

From: [REDACTED]
To: localplan
Cc: [REDACTED]
Subject: RE: Tonbridge & Malling Borough Council Local Plan Regulation 19 Consultation - Deadline Extension
Date: 19 November 2018 15:45:58
Attachments: [image001.png](#)
[181119_GBC Response to Tonbridge and Malling Pre Reg 19.pdf](#)
Importance: High

Dear Ian,

Thank you for your consultation on the Tonbridge & Malling Borough Council Local Plan Regulation 19 Consultation to which the attached document contains officer level comments.

Regards

[REDACTED]

[REDACTED] (BSc Hons, MSc, MA, MRTPI)
Assistant Director (Planning)

[REDACTED]
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Gravesham Borough Council - *Delivering for the Community*



From: localplan [mailto:localplan@tmbc.gov.uk]
Sent: 09 October 2018 15:37
Subject: Tonbridge & Malling Borough Council Local Plan Regulation 19 Consultation - Deadline Extension

Good afternoon,

Further to my e-mail of last week, I would like to advise you that the deadline for submitting representations on the Tonbridge & Malling Borough Local Plan Regulation 19 Pre-Submission Publication document has been extended to **4pm on Monday 19 November 2018**.

As highlighted in my previous correspondence, you are urged to make your representations using the online response form available on the following web page: www.tmbc.gov.uk/localplanreg19.

Representations received after this date may not be considered. Only representations received within this period have a statutory right to be considered by the Inspector at the Examination. Please read the documentation attached to my previous e-mail before making a representation, bearing in mind the extended deadline.

If you have any queries, please do not hesitate to contact a member of the Planning Policy Team: localplan@tmbc.gov.uk.

Yours sincerely

Ian Bailey
Planning Policy Manager
[REDACTED]

Have you tried contacting us at www.tmbc.gov.uk/do-it-online ?

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GRAVESHAM BOROUGH COUNCIL

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Gravesham Borough Council Response to Tonbridge and Malling Pre-Submission Local Plan Document (19/11/2018)

Introduction

Gravesham Borough Council (GBC) welcomes this consultation on the Tonbridge and Malling Pre-Submission Local Plan Document Local Plan and notes that Tonbridge & Malling Borough Council are facing many of the same issues that Gravesham are in relation to housing land supply / Green Belt / Infrastructure etc.

These are officer level comments and offered on the basis that they form part of ongoing duty to co-operate discussions, which have been very useful to date.

Main Response

The Council considers that the decisions that have been made in the production of this pre-submission document have a clear evidential basis. This includes information on your infrastructure requirements which is important because transport, traffic impacts and infrastructure are a key reason that the public are concerned about growth

Your Transport Assessment - Part 1 and Part 2 (June 2018) and Addendum from August 2018 with the additional A20 VISUM Study of– Transport Assessment for Tonbridge & Malling Borough has evaluated the potential traffic impacts from developments in the emerging Local Plan development strategy and explored mitigation measures to alleviate such impacts where necessary. The A20 London Road corridor area has been modelled separately in VISUM with studies published in March and August 2018.

Your Infrastructure Delivery Plan (August 2018) draws together the infrastructure requirements arising from the development strategy proposed in the Local Plan and provides more information on costing and delivery, including input from statutory infrastructure providers. As an example, we note that for education the report sets out the existing situation and the additional requirements needed to deliver the growth proposed in the Local Plan. Your IDP explains that the proposed scale of development would necessitate a number of new primary schools and/or extensions and that a new secondary school is required in the north-east of the borough; it is proposed that this is located within land North of Kings Hill, with the land also accommodating primary provision. This transparency and pragmatic approach to strategic site delivery is welcomed as we are aware, from discussions with the education authority, that small scale dispersed incremental growth can increase infrastructure burdens in forms without clear routes to increase capacity.

Your draft plan is also supported by a housing delivery study which considers the scale of growth proposed and your historic delivery rate and whether the housing market could support this level of delivery. We note that the study concludes that it is a relatively high level of housing delivery, but one which your consultants considered was not, in itself, unachievable.

Comments by Gravesham Borough Council on Tonbridge and Malling BC Pre-Submission Local Plan

Strategic approach

On the basis of the plan being submitted under transitional arrangements (before 24 January 2019). the Council needs to facilitate the delivery of 13,900 homes by 2031 which means finding land for an extra 6,834 additional properties.

TMBC has a history of delivering large scale development on previously developed land with supporting infrastructure. TMBC has been clear throughout its consultations that this supply of land has significantly reduced and therefore it is going to have to look at Greenfield sites and Green Belt sites.

The draft plan proposes major housing developments, totalling 5,000 dwellings, at five strategic sites in Eccles, south Aylesford, Borough Green, Tonbridge, and East Malling. Overall new developments are being concentrated in the non-Green Belt northern parts of the Borough.

“Policy LP25: Housing Allocations – Overview” lists 36 allocations. This represents a mix of sites in respect to size and location which is very much in line with the latest advice from Government on the need for a diverse portfolio of sites. Our below table is a quick re-organisation of LP25 by size and it shows the spread of site size. We note that half of the 36 allocations are on sites that should deliver less than 50 dwellings.

	Number of sites
<u>Under 50 dwellings</u> <ul style="list-style-type: none">• b Rear of Robin Hood Lane, Blue Bell Hill 26• c 109 Hall Road, Aylesford 5• d Oil Depot, Station Road, Aylesford 14• e Nu-Venture Coaches, Mill Hall, Aylesford 8• i Southways, Staleys Road, Borough Green 7• k Land off Cobdown Close, Ditton 9• l Station Road, Ditton 6• m North of London Road, Ditton 13• n East Malling Research Station (Small Parcel) 23• q Barfield House, Teston Rd, Offham 15• r Park House, 110-112 Mill Street, East Malling 5• t South of Church Lane, East Peckham 35• u Carpenters Lane, Hadlow 25• v Church Lane, East Peckham 23• ab North of Dryhill Park Road, Tonbridge 44• ag East of Offham Road, West Malling 12• ai Land at Howlands Allotments, Wrotham 39• aj North of Fairfield Road, Borough Green 16	18
<u>50-99 dwellings</u> <ul style="list-style-type: none">• j Bell Lane, Burham 58• s Court Lane Nurseries, Hadlow 66• y Kings Hill - remainder 65• aa Tonbridge Farm 54	6

<ul style="list-style-type: none"> • ad South of Vauxhall Gardens, Tonbridge 61 • af Drayton Road Industrial Estate, Tonbridge 51 	
<u>100-499 dwellings</u> <ul style="list-style-type: none"> • f Land off Oakapple Lane, Barming 118 • o East Malling Research Station (Ditton edge) 216 • p East Malling Research Station (Parkside) 205 • w North of The Paddock, Hadlow 156 • x Land at Stocks Green Road, Hildenborough 105 • ac South West Tonbridge 480 (LP31: Strategic Site – South-West Tonbridge) • ae Coblands Nursery, Trench Road, Tonbridge 319 • ah Rear of London Road and Town Hill, West Malling 110 	8
<u>500-999 dwellings</u> <ul style="list-style-type: none"> • a Bushey Wood Phase 1, Eccles 900 to 2031 (1,514 dwellings in total - LP27: Strategic Site – Bushey Wood, Eccles) • z North of Kings Hill 825 to 2031 (900 in total - LP30: Strategic Site – Broadwater Farm, north of Kings Hill) 	2
<u>1000+ dwellings</u> <ul style="list-style-type: none"> • g South Aylesford (east of Hermitage Lane) 1,000 (LP28: Strategic Site – South Aylesford) • h Borough Green Gardens Phase 1A + 1B 1,720 to 2031 (3,000 in total - LP29: Strategic Site – Borough Green Gardens) 	2

The Green Belt Study Stage 2 report sets out proposed amendments to the Green Belt designation and the exceptional circumstances for doing so. GBC appreciates the clarity of this work and the consideration of meeting unmet need elsewhere in the borough beyond the outer Green Belt boundary or in neighbouring local planning authorities. The report concludes in paragraph 3.1.7 that “consequently, there are no genuine options to allow for sustainable patterns of development in Tonbridge and Malling to take place that do not involve the release of some sites from the Green Belt”.

The study has identified 12 sites where there are exceptional circumstances for Green Belt boundary changes at Tonbridge / Hildenborough / Hadlow / East Peckham / West Malling / Offham / Borough Green and Platt. We understand that the proposal to extend the Green Belt as far as Wateringbury Road/the A20 has community support because of its function of retaining “the important separation between the new settlement of Kings Hill and the historic villages of West Malling and East Malling”. This significant expansion of the Green Belt also results in a 200 hectare net increase in Green Belt within TMBC.

Gravesham Borough Council (GBC) under the duty-to-cooperate has not asked Tonbridge & Malling BC to accommodate unmet need from Gravesham BC as you are not in our identified housing market. It is also likely that such a demand would be a pressure on your Green Belt.

Detailed Observations

More detailed observations are set out below to assist with the refinement of the text and policies. Hopefully the Council will find these comments helpful with the Council's intention to submit its plan before 24 January 2019.

- 01 In the footnote to Policy LP5(3), it would be more accurate to state that development proposals within those settlements falling within the designated areas set out in policy LP11, will be assessed against relevant national policies as there is nothing in LP11 for them to be assessed against. The same point applies to Policy LP5(4).
- 02 Policy LP5(4), applies to development outside settlements but within the Green Belt. Policy LP5(5) applies to development in the rural area outside the settlements. It is assumed that this applies to land outside the Green Belt but this is not stated. For clarity, this should be stated in the policy. If it includes development in the Green Belt, some of the provisions conflict with the requirements of national policy.
- 03 Policy LP6, as written, contains an inbuilt contradiction. If an exception site can only be developed solely for affordable housing, the development of market housing could not be permitted under the terms of the first paragraph. The policy should be re-written as a single paragraph which allows for market housing in exceptional circumstances.
- 04 The Plan should be consistent in defining the number of dwellings which constitute major residential development, either by including the definition in the policies, in the explanatory text or in the glossary of terms. Given that the latest NPPF includes both the number of dwellings and the size of the site in its definition, consideration should be given to the inclusion of a minimum area in the definition. Conversely, Policy LP6 should define what is meant by "small sites".
- 05 Given that Policy LP7 sets out the requirements for development in Tonbridge town centre, is there any need to state in Policy LP8 that that proposals in Tonbridge town centre will need to meet the requirements of Policy LP7?
- 06 Policy LP8(1), applies to district and local centres as defined on the proposals map. Policy LP8(3) applies to district and local retail centres but with no reference to the proposals map. Policy LP8(4) applies to district and local centres. Is there any difference between district and local centres and district and local retail centres? If there is, their extent should also be defined on the proposals map. If there is no difference, the policy should not mix up the terms but be consistent.
- 07 Policy LP11, does not, in itself, constitute a policy as it does not explain what the Council's approach will be to proposals for development in the listed designations, nor how they will be judged. It simply explains that national policies will apply. Neither does it explain the consequences for proposals which are in conflict with national policy. Saying that such proposals would be

in conflict with Policy LP11 is meaningless. Having triggered the application of national policy, the work of policy LP11 is over. National policy will then apply and the interpretation of national policy will determine the outcome of any proposal which is in conflict with it. Consequently, paragraph 3 of Policy LP3 is irrelevant and should be deleted.

- 08 Policy LP12, refers to major development but does not define its meaning. It is assumed that as it is not confined to housing development, it could apply to any form of development. A definition of major development should therefore be included. The September 2018 version of the NPPF includes a definition which could be applied.
- 09 Policy LP13(1), protects four categories of site which are defined on the proposals map. Should priority habitats, protected by Policy LP13(2), also be identified on the proposals map?
- 10 Policy LP19 deals with major development but does not define major development. The explanatory text states that the policy will be applied to major development as defined in national legislation. Should this be national policy as in the NPPF or does it mean the relevant Act? If the latter applies, a link to the appropriate legislation should be provided. If the former applies, it should refer to the NPPF.
- 11 Policy LP26, requires sites allocated for residential development in Policy LP25 to meet the requirements of the other policies in the Local Plan. This is standard practice and should apply to all policies in the Plan. It would be more appropriate to delete Policy LP26 and include a statement at the front of the document explaining that all relevant policies will apply to all proposed development or safeguarding provisions.
- 12 Paragraph 5.1.19 says “Taking account of the evidence and the input from infrastructure providers, plus the proximity of heritage assets, it is considered that approximately 900 homes could be developed at this location during the plan period” but “Policy LP25: Housing Allocations – Overview” has just 825 for this site with the Housing Trajectory for LP25 Sites showing 825 to 2031 and 75 outside the plan period.
- 13 Policies LP40 and LP41 both define major residential development as consisting of 10 or more dwellings. Policy LP43, whilst referring to major residential development, does not include this definition, although it is included in the explanatory text. Policy LP45 refers to major residential development but neither the policy nor the explanatory text define what is meant by that term. Consistency is required.