

Tonbridge and Malling Borough Council

LOCAL DEVELOPMENT FRAMEWORK

TONBRIDGE CENTRAL AREA ACTION PLAN

POSITION STATEMENT No TON01

Development-related Issues

Objectors

Beaucette Property Portfolio
(301.09/10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/28/29/30)

Hallam Land Management (79.53/54/55)

Harvester Trust (169.08/10)

Heathfield and Co (311.01/02/03/04)

Highways Agency (69.28/29)

Kent County Council Strategy Division (175.31/32/33)
Lacuna Developments (313.01/02/03/04)

Mr J Dorling (327.01/03)

Mr R Ford (326.01/02/03/04)

Mrs L McCloy (323.01/02)

Natural England (64.15)

Network Rail (178.04/06)

SEERA (158.13)

Slade Area Residents Association (104.01/02/03/04/05)

Southern Water (65.10)

Tonbridge & District Rail Travellers Association (55.01)

Tonbridge Volunteer Centre (332.01)

Supporters

ACTS Productions Tonbridge (308.01)

Beaucette (301.27)

Harvester Trust (169.09)

Kent County Council Property Group (174.11)

Network Rail (178.05)

Mr J W H Rutland (328.01/02)

Sainsbury's Supermarkets Ltd (298.04)

Theatres Trust (04.08/09)

Tonbridge and District Railway Travellers' Association (55.02/03/04)

Tonbridge Civic Society (101.1)

Tonbridge and Malling Local Development Framework

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Development-related Issues

1 Introduction

- 1.1 Regeneration of Tonbridge Town Centre is a key strategic component in securing a sustainable future for the Tonbridge and Malling District. It is of vital importance that the functioning of the town centre remains robust and that it is fostered as a vibrant place for the future. This Position Statement addresses development issues relating to the Tonbridge Central Area Action Plan as set out under Policies TCA1, TCA2, TCA3, TCA4, TCA5, TCA6, TCA7, TCA8, TCA9, TCA10 and TCA11. Policy TCA19 deals with the proposed Tonbridge Central Area Regeneration Fund. Policies TCA1 - TCA11 outline the scale, form and content of proposed development. Transportation issues set out in Policies TCA12 to TCA18 are dealt with in Position Statement TON02
- 1.2 This Position Statement is effectively in two parts. The first part, which should be read in conjunction with the general Context Statement TON03, sets the background for the policies and explains their derivation. The second part of the Statement addresses representations relating to the wording and scope of the policies and sets out the Council's response to those representations. Detailed word changes are dealt with under **Annex A**.

2 Background

- 2.1 The Council's overall approach to the future of the area is set out in the Tonbridge Town Centre Master Plan¹ which was approved by the Council in February 2006 to "inform the next stages of the project, including the preparation of the Tonbridge Central Area Action Plan and the preparation of a detailed Development Brief for the area east of the High Street". The emerging proposals in the Master Plan were the subject of significant levels of public consultation under Regulation 25 of the Town and Country Planning (Local Development) Regulations. This included consultation with local stakeholder groups and interest groups, statutory consultees (including the Environment Agency and the Highways Agency), landowners and prospective developers. In September and October 2005, under Regulation 26 of the Regulations, significant public consultation was undertaken on the Preferred Options for development. Over 2,000 people attended a lively public exhibition and 400 completed questionnaires were returned to inform option development.
- 2.2 The Master Plan sets out how the results of the consultation exercise influenced the evolution of the Master Plan and the results are summarised in the Statement of Compliance² and the Response to Consultations under Reg 25 and 26 Document³. The responses to the Preferred Options consultation attracted general support for the overall direction of the proposals but with some concerns being expressed about the level of housing development proposed and about the transport implications of development.

¹ RD 7.29 - Tonbridge Town Centre Master Plan

² RD 7.13 - Statement of Compliance – Annexes F and G

³ RD 5.11 – Response to Consultations under Reg 25 and 26 – Part 3 (the blue pages)

- 2.3 The LDF Core Strategy⁴ summarises the Council's Vision for Tonbridge Town Centre in paragraph 6.3.52. Policy CP24 sets the broad context for the AAP. It stresses the need to provide a sustainable development framework for the future physical development of the town centre.

3 The Borough Council's Position

- 3.1 The regeneration of the central area of Tonbridge is a key corporate priority for the Borough Council. The strategy for new development within the Central Area seeks to strengthen and diversify the range of existing activities in order to enhance its appeal and reinforce its economic stability. At the heart of the town centre regeneration is the objective of broadening the range of town centre uses, including stimulating the evening economy and increasing the residential population. The intention is to retain more of the available expenditure within the town and help reduce movements to other centres. In parallel there is a clear objective of improving environmental conditions for local people and uplifting the quality of public spaces. The Area Action Plan takes forward spatial policies from the Core Strategy and the Community Strategy for Tonbridge and Malling.
- 3.2 The Master Plan outlines the significant role that the Council can play in delivering change in the Tonbridge Central Area. The Council intends to influence and bring about change in three primary ways by:
- using the full array of local authority planning powers;
 - developing its own land holdings within the town centre in partnership with others to deliver appropriate development of high design quality;
 - co-ordinating improvements to the public realm and investment in infrastructure, and
 - providing community leadership and advocacy.
- 3.3 The Borough Council is aware that through the Preferred Options stages of the plan that some concern has been expressed regarding the potential in the Area Action Plan to increase the town centre residential population. With the continued emphasis of Government policy on increasing residential uses, particularly as part of mixed use schemes in sustainable locations, the Council considers Tonbridge Town Centre to be a suitable location for new residential development. Such an approach is consistent with the policies contained within the Core Strategy (Policy CP1) and with the Sustainability Appraisal that accompanies the LDF⁵.

4 Response to Representations relating to the Policy Content

- 4.1 There have been a number of representations relating specifically to development-related issues within the Area Action Plan. The main issues raised relate to the scale, form and content of the development proposals, to flooding and to the Central Area Regeneration Fund. The following is a synopsis of the main issues raised grouped under the following categories with Council's response set out in italics.

- General Issues;

⁴ RD 5.6 – The Core Strategy

⁵ RD 6.4 – Sustainability Appraisal of the Tonbridge Central Area Action Plan

- Site-specific Issues;
- Central Area Regeneration Fund; and
- Detailed Word Changes.

General Issues

- (1) Residential Development and Densities - Slade Area Residents Association (SARA) [104.04] request that the Council specify the version of PPS3 in paragraph TCA2 (e). SARA also request that the reference to higher densities in close proximity to Tonbridge Station is omitted and that the Council should specify that densities should not be in excess of the mid-point of the indicative density range for urban sites as set out in PPS3. The Council should also formulate a policy regarding the appropriate mix of houses and apartments. The aim is to ensure that housing development is not dominated by excessive and excessively tall apartment blocks. Mr Ford [326.04] would like to see an indication of the maximum building heights that will be allowed.

Response: *Since the submission of the Area Action Plan the Government has published PPS3 (December 2006). In line with national guidance, the planning policy context contained within the Area Action Plan will seek to promote the efficient use of land. Good and careful design is fundamental to using land efficiently particularly where development relates to the intensification of the existing urban fabric and is well related to public transport. Intensification of development does not necessarily result in high-rise development. As required by PPS3 the Council will emphasise the need for high quality design rather than be over-prescriptive in setting out densities for specific areas and sites. When considering appropriate densities locational factors, such as proximity to public transport facilities and other services and facilities, will be taken into account and will be amplified through the detailed planning process and ultimately the consideration of planning applications. In line with test of soundness (iv) the approach adopted within the Area Action Plan is consistent with national and regional planning guidance and with other policies contained within the LDF.*

There remains a strong demand for a mix of accommodation in Tonbridge and in common with general trends there is a need for dwellings to provide for smaller households. Where appropriate the Council will look to provide for a variety of dwelling types but apartment and flatted accommodation with the provision of satisfactory private and shared space lends itself to the development patterns likely to be successful in physical terms in the town centre.

Criterion 4(e) of Policy TCA2 could usefully refer to achieving densities “in accordance with government guidance” rather than make a specific reference to (draft) PPS3 to allow flexibility should Government Guidance change in future.

- (2) Flooding Issues – Beucette Property Portfolio [SS/301.15] recommend that the Area Action Plan includes an explanation as to how proposals are reconcilable with the Strategic Flood Risk Assessment (SFRA). Mr J Dorling (SS/327.01) states that the Leigh Barrier needs to be raised before any more development takes place within Central Tonbridge.

Response: *In conjunction with the Environment Agency the Council has prepared a Strategic Flood Risk Assessment⁶ so that a more informed view can be taken about the nature of acceptable development and a more practical approach to mitigation and detailed*

⁶ RD 7.8 – Strategic Flood Risk Assessment

design can be adopted. In line with guidance contained within PPS25 Development and Flood Risk, the Council, through the preparation of the SFRA has outlined the sequential approach to site selection at the strategic level. The SFRA is also a tool to determine areas of flood risk that will require further detailed and careful study through Flood Risk Assessments (FRA) for individual schemes and sites. The evidence that the SFRA has brought to the LDF process is very valuable in that respect. The regeneration objectives for the town centre which are central to the LDF strategy will need to be advanced in this context and the SFRA and FRAs will be invaluable in determining the precise location of uses within development sites and importantly the mitigation measures required to overcome or minimise risk.

- (3) Future form of the Central Area – Lacuna Development [313.02] object to the inference that new development will be open to the elements and recommend that development should be a retail-led, covered scheme.

Response: The principal objectives of Policy TCA1 and TCA2 within the Area Action Plan which amplify Core Strategy Policy CP25, indicate that good design is considered to be an essential and integral part of all proposals within the town centre. Although it may be appropriate for some developments to be retail led, in specific relation to the Botany the aim is for a range of town centre uses to be provided so that a rounded overall contribution to the regeneration effort is made by improving community, leisure and residential opportunities as well. The need for urban design that reinforces local distinctiveness is also emphasised within PPS1. The Master Plan identifies the need for a quality built environment that draws upon the considerable history and identity of Tonbridge. The Council considers the approach as adopted in the Master Plan for a sensitive, human-scaled and fine-grained environment appropriate in reinforcing the character of Tonbridge. The important issues are that the urban design and relationship to the existing High Street should ensure that development is integrated within the town centre in practical ways.

- (4) Provision of Infrastructure – Southern Water (SS/065.10) state that many proposed development sites in the Tonbridge Central Area do not have available sewer capacity and that the funding of new sewer and water connections will need to be secured by developer contributions. In addition, Southern Water highlight the need to protect existing groundwater and/or waste water infrastructure from any new proposed development. Consideration must also be given to the potential negative odour impact of the Tonbridge Wastewater Treatment Works on proposed new development.

Response: The Council acknowledge the need to secure the necessary infrastructure in order to support the development proposed by the Area Action Plan. This issue is addressed within the Core Strategy Policy CP26 which states that service infrastructure necessary to serve development should either be available, or will be made available by the time it is needed. In relation to the need to protect existing groundwater and/or waste water infrastructure this will be part of routine development control procedures in the light of Southern Water's role as a statutory consultee. Detailed planning applications for sites in proximity to the Wastewater Treatment Works will need to consider appropriate mitigation measures to reduce potential negative odour impact.

- (5) The Tonbridge Volunteer Bureau [322.01] want the town centre redevelopment to include an easily accessible building for the Tonbridge Volunteer Centre, the CAB, benefits enquiries, Age Concern, etc

Response: *The Area Action Plan allows for the provision of new and improved community facilities. Consideration will be given to the need for a Tonbridge Volunteer Centre as proposals progress but to identify a specific site for that purpose would render the plan unduly inflexible.*

- (6) Lisa McCloy [323.01/02] argues that there is a need to attract larger stores like Matalan (on the Cannon Lane site) to Tonbridge. She also argues that the market is in the wrong place and needs to be in the Botany area.

Response: *The Council considers the form and size of retail provision to be founded upon robust and credible evidence. Quantitative and qualitative assessments of retail capacity form part of the evidence base. The Area Action Plan provides opportunities to accommodate larger units, in response to potential market demands, at key locations within the Town Centre. However, potential for large stores within the existing High Street fabric is limited given site constraints relating to the size of the units.*

The Borough Council is not the market operator. The Council recognises the importance of the market to the town centre and will seek to accommodate the market in a suitable location but would not wish to prejudge where that location might be since this could compromise design solutions and would render the plan unduly inflexible..

- (7) Beaucette Properties [301.13] suggests that there is a need to indicate what provision is to be made to meet the needs of the evening economy.

Response: *Paragraph 2.23 of PPS6 states that planning policies should encourage a range of complementary evening and night-time economy uses which appeal to a range of age and social groups. In order to allow a degree of flexibility the Area Action Plan should not make specific reference to proposals but should allow for flexibility in provision. The Council will however seek to encourage evening economy uses within comprehensive development schemes.*

- (8) Beaucette Properties Ltd [301.25] suggest that a sequential approach should be applied to non-industrial, warehousing or residential development outside the town centre.

Response: *A sequential approach to development site allocation has been achieved through the evolution of the master planning process. Consideration has been given to national planning guidance including PPS6 when drawing up the master plan that has informed the content of the Area Action Plan.*

- (9) The Slade Area Residents Association (SARA) [104.05] suggest that a considerate contractors' scheme should be established as part of the Delivery Strategy.

Response: *Measures to reduce possible disturbance during construction can be discussed on a site by site basis through the imposition of planning conditions to any planning permission granted. A Considerate Contractors' Scheme could be one way of achieving this.*

- (10) Mr Ford suggests there is a lack of social facilities in the town at the present time [326/02] and that there is no need for further offices because the existing ones cannot be let [326.03]

Response: *The Area Action Plan seeks to encourage a range and mix of complementary uses to diversify and strengthen the town centre in order to reinforce the economic stability of Tonbridge. The provision of replacement and enhanced community facilities is a key component of the Botany site, for example. The provision of new and improved office space*

will assist in widening the economic base of the town and the provision of social facilities is also important to this strategy

Site-Specific Issues

- (11) Site Capacities – Annex A – Beaucette Property Portfolio [301.09/24] request an explanation as to how the site capacities as outlined in Annex A of the Area Action Plan have been calculated and clarification as to how the retail headroom figures relate to the scale of development proposed in Policy TCA11 [310.21]. Hallam Land Management [079.53/.54/55] request that the housing capacity estimates applicable to Policy TCA11 are reduced and question the deliverability of certain sites (this is complementary to their view that land should be released for development at Lower Haysden Lane – a matter considered at the Public Examination into the Core Strategy). Network Rail [178.04] request the capacity of the Tonbridge Station Complex (TCA11b) is increased from 400 dwellings to 550 dwellings and retail from 1,364 square metres to 1,858 square metres. Heathfield and Co [311.01/02/03/04] suggests the capacity of Priory Road/Goldsmith Road junction west be increased from 30 units to 150 units.

Response: *As part of the preparation of the Master Plan initial capacity estimates were derived for each development opportunity site. The process helped outline the potential net floorspace increase anticipated for each of these sites and to inform traffic generation calculations. For each development opportunity site the assessment was based upon an appropriate form and mix of development as outlined by the Master Plan and clear density assumptions. Each site is assessed in Paragraph 7.0 Development Opportunities of the Master Plan. These assessments are brought forward into the Central Area Action Plan. The approach that was adopted was to discount the overall potential housing capacity by a proportion depending on the other uses appropriate to a mixed-use site. Para 7.6.2 emphasises the fact that the site capacities are only estimates and that the actual figure achieved on any particular site could vary from that indicated in Annex A to the Area Action Plan. The actual figure achieved will depend upon the qualities and detail of the actual scheme and the ultimate mix of uses proposed.*

Site capacities are in broad alignment with the quantitative headroom assessment undertaken within the Tonbridge Town Centre Stage 1 Report⁷.

Overall land supply and deliverability was a matter dealt with at the Core Strategy Public Examination and is addressed in para 5.3(3) of Position Statement CS01. Annex C to Position Statement CS01 responds to Hallam Land Management's criticisms of each of the identified housing sites in the central area. For the purposes of land supply the overall potential yield within the plan period of 1801 dwellings has been reduced to 1000 dwellings. This is considered to be a conservative estimate.

- (12) Development Briefs - Beaucette Properties Ltd [301.26] suggest that the plan should specify where a development brief will be required.

Response: *Policy TCA11 specifies the two main sites where a development brief will be required. Other cases will be considered on their merits. The policy allows sufficient flexibility to determine the appropriateness of utilising a development brief and when one may be required. Identifying within the Area Action Plan every case when such a brief may be required would make the plan unduly inflexible.*

⁷ RD 7.5 – Tonbridge Town Centre Stage 1 Report – November 2005

- (13) Botany Quarter (Policy TCA11(a)) – Sainsburys support the development proposals [298.04]. Lacuna Developments [313.03], who own the Pavilion shopping arcade, raise concerns regarding development of the Botany Quarter. They consider the limitation to 120 residential units to be inappropriate, the requirement for a minimum of two 24-hour access points to the High Street to be too onerous and that there has been no justification for a cycle route through the site. They also want the future of the Angel Centre to be clarified. Mr Dorling [327.03] suggests that new retail development should take place on the car park to the west of Sainsburys and on the east side of the High Street with high level access across the High Street which should remain open to traffic. He also suggests that additional car parking should be provided above the station car parks connected by a pedestrian bridge to the retail areas in the Botany. Mr Rutland [328.01/02] supports the provision of increased retail uses in the Botany area provided it does not detract from existing retail uses or cause traffic congestion or adverse environmental impact. ACTS Productions Tonbridge [308.01] cautiously supports the proposals provided they include accommodation for a theatre.

Response: *The Area Action Plan and Master Plan promote major redevelopment of the Botany Quarter to create a contemporary mixed-use place. Residential capacity has been the subject of analysis, undertaken through the production of the Master Plan and set out in Annex A, but a detailed scheme may produce a higher figure. Of critical importance to this vision is the need to create a permeable and legible network of streets and walkways. One of the key principles of the master plan is to conserve and enhance the existing character and townscape qualities of the town centre, carefully repairing and stitching together those areas that have become fragmented. The requirement for at least two access points as well as a cycle route to promote alternative forms of transport is considered robust and fundamental to the securing the design aspirations of the Master Plan.*

There are opportunities for the Angel Centre to be included in proposals to comprehensively develop the whole of the Botany site. However, the Council will require replaced and enhanced community and leisure facilities as part of any delivery strategy proposed.

A high level access across the High Street is not consistent with the aims and aspirations of the Master Plan document.

One of the fundamental objectives of the Master Plan is to promote an improved retail offer within a more rounded town centre experience. The existing strengths of the historic market town are an important consideration. The detailed Tonbridge Town Centre Stage 1 Report provides a robust and credible evidence base in relation to quantitative and qualitative retail need within the town centre. For major new retail proposals any applicant would be required to prepare a Retail Impact Assessment in support of a planning application to assess the potential impact on existing retail provision.

Specific reference to the provision of a theatre will be detrimental to the flexibility of the Area Action Plan. General reference to the consideration of community facilities, which may include performance space, can be made without compromising the overall flexibility of the AAP.

The traffic impacts of development are dealt with in Position Statement TON02.

- (14) Station Sites (Policy TCA11(b)) The Tonbridge and District Rail Travellers Association [55.01/02/03/04] support the policy for Tonbridge Station and the preparation of a Planning Brief for the site subject to the inclusion of the two additional pedestrian crossing points illustrated in the master Plan. They are,

however, concerned about any loss of commuter car parking, which should preferably be increased.

Response: *The Rail Travellers Association's support for the proposal is welcomed. However, it should be noted that there is not necessarily any commitment to the two additional pedestrian crossing points which are purely illustrative in the Master Plan. There is certainly no intention that there should be any reduction in the level of commuter parking at the station. However, any increase in provision would be a matter for Network Rail and the rail operator and would also have to have regard to highway capacity issues. If the inspector thinks it would be helpful, it could be made clear in the policy that no reduction in spaces is planned by adding a further bullet point, as follows:*

- **The retention of at least the existing amount of commuter car parking on site.**

(15) Land East of Avenue de Puy (Policy TCA11(p)) – Beaucette Properties Ltd [301.28] argue that this area should be regarded as being part of the town centre and should not be dependent upon the relocation of the Indoor Bowls Club or necessarily be a significant employment generator.

Response: *The Proposals Map makes it clear that all of this area lies within the defined town centre. Being on the other side of Avenue de Puy to the main shopping area it is not considered appropriate for retail uses but other town centre uses including offices and education uses would be appropriate. The relocation of the Indoor Bowls Club would only be necessary if redevelopment actually affected that part of the site. The reference to "other significant employment generating uses" could be replaced, if the Inspector would find it helpful, with the following words:*

..suitable for commercial offices, education uses or other non-retail uses appropriate to a town centre location.

(16) Library Site (Policy TCA11(h)) – the proposals for this site are supported by the owners, Kent County Council [174.11] subject to there being a suitable alternative site identified in the town centre.

Response: *The Council agree with this statement but the delivery of alternative facilities is wholly the responsibility of Kent County Council. The Borough Council is actively encouraging the County Council to incorporate a new library facility into the comprehensive scheme for The Botany site.*

The Central Area Regeneration Fund

(17) Kent County Council [178.06] state that it may not be possible for the Council to retain funds on behalf of other service providers. It should state that contributions will be held either by the Borough Council or by the relevant service provider

Response: *In line with guidance set out in PPS12 the specific mechanisms of how the Central Area Regeneration Fund will work will be set out within a Supplementary Planning Document. The Regeneration fund will deal mainly with public realm and transport enhancements that cannot be directly attributed to individual developments. It would not be used for services like education, for example, that will continue to be dealt with in the normal way.*

- (18) Lacuna Development [313.04] raise concerns that the Development Fund should not be set at a level that may stifle development.

Response: *The need to ensure that development is not inhibited is of key importance to the Council and so the level of the fund would not be set at a level that would stifle development. In any case, each case will be considered on its merits in the context of an open-book viability assessment.*

- (19) Beaucette Property Portfolio question how will matters be dealt with prior to the adoption of SPD on developer contributions [301.30]. They also suggest [301.29] that Policy TCA19 and Paragraph 6.1.2 should include a reference to Circular 05/2005. They believe that contributions should be sought from a wide area because improvements to the town centre will benefit the wider community

Response: *The submitted Local Development Scheme⁸ indicates that it will be intention of the Council to progress with the production of the SPD so that it can be adopted as soon as possible after the Area Action Plan is adopted. In the meantime, proposals for developer contributions will be considered on their merits in the normal way.*

Any contributions sought through the Town Centre fund should be clearly and closely related to Government guidance. Circular 05/2005 states that where the combined impact of a number of developments creates the need for infrastructure, it may be reasonable for associated developers' contributions to be pooled. This will allow for infrastructure to be secured in a fair and equitable way. In all circumstances the nature and scale of contribution sought should be fairly and reasonably related in scale and kind to the proposed development. Circular 05/2005 requires Local authorities to set out in advance the need for this joint supporting of infrastructure provision and the likelihood of a contribution being required, demonstrating both the direct relationship between the development and the infrastructure. Although the Borough Council does not consider it necessary, if the Inspector thinks that it would be helpful, the phrase "in line with Government Guidance" could be added without compromising the flexibility of the policy and to allow for any change of Government policy during the lifetime of the plan.

- (20) Network Rail [178.06] argue that because of the high cost of developing the station sites it would be inappropriate to seek developer contributions. On the contrary, it may be necessary to seek a contribution from the fund to make the redevelopment of the station viable.

Response: *The Council are encouraged by Network Rail's active support for investment in the railway station and its surroundings as part of a wider redevelopment project for their land. The costs of the project and the final form of development are a matter for ongoing negotiation but Tonbridge is recognised as a Regional Hub and in that context, and with the opportunity for considerable enabling development, the Council would expect Network Rail to deliver the project as a whole without recourse to other funding through the planning system.*

5 Detailed Word Changes

- 5.1 Responses to suggested detailed word changes are set out in schedule form under **Annex A**.

⁸ RD 7.15 Local Development Scheme – April 2007

6 Proposed Changes

- 6.1 Detailed changes to the wording of the Area Action Plan arising both from the main body of the Position Statement and from Annex A are brought together under **Annex B**. The Borough Council's position on each of the changes is explained in the Position Statement and Annex A. In most cases the Council does not consider such changes to be essential to make the document sound but they could be made if the Inspector thinks they would be helpful. None of them are so significant as to require further public consultation or Sustainability Appraisal.

7 Conclusions

- 7.1 The Council believes that the approach undertaken in the production of the Master Plan for Tonbridge and the Area Action Plan is sound. As outlined above the Master Plan for Tonbridge has been subject of extensive stakeholder and general public consultation. The outcomes of the consultation at the Preferred Options stage and their implications for the overall development strategy for Tonbridge have been considered within the adopted version of the Town Centre Master Plan which has informed the preparation of the Area Action Plan.
- 7.2 The ambition to realise the significant potential for development of the Tonbridge Central Area is embedded in the emerging Development Plan Documents. The requirement to make the most efficient use of land in sustainable locations is a plank of national and regional planning guidance. Therefore, the Council consider the Central Area Action Plan to be sound.
- 5.3 Many of the concerns and issues that have been raised relate to matters of detail and clarification. These can largely be resolved through minor word changes and through the detailed planning process as development briefs are prepared and site-specific master plans and planning applications are submitted.

Issue: TON01D- DEVELOPMENT-RELATED ISSUES: DETAILED POINTS

Policy- 2.2 THE CURRENT POLICY CONTEXT

Rep SS/158.13 **RESPONDENT:** South East England Regional Assembly

Changes necessary:
Tonbridge-Tunbridge Wells is a Regional Hub as opposed to a Transport Hub.

Council's Response:
Agree to change for consistency with the South East Plan

Why changes are needed:
To ensure consistency with and to assist with implementation of the draft South East Plan.

Policy- 2.3 THE NEW LOCAL DEVELOPMENT FRAMEWORK

Rep SS/301.10 **RESPONDENT:** Beaucette Property Portfolio

Changes necessary:
In Paragraph 2.3.4 delete reference to Core Policy CP24 as this only applies to the Town Centre.

Council's Response:
The Town Centre lies within the Central Area and is defined on the Proposals Map. Core Policy CP24 applies to the Town Centre. There is no need to delete the reference.

Why changes are needed:
To provide for a coherent plan.

Policy- 2.4 CONSULTATION ON THE PREFERRED OPTIONS

Rep SS/313.01 **RESPONDENT:** Lacuna Developments

Changes necessary:
Paragraph 2.4.1 should place greater significance on the involvement of landowners.

Council's Response:
Paragraph 2.4.1 merely highlights that a wide range of stakeholders and landowners were involved in the production of the AAP, an approach consistent with PPS12. The proposed word change would not improve the overall soundness of the AAP.

Why changes are needed:
To ensure that the AAP is based on solid commercial foundations.

Issue: TON01D- DEVELOPMENT-RELATED ISSUES: DETAILED POINTS

Policy- 4.8 URBAN DESIGN PRINCIPLES

Rep SS/301.12 **RESPONDENT:** Beaucette Property Portfolio

Changes necessary:

In Paragraph 4.8.14 delete the second sentence ("The design of new development within the Town Centre must be able to accommodate a mix of uses at every level from quarter to street to individual building.") as the mixed use function of the Town Centre can be secured without requiring a mix of uses in every individual building.

Why changes are needed:

It would be unreasonable to require a mix of uses in every building.

Council's Response:

Agree that mixed use in every building is unreasonable. Delete second sentence and revise first sentence to read: "The mixed use function of the Town Centre should be reinforced by the design and mix of new development".

Policy- 5.1 CENTRAL AREA ACTIVITIES

Rep SS/301.14 **RESPONDENT:** Beaucette Property Portfolio

Changes necessary:

In Paragraph 5.1.5 amend text to confirm that provision for B1 office space will be subject to the sequential test as per PPS6.

Why changes are needed:

To comply with PPS6.

Council's Response:

There is no need to repeat Government Guidance in the LDF. A sequential approach to site selection was undertaken during the preparation of the Area Action Plan.

Policy- 6.1 DEVELOPER CONTRIBUTIONS

Rep SS/175.31 **RESPONDENT:** Kent County Council Strategy Division

Changes necessary:

In Section 6.1, Developer Contributions should be replaced by "Development Contributions".

Why changes are needed:

A minor clarification.

Council's Response:

The Council would have no objection to this technical change being made.

Issue: TON01D- DEVELOPMENT-RELATED ISSUES: DETAILED POINTS

Policy- TCA1 QUALITY OF DEVELOPMENT

Rep SS/104.03 **RESPONDENT:** Slade Area Residents Association

Changes necessary:

Include a Roofscapes Policy in TCA1.
Add in TCA1 e) the additional phrase:....., "especially when viewed from high view points to the south of the Town Centre and the viewing gallery of the Castle Gatehouse,""

Why changes are needed:

A Roofscapes Policy will provide:
* a robust indicator of the character of the town centre when considered from high view points referred to earlier in TCA1e;
* Is in line with the Government objective to streamline the planning process;
* Is able to assist in the interpretation of policy.

Council's Response:

The issue of roofscape is covered by Policy TCA1(e). A separate policy is not necessary. Reference could usefully be added to views from the Castle as well as from the South of the town.

Rep SS/301.18 **RESPONDENT:** Beaucette Property Portfolio

Changes necessary:

Replace the word "highest" with "high" as the objective is high quality development.

Why changes are needed:

To ensure a consistent plan.

Council's Response:

The Council's aim is to achieve the highest quality development. No change should be made.

Rep SS/301.19 **RESPONDENT:** Beaucette Property Portfolio

Changes necessary:

In TCA1, resolve the confusion between the use of "central area" and "town centre".

Why changes are needed:

To ensure a coherent plan.

Council's Response:

Areas are defined in Section 1.2. Policy TCA01 applies to the entire Central Area. The reference to "as defined on the Proposals Map" can therefore be deleted.

Issue: TON01D- DEVELOPMENT-RELATED ISSUES: DETAILED POINTS

Policy- TCA10 PUBLIC REALM PRIORITIES

Rep SS/301.23 **RESPONDENT:** Beaucette Property Portfolio

Changes necessary:

Need to set out proposals for scheme preparation and adoption of public realm improvements.

Council's Response:

This is too detailed for the Area Action Plan.

Why changes are needed:

To provide a coherent plan.

Policy- TCA11 DEVELOPMENT ALLOCATIONS

Rep SS/104.01 **RESPONDENT:** Slade Area Residents Association

Changes necessary:

* Add to Paragraph 5.1.2: "Provision of a suitable site for the Tonbridge Market will be a priority."

* Add to Paragraph 5.1.9: "Particular attention will be given to ensuring the town's open air market is suitably housed."

Council's Response:

The Borough Council is not the market operator. The Council recognises the importance of the market to the town centre and will seek to accommodate the market in a suitable location. Words to this effect could be added to para 5.1.2. A change to para 5.1.9 is not considered to be necessary.

Why changes are needed:

To complement Core Strategy objectives and to entrench the market.

Policy- TCA19 TONBRIDGE CENTRAL AREA REGENERATION FUND

Rep SS/004.09 **RESPONDENT:** Theatres Trust

Changes necessary:

Support.

Ensure the provision of developer contributions for "cultural" facilities, and set out in an explanatory document (SPD).

Council's Response:

Decisions have not yet been made on exactly what matters will be covered by the Tonbridge Central Area Regeneration Fund. This will be covered by the SPD.

Why changes are needed:

Support.

Issue: TON01D- DEVELOPMENT-RELATED ISSUES: DETAILED POINTS

Policy- TCA2 MIXED-USE DEVELOPMENT

Rep SS/004.08 **RESPONDENT:** Theatres Trust

Changes necessary:

Support.
Add the word "cultural" to Policy TCA2 4.j) as culture includes the visual arts and music, the performing arts, crafts, museums, libraries, theatre, cinema, tourism and the natural and built environment, which are distinct from community facilities.

Why changes are needed:

Support.

Council's Response:

There would be no objection to the inclusion of the word "cultural" to the Policy

Rep SS/064.15 **RESPONDENT:** Natural England

Changes necessary:

Add an additional clause to Policy TCA2 4.i) requiring ecological mitigation, as follows: "... any necessary mitigation measures identified as a result of an ecological survey".

Why changes are needed:

For clarity and consistency in terms of protecting both the built/historic and natural environment.

Council's Response:

The reason why there is a specific reference to archaeological assessment is that much of the town centre, being of historic origins, is recognised as being an area of archaeological potential. Although not considered essential, a reference "ecological assessment where appropriate" could be included for completeness.

Rep SS/169.08 **RESPONDENT:** Harvester Trust

Changes necessary:

* Reword TCA2 4.c) as follows: "be compliant with Policy TCA1 and be designed to take account of the Site Design Components (SDC's) as illustrated on Figure 4."

* The key in Figure 4 should also be altered to include a title of "Site Design Components".

Why changes are needed:

The reference to mixed use allocations is confusing as no reference to mixed use allocations is included on Figure 4. This results in a lack of coherence of the policy.

Council's Response:

The mixed use allocations are identified under Policy TCA11. Policy TCA2.4 (c) requires development to be in accordance with the Site Design Component (as illustrated on Fig 4) for each of the mixed use allocations. The existing wording is considered to be sound.

Figure 4 is entitled Site Design Components and so it does not need to be in the key as well.

Issue: TON01D- DEVELOPMENT-RELATED ISSUES: DETAILED POINTS

Rep SS/169.10 RESPONDENT: Harvester Trust

Changes necessary:

Reword Policy TCA2 4.e) as follows: "achieve residential densities consistent with draft PPS3, with higher densities for sites in the Central Area where there is good accessibility to public transport links."

Why changes are needed:

Improved flexibility and clarity.

Council's Response:

The suggested wording could imply that the whole central area is accessible to public transport and would therefore be appropriate for higher density development. If the words "in the Central Area" were omitted then the proposed change would be acceptable.

Rep SS/301.20 RESPONDENT: Beaucette Property Portfolio

Changes necessary:

1. In TCA2 1. need to resolve the confusion between the use of "Central Area" and "Town Centre".
2. A sequential approach should be applied to non-industrial, warehouse or residential development outside the town centre.
3. In TCA2 2. include "have an unacceptable impact" between "or" and "the" on the final line.
4. Amend TCA2 Paragraph 4(j) to simply require an appropriate contribution to the Tonbridge Central Area Fund.

Why changes are needed:

To provide for a coherent and consistent plan.

Council's Response:

1. The areas are defined in Section 1.2. Policy TCA02 applies to whole Central Area but the uses referred to would only be acceptable on appropriate sites. The policy could be clarified by the addition of the words "on identified sites" after the word "including".
2. A sequential approach to development site selection was undertaken during the preparation of the Area Action Plan.
3. Whilst not essential the suggested word change could be made if the Inspector thinks it would be helpful.
4. Do not agree with the proposed change but since it has not yet been decided exactly which measures will be covered by the Central Area Regeneration Fund it would be helpful to replace the word "through" with the words "by such means as".

Policy- TCA5 SECONDARY SHOPPING AREAS

Rep SS/104.02 RESPONDENT: Slade Area Residents Association

Changes necessary:

Include reference in TCA5 to the updated Conservation Area Character Appraisal.

Why changes are needed:

The updated Conservation Area Character Appraisal:

- * Clarifies the character and appearance of the Conservation Area;
- * Therefore should be an integral part of the LDF;
- * Should reduce the scope for disputes over planning applications in line with the Government objective to streamline the planning process.

Council's Response:

The Conservation Area Appraisal will not form part of the development plan (LDF). Once prepared, it will need to be read alongside the Area Action Plan.

Issue: TON01D- DEVELOPMENT-RELATED ISSUES: DETAILED POINTS

Policy- TCA9 THE INDUSTRIAL ESTATE

Rep SS/069.28 **RESPONDENT:** Highways Agency

Changes necessary:

Concerned that the industrial estate does not specify the exact future land uses.

Why changes are needed:

In order to assess potential impact of future development proposals on the trunk road network.

Council's Response:

The industrial estate is an existing developed area used primarily for B1, B2 and B8 uses. Other than minor infill or the installation of mezzanines, the only practicable development is by means of redevelopment of existing uses. Only the net change, if any, in floorspace is therefore relevant to traffic generation. This cannot be predicted but is unlikely to be significant.

Rep SS/069.29 **RESPONDENT:** Highways Agency

Changes necessary:

Concerned that the industrial estate does not specify the exact future land uses.

Why changes are needed:

In order to assess potential impact of future development proposals on the trunk road network.

Council's Response:

The industrial estate is an existing developed area used primarily for B1, B2 and B8 uses. Other than minor infill or the installation of mezzanines, the only practicable development is by means of redevelopment of existing uses. Only the net change, if any, in floorspace is therefore relevant to traffic generation. This cannot be predicted but is unlikely to be significant.

Rep SS/301.22 **RESPONDENT:** Beaucette Property Portfolio

Changes necessary:

Policy TCA9 is inconsistent with Paragraph 4.1.11 which appears to allow education uses in the industrial estate. Policy TCA9 should also allow education, car showroom and trade counter development in the industrial estate.

Why changes are needed:

To provide for a coherent plan.

Council's Response:

Policy TCA9 is not inconsistent with para 4.1.11 which is essentially referring to the area identified under Policy TCA11(p). It would not be appropriate to allow education uses in the industrial estate. The other sui-generis uses referred to would be considered on their merits.

Changes to the text of the Tonbridge Central Area Action Plan

[the reference number of the proposer of the change is shown in square brackets]

Para 2.2.2 – revise the first sentence to read: [158.13]

2.2.2 The draft South East Plan identifies Tonbridge together with Tunbridge Wells as a ~~Transport Hub of regional significance~~ Regional Hub.

Para 4.8.14 – revise the first part of the paragraph to read: [301.12]

The mixed-use function of the Town Centre should be reinforced by ~~design~~ the design and mix of new development. ~~The design of new development within the Town Centre must be able to accommodate a mix of uses at every level from quarter to street to individual building.~~

Para 5.1.2 - Add the following sentence at the end of the paragraph: [104.01]

The Council recognises the importance of the market to the town centre and will seek to accommodate the market in a suitable location.

Section 6.1 retitle as – **Development Contributions** [175.31]

Policy TCA1 – Revise the first part of the policy to read: [301.19]

Development within the Central Area of Tonbridge as defined on the Proposals Map will be required to satisfy the following requirements:

Policy TCA1 – Revise section (e) to read: [104.03]

- e) **the design of development, encompassing scale, layout, site coverage and orientation of buildings, external appearance, roofscape (including any necessary screening of service plant), materials and hard and soft landscape, must respect the context of the site and the character of the part of the Town Centre within which it is located, especially when viewed from the Castle and from high view points to the south of the Town Centre, and facilitate the proper use of CCTV; and**

Policy TCA2 – Revise part 1 of the Policy to read: [301.20]:

1. **Within the Central Area planning permission will be granted for uses which support the regeneration of the Town Centre including on identified sites, retail, business, leisure, cultural and community activities, entertainment, health services, education, offices, food and drink outlets and residential use.**

Policy TCA2 – Revise Part 2 of the Polciy to read: [301.20]

2. Planning permission will be refused where the individual or cumulative effect of changes of use would detract from the vitality of shopping streets or have an unacceptable impact on the amenity of Town Centre residents.

Policy TCA2 - Revise subsection (e) of Part 4 of the Policy to read: [169.10]

e) achieve residential densities ~~consistent with draft PPS3~~ in accordance with Government guidance, with higher densities for sites in close proximity to Tonbridge Station where there is good accessibility to public transport links;

Policy TCA2 - Revise subsection (i) of Part 4 of the Policy to read: [064.15]

i) incorporate any necessary mitigation measures identified as a result of an archaeological assessment and/or ecological assessment where appropriate;

Policy TCA2 – Revise subsection (j) of Part 4 of the Policy to read: [004.08, 301.20]

j) make provision for improvements to community, leisure, cultural, public realm and transport facilities through by such means as an appropriate contribution to the Tonbridge Central Area Regeneration Fund pursuant to Policy TCA19.

Policy TCA11(b) – The Tonbridge Station Complex - add the following bullet point: [55.01]

- **the retention of at least the existing amount of commuter car parking on site.**

Policy TCA11(p) - Avenue de Puy East – revise the first part of the policy to read: [301.28]

p) Avenue de Puy East (SDC20 and SDC21) – suitable for commercial offices, further education, or other ~~significant employment-generating activities~~ suitable for a location in the Tonbridge Central Area non-retail uses appropriate to a town centre location, subject to:

Policy TCA19 – Tonbridge Central Area Regeneration Fund – revise the first part of the policy to read: [301.29]

Prior to granting planning permission for development on sites within the Central Area agreement will be reached with the Borough Council about an appropriate level of contribution towards the Tonbridge Central Area Regeneration Fund. The level of contribution will be determined by in line with Government Guidance, having regard to: