Brownfield Register

5.7 Local planning authorities are required by the government to prepare and publish a 'brownfield land register' and annually review it. The register provides details of previously developed sites that are considered suitable for residential development. The preparation and publication of the register is governed by the Town and Country (Brownfield Land Register) Regulations 2017. Previously developed land is defined in Annex 2 of the National Planning Policy Framework.

6. Local Plan Timetable

Background

6.1 Prior to 13th July 2021, the council was progressing a previous Local Plan through the examination process, having submitted this to the Secretary of State in January 2019. This Plan was withdrawn from examination in response to the appointed Planning Inspectors' findings that the council had failed to

meet the Duty to Co-operate, which could not be addressed through the examination process.

6.2 Following withdrawal of this Local Plan the council recommenced plan making in Autumn 2021. An early Regulation 18 Local Plan consultation was undertaken in Autumn 2022. This provided an opportunity to engage with stakeholders, residents and businesses to understand views on a broad range of matters including the spatial distribution of future growth, release of Green Belt land, transport, housing and economic development. All responses received were considered and reported to the council's Housing and Planning Scrutiny Select Committee on 18 July 2023. Since this time, the council has been progressing towards a second Regulation 18 consultation to set out the council's preferred draft policies on a range of planning matters as well as draft preferred site allocations to deliver both housing and economic growth as well as deliver infrastructure to support community needs.

6.3 Following the general election in July 2024, the Government proposed significant reforms to the NPPF in its 30th July consultation, alongside other planning reform. Given the extent of changes proposed the Council paused its plan-making until the publication of a revised NPPF. A revised NPPF was published on 12th December 2024.

6.4 The Government in their response to the latest NPPF consultation have set out the importance of local plans and the Government's commitment to universal coverage and the Government have provided a timeframe for local planning authorities to submit their local plan under the current planning system by 12th December 2026.

6.5 The December 2024 NPPF provides a number of substantial changes which will impact the Council's timeframe for delivering a local plan. The most prominent of these are the changes made which increase the amount of housing we are required to deliver and the changes to national Green Belt policy including introducing 'Grey Belt' and 'golden rules' for Green Belt. There are also a number of other changes that we will need to address to ensure our local plan is compliant with national policy and guidance.

Tonbridge and Malling Local Plan

6.6 The Council is progressing the production of a new Local Plan for Tonbridge and Malling Borough. The Local Plan will be the key planning document for the borough which will provide a vision for and a range of strategic objectives for the borough covering a minimum 15-year period from adoption, a long-term spatial strategy setting out the locations for future housing and employment growth and will provide both strategic and non-strategic polices to guide

development contributing to social, environmental and economic (sustainability) goals.

6.7 Once adopted, the plan will replace all existing adopted plans and policies and will be used to assess and make decisions on planning applications, as well as to be used to help inform investment and the provision of infrastructure to support development.

6.8 To help inform plan-making, the Council's evidence base is being progressed on a range of topics to help inform the local plan and its policies.

6.9 The Council has recently published an Engagement Strategy which alongside the Council's adopted SCI, sets out how we will engage with communities and stakeholders in progressing the Local Plan.

Local Plan production stages

6.10 The timetable is set out to produce a detailed Local Plan with draft policies and draft site allocations at the Council's second Regulation 18 consultation stage to allow communities and stakeholders meaningful consultation and engagement ahead of the Council publishing its Regulation 19 Local Plan and undertaking its Regulation 20 consultation on it's Pre-Submission Local Plan.

6.11 The Regulation 20 consultation stage on the Pre-Submission Local Plan is different to that at Regulation 18. At this stage, communities and stakeholders are asked whether they consider the Local Plan to be 'legally compliant' and whether it meets the 'tests of soundness i.e. Has the Local Plan been positively prepared? Is it justified? Is it effective and is it consistent with national policy? At this stage, the Local Authority does not have an opportunity to make significant changes to the Pre-Submission Local Plan.

6.12 Following the Regulation 20 consultation, it is for the authority to consider the representations made and decide whether it still considers the Local Plan to be sound and whether the Local Plan should be submitted to an independent Planning Inspector. Where there is a decision to submit the Local Plan, the representations made and all other documentation will be submitted for examination.

6.13 Once the Local Plan is submitted the Local Plan timetable is subject to the Planning Inspectorate.

Key dates

6.14 The following table and appendix provides the timetable to produce the new Local Plan. The table breaks down each year into quarters with quarter 1 beginning on 1st April for each year. The timetable is based on submitting a

Local Plan to the Planning Inspectorate by 12th December 2026, in accordance with the Government's timescales.

Table 1: TMBC Local Plan timetable

Local Plan Stage	Date
Approval of a revised Local Development Scheme	Q34 20254/2665
Regulation 18: Second stage Local Plan consultation	Q3 2025/26 ~~(Starting in October 2025)~~
Regulation 19: Publication of the Pre-Submission Local Plan	Q2 2026/27
Regulation 20: Consultation on the Pre-Submission Local Plan	Q2 2026/27
Regulation 22: Submission of the Local Plan to the Secretary of State	Q3 2026/27 (By or before 12th December 2026)
Regulation 24: Independent Examination (including main modifications as relevant)	Q4 2026/2027 (subject to PINS)
Regulation 25: Publication of Inspector's Report (Final)	Q2 2027/28 (subject to PINS)
Adoption of the Local Plan	Q3 2027/8 (subject to PINS)

7. Resources and Council procedures

7.1 The Council's Planning Team in collaboration with other Council services will progress the Local Plan through its various stages. The Planning Policy team will also lead on other requirements such as the 'Duty to Cooperate' with surrounding local authorities and engagement with other relevant stakeholders.

7.2 Expert consultants will be used to assist in providing technical work where the necessary expertise is not available within the Council or where insufficient resources exist to bring the work forward within the timescales required.

7.3 The preparation of the Local Plan will be informed through the following Council Committees and groups:

- Local Plan Member Advisory Group

- Local Plan Officer Working Group
- TMBC Management Team
- Housing and Planning Scrutiny Select Committee (HPSSC)
- Cabinet
- Full Council

7.4 The HPSSC, Cabinet and Full Council will consider the Regulation 18 and 19 Local Plan consultation documents prior to their publication.

8. Monitoring and review

8.1 The performance of the Council against the LDS timetable is monitored in the Authority Monitoring Report (AMR), published annually on the Council's website. In addition, the Council regularly considers risks in relation to the delivery of the Local Plan. These are reported on a regular basis to the Council's Housing and Planning Scrutiny Select Committee (HPSSC)[1] and include risks associated with meeting the LDS timetable.

[1] Housing and Planning Scrutiny Select Committee
https://democracy.tmbc.gov.uk/ieListMeetings.aspx?CommitteeId=465

ANNEX 1- LOCAL DEVELOPMENT SCHEME PROGRAMME

Local Plan Timetable	2022 / 2023	2023 / 2024	2024 / 2025		2025 / 2026				2026 / 2027				2027 / 2028			
			Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Early community and stakeholder engagement and evidence gathering (initial Reg 18 consultation)																
Evidence gathering for draft Local Plan (Reg 18)																
Draft Local Plan consultation (Reg 18)																
Further evidence gathering																
Proposed submission Local Plan publication / consultation (Reg 19 / 20)																
Preparation for Local Plan submission																
Submission of Local Plan																
Examination of Local Plan																
Adoption of Local Plan																

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Annexe 5 - TMBC Local Plan Risk Register (updated October 2025)

No	Risk Title	Consequences	Date identified	Likelihood Score	Impact score	Overall inherent risk score	Risk Assessment form completed?	Desired risk score	Mitigating actions to achieve desired risk score	Risk escalation date	Risk Owner	Date closed	Action required/ by	Review Date
1	Change in political administration or direction from administration	Delay or revisiting key aspects of the local plan, failure to meet 'transitional arrangements' as proposed by Government, failure to achieve an adopted plan under the current planning system and potential for Government intervention in plan-making.	01/09/2024	4	4	16	N	Medium	Progress a Local Plan Engagement Strategy setting out how both internal and external engagement will be progressed. Working with members to gain understanding and awareness of the local plan, the process and the direction of the spatial strategy and local plan policies. Regular member briefings. External legal and technical advice obtained and for the outputs to be communicated to members.	n/a	Kelly Sharp		21/10/2025	01/12/2025
2	Project management- timetable for local plan document, evidence and supporting documentation slips	Delay to the local plan consultation and failure to meet deadlines including submission of a plan under the current planning system.	01/09/2024	3	4	12	N	Medium	Regular project management meetings between PPM and PPOs; regular updates of timetable	n/a	Kelly Sharp		21/10/2025	01/12/2025
3	Staffing- further changes in staff numbers or loss of hours; unexpected absences	Delay to timetable, health and wellbeing implications for team.	01/09/2024	4	4	16	N	Medium	Regular team meetings, 1:1s, effective file management and installation of a 'buddy' system, risk management escalation; utilising contractor staff. Smart recruitment policy and investigation of specialist support. Work with recruitment agencies to fill permanent positions including the currently vacant PPO post.	n/a	Kelly Sharp		21/10/2025	01/12/2025
4	DTC issues	Failure to demonstrate DTC at examination or other issues raised prior to consultations; duty to cooperate issues with neighbouring boroughs including unmet development needs and cumulative infrastructure issues. This may be more critical with Government reorganisation.	01/09/2024	3	4	12	N	Medium	Developing a robust PM system, new DTC grid and legal compliance toolkit and cross boundary issues understood at an early stage. Meeting with DTC partners early.	n/a	Kelly Sharp		10/11//2025	31/12/2025

No	Risk Title	Consequences	Date identified	Likelihood Score	Impact score	Overall inherent risk score	Risk Assessment form completed?	Desired risk score	Mitigating actions to achieve desired risk score	Risk escalation date	Risk Owner	Date closed	Action required/ by	Review Date
5	Consultation database, GDPR and privacy notice issues	Failure of management of the database	01/09/2024	3	4	12	N	Medium	Liaising with legal, keeping them informed of current process, setting dates/timeframes for consultation database review/refresh	n/a	Kelly Sharp		10/11/2025	31/12/2025
6	Lack of design/conservation support	Lack of dedicated internal staff offering this support could lead to matters being missed in local plan, design code or decision-making compromised.	01/09/2024	4	3	12	N	Medium	We are currently working with the Conservation and Design team at Sevenoaks to provide a resource to consider priority local plan work and to also provide support in progressing Conservation Area Appraisals. Grant awarded from the Planning Skills and Delivery Fund to progress review of three conservation areas.	n/a	Kelly Sharp		31/10/2025	31/10/2025
7	HRA, AQ Evidence-Evidence	Delay to the critical path of evidence production and resulting impact upon local plan production and consultation process. Including any delays to the procurement process or changes in scope of the work, resulting from direction or outcomes of NPPF consultation.	01/09/2024	3	4	12	N	Medium	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met. Providing enough time in the work programme to test the local plan and its policies.	To be identified subject to revised timetable	Kelly Sharp		31/12/2025	31/12/2025
8	SA	Delay to the critical path of evidence production and resulting impact upon local plan production and consultation process. Including any delays to the procurement process or changes in scope of the work, resulting from direction or outcomes of national policy consultation.	01/09/2024	3	4	12	N	Medium	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met. Providing enough time in the work programme to test the local plan and its policies.	To be identified subject to revised timetable	Kelly Sharp		31/12/2025	31/12/2025

No	Risk Title	Consequences	Date identified	Likelihood Score	Impact score	Overall inherent risk score	Risk Assessment form completed?	Desired risk score	Mitigating actions to achieve desired risk score	Risk escalation date	Risk Owner	Date closed	Action required/ by	Review Date
9	Evidence base studies - general	Delay to the local plan production and consultation process; lack of consultant support or ability of consultants to progress the workstream, failure to deliver the study to time. Securing the right consultants to undertake the work with work being delivered in a timely manner to inform plan-making.	01/09/2024	4	4	16	N	Medium	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met. Engaging with consultants early to ensure they are available and have the necessary resources to deliver work to the identified timescales.	To be identified subject to revised timetable	Kelly Sharp		31/12/2025	31/12/2025
10	SFRA, L1 and L2- - Evidence	Delay to the local plan production and consultation process; Not PPG compliant as data is not available; issues with new Environment Agency mapping. With impacts on other workstreams.	01/09/2024	4	4	16	N	Medium	Procuring consultants and speedy contract resolution, Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met	To be identified subject to revised timetable	Kelly Sharp		31/12/2025	31/12/2025
11	Spatial Strategy and spatial strategy testing	Delay to the critical path of evidence production and resulting impact upon local plan production and consultation process. Including any delays to the procurement process or changes in scope of the work, resulting from direction or outcomes of any new national policy. Engagement with members requiring work to be re-visited and the resulting impact upon local plan production or progressing the plan per se to meet the Government's submission deadline. Receiving evidence base outputs in time to consider this and progress the spatial strategy.	01/09/2024	4	4	16	N	Medium	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met. Dissemination, engagement and approval by members. Providing priorities to the legal team to ensure contracts can progress. Ensure that other workstreams are completed to allow a focus on evidence outputs and progressing the LAA and spatial strategy.	To be identified subject to revised timetable	Kelly Sharp		31/12/2025	31/12/2025

No	Risk Title	Consequences	Date identified	Likelihood Score	Impact score	Overall inherent risk score	Risk Assessment form completed?	Desired risk score	Mitigating actions to achieve desired risk score	Risk escalation date	Risk Owner	Date closed	Action required/ by	Review Date
12	Green Belt - Evidence	Delay to the critical path of evidence production and resulting impact upon local plan production and consultation process. Including any delays to the procurement process or changes in scope of the work, resulting from direction or outcomes of NPPF guidance or emerging national policy. Including development of evidence base options with differing implications for the outputs of the work in relation to spatial strategy decisions and local plan options.	01/09/2024	4	4	16	Y	Medium	Project management approach, regular evidence base check ins, ensuring consultants are in place and internal and external deadlines are met. Ensuring that consultants are in place to undertake work when required and have sufficient resources to meet timescales.	To be identified subject to revised timetable	Kelly Sharp		31/12/2025	31/12/2025
13	Transport Modelling	Delay to the critical path of evidence production and resulting impact upon local plan production and consultation process. Including any delays to the procurement process or changes in scope of the work, resulting from direction or outcomes of NPPF consultation.	01/09/2024	3	4	12	N	Medium	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met	To be identified subject to revised timetable	Kelly Sharp		31/12/2025	31/12/2025
14	Amended or escalating costs of evidence base	Changes to the scope, timing or number of iterations of the evidence base requirements incurring additional costs; or amended requirements of national policy in order to meet the Governments proposed submission date of no later than December 2026.	01/09/2024	4	4	12	N	Medium	Regular financial management procedures, ensuring contracts are in place, strict project management controls	n/a	Kelly Sharp		31/12/2025	31/12/2025

No	Risk Title	Consequences	Date identified	Likelihood Score	Impact score	Overall inherent risk score	Risk Assessment form completed?	Desired risk score	Mitigating actions to achieve desired risk score	Risk escalation date	Risk Owner	Date closed	Action required/ by	Review Date
15	Transition arrangements for plan making maintained and formally confirmed to be submission no later than December 2026	Meeting the transitional arrangements will be dependent on meeting key stages in plan-making. A revised NPPF has resulted in fundamental changes to the way we are to progress plan-making, obtaining evidence and to update policies to account for the new NPPF. The new NPPF has resulted in cost implications to account for the work required and also the extended time period to deliver a local plan.	01/09/2024	5	4	12	N	Medium	Continue to liaise with members to keep them informed of the impacts of a new NPPF and other relevant consultations; ensure flexibility within new evidence base commissions and budgets to enable quick action. Submission of response to the government's consultation setting out the implications for TMBC on the proposed national policy changes and other planning reforms.	n/a	Kelly Sharp		31/12/2025	31/12/2025
16	Meeting housing needs following a new standard methodology and meeting employment needs.	Changes to work undertaken so far in plan-making, a need to undertake a further call for sites at Regulation 18 stage to identify suitable sites for development to meet needs and further work as necessary to ensure a 'no stone left unturned' approach. The knock on impact of this in evidence gathering and spatial strategy / site allocation testing and work to progress towards a Regulation 18 consultation, including engaging with Members and other relevant stakeholders	01/09/2024	4	4	16	N	Medium	Progress the Land Availability Assessment and work with consultants to understand implications and liaise with members to keep them informed. Progress duty to cooperate meetings with surrounding LPAs and other relevant stakeholders / partners.	n/a	Kelly Sharp		31/12/2025	31/12/2025

No	Risk Title	Consequences	Date identified	Likelihood Score	Impact score	Overall inherent risk score	Risk Assessment form completed?	Desired risk score	Mitigating actions to achieve desired risk score	Risk escalation date	Risk Owner	Date closed	Action required/ by	Review Date
17	Overall increase in costs required to progress a local plan and additional / sufficient budget not being agreed	Inability to deliver a robust / sound local plan. The knock-on effect could result in not progressing a local plan, issues at examination and / or achieving an adopted local plan for the borough following examination.	03/11/2024	4	4	16	N	Medium	Detailed work has taken place to estimate likely local plan costs up to adoption and to allow the Council to consider and plan for increased costs to deliver a local plan.	To be identified subject to revised timetable	Kelly Sharp		31/12/2025	31/12/2025

HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE – UPCOMING MATTERS

2025-26

C=Council; CAB = Cabinet; DEL = Delegated to Committee; INFO = matters for information. Cabinet are responsible for ALL Key Decisions (KD). Some Non-Key Decisions (NKD) can be taken by Cabinet Members outside of/following the meeting. Cabinet member DN Y/N, seeks indication whether the decision is anticipated to be taken by the relevant Cabinet Member following the HPSSC meeting, or whether it is anticipated to go to the next Cabinet meeting for a decision to be taken by the Cabinet as a whole.

DECISION (TITLE)	DESCRIPTION/OUTCOME	C/CAB/ DEL/INFO	KD/NKD	CAB MEMBER DN Y/N	PART 1 OR 2	MEETING DATE	OFFICER IN PERSON ATTENDANCE Y/N
Cabinet Member report	Planning – Cllr M Taylor	Info				2 December 2025	
Review of Fees and Charges 2025/26 (including New Planning Fee Structure	Consideration of new fee structure	CAB	KD	N			
Planning Advisory Service Review of Planning Service	Update following Planning Advisory Service review.	CAB					
Homelessness Strategy	Consideration of draft strategy for consultation; adoption to be reported to Cabinet on 3.3.26	CAB					
Infrastructure Funding Statement	Annual requirement to publish the IFS by 31 December. Will include details of s106 spend and held contributions.	Cabinet Member	NKD	Y			

DECISION (TITLE)	DESCRIPTION/OUTCOME	C/CAB/ DEL/INFO	KD/NKD	CAB MEMBER DN Y/N	PART 1 OR 2	MEETING DATE	OFFICER IN PERSON ATTENDANCE Y/N
Update on housing register TBC	Provide Members with an update on housing register position following recent backlog situation.	Info					
Update on Registered Provider engagement and Housing Liaison Panels	Provide Members with update on approach to engagement with registered providers and survey work and programme of Housing Liaison Panels.	Info					
Local Lettings Plan update on implementation	Provide Members with update on implementation of LLPs	Info					
Matters Arising from Services in between cycles: If any							
Work Programme							

DECISION (TITLE)	DESCRIPTION/OUTCOME	C/CAB/ DEL/INFO	KD/NKD	CAB MEMBER DN Y/N	PART 1 OR 2	MEETING DATE	OFFICER IN PERSON ATTENDANCE Y/N
Cabinet Member report	Housing – Cllr R Betts	Info				17 March 2026	
Review of Conservation Works	Update following Planning Advisory Service review and arrangements with Sevenoaks DC.						
Service Management Plans and Resident Management Companies							
Work with the private sector housing market to increase housing solution opportunities for our residents	Report detailing work to date with the Private Sector (including revised Landlord Incentive Scheme)	Info					
Renters Rights Act 2025 (pending Government legislation)	Update Members on new legislation and impact and implementation by TMBC	Info OR NKD/KD					
Matters Arising from Services in between cycles: If any							
Work Programme							
Future items to be scheduled for scrutiny: Affordable Housing as per OS of 3 April 2025; Service Management Plans							

Annual updates in respect of the following Outside Bodies to be scheduled during 2026/27: High Weald Area of Outstanding Natural Beauty; Kent Downs Area of Outstanding Natural Beauty Joint Advisory Committee

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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.

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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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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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