

LOCAL PLAN REGULATION 18 CONSULTATION (10 NOVEMBER - 22 DECEMBER 2025)

Item HP 25/43 referred from Housing and Planning Scrutiny Select Committee of 21 October 2025

The report of the Director of Planning, Housing and Environmental Health sought approval of the Tonbridge and Malling Regulation 18 Local Plan document to be published for public consultation.

If the Local Plan was approved for consultation, then the consultation was proposed to run for six weeks from 10 November to 22 December 2025, meeting the statutory duty, allowing local communities and stakeholders to take part in the consultation and share their views on the emerging local plan before finalising the Plan for its last consultation in summer 2026 and before submitting the Local Plan to the Planning Inspectorate for Examination by December 2026.

This was the second Regulation 18 consultation, the first having been held in 2022. However, since then, a revised National Planning Policy Framework (NPPF) had been published which resulted in a delay to the council's plan making process so national planning policy changes could be accounted for. The key implications of these national policy changes included a requirement to meet a much-increased housing need figure as well as a weakening of Greenbelt policy and the introduction of grey belt. These implications meant that a different approach to meeting the Governments housing target had to be taken than that which was progressing previously under the old NPPF.

In relation to the Local Plan, it looked ahead to 2042 to ensure that the national requirement for a 15-year plan period was met on adoption. Once adopted, the Local Plan would provide a range of planning policies to help guide development, ensuring that the borough's needs and priorities were met including the provision of key infrastructure. The Plan was structured around key themes including climate change, the natural environment, the historic environment, design, housing, the economy, rural development and infrastructure, and officers had met with Members to shape policies in these key areas. The Plan also put forward draft proposed housing and employment allocations to meet the borough's needs.

One of the key areas for any Local Plan was the requirement to meet the Government's assessment of the objectively assessed need for housing and other uses. The housing need was to deliver 1,097 homes per year. For an 18-year period from 2024-2042, the minimum housing requirement was to deliver a total of 19,746 homes within the plan period. Given existing commitments and a windfall allowance, this meant that the Council were required to find land to deliver 12,592 homes. It had also been advised that a buffer be provided to account for potential non-delivery of developments, however given the constraints in the borough and the lack of suitable sites, this had not been possible at this time. Further work would be undertaken to address this as the Plan progressed. Overall, the Plan allocated land to deliver 12,664 homes providing a surplus of only 72 dwellings. The Council was also required to meet the employment need as well as pitches for the borough's Gypsy and Traveller communities. At a minimum, 361,500sqm of employment space and an additional 33 pitches were required to be delivered.

Chapter 5 of the Local Plan set out the spatial strategy, which provided the overarching framework for the distribution of development for the Plan period. In summary, the strategy sought to deliver patterns of sustainable growth, allocating growth in and around the most sustainable towns and villages, where communities would have access to a wide range of services and facilities and sustainable transport options to larger settlements. In addition, the Plan also set out how appropriate growth in the rural areas would be supported. Furthermore, the strategy sought to protect national landscapes and the Green Belt as far as possible. Key to the spatial strategy was ensuring that infrastructure was developed to support both new and existing communities and further detail in relation to the work that had been undertaken with infrastructure providers was provided in the Interim Infrastructure Delivery Plan. The proposed allocated housing and employment growth by settlement to 2042 was set out in Annex 2 of the report and Chapter 14 of the Local Plan included the draft proposed allocations.

Over the past 12 months, much work had been undertaken on the evidence base to inform the Local Plan and a list of documents that would be available for consultation were attached at Annex 3 to the report. Following consultation, consideration would need to be given to the responses received as well as further test the spatial strategy, the sites included as well as update and progress policies. In addition, further evidence including more detailed transport modelling as well as consideration of other infrastructure requirements would need to be progressed. A series of next steps were set out at paragraph 6.26 of the report.

In terms of Local Plan consultation, details of the engagement methods that would be used for consultation were detailed at paragraphs 6.21 to 6.25 of the report. This included holding drop-in sessions for the public and stakeholders, a virtual exhibition, utilising digital consultation platforms and maps as well as delivering a leaflet to every household in the borough to inform and invite people to take part in the consultation.

Members attention was brought to the benefits of progressing a Local Plan as well as the risks of not, as set out at sections 9 and 11 of the report. The alternative of not having a plan in place, would result in planning by appeal, ad hoc and uncoordinated growth which would not be supported by the strategic infrastructure that might be required. It was also likely that the Government would step in using their intervention powers given their housing and economic agenda. An updated risk register was attached at Annex 5 to the report.

Members approval was also sought on small amendments to the Local Development Scheme. A tracked changed version was provided at Annex 4 to the report. The Local Development Scheme set out the Council's timetable for the Local Plan and the timetable had been updated to align with the proposed consultation dates.

Members recognised the significant task undertaken by officers in providing extensive supporting information and that the challenge had been intensified by the Government imposed timescales with potential consequences for non-compliance. Furthermore, it was recognised that the plan aligned with the increased housing targets set by the Government.

During discussion, concern was expressed in relation to those sites provisionally designated as grey belt, as well as the implications for retail, parking, primary healthcare, schools and the sustainability and affordability of travel. Members noted that more detailed modelling and engagement with statutory providers and stakeholders would be incorporated into the Infrastructure Delivery Plan, given that this was a live document that ran alongside Plan making, to ensure the delivery of effective infrastructure. Furthermore, the Council was collaborating with Kent Council County and consultants who had developed models that incorporated traffic projections and work would continue in line with the plan to assess traffic movements and implement measures to mitigate any impacts.

Members discussed the delivery of affordable housing, noting that the need was far greater than that which can be delivered on an annual basis. Finally, due regard was given to the finance and value for money considerations, the risk assessment and the legal implications outlined in the report.

Councillor Bell proposed, seconded by Cllr King and it was unanimously carried that the public consultation period for the Tonbridge and Malling Regulation 18 Local Plan consultation document, Interim Sustainability Appraisal and Draft Active Travel Strategy be extended to 2 January 2026 due to the Christmas holiday period. Members were advised that an extension to 2 January 2026 could be accommodated, however any later would raise a significant risk to the timetable set by Government.

RECOMMENDED*: That

- (1) the Tonbridge and Malling Regulation 18 Local Plan consultation document, Interim Sustainability Appraisal and Draft Active Travel Strategy be approved for an 8-week public consultation period between 10 November 2025 and 2 January 2026;
- (2) any minor changes to the Tonbridge and Malling Regulation 18 Local Plan document prior to consultation, be delegated to the Director of Planning, Housing and Environmental Health in consultation with the Cabinet Member for Planning;
- (3) any minor changes to other supporting documentation shared with Members to date prior to consultation, be delegated to the Director of Planning, Housing and Environmental Health in consultation with the Cabinet Member for Planning;
- (4) the agreement of other supporting material to be produced for consultation including a number of Topic Papers, be delegated to the Director of Planning, Housing and Environmental Health, in consultation with the Leader of the Council and the Cabinet Member for Planning; and
- (5) the amended Local Development Scheme (October 2025), be approved.

***Recommended to Cabinet**