

**Tonbridge and Malling Borough Council**

**LOCAL DEVELOPMENT FRAMEWORK  
DEVELOPMENT LAND ALLOCATIONS DPD**

**POSITION STATEMENT No DLA05**

**Major Developed Sites in the Green Belt**

***Objectors***

The London Green Belt Council (302.06)  
Mr A Westlake (70.01)  
Kent County Council (175.29/30)  
Natural England (64.14)  
The Highways Agency (69.55/56)

***Supporters***

Blue Circle Industries (119.01)  
Marley Eternit Ltd (250.01)



# TONBRIDGE & MALLING LOCAL DEVELOPMENT FRAMEWORK

## Position Statement No DLA05

### Major Developed Sites in the Green Belt

#### **1 Introduction**

- 1.1 This Position Statement addresses representations that have been received relating to Policy M1 which deals with Major Developed Sites in the Green Belt. Most of the representations relate to the terms of the policy. There is one representation asking for an additional site to be added to the list.

#### **2 The Borough Council Position**

- 2.1 PPG2 allows local authorities to identify “Major Developed Sites” in the Green Belt as being suitable for infilling or redevelopment subject to certain strict criteria set out in Annex C to PPG2. The significance of being identified as a Major Developed Site is that, provided the criteria are met, although located in the Green Belt, very special circumstances are not required to be demonstrated to allow development. The Tonbridge and Malling Borough Local Plan includes Policies P6/17 and P6/18 which list Major Developed Sites suitable for infill and for redevelopment respectively, though it is made clear in the preamble that where a site is identified for infill this does not preclude redevelopment and vice-versa.
- 2.2 Most of the sites are employment sites or previously used as such. The sites identified for redevelopment under Policy P6/18 are those that have the potential to give rise to conflict with residential or rural amenity due to visual intrusion, noise and traffic generation. Although intentionally not explicit within the policy, the form of redevelopment most likely to achieve the sort of environmental improvements required is residential redevelopment, and this is what has happened on a number of sites in the Borough (Invicta Fencing at Platt and Basted Mill, for example). However, with the overriding consideration of sustainable development the Council has decided in the LDF to strengthen the policy approach to redevelopment.
- 2.3 It has therefore introduced caveats to the policy making it clear that there will normally be a presumption against housing redevelopment in locations remote from existing settlements and services. If housing is proposed under such circumstances, then it should make a positive contribution to the Green Belt by reducing visual impact and enhancing openness. In terms of sustainability, any proposals should be accompanied by a viability assessment that demonstrates that the development proposed is the absolute minimum necessary to secure the redevelopment of the site. Notwithstanding, the minimum density requirements of PPS3 the preference in such locations would be for as few dwellings as possible to be provided, but this would not necessarily mean a low-density form of development. On the contrary, it may provide the opportunity to consolidate development within the least conspicuous part of the site, thereby reducing its impact on the openness of the Green Belt.
- 2.4 The Council has also taken the opportunity to combine former Policies P6/17 dealing with infill and P6/18 dealing with redevelopment, because it is made clear in para 6.5.1 of the Local Plan that “ where a site has been identified as most appropriate for infill ,

this does not necessarily preclude redevelopment, or vice-versa". Under the circumstances, both policies effectively apply to all sites.

- 2.5 The Council has proposed only minor changes to the boundaries of two sites and one new site to be added to the Policy which arose as a result of consultation on the Issues Report and this is Old Holborough, north of Snodland. Although there are not many buildings within this site, it does lie within a Conservation Area. It is the Council's view that the identification of this site as a Major Developed Site within the Green Belt, thereby removing the test of very special circumstances, could have benefits to the environment and local community, in providing a more welcoming context for the enhancement of this important site, including the repair and restoration of the buildings and historic features within the Conservation Area together with improved public access to them. There were no objections to this proposal which is supported by the landowner, Blue Circle Industries [Rep 119.01].

### 3 Response to Objections

- 3.1 Mr Westlake proposes the addition of a new Major Developed Site in the Green Belt at New House Farm Wrotham as shown on the map at **Annex A** [Rep 70.01]. His agent argues that in the absence of this designation beneficial redevelopment at New House Farm would be regarded as "inappropriate development" in the Green Belt despite the fact that PPS7 requires Local authorities to "identify in LDDs suitable sites for future economic development" (para 5) and supports "the replacement of suitably located existing buildings of permanent design and construction in the countryside for economic development purposes" (para 19).

**Response:** *The Borough Council does not consider this to be a suitable candidate for identification as a Major Developed Site in the Green Belt. New House Farm is a farm complex to the rear of the farm house including a number of fairly substantial former agricultural buildings located along the narrow and quite busy Pilgrim's Way about half a kilometre to the west of the built up area of Wrotham village. It still has the appearance of being a farm even though the buildings have planning permission for business and storage use as well as some new stables. The Council's approach to the identification of Major Developed Sites in the Green Belt, as explained above, has been to identify those, mainly industrial sites, where redevelopment would be beneficial to the Green Belt and to traffic generation on unsuitable roads. The Council does not consider that this is the case at New House Farm which is but one of many such farm complexes throughout the Borough. If the Council were to identify every farm as major developed site it could result in a substantial level of development in unsustainable locations. Para 19 of PPS7 provides adequate guidance for dealing with proposals for the replacement of existing buildings like these for employment purposes.*

- 3.2 The London Green Belt Council [Rep 302.06] suggests that not all of a Major Developed Site should necessarily be defined as such. Some areas within such sites should remain open and be covered by normal Green Belt policy. They recommend a review of all of the identified Major Developed sites on this basis.

**Response:** *This is not considered to be necessary. When the Local Plan was prepared the boundaries of all of the areas were carefully assessed to ensure that they followed logical boundaries around the main built part of the sites. For*

*example, Leybourne Grange Hospital, which is covered by Local Plan Policy P6/18, extends over a wide area including much open land, whereas the Major Developed Site Policy only applies to the built up core of the hospital. The fact that some sites might include some open areas within them, as opposed to on the periphery, is adequately addressed, in line with Annex C to PPG2, by the terms of Policy M1. Fundamentally, any development of such sites should: not affect the openness of the Green Belt; not exceed the height of existing buildings; not result in an extension to the currently developed part of the site and, in the case of redevelopment, should not exceed the footprint of existing buildings (unless to do so would result in a reduction in the height of buildings). The Council believes this adequately addresses the concerns expressed by the London Green Belt Council.*

- 3.3 Natural England is concerned that for several of the Major Developed Sites there is a specific reference to the need for “any necessary mitigation measures identified as a result of an archaeological investigation”, whereas there is no comparable reference to the sites requiring “mitigation as a result of an ecological investigation”. They perceive this as giving greater priority to the historic rather than the natural environment [Rep 64.14].

**Response:** *The site-specific references to the need for an archaeological investigation refer only to those sites which lie within areas identified on the Council’s constraints maps as being “Areas of Archaeological Potential”. If a site had contained or been adjacent to an area identified as being of nature conservation interest then a site-specific reference to the need to address the issue would have been included. All proposals for development have to be considered against Core Policy CP1.3 which says that in determining planning applications the quality of the natural environment will be preserved and, wherever, possible enhanced. Furthermore, Core Policy CP26.2 requires all development that might cause harm to a natural resource to make provision for appropriate mitigation measures. These general policies and any more detailed Policies that might be included in the Managing Development and the Environment DPD will apply to all development.*

- 3.4 The Highway Agency expresses concern that some of the Major Developed Sites could have adverse impacts on the Trunk Road network. It requires the land use type and site size to be identified for each site so that its impact could be assessed [Reps 69.55/56]

**Response:** *By definition all of the Major Developed Sites are redevelopment sites which are either already generating traffic or have the potential to do so. It is therefore only the net change in traffic that is relevant in terms of off-site impacts. One of the criterion is that “any changes to traffic generated can be satisfactorily accommodated without conflict with rural amenity and without prejudice to highway safety and if possible bring beneficial changes”. In this respect, the Council would have in mind, for example, a change from HGV to light traffic on rural lanes. All developments will have to comply with Core Policy CP2 which requires any development that is likely to generate a significant number of trips to provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding improvements that significantly harm the natural or historic environment or the character of the area. Although described as “Major Sites” none of the sites are particularly large. Furthermore, Part 2 of the Policy is aimed at ensuring that the level of development proposed is the absolute minimum necessary to secure the redevelopment of the site. Under*

*the circumstances, it is not considered that the redevelopment of any of the Major Developed Sites identified under Policy M1 will have an adverse impact on the Truck Road network.*

- 3.5 Kent County Council considers that the reference under Policy M1.2 to requiring a “viability assessment” to demonstrate that the proposed development is the minimum necessary to secure the development of the site, should refer to an “open book viability assessment” [Rep 175.29]. It believes this will strengthen the policy to ensure an appropriate level of development and that adequate community infrastructure is provided.

**Response:** *The Borough Council does not consider this change to be essential, because it would, in any case, ask for an open book assessment if it thought this to be necessary. However, if the Inspector thinks it would be helpful to clarify matters, then the Council would have no objection to its inclusion.*

- 3.6 Kent County Council suggests that Site (i) The Alders at Mereworth should include a criterion relating to the need for biodiversity mitigation.

**Response:** *The Alders is a small industrial estate accessed off Seven Mile Lane. It contains no known nature conservation interest and is not close to a designated site. There is no more reason why this particular site should be subject to a site-specific reference to biodiversity mitigation than any other. All sites are covered by Policy CP26.2 which requires such mitigation if demonstrated to be necessary (see above).*

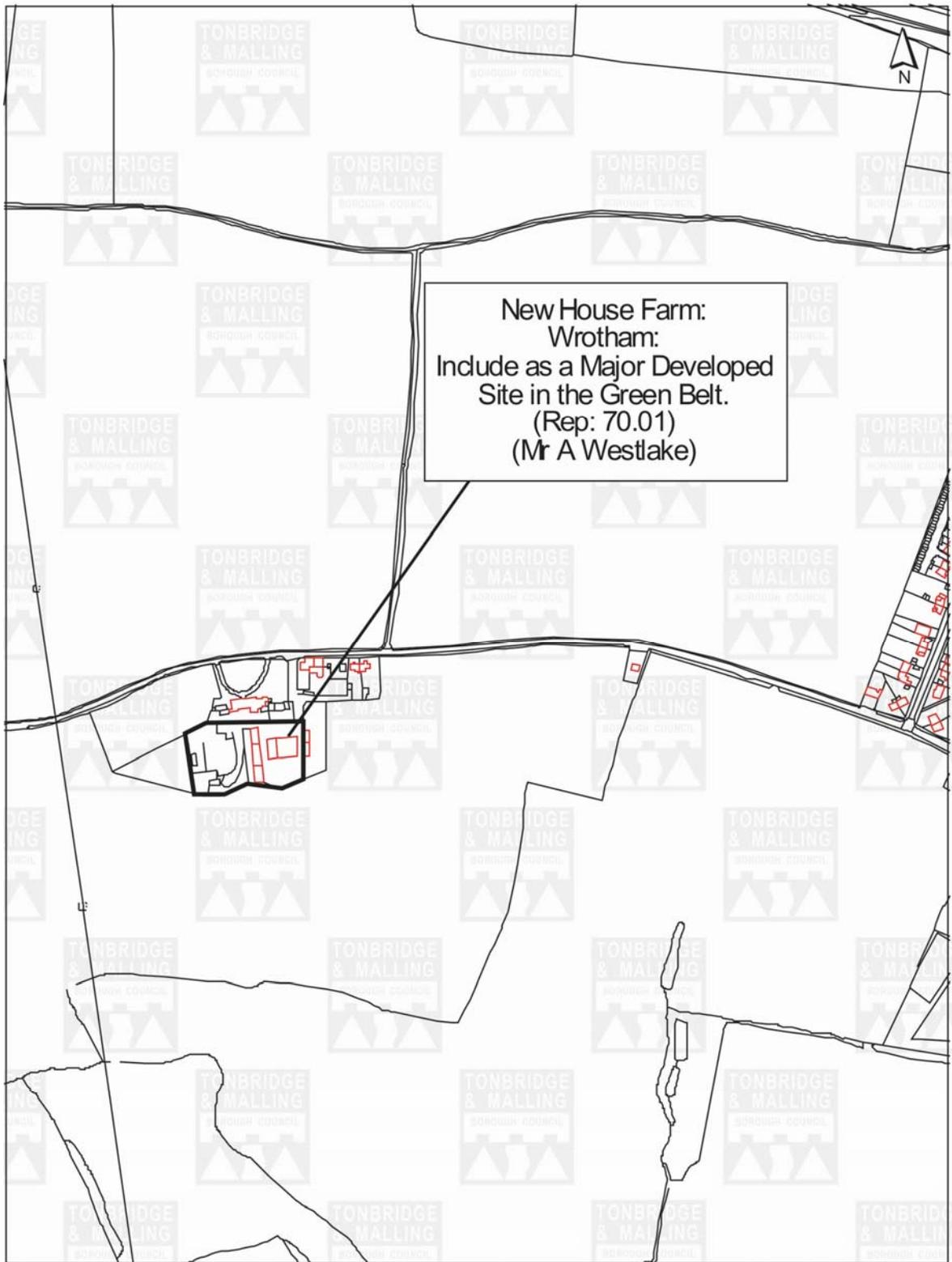
#### **4 Proposed Changes**

- 4.1 If the Inspector thinks it would be helpful, the Borough Council would have no objection to the final section of Part 2 of Policy M1 being revised to read. This change would not materially affect the soundness of the plan:

**Any proposal for housing redevelopment must be accompanied by a comparative sustainability assessment and by an open book viability assessment that demonstrates that the proposed development is the minimum necessary to secure the redevelopment of the site.**

#### **5 Conclusions**

- 5.1 Policy M1 dealing with Major Developed Sites in the Green Belt is considered to be sound. It is not considered appropriate to add New House Farm at Wrotham to the list of Major Developed Sites in the Green Belt.



New House Farm:  
Wrotham:  
Include as a Major Developed  
Site in the Green Belt.  
(Rep: 70.01)  
(Mr A Westlake)

Scale 1: 5000

For reference purposes only. No further copies may be made. © Crown Copyright  
All rights reserved. Tonbridge and Malling BC Licence No. 100023300 2006