

TONBRIDGE & MALLING BOROUGH COUNCIL
PLANNING and TRANSPORTATION ADVISORY BOARD

08 September 2015

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 TONBRIDGE AND MALLING LOCAL PLAN

This report provides an update for Members on important progress made towards the preparation of the Local Plan and specifically the initial outcome of the Call for Sites exercise, which closed on the 1st September. It also proposes revisions to the timetable to reflect the next stages of the Local Plan preparation, which will include a full assessment of potential sites to inform options for the development strategy and ultimately land allocations in the Plan. This is an important milestone in preparation of the Local Plan and a stage that will no doubt generate significant interest. Officers will provide a short presentation at the Board meeting to highlight the key issues.

1.1 Local Plan Update since the last Board meeting

- 1.1.1 In June Members received an update on the Local Plan which noted that the Strategic Housing Market Assessment (SHMA) had been revised to take account of the DCLG Household Projections published in February. Although the final report was still awaited at the time of the meeting, the revised objectively assessed need of 673 new homes per annum was subsequently confirmed and the SHMA update report (June 2015) has now been uploaded to the evidence base pages on the Council's website.
- 1.1.2 The objectively assessed need figure will form an essential starting point for the consideration of the Local Plan development strategy and ultimately site allocations. It is very clear, from national policy guidance, key Government statements and the result of many other local plan public examinations that the expectation is that local planning authorities should strive to properly address such identified need in order to meet significant housing shortfalls and support local economic investment.

1.2 The Call for Sites Exercise and the Strategic Housing Land Availability Assessment (SHLAA).

- 1.2.1 While the SHMA is a key part of the Local Plan evidence base setting out future housing needs, the SHLAA identifies potential sites for meeting those needs as well as sites for employment and other uses. To be included in the SHLAA, sites have to be suitable, available and achievable, or in other words, have a reasonable prospect of meeting identified needs over the Plan period (2011-31). Some sites may be suitable (i.e. would deliver the sort of development that is needed, meets market requirements and satisfies physical constraints such as flood risk) and achievable (i.e. be economically viable), but not be available, due to operational requirements, legal or ownership problems. Others may be available and suitable, but unviable and so on.
- 1.2.2 Once sites have been assessed and are considered to meet these requirements they can be included in the SHLAA and this will form part of the Local Plan evidence base. However, this in itself does not mean that all of these sites will be allocated or developed during the Plan period. Different strategies will be considered and proposed during the Issues and Options stage of the Plan making process and be subject to public consultations before preferred choices are made. Only those sites which are sufficient to meet the identified needs and best fit the chosen strategy will be included as development allocations in the draft Local Plan.
- 1.2.3 In addition to the Local Planning Authority itself considering and proposing future sites for inclusion in the SHLAA, National Planning Practice Guidance (NPPG) states that plan makers should issue a call for potential sites and broad locations for development. This is an important feature of the current approach to local plan preparation and enables any party to bring forward land and sites for consideration by the Borough Council. Our 'Call for Sites' exercise was launched in March last year and closed recently on the 1st September. Setting a closing date enables all of the sites submitted to be carefully considered and assessed before the SHLAA is published.
- 1.2.4 At the time of writing this report a total of 220 submissions had been received in response to the Call for Sites exercise, although some of these were duplicates meaning 212 separate sites have been proposed. In addition, there are 23 other sites identified for inclusion by officers to ensure that the Borough Council and its communities will have a comprehensive picture of the choices available in site selection when the time comes. It will immediately be noted that there are a diverse range of sites in terms of size and scale. The locations and outlines of all the submissions can be seen on the map appended to this report and will be displayed at the meeting. There will also be an update in the event of any further sites being proposed up to the deadline on the 1st September.
- 1.2.5 It is very important to note that the purpose of this map is for illustrative purposes only in order to inform and advise Members of the number, general scale and

distribution of the sites that are now coming forward and being assessed which, in turn, demonstrates the scale of the task in hand. Key to the assessment process will be consultations with external consultees such as Highways England, the Environment Agency, Kent Highways and Kent Education Services, which are currently in hand. These consultations will assist our own technical appraisal of the sites at this stage.

- 1.2.6 It seems likely that some of these sites will not meet the requirements set out in 1.2.1 above and may be taken no further. Many others will warrant further assessment of their policy, technical and practical suitability. When the final SHLAA is published next spring as a piece of evidence, it will be accompanied by a report explaining the results of the assessments. It is important to be very clear that the identification of sites at this evidence gathering stage is no indication of the ultimate inclusion in the local plan. It is simply part of the process leading to the examination of options which will be the task in the next phase of the Plan's production. However, bearing in mind the nature of the information now held following the 'Call for Sites', it is timely for Members to be apprised. It is also important to say that inclusion of a site as part of the 'Call for Sites' exercise does not represent a material consideration in the event of a planning application being made before the Local Plan is adopted. Applications received will be determined in accordance with the adopted planning policies in place at the time and any other relevant material planning considerations.

1.3 Revisions to the Local Plan Timetable

- 1.3.1 The Local Plan timetable was last revised in November 2014 and currently proposes a Local Plan Issues and Options stage with accompanying public consultation this autumn. The purpose of the Issues and Options stage is to present the results of the evidence gathering, identify the challenges that the new Plan will have to address in managing future needs for development (the issues) and consider some alternative strategies and sites to address them (the options).
- 1.3.2 The SHLAA sites will be an important consideration in developing the options, but due to the number and scale of the sites being assessed, incorporating meetings with technical consultees, it is not now anticipated that this task will be completed before early next year. As Members will readily appreciate the nature and complexity of some of the sites will require careful examination, not only to test the suitability of sites that the Council may wish to consider including as options for consideration, but also in justifying why sites should not be advanced any further. The latter is particularly important bearing in mind that any sites not included are quite likely to be advanced at the Public Examination and the Council will have to demonstrate sound reasons for its decision making and choices. A revised timetable is appended to this report for approval.
- 1.3.3 On the basis of the revised timetable it is anticipated that the November meeting of the Board will receive a report that will begin to scope out the Issues and Options stage in some more detail. Approval of the documentation and community

engagement arrangements will then be sought at the following meeting enabling consultations to take place in the spring.

- 1.3.4 Following the General Elections in May the Treasury published a document entitled 'Fixing the Foundations – Creating a More Prosperous Nation' (July 2015), which, among other things, made reference to the Government's Planning reforms and that further proposals will be brought forward to further streamline the length and process of Local Plans. In a Ministerial Statement in July the Planning Minister Brandon Lewis noted that Local Planning Authorities will be expected to have produced a Local Plan by 'early 2017' and that failure to do so may result in a Government intervention to accelerate production.
- 1.3.5 There is some ambiguity over what is meant by 'produced' and what stage of plan making this may be, but it is unlikely that a Local Planning Authority that is working towards a Plan for submission by early 2017 would be a priority for such intervention. The streamlining referred to in the Treasury report may also mean that the process becomes shorter as a result and the Council would be well placed to respond positively to any changes. Not wishing to appear complacent, but the Council's track record in plan preparation (and indeed the soundness and reliability of our currently approved plan to date) puts us in a good place. In any event, it seems more important to ensure that adequate consideration by the Council and consultation with communities is programmed, bearing in mind the nature of decision making that will be required.

1.4 Legal Implications

- 1.4.1 The Council as Local Planning Authority is required to prepare a Local Plan for its area and in so doing is bound to follow the process, policy and guidance contained in the Planning Acts, the National Planning Policy Framework and National Planning Policy Guidance. .

1.5 Financial and Value for Money Considerations

- 1.5.1 Ensuring that the Local Plan is prepared in accordance with national planning policy and guidance and based on a robust, up to date and proportionate evidence base will reduce the risks associated with submitting an unsound Plan for examination.

1.6 Risk Assessment

- 1.6.1 Failure to maintain an up to date Development Plan runs the risk of a lack of control in managing future development in the Borough and potentially increasing appeal costs, however this has to be balanced with making the best use of the Council's resources.

1.7 Recommendations

- 1.7.1 That the contents of this report are noted and the revised Local Plan timetable at Appendix 2 is recommended to Cabinet for approval.

Background papers:

Nil

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