

## 02

# LOCAL PLAN CONTEXT



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# 02

## LOCAL PLAN CONTEXT

### Legislative and Policy Framework



2.1 The preparation of this Local Plan is governed by a robust legal and policy framework.

2.2 In accordance with statutory requirements, the Plan must align with national planning policy and guidance, notably the [National Planning Policy Framework \(NPPF\)](#) and [Planning Practice Guidance \(PPG\)](#). These documents set out the Government's planning policies for England and provide a framework for their application at the local level and are a material planning consideration in planning decisions.









# The Development Plan



**2.3** Once adopted, the Local Plan will form part of the Development Plan for the borough. The Development Plan also includes the [Kent Minerals and Waste Local Plan \(2025\)](#) and any adopted [Neighbourhood Plans](#).

**2.4** [The Kent Minerals and Waste Local Plan \(2025\)](#) sets out the vision and strategy for waste management and mineral provision up until (and including) the year 2039. An important part of the strategy is the safeguarding of mineral resources, waste management and minerals infrastructure. The plan also contains several development management policies.

**2.5** [Neighbourhood Plans](#) provide an opportunity for parishes and local communities to plan for their local community and reflect more local aspirations for their areas. Neighbourhood Plans must be prepared in general conformity with the strategic policies set out in the [Adopted Development Plan](#). This currently includes the following:

- Core Strategy 2006-2021 (September 2007)
- Development Land Allocations DPD (April 2008)
- Tonbridge Central Area Action Plan (April 2008)
- Managing Development and the Environment DPD (April 2010)

**2.6** However, this will change to the new Local Plan once adopted, as this will supersede the current Adopted Development Plan.

**2.7** There are currently no adopted Neighbourhood Plans within the borough. However, the council will continue to provide support for communities wishing to prepare a Neighbourhood Plan.

**2.8** The timetable for producing Development Plan Documents including this Local Plan is set out in the council's [Local Development Scheme](#).

# Sustainable Development

**2.9** The primary purpose of the planning system is to contribute to sustainable development. This involves balancing various needs and interests, including economic, social and environmental considerations.

**2.10** Ensuring sustainable development means ‘meeting the needs of the present without compromising the ability of future generations to meet their own needs’.

**2.11** The Government has agreed to the [United Nations 17 Sustainable Development Goals](#) for the period to 2030, to address social progress, economic well-being and environmental protection. These are provided at Figure 2.1.

**2.12** In relation to achieving sustainable development, the [NPPE](#) sets out that both Local Plans and planning decisions should apply a ‘*presumption in favour of sustainable development*’. For plan-making this means that we need to promote a sustainable pattern of growth that meets the needs of our area (including housing, infrastructure and other uses), whilst improving our environment and mitigating and adapting to climate change. This has been a key consideration in our plan-making. For decision taking, it will mean that planning applications that accord with our Plan, once adopted, will be approved, unless material considerations indicate otherwise.



**Figure 2.1:** United Nations Sustainable Development Goals

# Progressing a Local Plan and Plan-Making



**2.28 Plan-making is a multi-stage process and includes several key stages and aspects.**

## Understanding local priorities and ambitions

**2.13** Developing a Local Plan provides an opportunity to consider local priorities and ambitions of the Council and its partners and consider how to respond to these spatially.

**2.14** This draft Local Plan therefore supports the [Council's Corporate Strategy](#), which sets out the council's aims and priorities up to 2027. It also considers a range of other Council and partner organisation strategies.

## Evidence base

**2.15** To meet national planning policy, Local Plan policies must be based on current, relevant, and robust evidence.

**2.16** We have progressed and published a number of studies to support the emerging draft Plan at this stage. As the Local Plan is progressed further, we will gather more information and evidence to ensure that the Local Plan that we publish at Regulation 19 stage is robust.

**2.17** This will include further testing of the emerging growth strategy, including further liaison with developers and infrastructure providers. Our [emerging evidence base is available to view on our website](#) as part of this consultation.

## Sustainability Appraisal and Habitats Regulations Assessment

**2.18** As part of the plan-making process, we are required to undertake a Sustainability Appraisal (SA) and a Habitats Regulations Assessment (HRA).

**2.19** SA evaluates the Plan's social, economic, and environmental impacts, ensuring it promotes sustainability. It's an integral part of the plan-making process, ensuring the Plan contributes to sustainable development.

**2.20** The HRA focuses on the potential impacts of the Local Plan on protected international and European wildlife sites. It involves a screening assessment to identify potential significant effects, and if necessary, a more detailed "Appropriate Assessment". The SA and HRA processes are both iterative, meaning that they are revisited and refined throughout the Plan's development. The findings of the HRA, including any mitigation measures, may inform the SA, and vice versa.

**2.21** We have published an SA Scoping Report and a Sustainability Appraisal alongside our Draft Local Plan. We have also published an Interim HRA. The SA and HRA have informed the Regulation 18 draft Local Plan and form part of this Local Plan consultation.



## Equality Impact Assessment

**2.22** As part of the plan-making process, we have undertaken an Equalities Impact Assessment (EqIA).

**2.23** The EqIA is a way to help identify the likely or actual effects of policies upon all people and sectors of the community.

**2.24** The aim of the assessment is to ensure that any negative consequences for those people with protected characteristics as defined by the [Equality Act 2010](#) are eliminated or minimised, and opportunities for promoting equality are maximised.

## Duty to Cooperate

**2.25** The duty to cooperate is a legal obligation for local planning authorities and other bodies in England to work together on strategic planning matters that cross administrative boundaries.

**2.26** It was introduced by the [Localism Act 2011](#) and aims to ensure that cross-boundary issues are addressed effectively during the plan-making process.

**2.27** Tonbridge and Malling Borough Council have a number of duty to cooperate partners. We have been working with our partners and will continue to do so as we progress the Plan further. We have published a Duty to Cooperate Topic Paper which summarises the engagement that we have undertaken to date on strategic cross boundary matters with neighbouring local authorities, stakeholders and external organisations.