

# TONBRIDGE & MALLING BOROUGH COUNCIL

## FINANCE, REGENERATION AND PROPERTY SCRUTINY SELECT COMMITTEE

14 March 2023

### Joint Report of the Leader, Cabinet Member for Finance, Innovation & Property and Director of Central Services & Deputy Chief Executive

#### Part 1- Public

#### Matters for Recommendation to Cabinet - Non-Key Decision

## 1 TMBC OWNED SITES – LOCAL PLAN

### 1.1 Introduction

1.1.1 As Members will be aware, the Council, acting as the Local Planning Authority (LPA), is preparing its new Local Plan and toward the end of last year undertook its Regulation 18 consultation. Initial outputs from the consultation were reported to the Housing and Planning Scrutiny Select Committee on 6<sup>th</sup> December 2022 ([available here](#)).

1.1.2 However, outside of this process some key decisions on the future development potential of the council's own assets need to be made. Members will also be aware that potential development sites can be brought forward through the planning approval process and do not specifically require allocation in the local plan to do so. There are specific benefits of allocation within the local plan, however at this stage no decisions on particular sites for inclusion have yet been made by the Council as LPA. The planning policy team are at this stage seeking to understand availability of sites which have been identified through the Urban Capacity Study.

1.1.3 Members will be aware that the government commenced consultation on the 'Levelling-up and Regeneration Bill: reforms to national planning policy' on 22<sup>nd</sup> December 2022. Cabinet considered the Council's response to the consultation at its meeting on 14<sup>th</sup> February 2023 (Decision Notice: D230010CAB).

### 1.2 TMBC Owned Sites

1.2.1 The Council as LPA will be writing to all landowners whose sites were identified in the Urban Capacity Study, which of course includes itself as landowner, seeking additional information about those sites.

1.2.2 In advance of receiving that letter officers have started to pull together relevant information on each of the sites identified. Although this work is ongoing, the initial information gathering process has suggested some sites will be unavailable for development. The purpose of this report is to list these and seek Members'

views on whether, once we receive the letter from the LPA, we can respond stating they are unavailable.

- 1.2.3 A table is included at **Annex A** which lists the sites and provides some commentary from officers as to why they would not be considered appropriate for development at this stage. Plans of each of the sites can be found at **Annex B**.
- 1.2.4 At **Annex C** Members can see for each of the sites the relevant Interim Sustainability Appraisal Report: Annex 1 Reasonable Alternative Development Site Option pages, which formed part of the Local Plan consultation.
- 1.2.5 Once the analysis of the remaining sites identified by the Urban Capacity Study has been completed, a further report will be presented to the committee for consideration.

### **1.3 Legal Implications**

- 1.3.1 The matters raised in this report are considered to be routine, uncontroversial or not legally complex and a legal opinion has not been sought on these proposals.

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

- 1.4.1 Council will be deciding these sites are unavailable for development based on restrictions or constraints which are likely to be in place for some time, meaning there is little or no development value.

### **1.5 Risk Assessment**

- 1.5.1 There is felt to be no risks associated with the contents of the report.

### **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 Policy Considerations**

- 1.7.1 Asset Management.

## 1.8 Recommendations

1.8.1 It is **RECOMMENDED** to Cabinet that;

1.8.2 Members' views on sites which are considered to be unavailable for development be taken into account in formally responding to the letter from the LPA, once received, regarding TMBC owned sites identified in the Urban Capacity Study.

Background papers:

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Nil

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