

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

**18 November 2014**

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

**Part 1- Public**

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

**1 LOCAL PLAN UPDATE**

**Summary: To update Members on progress on the Local Plan and seek approval for the revised timetable.**

**1.1 Introduction**

- 1.1.1 Good progress on the evidence base for the Local Plan has continued over the period since the last update at the June meeting of this Board, particularly in respect of the update of the Strategic Housing Market Assessment (SHMA) and the Strategic Housing Land Availability Assessment (SHLAA), which will be explained in more detail below.
- 1.1.2 There have also been area-based briefings on the Local Plan, which have sought to update Members in terms of progress and process and also the implications for the timetable of ongoing planning reforms and outstanding pieces of evidence.
- 1.1.3 This report summarises the latest position in terms of timescales and next steps. Another report on this agenda will seek approval for two statutory parts of the emerging Local Plan, the Statement of Community Involvement (SCI) and the scoping report for the Sustainability Appraisal (SA).

**1.2 Local Plan Evidence Base**

- 1.2.1 SHMA Addendum
- 1.2.2 At the time of the last update Members were advised that in order to ensure the SHMA, (the key piece of evidence which assesses the objectively assessed needs for housing for the plan period) is up to date and relevant, an addendum should be prepared in the light of the Government's revised Sub-National Population Projections published in May.
- 1.2.3 Members were also advised that an opportunity would be taken to assess the needs for institutional accommodation (Class C2 in the Use Classes Order), which the Planning Practice Guidance also published in May, now allows to be counted towards meeting housing needs.

- 1.2.4 The three commissioning Local Authorities (Tonbridge and Malling, Maidstone and Ashford) retained G L Hearn and Partners to prepare the addendum, which was finalised in August.
- 1.2.5 The revisions to the population projections resulted in a slight uplift of the housing need figures for Tonbridge and Malling from 650 to 665 per year or from 13,000 to 13,300 additional dwelling over the period 2011-31.
- 1.2.6 The reason for the uplift is due to the Government updating its assumptions for future fertility and mortality rates and also for net migration rates. The latter includes migration between other areas in London and the south east as well as international migration and reflects the fact that Tonbridge and Malling is recognised as an attractive place to live.
- 1.2.7 The uplift in the annual need figure has increased the requirement to identify a 5 year land supply (plus 5%) by a corresponding amount. The latest version of the Annual Monitoring Report (2012/13) shows that 5.1 year's supply can be identified based on these revised figures and this does not take into account an allowance for windfalls or the recent approval for a third phase of housing development at Kings Hill.
- 1.2.8 The addendum also assessed needs for future institutional accommodation, which in Tonbridge and Malling is almost exclusively for care home beds. This identified a need for 462 additional bedspaces over the plan period or 23 per year. If there is a significant oversupply this may be offset against the housing need, but for the time being the need for this type of accommodation will be kept separate.
- 1.2.9 The SHMA as amended by this latest information and analysis provides a clear position in identifying the 'Objectively Assessed Need' for new homes in the Borough for the Plan period. Members will recall that this is an important starting point for the local plan and one which will provide a sound basis for shaping the future development strategy.
- 1.2.10 SHLAA Progress
- 1.2.11 Turning to progress on completing the SHLAA, a healthy response was received to the Call for Sites exercise earlier this year which generated in the region of 200 submissions. This exercise is being carried out in house and due to the volume of sites to register, process, arrange site visits and carry out assessments, this is taking longer than initially envisaged, which was to complete this by the autumn.
- 1.2.12 Some key pieces of evidence, which will be important for the assessment of the suitability of sites, are yet to be finalised, for example, the Strategic Flood Risk Assessment. This will be informed by the Environment Agency's revisions to the Middle Medway Strategy, which updates the hydrology, flows and potential for flooding along a significant stretch of the river as it passes through the borough. If flood risk areas expand in the light of last year's events it would be premature to assess a site in the absence of this information. Officers were led to believe this

work would be completed by November, but it is now expected to be March next year.

1.2.13 It is also important to note that the Call for Sites is only one element of the SHLAA and that there will be other sites that the Local Planning Authority will wish to consider in the process and put forward for examination. Consequently it is not anticipated that the results of the Call for Sites exercise will be finalised until the early summer of 2015. Those who submitted sites and others that have an interest in the SHLAA will be informed of the changes to the timetable and the web-site updated in due course.

#### 1.2.14 Other Evidence

1.2.15 The Employment Land Review has also been updated in the light of the population projections and this is nearing completion. In short, the review has shown that while there is sufficient employment land allocated to meet future needs, there is an imbalance between land allocated for office use and land for other types of employment.

1.2.16 The type of accommodation and its suitability for meeting modern requirements is also something the report highlights and the continuing importance of the rural economy is also recognised.

1.2.17 Nathaniel Lichfield and Partners have been retained to roll out the retail study across the rest of the Borough building on the work they have already carried out for Tonbridge. Officers are currently liaising with the consultants over the form and content of the work and the timing, so that this complements the rest of the evidence.

1.2.18 The Strategic Flood Risk Assessment as already noted is effectively delayed until next spring, but officers will continue to work closely with the Environment Agency to ensure that the best available information is incorporated into the emerging Local Plan.

1.2.19 The Infrastructure Delivery Plan is awaiting the outcome of the rest of the evidence base to link up future planned growth with necessary infrastructure. Officers are continuing to build relationships with infrastructure providers and monitor existing capacity against potential future needs.

1.2.20 Although there is scope for new infrastructure to be delivered off the back of potential new developments, this is normally only for bridging any gaps in provision to enable development to proceed. However there may be an opportunity through the plan making process to highlight areas where existing infrastructure could be enhanced so that improvements could be considered as part of provider's long term maintenance plans, particularly in areas where new growth may be planned.

1.2.21 Ensuring that highway infrastructure to accompany new growth is particularly important in preparing the Local Plan. The Government has introduced the 'severity' test for highway impacts associated with new development, which means that impacts have to be severe before applications can be refused on these grounds. There is no specific definition of 'severe', but the lack of cases where this has been upheld suggests the threshold is quite high. Another consideration is neighbouring Planning Authorities which are at different stages of plan making and are determining major planning applications that may have impacts on the local highway network in this borough. Officers are working with colleagues in Kent Highways to discuss these issues in the light of the challenges we face in progressing our Local Plan.

### **1.3 Ongoing Planning Reforms**

1.3.1 As noted in previous updates the Government's ongoing planning reform agenda continues to present further challenges to those preparing Local Plans, both in terms of the resources employed in considering the reforms and responding to them, but also in terms of anticipating the impacts they may have on the draft plan and building in contingencies to respond accordingly.

1.3.2 There are other reports on this agenda which illustrate this point including those on the DCLG consultations for Planning for Gypsies and Travellers and the proposed Right to Build.

1.3.3 In addition in recent months the Secretary of State in announcing a new Waste Planning Policy and through changes to Planning Practice Guidance in October the position on interpreting Green Belt policy has been addressed once again. In the former the waste policy has been amended to remove the implication that the need for waste facilities could trump Green Belt policy and in the latter Green Belt has been included in the list of policy constraints when considering whether housing and economic need should take precedence.

1.3.4 Although the main thrust of the Government's policy is unchanged, (i.e. that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation of a Local Plan) these changes have had the effect of sending a strong message that Green Belts should remain permanent. The Government has been less clear how this should be interpreted in those Local Planning Authorities with Green Belt that have to meet their objectively assessed housing needs, which also remains a priority. This again could have implications for the local plan and ultimately how we approach our development strategy and the identification of land allocations.

1.3.5 In some ways the attempts at clarity on key planning issues have served to increase the apparent tension and conflict between important policy considerations. Depending on the approach of Government following the General Election in May next year, there may be further planning reforms to respond to.

These factors have also led to the conclusion that the timetable for preparing the Local Plan should be revised.

## **1.4 Community Engagement and Revised Local Plan Timetable**

- 1.4.1 The current Local Plan timetable anticipates a first round of public consultation on the Local Plan this autumn. This has also been communicated to Parish Councils through the 1-1 meetings earlier this year and also those making submission during the Call for Sites.
- 1.4.2 In the light of the latest information available regarding the Call for Sites assessments, the availability of outstanding pieces of evidence such as the Strategic Flood Risk Assessment and the uncertainty surrounding on-going planning reforms a new timetable is proposed for approval. This can be found at Annex 1 to this report.
- 1.4.3 It is now proposed to not hold the first public engagement exercise for the Local Plan until after the summer of next year. This will allow for the remainder of the evidence base to be prepared and for the new Council following May's local elections to become familiarised with the process and progress made so far. It will also allow for any implications arising from the General Election to be taken into account and avoid consulting over the summer holidays.
- 1.4.4 In order to keep those with an interest in the new Local Plan informed and up to date, it is proposed that a position statement will be prepared and made available that will update on the progress so far and the revised timetable. We envisage that being a helpful outline of what the Local Plan has to address and why the development needs of the Borough are important. The web-site will also be updated and anyone who has asked to be kept informed will be contacted.

## **1.5 Legal Implications**

- 1.5.1 The Council as Local Planning Authority is required to prepare a Local Plan for its area.

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

- 1.6.1 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.

## **1.7 Risk Assessment**

- 1.7.1 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.

## 1.8 Equality Impact Assessment

1.8.1 See 'Screening for equality impacts' table at end of report

## 1.9 Policy Considerations

1.9.1 The Local Plan will be the Council's primary land use planning policy document.

## 1.10 Recommendations

1.10.1 That the Board note the content of this report and

1.10.2 Approve the revised Local Plan timetable at Annex 1.

Background papers:

contact: Ian Bailey

Nil

Steve Humphrey

Director of Planning, Housing and Environmental Health

<b>Screening for equality impacts:</b>		
<b>Question</b>	<b>Answer</b>	<b>Explanation of impacts</b>
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	This report is a progress update on the preparation of the Local Plan.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	This report is a progress update on the preparation of the Local Plan.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*