

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

**29 June 2021**

**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 BOROUGH GREEN GARDENS**

**1.1 Introduction**

1.1.1 This report provides information regarding the garden communities work that has commenced to support the delivery of development at Borough Green Gardens, an allocation in the council's current draft Local Plan. This includes the preparation of a development brief, that once finalised will inform the determination of future planning applications.

**1.2 Background**

1.2.1 Borough Green Gardens (BGG) has been included in the current draft Local Plan as the council's most significant strategic allocation, with 1750 units envisaged during the Plan period and a further 1250 safeguarded for a future Plan period.

1.2.2 In late 2019, Homes England confirmed the inclusion of BGG in the Garden Communities programme. This came with an initial tranche of £150k capacity funding, a subsequent in programme bidding round has led to a further £100k being secured in June 2021. In addition to specific pieces of work designed to progress the delivery of the project (discussed below), this funding is paying for officer time spent on the project and for engaging key stakeholders including KCC Highways and Natural England in technical discussions about aspects of the site.

1.2.3 A project Board chaired by Cllr Lettington and separate Working Group was set up in early 2020. The board comprises of key stakeholders including TMBC (Cllrs Lettington and Montague, Eleanor Hoyle), Homes England, the Borough Green Gardens Consortium (landowner representative and planning agent), KCC, Natural England, Design South East and the Kent and Medway Economic Partnership. This Board has been overseeing progress on the project work. Terms of Reference have been established for the Board and Working Group, that include maintaining confidentiality about the project.

1.2.4 BGG is in the green belt and partly within and within the setting of the Kent Downs Area of Outstanding Natural Beauty. As such, without the progression of a Local

Plan allocation, it is unlikely that development will be successfully approved in this location.

- 1.2.5 Work on the project commenced in 2020 following the appointment of multi-disciplinary consultants Arcadis, with the aim of having a draft Development Brief prepared prior to the site allocation hearing sessions associated with the current draft Local Plan, which were originally estimated for spring 2021.

### **1.3 Current position**

- 1.3.1 As part of the capacity funding, it was agreed that work would commence on a Development Brief for the site. Such documents are tools for an LPA to provide additional detail to high-level Local Plan policies, and in the circumstances will further inform the required masterplan and subsequent planning applications. The development brief will set key parameters for the site, including vision and development principles, as well as outcomes (where necessary) that also reflect the Garden Communities Principles that are set out in [national guidance](#).
- 1.3.2 Arcadis are project managing the delivery of this work and are engaging with all delivery partners and statutory stakeholders to produce the document. The technical investigations informing the document are also exploring delivery options for the relief road, which as Members will be aware is a key component of the proposals.
- 1.3.3 Following the last Reg 19 consultation on the Local Plan, there is a standing objection to the BGG proposals from Natural England relating to potential development in and within the setting of the AONB. Officers and consultants are working to resolve this objection through the preparation of further evidence, as well as consideration of the layout of development and landscape mitigation. Natural England accept that the relief road which is necessary to unlock development, does need to go partly through the AONB subject to sensitive design and mitigation.
- 1.3.4 The delivery of the relief road is dependent on a number of factors including structural development considerations, viability, trigger points and impact on the existing highway network. Members may recall that the trigger point for delivery of the complete relief road by the occupation of 450 units (as required by draft policy LP29) was based on outline information on delivery rates and on the Local Plan viability study, as well as community interests in seeing this infrastructure delivered as early as possible in the phasing of development. Discussions are underway at present regarding whether this trigger point remains appropriate/defensible for the Council and what the viability position might be. If required, Homes England have indicated a willingness to consider whether funding for this important infrastructure could be secured through their forthcoming Strategic Housing Infrastructure Fund (SHIF).
- 1.3.5 There are a number of garden communities projects in similar positions to BGG, i.e., that they are draft allocations in a Local Plan that has not yet been examined.

Homes England remain supportive of these projects and are keen to assist in enabling activity. They support the approach of getting key documents such as Development Briefs in place as early as possible in the process, as these can be useful (although not essential) at examination stage in demonstrating deliverability.

- 1.3.6 Homes England expect to see continued progress towards the aim of housing delivery at the earliest opportunity and do review the projects included in the Garden Communities programme on a regular basis. It is not considered prudent to halt work on the development brief at this time, notwithstanding the current Local Plan position, as this could weaken the case for the council's commitment to the allocation going forwards and its continued inclusion in the Garden Communities Programme.
- 1.3.7 The landowner consortium has yet to confirm a lead development partner but are in a period of exclusive negotiation with Countryside, a prominent developer with significant experience in delivering new communities. In due course the lead development partner is expected to replace the landowners on the Board as the delivery body for the project.

#### **1.4 Next Steps and Timetable**

- 1.4.1 There is some further technical work being prepared at this time to inform the draft Development Brief. This is being carried out by consultants and discussed with relevant stakeholders, as well as being regularly updated to the Project Board.
- 1.4.2 In order to progress the draft Development Brief towards formal public consultation later in 2021, it is very important to get the input of the local community including businesses, residents and community groups. Their views and ideas will be important in helping to inform the Development Brief and the delivery of development in due course.
- 1.4.3 Community involvement and long-term stewardship of new communities are fundamental expectations of the Garden Communities approach. As part of this, the Board has discussed establishing a Community Forum to enable discussion on key issues relating to the Development Brief, and other matters as the project moves forward. This is proposed to be independently chaired by an external party.
- 1.4.4 Guidelines will be provided for those who participate in the Forum, the foundation of which would be that the Forum does not exist to consider the principles of development (this is a matter for the Planning Inspectorate via the Local Plan process) but to ensure that if the development is delivered, that it is done so in a way which maximises the benefits for existing and future residents. This approach has been endorsed by the project Board.
- 1.4.5 It is proposed in September that meetings are held with parish councils in the immediate vicinity of the allocation alongside the establishment of regular BGG

Forum meetings. This engagement work will seek feedback on various aspects of the Development Brief including the vision and principles, so that this can be taken into account in finalising the draft document which will be issued for consultation later in the year. It is anticipated that a full draft Development Brief will be presented for Member consideration at the November PTAB meeting for agreement to publish this for public consultation.

## **1.5 Legal Implications**

1.5.1 There are no direct legal implications arising from this report.

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

1.6.1 To ensure that the capacity funding awarded by government is spent effectively and in a timely manner to ensure that a high standard of place making is achieved in delivering development at BGG, and that identified infrastructure and other policy requirements are secured through the planning process.

## **1.7 Risk Assessment**

1.7.1 There is no direct risk arising to the Council in relation to the preparation of the development brief. The risk of not having more detailed guidance in place to inform the delivery of the site, could put at risk the achievement of good place making and the realisation of the garden communities principles and other required outcomes.

## **1.8 Equality Impact Assessment**

1.8.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived negative impact arising from this work upon local residents, businesses and others.

## **1.9 Policy Considerations**

1.9.1 The preparation of a development brief for Borough Green Gardens reflects the status of the site as the largest strategic allocation in the current draft Local Plan and responds positively to the inclusion of the site within the national Garden Communities Programme. The development brief will more clearly articulate required development outcomes which are identified in the draft Plan.

## **1.10 Recommendations**

1.10.1 That the content of this report be **NOTED**, and that Members **ENDORSE** the project next steps and timetable which will allow community engagement activities to commence.

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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