

**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**PLANNING and TRANSPORTATION ADVISORY BOARD**

**04 June 2019**

**Report of the Director of Planning, Housing & Environmental Health**

**Part 1- Public**

**Matters for Information**

**1 LOCAL PLAN UPDATE**

**This report updates Members on the preparatory work for the examination of the Council's Local Plan.**

**1.1 Introduction**

1.1.1 This is a regular update report to the Board on the progress with the Council's Local Plan that was submitted to the Government for examination on the 23<sup>rd</sup> January 2019.

1.1.2 It follows a report to the last meeting of this Board which highlighted that the Planning Inspectorate had confirmed receipt of the Local Plan submission and that two Inspectors had been appointed to examine the soundness of the Plan: Mr Simon Berkeley and Mr Luke Fleming.

**1.2 Update**

1.2.1 Since the last update report in March, officers have prepared and submitted to the Planning Inspectors four Topic Papers:

- Kent Downs Area of Outstanding Natural Beauty (AONB) – Exceptional Circumstances for Major Development (Para.116 in the National Planning Policy Framework, March 2012)
- Green Belt Exceptional Circumstances
- Spatial Strategy
- Site Selection

1.2.2 The purpose of these Topic Papers is to explain to the Inspectors the detailed plan-making process that was followed to reach the policy position in the submitted Local Plan. It is common practice to produce such papers ahead of the examination to help the Inspectors' understanding of how the Plan was made.

These Topic Papers are posted on the Council's 'Local Plan Examination Documents' web page: [www.tmbc.gov.uk/lpexamdocs](http://www.tmbc.gov.uk/lpexamdocs).

1.2.3 In addition to these Topic Papers, the following documents have also been submitted:

- Sustainability Appraisal Report: Addendum
- A20 VISUM Modelling Study (March 2019)
- Habitat Regulations Assessment Revisions – Natural England's Response
- Landscape & Visual Appraisal Report

1.2.4 These supplement existing pieces of work by providing updates to the evidence base where new information has become available or by providing additional information on key evidence to ensure clarity for the Inspectors and to inform the examination process. These documents are also available from the Council's 'Local Plan Examination Documents' web page: [www.tmbc.gov.uk/lpexamdocs](http://www.tmbc.gov.uk/lpexamdocs).

1.2.5 The representations received during the consultation on the Regulation 19 version of the Local Plan last autumn are available to view and download online in policy order: [www.tmbc.gov.uk/reg19reps](http://www.tmbc.gov.uk/reg19reps). Personal details have been redacted to comply with the requirements of the General Data Protection Regulations (GDPR).

1.2.6 We are awaiting notification from the Inspectors of the provisional start date for the examination and the matters, issues and questions that will be examined. In accordance with the Regulations, the Council will give at least six weeks notification in advance of the examination commencing.

1.2.7 Any future news on the Local Plan will be published on the 'Examination Latest News and Updates' web page: [www.tmbc.gov.uk/lpexamnews](http://www.tmbc.gov.uk/lpexamnews).

### **1.3 Legal Implications**

1.3.1 It is the responsibility of the appointed Inspectors to determine if the preparation of the Local Plan complies with the relevant legal requirements.

### **1.4 Financial and Value for Money Considerations**

1.4.1 Any delays to the examination process could have financial implications for the Council in terms of defending planning appeals on decisions made ahead of adoption of the Local Plan.

### **1.5 Risk Assessment**

1.5.1 Upon adoption of the Local Plan the Council will have an up-to-date Development Plan in place and will be able to demonstrate a five year housing land supply

position. This will put the Council in a clear robust position for determining planning applications against the strategy and policies in the Local Plan, having regard to other material considerations. Any delays in the process will risk setting back adoption of the Local Plan and the benefits adoption will achieve for local decision-taking.

Background papers:

contact: Nigel De Wit

Nil

Eleanor Hoyle  
Director of Planning, Environmental Health and Housing