

TONBRIDGE & MALLING BOROUGH COUNCIL

Planning and Transportation Advisory Board

05 March 2019

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

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

1 LOCAL PLAN UPDATE

Summary: This report updates Members in respect of the Local Plan submission to the Secretary of State in January and preparing for the Examination.

1.1 Introduction

1.1.1 The Tonbridge & Malling Local Plan was successfully submitted to the Secretary of State on the 23rd January 2019, within the transitional arrangements set out in the revised National Planning Policy Framework published in July 2018.

1.2 Update

1.2.1 The Planning Inspectorate have confirmed receipt of the submission and informed the Council of the appointment of two Planning Inspectors, Mr Simon Berkeley and Mr Luke Fleming, on 15th February 2019. The Inspectors will now consider all of the submitted documents before liaising with the Local Planning Authority in preparation for the Local Plan Examination expected to take place later this year, based on current practice.

1.2.2 As part of the usual preparation activity for the examination phase of plan making, officers are further reviewing the representations made to the Regulation 19 consultation and are preparing materials in support of the Local Plan submission proposals. It is also normal practice for Local Planning Authorities to continue to supplement Local Plan evidence and prepare topic papers that may assist the Inspectors in understanding how the Plan was prepared and how it responds to National Planning Policy. These will be published on the Local Plan Examination webpages of the Council's website as they become available. In turn the appointed Inspectors may take the opportunity to ask questions of the Local Planning Authority in advance of setting out the matters that will be considered at the examination. This will help to determine when the examination is likely to take place and for how long. This continuous dialogue between the Local Planning Authority and the Inspectors is considered best practice.

- 1.2.3 Depending on the guidance of the Inspectors, it may be necessary to undertake further tasks in advance of the examination to comply with the requirements and requests of the Inspectors although it is by no means certain that this will be necessary. This may include additional topic papers being requested, preparing further explanatory text or updating evidence requiring the Local Planning Authority's consideration and engagement with stakeholders. In order to facilitate this process and proceed to the examination at the earliest opportunity, delegated authority is sought for the Director of Planning, Housing and Environmental Health (DPHES) in consultation with the Leader and Portfolio Holder to carry out the relevant activity.
- 1.2.4 Work continues in respect of redacting the personal data from the responses made during the Regulation 19 public consultation exercise in order that these can be published as soon as practicably possible after submission, in accordance with the Local Plan Regulation. It is anticipated that this will be completed by the end of March.
- 1.2.5 All matters relating to the progress of the Local Plan will be regularly updated on the Local Plan Examination web pages.

1.3 Legal Implications

- 1.3.1 The Inspector will consider whether the Local Plan has been prepared in accordance with the correct procedures as part of the legal compliance tests forming part of the examination process.

1.4 Financial and Value for Money Considerations

- 1.4.1 Delays to the Local Plan process could have financial implications for the Council for example in defending planning appeals.

1.5 Risk Assessment

- 1.5.1 Addressing the Inspector's questions in advance of the examination reduces the risk of delays and can save time at the examination. Once the Local Plan is adopted the 5 year housing land supply position will be restored providing a robust position for determining future planning applications.

1.6 Equality Impact Assessment

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

1.7 Recommendations

- 1.7.1 That the Board notes the content of this report and recommends to Cabinet that the Director of Planning, Housing and Environmental Health in consultation with the Leader, Deputy Leader, Cabinet Member for Strategic Planning and Transportation has delegated authority to liaise with the Local Plan Inspectors and

undertake any activity necessary to comply with the requirements and requests of the Inspector.

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

Background papers:

Nil

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