

TONBRIDGE AND MALLING BOROUGH

URBAN CAPACITY STUDY

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1. Introduction

- 1.1 The Urban Capacity Study for Tonbridge and Malling Borough has been prepared in accordance with the requirements of PPG3 (see below). This report sets out the results of the Study. It is a report of survey. It seeks to identify and quantify sites potentially suitable for housing within certain defined built up areas. It also seeks to project future levels of development from unidentified windfall sites. It has been prepared in support of the Preparation of the Tonbridge and Malling Local Development Framework and to inform decisions on planning applications in the meantime.
- 1.2 This Urban Capacity Study has been updated from earlier drafts published in April 2003 (which had a statistical base-date of 31 March 2002) and December 2004 (which had a base date of 31 March 2004). The current Study has been updated to a 31 March 2006 base-date to take account of:
- Sites completed, or on which work has started, which have been deleted from the Study;
 - New planning permissions granted between 1 April 2004 and 31 March 2006;
 - Other new sites where the principle of development has been accepted, for example, by means of a planning permission granted, or resolved to be granted, post 31 March 2006;
 - New sites arising from the result of consultation and further work on the Local Development Framework. (see below)
- 1.3 The Urban Capacity Study can not be read on its own. The results of the Urban Capacity Study need to be interpreted in the context of the wider housing land supply picture and in the light of the prevailing strategic housing requirements. In this respect, it provides an input to the annual Housing Land Study prepared jointly with the County Council. By this means its implementation will be monitored annually and reported in the Borough Council's Annual Monitoring Reports.

2. The Context

2.1 The Urban Capacity Study has been prepared in the context of PPG3 and in the light of the best practice guidance contained in **Tapping the Potential**, which is a daughter document to PPG3. Tapping the Potential includes a number of different ways of carrying out an Urban Capacity Study. In order to secure some consistency of approach across Kent the Kent Planning Officers' Group has adopted a countywide protocol which has been commended to each district. The Urban Capacity Study for Tonbridge and Malling has been prepared in broad accordance with the **Kent and Medway Protocol**, and the results are presented in a standard set of tables as recommended in that protocol.

Planning Policy Guidance Note 3: Housing

- 2.2 The Government is committed to promoting more sustainable patterns of development by:
- Concentrating most additional housing within urban areas
 - Maximising the use of previously developed land and re-using existing buildings
 - Adopting a sequential approach to the allocation of housing land
 - Managing the release of housing land on the basis of plan, monitor and manage; and
 - Reviewing existing housing allocations and permissions when they come up for renewal.
- 2.3 The national target is that by 2008, 60% of additional housing should be provided on previously developed land and through conversions of existing buildings. The Kent and Medway Structure Plan includes an indicative local target of 90% for Tonbridge and Malling Borough. In order to establish how much additional housing can be accommodated within urban areas, and therefore how much greenfield land, if any, may be required for development, all local planning authorities are required to undertake Urban Capacity Studies. These should consider various options in relation to density of development, levels of parking provision, different residential layouts and the mix of housing types.
- 2.4 PPG3 makes it clear that each local planning authority will be responsible for evaluating the housing capacity of its area. It proposes that Regional Planning Bodies should co-ordinate such studies and seek to maintain a consistency of approach by agreeing standards. In the South East SEERA published a Good Practice Guide on Assessing Housing Potential in January 2004 which has been taken into account in preparing this Urban Capacity Study.
- 2.5 In identifying sites to be allocated for housing, planning authorities should follow a search sequence starting with the re-use of previously-developed land and buildings within urban areas as identified in the Urban Capacity Study, followed by urban extensions and finally development around public

transport nodes or corridors. In determining the order in which such sites should be released for development, the presumption will be that previously-developed sites should normally be developed before greenfield sites. The exception to this principle will be where previously-developed sites perform so poorly in terms of sustainability as to preclude their use for housing before a particular greenfield site. Local Plans should include policies which seek to ensure that sites are released in this order, taking into account the likely supply from windfall sites.

- 2.6 Windfall sites are those which have not been specifically identified as available through the Local Plan process. They comprise previously - developed sites that have unexpectedly become available. Authorities should make specific allowance for windfalls in their Plans based on past trends and on the likely future potential as assessed in an Urban Capacity Study. No allowance should be made for greenfield windfalls. Greenfield windfalls would include the use of agricultural land or buildings as well as parks, recreation grounds and allotments.
- 2.7 Urban Capacity Studies should also have regard to the potential for converting buildings formerly in other uses, vacant commercial buildings and upper floors above shops into housing. Planning authorities should also critically review all of their existing employment allocations and consider whether some could be better used for housing or mixed use development.
- 2.8 Local planning authorities should avoid the inefficient use of land. They should examine critically the standards they apply to new development to avoid the profligate use of land. In this respect, local authorities should revise their parking standards to allow for significantly lower levels of off-street residential parking provision; on average 1.5 spaces per dwelling. Developments at less than 30 dwellings per hectare should be avoided and those with a density of between 30 and 50 dwellings per hectare should be encouraged, particularly in locations with good public transport access.

Draft Planning Policy Statement 3: Housing

- 2.9 In December 2005 the Government published for consultation a draft revision to PPG3. This reaffirms the Government's commitment to ensuring the everyone has the opportunity of living in a decent home which they can afford, but the aim is deliver a better balance between housing demand and supply in every housing market area. The draft makes it clear that authorities should be able to firmly allocate sufficient housing land to meet the first 5 year's supply following the adoption of the LDF without taking account of windfalls. Beyond this time, a further 10 year's supply should be identified if possible with windfalls only being taken into account if it is not possible to identify sufficient land.
- 2.10 PPS3 requires the preparation of Housing Trajectories which should be updated annually. Housing land supply will be informed by Housing Land Availability Assessments. A draft Practice Guide was published alongside the draft of PPS3. This Guide will eventually supersede Tapping the Potential (see below). This Urban Capacity Study has been prepared in accordance with the extant advice in PPG3 and Tapping the Potential. Future reviews will be undertaken in the context of the advice prevailing at the time.

Tapping the Potential

- 2.11 "Tapping the Potential" is a guide to better practice in the preparation of Urban Capacity Studies. It is not intended to be the final word on the subject, neither does it attempt to prescribe how Urban Capacity Studies should be carried out. Rather it is designed to highlight the issues that authorities will encounter in preparing such Studies and to provide a checklist of the various options available and decisions that have to be made. It will eventually be superseded by the Practice Guide on Housing Land Availability Assessments but the thrust of the new draft advice is not significantly different in terms of the approach to identifying potential.
- 2.12 The point is made in Tapping the Potential that it is crucial that all aspects of the process of assessment are readily understandable, transparent and rigorous. Whilst, inevitably, professional judgements will need to be made, the considerations underlying these judgements should always be clear and publicly available. It is important that the studies are prepared in partnership with other participants in the development process, including landowners and developers since this will help identify the location of sites and confirm the likely timing of their availability. In this respect, it is important not to reach premature conclusions about potential supply. It is important that the appraisal should consider as many sources of capacity as possible, no matter how unlikely some sources and locations may initially appear in terms of the current housing market.
- 2.13 The first step in assessing urban capacity is to identify which places to consider in the Study. Where are the search areas to be drawn? Local authorities should assume that for the purposes of an Urban Capacity Study, the term "urban" should embrace all settlements that can contribute to sustainable patterns of development. It follows that urban housing capacity studies can be relevant to rural areas. A useful rule of thumb is to include all settlements that may be considered for housing development. Typically these would (or would have scope to) include shops and services, be accessible by public transport and be capable of having a sensible envelope drawn around them.
- 2.14 The study should consider all possible sources of capacity, including the following:
- Subdivision of existing housing
 - Flats over shops
 - Bringing empty homes back into use
 - Previously-developed vacant and derelict land and buildings
 - Intensification of existing housing areas, by developing garage courts, large back gardens and backland plots
 - Redevelopment of existing housing at higher densities
 - Redevelopment of car parks, for example by decking over part of a car park to replace lost spaces

- Conversion of commercial buildings to flats
 - Review of existing housing allocations with a view to increasing densities
 - Review of other allocations to see if they are still relevant (eg employment sites)
 - Other vacant land which has not been previously developed (note: this does not include parks, playing fields and allotments)
- 2.15 In terms of assessing capacity the ideal approach is a comprehensive assessment of all possible sources. There are, however, a number of other approaches that can act as a proxy for a full study, including:
- Priority Area Studies which involve a comprehensive study but only in certain localities, for example, in proximity to a town centre.
 - Typical Area Studies which involve dividing the urban area into homogenous character areas. A detailed study is then undertaken of a sample of each area type and the conclusions extrapolated to all such areas.
- 2.16 Having surveyed the area and identified the opportunities it is necessary to assess the potential and again there are a number of different ways that this can be done, including:
- Density Multipliers, which can be applied either to the total area of all possible sites, or for a more refined approach, an appropriate density can be applied to each identified site depending on its location.
 - A design-led approach, which either involves undertaking a design exercise for every site or for a sample of typical sites and then using the results as a template for other similar sites.
 - Yardsticks can be used for windfall projections based upon past trends and rates of development for particular categories of development, for example, conversions of commercial buildings and flats over shops.
- 2.17 The above produces the “unconstrained capacity” which is the theoretical total number of dwellings that could be accommodated if all the potential capacity was developed optimally. The final part of the study is to predict how much of the unconstrained capacity can be brought forward within the time horizon being considered. Such discounting is inherently judgmental. It needs to take account of such things as:
- The willingness of the owner to release the site
 - Infrastructure capacity
 - Site contamination and flooding

- Market viability which should reflect the likely impact of PPG3 on the market
- Competing uses

Discounting rates for each source of capacity should be based upon professional judgements informed by consultation with those active in the market.

Urban Capacity Study Protocol for Kent and Medway

- 2.18 In view of the nature of the advice in "Tapping the Potential" and the absence, at the time, of any guidance from the Regional Planning Body, the County Council, Medway Council and the Districts in Kent jointly agreed a protocol to be followed in the preparation of Urban Capacity Studies. The protocol (which is available separately) is not prescriptive, but it does set out agreed definitions and minimum requirements and seeks to establish a common approach across the County, including a standard set of summary tables. The housing monitoring system in the County has also been revised in order to complement the Urban Capacity Study categories of development.
- 2.19 In particular, the protocol defines the criteria to be used in identifying which settlements to include in the Study. It also confirms that, whilst all sites in excess of 0.1ha should be surveyed, only those which are found to have a capacity of 5 dwellings or more should be included in the list of identified sites. The yield from sites smaller than this would be regarded as windfall development. The protocol advocates a comprehensive survey approach, preferably with design-led assessments of capacity.
- 2.20 The general approach suggests identifying as many sites as possible under each category of development and applying to them, in the first instance, a crude density multiplier. This is based on the advice in PPG3, and proposes a figure of 50 dwellings per hectare in certain defined sustainable locations close to town centres and transport corridors and nodes, and a figure of 30 dwellings per hectare elsewhere. The yield resulting from the crude density multiplier is then refined for each site having regard to practical, environmental and other site-specific issues. If necessary, a draft layout may need to be prepared for some sites. The final part of the exercise is to discount the assessment having regard to the site's likely availability and marketability. As a result of this exercise some sites may be deferred to later in the plan period and some might be relegated to beyond the end of the period.
- 2.21 A similar approach is suggested for projecting windfall development on the basis of past trends and future potential under each category of development. The use of yardsticks is advocated where specific sites are not to be surveyed. Windfalls are divided into three sizes of site to enable judgements to be made about the likelihood of past trends continuing.
- 2.22 The Tonbridge and Malling Borough Urban Capacity Study has been prepared in broad accordance with the Kent and Medway Protocol.

Tonbridge and Malling Borough Local Development Framework

- 2.23 The Tonbridge and Malling Borough Local Plan was adopted in December 1998 and has a time horizon of 2011. It is, therefore, still current and

generally up to date. However, it was prepared before, and therefore does not have regard to, the advice in the latest version of PPG3. It is accepted, therefore, that the housing section of the Plan requires review. This Urban Capacity Study is an important input to the Local Plan Review.

- 2.24 The Government has introduced a new procedure for the preparation of development plans at the local level. Under the Planning and Compulsory Purchase Act 2004 District Councils are required to prepare a **Local Development Framework** to guide and control future development in their area. A Local Development Framework is a portfolio of separate Local Development Documents which deal with different aspects of planning in the area. The programme for the preparation of the Local Development Framework is set out in a **Local Development Scheme** which has to be approved by the Secretary of State.
- 2.25 The approved Local Development Scheme for Tonbridge and Malling indicates that the Council will be preparing six Local Development Documents in two tranches. The first tranche includes the Core Strategy, which sets out the vision, objectives, development strategy and general strategic policies for development in the Borough. It also includes a Development Land Allocations Development Plan Document dealing with site-specific land allocations for housing, employment and retail use, major developed sites in the Green Belt and safeguarding, and an Area Action Plan for the central area of Tonbridge. It is these latter two documents that will take forward the findings of the Urban Capacity Study and actually allocate sites for housing. Details of the programme for the preparation of the Local Development Framework can be found in the Local Development Scheme which is available separately and can viewed on the Council's Website.

Kent and Medway Structure Plan

- 2.26 The Kent and Medway Structure Plan was adopted in July 2006. It rolls forward the provisions of the previously adopted plan from 2011 to 2021. One of the critical issues addressed in the Structure Plan is the quantum of housing allocated to each District and the proportion of that housing that can be accommodated on previously developed land having regard to the results of Urban Capacity Studies throughout Kent.

The South East Plan – A Regional Spatial Strategy for the South East

- 2.27 The South East Plan is being prepared by the South East of England Regional Assembly (SEERA). It reviews and will replace the current Regional Planning Guidance for the South East (RPG9). Once the Regional Spatial Strategy is approved by the Secretary of State it will comprise part of the Development Plan and will replace the Kent and Medway Structure Plan. The South East Plan will provide housing figures for individual Districts and will look forward to 2026. It was submitted to the Secretary of State in March 2006 and will be subject to Public Examination in the autumn of 2006.
- 2.28 As mentioned previously, SEERA has produced a Good Practice Guide dealing with the preparation of Urban Capacity Studies, entitled **Assessing Urban Housing Potential**. It aims to establish a common approach so as to increase consistency between studies in the South East. The Guide had regard to the Kent and Medway Protocol and is broadly consistent with it. The Borough Council is therefore satisfied that its Urban Capacity Study is in line with regional best practice.

Kent Housing Land Study

- 2.29 Housing Land Studies, based broadly on the advice in former PPG3, are prepared jointly by the County Council and the District Councils in Kent on an annual basis. They are normally prepared in consultation with the Housebuilders' Federation.

Tonbridge and Malling Annual Monitoring Reports

- 2.30 The Borough Council publishes an Annual Monitoring Report at the end of each year. This document reports on changes over the previous year in the implementation of policies and proposals in the adopted Local Plan. In particular, it monitors housing completions against housing requirements and, future land supply in terms of unimplemented planning permissions and local plan allocations. It will be through the Annual Monitoring Reports that the accuracy of the assumptions in the Urban Capacity Study will be tested.

Consultation

- 2.31 An initial draft of the Urban Capacity Study was subject, in February 2003, to targeted consultation with the Housebuilders' Federation, the Council for the Protection of Rural England (CPRE), the applicants for three large developments the subject of a major Public Inquiry during the later part of 2003, and certain technical consultees, such as the Environment Agency. The aim was to ensure that as many sites as possible had been identified and that a realistic assessment had been made about the availability of the sites that were identified.
- 2.32 The draft Study was reviewed in the light of the response to these initial consultations and a revised draft was adopted in April 2003 for the purpose of deciding the Council's position at the Planning Inquiry. This revised draft Study was then subject to wider public consultation as an integral part of the Local Plan Review process in the autumn of 2003. The results of that consultation exercise were taken into account by the Borough Council, together with a general update of the Study to a 31 March 2004 base-date.
- 2.33 The current Study has not been subject to an independent consultation process because it merely rolls forward the content of the previous studies. However, it does have regard to further work undertaken for the preparation of the Local Development Framework, in particular a reassessment of the potential of Tonbridge Town Centre by consultants in the course of preparing the Tonbridge Central Area Action Plan. This was subject to consultation during the autumn of 2005.

ANALYSIS OF SERVICES AND FACILITIES WITHIN RURAL SETTLEMENTS

Identified Confines - under 3000 persons	SUMMARY OF AMENITIES WITHIN VILLAGE				AMENITIES WITHIN 1.5KM OF SETTLEMENT			
	P.O/Shop	Primary School	Surgery or Clinic	Hourly Bus/Rail	P.O/Shop	Primary School	Surgery or Clinic	Hourly Bus/Rail
Addington	No	No	No	70	No	No	No	-
Addington Clearway	No	No	No	70	No	No	No	-
Aylesford Village	Yes	Yes	Yes	145; 155	-	-	-	-
Blue Bell Hill	No	No	No	150 #	Yes	Yes	Yes	-
Birling	No	No	No	78	No	Yes	No	-
Borough Green	Yes	Yes	Yes	308/306;70;Rail	-	-	-	-
Burham	Yes	Yes	Yes	145	-	-	-	-
Eccles	Yes	Yes	No	145	-	-	Yes	-
East Malling	No	Yes	Yes	70; 72;Rail	Yes	-	-	-
East Peckham	Yes	Yes	Yes	208	-	-	-	-
Hale Street	No	No	No	208	Yes	Yes	Yes	-
Hadlow Village	Yes	Yes	Yes	7;777;151	-	-	-	-
Golden Green/Barnes Street	No	No	No	208	No	No	No	-
Hildenborough Village	Yes	Yes	Yes	402etc;Rail	-	-	-	-
Ightham	No	No	?	308	No	Yes	No	-
Mereworth Village	No	Yes	?	77; 123; 151	No	-	No	-
Herne Pound	No	No	No	No	No	Yes	No	151
Offham	No	No	No	70	No	Yes	No	-
Platt	No	Yes	No	70	Yes	-	Yes	-
Wrotham Heath	No	No	No	70; 78	No	No	No	-
Crouch	No	No	No	No	No	No	No	70; 308
Plaxtol	Yes	Yes	Yes	222*; 404 *	-	-	-	-
Ryarsh	No	No	No	78	No	Yes	No	-
Shipbourne	No	Yes	No	222*; 404 *	No	-	No	-
Trottiscliffe	No	Yes	No	78	No	-	No	-
Wateringbury	Yes	Yes	Yes	6; 7	-	-	-	-
West Malling	Yes	Yes	Yes	70;72;78;123;151/Rail	-	-	-	-
West Peckham	No	No	No	123	No	Yes	No	7;151
Wouldham	Yes	Yes	No	145; 155	-	-	No	-
Wrotham	No	Yes	Yes(Part Time)	308/306	No	-	-	-

= 8 journeys per weekday

* = 5 - 6 journeys per weekday

Table 1

3. Study Methodology

3.1 As mentioned previously, the Urban Capacity Study for Tonbridge and Malling has been prepared in line with the Regional Good Practice Guide and the Kent and Medway Protocol. The first thing that needed to be done was to decide which areas should be covered by the survey. As "Tapping the Potential" makes clear, Urban Capacity Studies should not necessarily be confined to the main urban areas which, in Tonbridge and Malling, include Tonbridge itself, the Medway Gap (the built-up area between Leybourne and Aylesford including Aylesford Forstal), Snodland, Kings Hill and the part of Walderslade within the Borough. In line with the Kent and Medway Protocol, all of the other settlements in the Borough were assessed on the basis of whether they either contained, or were within 1.5km of, all of the following services:

- a post office
- a village shop selling convenience goods (including one combined with a post office)
- a doctors or clinic
- a primary school
- a public transport route with frequent services to one or more of the main urban areas (*a frequent service is defined as a minimum of an hourly bus or train service in each direction during weekday peak periods*)

3.2 The assessment is set out in Table 1. As a result, the following settlements have been included in the Urban Capacity Study.

Urban Areas

Tonbridge (including Hilden Park which lies partly within Hildenborough Parish)
Medway Gap (ie. Leybourne, East Malling and Larkfield, Lunsford Park, Ditton and Aylesford south of the River Medway)
Snodland
Walderslade (part)

Rural Settlements

Aylesford Village (north of River)	Hadlow
Blue Bell Hill	Hildenborough
Borough Green	Platt
Burham	Plaxtol
Eccles	Wateringbury
East Malling Village	West Malling
East Peckham and Hale Street	

3.3 It should be noted that since the original 2002-based Study the Post Office in Wrotham has closed. It therefore no longer meets the criteria for inclusion in the Study.

- 3.4 As the Kent and Medway Protocol emphasises, these settlements have been selected purely for the purposes of survey in order to assess their potential. ***Their inclusion on the list should not be interpreted as indicating that in policy terms they are necessarily locations where expansion outside the village confines would be acceptable.*** This is a judgement that can only be made in the context of preparing the Local Development Framework which, amongst other things, will have regard to the potential identified through this Urban Capacity Study.
- 3.5 The large-scale new developments at Leybourne Grange, Holborough Quarry and Peters Pit have not been included in the Urban Capacity Study because they do not lie within the **existing** confines of the urban areas. However, the capacity of these sites is taken into account in the Housing Land Study and reflected in the Annual Monitoring Report.
- 3.6 **Kings Hill** has been dealt with as a special case because, although identified as an urban area in the Local Plan, it is, in fact, a major new development still in the course of implementation. In this respect, it is difficult to treat Kings Hill in the Urban Capacity Study in the same way as Tonbridge or the Medway Gap as if it were a long-established urban area. If it had been included, to be consistent with the other urban areas, the boundary would have had to be drawn tightly around the limits of the built up area as it existed on the ground on 31 March 2006. This would technically have been a difficult boundary to define. It would also have been meaningless, in that any vacant undeveloped sites **within** the boundary would either have had detailed permission or be subject to the remaining elements of the unimplemented outline permissions. All of this is properly reflected in the land availability picture for Kings Hill as set out in the Housing Land Study and the Annual Monitoring Report.
- 3.7 The extent of the areas subject to the Urban Capacity Study is shown on the maps in ANNEX A. The limits of these areas conform generally to the built confines shown in the Local Plan **but are not exactly the same, because generally they relate to the existing, rather than proposed, limits of development.** For example, they exclude any peripheral allocated sites except where these comprise an urban-related previously developed use, or are existing or former operational areas linked to an allocated urban use. The urban limits also exclude any predominantly open areas (large gardens, school playing fields, etc) which relate more in character to the adjacent countryside than the urban area.

First Stage Analysis

- 3.8 The first part of the exercise was a re-examination of the capacity of all existing housing commitments as at 31 March 2006, including all outstanding housing allocations and sites with planning permission for housing within the defined areas. The same approach was adopted for the unimplemented constrained housing sites identified under Policy P5/2 of the Local Plan and carried forward under Annex F to the Preferred Options Report. Many of these are inappropriately located employment sites. The aim was to reassess the capacity of the sites in the light of PPG3 density requirements. In line with the Kent and Medway Protocol, no change to yield was assumed for sites with detailed planning permission or where the yield was limited by condition. All committed sites, were, by definition, considered suitable for housing and were therefore carried forward to the next stage of analysis.

- 3.9 In line with para 42a of PPG3, all undeveloped land within the built up areas allocated for employment purposes under Policies P5/9, P5/12 and P5/15 was assessed to see if it was still appropriately allocated and whether it had any potential for housing bearing in mind the quality of access and relationship with existing housing areas. Any sites considered potentially suitable for housing were likewise carried forward to the next stage of analysis as “new sites”. The wider implications of losing such sites to housing is a matter for the Local Development Framework to address in the light of the Employment Land Review.
- 3.10 Sites within the built-up areas identified as vacant previously developed land in the National Land Use Database (NLUD) were also examined to see if they were suitable for housing, and if they were, they were also carried forward as “new sites”.
- 3.11 Any sites which had received permission since 31 March 2006, or where the Council had resolved to grant permission, were also included, but technically regarded as “new sites” for the purposes of analysis. However, where this was the case, the fact that the site had planning permission is made clear in the commentary on the Schedules.
- 3.12 A comprehensive survey of the urban areas was also undertaken to identify all other possible sites. This included an assessment of:
- All car parks to see if any were persistently under-used
 - Garage courts and parking areas within housing areas
 - Commercial uses within residential areas
 - Vacant or under-used land within the built-up areas

Land used for open recreation and allotments in use was specifically excluded in line with the Kent Protocol and the advice in Tapping the Potential unless it already had planning permission.

- 3.13 An assessment was also made of all community and institutional uses (eg schools and nursing homes) but it was not generally considered appropriate to actually identify such sites as being potentially suitable for housing even though, when considered on their planning merits, some proposals for development on such sites may be considered acceptable. A similar approach was adopted for public houses, large houses suitable for conversion and for areas with large back gardens where infill might prove to be acceptable. However, the identified potential of these sources of supply has been taken into account in projecting forward the yield from windfall developments.
- 3.14 The Kent and Medway Protocol suggests that different density assumptions should be adopted for the purposes of a crude density calculation based upon the accessibility of the site. It proposes:
- 50 units per hectare:** within the main urban areas within 800 metres from the town centre (the “pedshed”), 400 metres of a bus route or 800 metres from a station .

30 units per hectare: in all other locations including the rural settlements.

Having examined the extent of these zones, it was found that most of the urban areas were covered by the 50 dwellings per hectare category. This was not considered to be realistic. Under the circumstances, every site has been tested on the basis of a range between 30 and 50 dwellings per hectare. The policy-based yield was then assessed having regard, amongst other things, to the accessibility of the site to public transport and to town centres.

- 3.15 The results of the surveys and initial assessments are set out in ANNEX A. In this Annex all of the identified sites above the site size threshold of 0.1 ha are assessed as to their general suitability, in whole or part, for housing. Sites below the threshold have not been assessed. Any proposals for housing development on these small sites will be considered on their merits and, if considered acceptable, would be counted as windfall development. Every site above the threshold was assessed against all the normal development control criteria as if an outline planning application had been received. These criteria included the character of the local environment, amenity, access, flooding, air quality and noise.
- 3.16 The sites are analysed on the basis of the development categories in the Kent and Medway Protocol with each category being subdivided into:
- Sites with planning permission as at 31 March 2006
 - Unimplemented allocations in the Tonbridge and Malling Borough Local Plan, including sites identified as being suitable for housing under Policy P5/2 (the “allocated sites”)
 - “New sites” identified specifically through the Urban Capacity Study.

The purpose of this part of the exercise was to narrow down the sites to those that were considered **potentially** suitable for housing. Any such sites were then carried forward to the second stage of analysis.

Second Stage Analysis

- 3.17 The next part of the exercise, in line with the Kent and Medway Protocol, was to calculate the crude density multiplier and then to make a policy judgement, about the most appropriate potential yield from the site. In some cases, simple sketch site layouts were prepared to confirm the theoretical yield. ***It must be emphasised that the Borough Council is not committed to the yield in respect of any particular site since at the stage of the consideration of a planning application a figure above or below that indicated may be considered appropriate. The figure must therefore be regarded as purely indicative.***
- 3.18 The final part of the exercise involved making a judgement about the likelihood of development taking place within the plan period up to 2021. This paid regard to the viability index and to the advice of the Council's estates advisors. The Market Index for all allocated and new sites is shown in the tables under Annex B to this Study.

- 3.19 In the case of some sites, whilst they were still considered suitable for housing, there was sufficient doubt about their potential availability that they were discounted completely from the potential supply of identified sites. However, such sites are not lost from the Study. They are merely relegated to the category of “Other Sites suitable for Housing”. These sites might come forward for development, and if they do, they will be counted as windfalls. Their availability will be kept under review and their categorisation will be reconsidered at the next review of the Urban Capacity Study. They will be taken forward in the Local Development Framework as constrained sites considered suitable for housing, on a similar basis to Policy P5/2 in the adopted Local Plan (see Annex F to the Preferred Options Report).

SECOND STAGE ANALYSIS – SUMMARY

Source	Permissions			Allocations			New Sites			Total		
	Available	Other sites	Total	Available	Other sites	Total	Available	Other sites	Total	Available	Other sites	Total
1.1 Vacant Sites	50	0	50	0	9	9	16	100	116	66	109	175
1.2 Redevelopment at Higher densities	17	0	17	0	0	0	12	0	12	29	0	29
1.3 Redevelopment of Employment land	939	0	939	14	0	14	312	297	609	1265	297	1562
1.4 Redevelopment of Institutional Uses	185	0	185	0	0	0	210	0	210	395	0	395
1.5 Redevelopment of Car Parks	0	0	0	10	0	10	490	0	490	500	0	500
1.6 Redevelopment of Mineral Sites etc	0	0	0	0	0	0	0	0	0	0	0	0
1.7 Redevelopment Other Uses	102	0	102	0	40	40	268	307	575	370	347	717
2.1 Intensification within Residential Areas	10	0	10	0	0	0	0	0	0	10	0	10
3.1 Change of Use to Housing	6	0	6	0	0	0	0	0	0	6	0	6
3.2 Conversion of Housing to Flats	5	0	5	0	0	0	0	0	0	5	0	5
Total	1314	0	1314	24	49	73	1308	704	2012	2646	753	3399

Table 2

4. Results of the Study

First Stage Analysis

- 4.1 Altogether a total of 382 potential sites were identified at the first stage of the Urban Capacity Study (see Annex A). 8 of these were already identified as being suitable for housing in the adopted Local Plan (ie. allocated) and 33 were sites with planning permission for housing as at 31 March 2006. The remaining 341 were “new sites”. All but one of the sites already allocated for housing and all of the permitted sites were carried forward from the first stage for further evaluation. However, only 46 of the 341 “new sites” were considered potentially suitable for housing and carried forward to the next stage of the process. The results of the first stage analysis are summarised in the following Table which indicates the degree of discounting that has occurred between the first and second stage of the process.

Category	Sites with Permission	Allocated Sites	New Sites ⁽¹⁾	Total Sites
1.1 Vacant Sites	2	1	3 (7)	6
1.2 Redevelopment at Higher densities	2	0	2 (3)	4
1.3 Redevelopment of employment Land	12	2	20 (48)	34
1.4 Redevelopment of Institutional Uses	3	0	2 (2)	5
1.5 Redevelopment of Car Parks	0	1	3 (234)	4
1.6 Redevelopment of Mineral Sites, etc	0	0	0 (1)	0
1.7 Redevelopment of Other Uses	10	3	16 (45)	29
2.1 Intensification within Residential areas	2	0 (1)	0 (0)	2
3.1 Change of use to Housing	1	0	0 (1)	1
3.2 Conversion of Housing to Flats	1	0	0 (0)	1
TOTALS	33	7 (8)	46 (341)	86

(1) Figures in brackets indicate the total number of sites surveyed at the First Stage.

Second Stage Analysis

- 4.2 The results of the second stage analysis are set out in Annex B and summarised under Table 2. This indicates that, following the second stage analysis, the Study has identified a total of 86 sites suitable for housing within the built-up areas with a total potential capacity of 3399 dwellings including those already allocated or with permission for housing. Altogether, 46 “new sites” suitable for housing within the urban areas have been identified as a result of the Urban Capacity Study.

Vacant Land (Category 1.1)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	2	50		
Allocations			1	9
New Sites	2	16	1	100
Totals	4	66	2	109

- 4.3 Perhaps not surprisingly very few vacant sites were identified within the confines of the built-up areas which did not already have permission. Only three new sites were identified and two of these were discounted as their availability for housing is questionable. One of these is a large site to the north of the River Medway in Tonbridge which has an extant permission for retail warehousing. Whilst potentially suitable for high density housing, and this would be the Council's preference, it is not currently clear whether the extant permission for retail warehousing will be implemented. One small vacant site at Blue Bell Hill is already allocated for housing in the current Local Plan, but again this has been discounted because its marketability is questionable in view of the impact of noise from the A229. If either of these sites come forward they will be regarded as windfalls. The total potential yield from this category is therefore 66 units from 4 sites.

Housing Redevelopment (Category 1.2)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	2	17		
Allocations				
New Sites	2	12		
Totals	4	29		

- 4.4 Redevelopment of existing housing is a difficult category to identify in advance of proposals coming forward. Indeed, in terms of blight it was considered inappropriate to identify such sites unless there was a known intention of the owner to bring forward such proposals. This is the case with the new sites identified.

Redevelopment of Employment Land (Category 1.3)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	12	939		
Allocations	2	14		
New Sites	9	312	11	297
Totals	23	1265	11	297

- 4.5 Redevelopment of existing employment land provides by far the greatest potential source of supply of housing land within the built-up areas. A review of such sites is entirely in line with PPG3 and in accordance with the existing policy context which seeks to upgrade the economic base of the area and improve existing residential environments by redeveloping out-dated or inappropriately sited employment uses. The potential yield from existing permissions is evidence of the market demand for this form of development. There is no indication that this demand will reduce and the Urban Capacity Study has confirmed that it will not be constrained by lack of supply.
- 4.6 A total of 20 new sites under this category has been identified as being suitable for housing redevelopment. However, only 9 of these have been regarded as being potentially available before 2021. These are sites where

the intentions of the current owners are known or where the likelihood of redevelopment for housing seems certain. In all other cases, particularly where an employment site is currently occupied by what appears to be a viable employment use, the site has been discounted from the available supply. Nevertheless, the total potential supply from this category is confidently expected to be in the order of 1265 dwellings over the period to 2021.

Redevelopment of Institutional Uses (Category 1.4)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	3	185		
Allocations				
New Sites	2	210		
Totals	5	395		

- 4.7 Redevelopment of Institutional Uses is another category where it is difficult, and considered inappropriate, to identify potential sites in advance of an owner's intentions being known. For example, it is recognised that there is a trend towards the closure and redevelopment of Nursing Homes, but it was considered inappropriate to precipitate such action by identifying all such institutions for potential redevelopment even though, when considered on their planning merits, such proposals may be acceptable. Any additional yield from this source will therefore be taken into account in the windfall projections. The two identified new sites at Preston Hall, Aylesford and Tonbridge Library, are known to be potentially available for development. The revised capacity at Preston Hall has been informed by some master planning work undertaken on behalf on the land owners and submitted in response to consultation on the Preferred Options Report for the LDF.

Redevelopment of Car Parks (Category 1.5)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions				
Allocations	1	10		
New Sites	3	490		
Totals	4	500		

- 4.8 The Study examined the potential of some 234 car parks, lock-up garages and parking areas in the Borough. Only 4 are considered to offer any significant potential for new housing and these are all located within Tonbridge town centre.
- 4.9 A major site which is potentially suitable for high density housing, as part of a mixed-use scheme are the station car parks north and south of the railway at Tonbridge Station. At present this site, which is occupied by commuter parking, is allocated for business use in the adopted Local Plan. The Preferred Options for the Town centre identified the potential of this site for a wider range of uses including housing and, north of the railway, retail use. Any development of the car parks would need to replace the spaces lost by

decking. The owners of the site, Network Rail, are known to be progressing a scheme in line with the evolving town centre policy. Hence the degree of confidence about its deliverability.

Redevelopment of Minerals Sites (Category 1.6)

4.10 There are no such sites suitable for housing within the built-up confines.

Redevelopment of Other Uses (Category 1.7)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	10	102		
Allocations			3	40
New Sites	5	268	11	307
Totals	15	370	14	347

4.11 Redevelopment of uses other than those covered by the other categories is another significant source of supply. A number of new sites have been identified in this category, though the majority have been discounted in terms of availability because they are currently occupied. This is a particularly difficult category to predict in terms of availability because it depends on the existing use ceasing.

Intensification within Residential Areas (Category 2.1)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	2	10		
Allocations				
New Sites				
Totals	2	10		

4.12 This is another category which is difficult to predict. The main source of this supply will therefore be taken account of in the windfall projections.

Change of Use to Housing (Category 3.1)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	1	6		
Allocations				
New Sites				
Totals	1	6		

4.13 This is another category where it is difficult to identify sites in advance of knowing the owner's intentions. The main source of supply from this category will therefore be windfalls.

Conversion of Houses to Flats (Category 3.2)

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	1	5		
Allocations				
New Sites				
Totals	1	5		

- 4.14 This is another category where it is difficult to identify sites in advance of knowing the owner's intentions. The main source of supply from this category will therefore be windfalls.

Table 3: All windfalls (large and small sites)

	01/02	02/03	03/04	04/05	05/06	Total	Average per annum
Permissions	168	357	479	589	932	2525	505
Completions	132	291	194	475	515	1607	321

Table 4: Small sites (Less than 5 dwellings)

	01/02	02/03	03/04	04/05	05/06	Total	Average per annum
Permissions	72	67	84	74	100	397	79
Completions	27	47	45	83	149	351	70

Table 5: All large sites (5 dwellings and over)

	01/02	02/03	03/04	04/05	05/06	Total	Average per annum
Permissions	96	290	395	515	832	2128	426
Completions	105	244	149	392	366	1256	251

Table 6: Large sites (five dwellings and over) excluding specific very large sites

	01/02	02/03	03/04	04/05	05/06	Total	Average per annum
Permissions	96	290	244	290	462	1382	276
Completions	103	144	74	209	299	829	166

Table 7: All windfalls (large and small sites and excluding specific very large sites)

	01/02	02/03	03/04	04/05	05/06	Total	Average per annum
Permissions	168	357	328	364	562	1779	356
Completions	130	191	119	292	448	1180	236

* Note: Figures may not total due to rounding.

5. Windfall Development

- 5.1 Windfall development is development that takes place on sites which have not specifically been identified as being available through the Local Plan process. It therefore **excludes** any development on land specifically allocated for housing, but would nevertheless **include** any development on constrained housing sites identified, since these are sites considered suitable for housing but not necessarily available for development during the Plan period. The yield from development on these sites is not counted as contributing towards housing land supply unless and until a planning permission is granted. No allowance should be made for windfalls on greenfield sites either within or outside the built-up areas. However, **windfall projections have been carried out for the whole of the Borough and not just the defined built-up areas**, because, in terms of overall supply, there will be a continuing yield from acceptable minor development and/or redevelopment on previously developed land within the rural area.
- 5.2 Although the contribution to housing supply from windfalls cannot be quantified in advance, it is reasonable to expect that windfalls will continue to emerge over the course of the plan period. Draft PPS3 advises that it should be the objective to allocate (ie specifically identify) sufficient land for the first five years following the adoption of the plan, but it acknowledges that some local authorities will still need to make a realistic allowance for windfall development in their Development Plan Documents. The draft Guidance on Land Availability Assessments recommends that windfall allowances should be made on the basis of examining past trends in windfall development and making an informed estimate as to the likely future rate of implementation.
- 5.3 The following are main potential sources of windfall development:
- **Development of Vacant Sites** There has been very little windfall development on formerly vacant sites in the recent past and there is very little potential for further such development. It is to be expected that any such sites will have been identified and allocated for development and will therefore not be counted as windfalls.
 - **Housing redevelopment at higher densities** This has not been a major source in the past, but, in the light of draft PPS3 is an area where there would appear to be the greatest potential for change in the future. However, the actual potential yield is not likely to be large. These are not the types of site that would be allocated and so any such development will be categorised as windfall development.
 - **Redevelopment of commercial and other uses** Whilst this has been the main source of windfalls over the past five years and is expected to continue as such, there is no case for assuming an increase in the actual rate of development of such sites. Whilst draft PPS3 can impact directly on such things as the density of development, its impact on the redevelopment of other uses is much more intangible and will be determined by things like changes in land values. Only monitoring will indicate whether there is any case for changing past trends in this area. However, this is the category of windfall where the Urban Capacity Study has actually identified a large number of sites (under Categories 1.3, 1.4, 1.5 and 1.6) which have been carried forward as allocations in the Development Allocations

DPD and will therefore not be windfalls. To the extent that the “other sites” identified come forward, these will be counted, together with any unidentified sites in this category, as windfalls. There will also continue to be some windfalls from this category outside the built up areas covered by the Urban Capacity Study.

- **Infill/Intensification within existing residential areas** This has been the main source of windfalls in the small site category. The amount of development from this source is likely to increase in future. There is certainly no lack of potential for this category of development, for which it is considered inappropriate to identify specific sites. This will therefore all be categorised as windfall development.
- **Conversion of Houses to Flats** There has not been much activity in this sector in the Borough in the recent past, but there is an upward trend and the potential is significant, particularly in parts of Tonbridge. With the impact of draft PPS3 and the increased need and demand for smaller units of accommodation, there is likely to be an increase in the yield from this source which will all be counted as windfall development.
- **Change of use to housing of commercial and other uses** Again, this has been quite a significant source in the past which would be expected to continue, but, as with redevelopment of commercial uses, it is not expected that draft PPS3 will have a significant impact on this source, though an increase in the rate of development can be assumed. This is not a category of development that would normally be identified in advance and so most potential supply would be counted as windfall development.
- **Flats over Shops** Surveys have indicated significant potential within the main shopping areas for the upper floors of shops to be converted to flats, subject to environmental health considerations. The total unconstrained potential amounts to some 300 flats. However, there has only been a few such changes of use over the past few years though the trend seems to be increasing slightly. Again this is not a category of development that would be identified and so all such supply would be counted as windfall development.

Windfall Projection

- 5.4 The approach that has been adopted is to critically examine past trends in windfall development since 2001/02 and to project forward what appears to be the most realistic past rate. In order to avoid double-counting the following are discounted from future projections:
- the amount of windfall development already with planning permission as at the base-date of the Study (31 March 2006) – 904 dwellings.
 - the potential yield from sites to be allocated in the Local Development Framework which would otherwise be regarded as windfalls – 306 dwellings.
- 5.5 Table 3 indicates the level of windfall development that has taken place over the past four years on all sites. This has totalled some 1,607 dwellings. The rate of completions has averaged 321 dwellings per year, with an average

annual rate of permissions at 505 per annum. There has been a progressive increase in the rate of permissions with over 900 dwellings being permitted on windfall sites in 2005/06. The rate of completions has varied but is still on a generally upward trend. It should be noted, in this respect, that there is known to have been some under-recording of completions during 2003/04 which has been compensated for in 2004/05.

- 5.6 Table 4 disaggregates the rate of windfall development on small sites of less than 5 dwellings from the above figures. Whilst it similarly shows a progressive increase in completions, the rate of permissions is more consistent, averaging at 79 per annum. Small site completions have averaged 70 per annum which seems a reasonable basis for future projections.
- 5.7 Table 5 complements Table 4 and shows the rates of permissions and completions on all large sites of 5 dwellings or more. However, the results are distorted by a few very large developments of 100 or more dwellings. Whilst such windfalls do occur from time to time it would be unreasonable to project forward future rates based upon such extreme circumstances. Table 6 therefore identifies the same information for large sites but excludes these very large sites (Whitefiers Press – 100 dwellings, Leybourne Lakes - 331 dwellings, Old Cannon Wharf – 225 dwellings and Frantschach - 370 dwellings). This is considered to provide a much more realistic basis for future projections. It indicates an average rate of completions of 166 per annum, with permissions running at 276 per year. The higher average rate of permissions than completions is not thought to be an indication that permissions are not being implemented, it merely reflects the time lag there is between permissions being granted and developments being completed. In this respect, it is possible that the rate of completions will continue to increase in future years, but it is equally possible that the permissions will simply take longer to implement. Only monitoring will confirm what is actually happening.
- 5.8 It is therefore proposed to adopt a conservative estimate for future windfall development by combining together the past rate of development on small sites of 70 dwellings per year (Table 4) with the past rate of development on large sites, excluding very large sites, of 166 per year (Table 6). This gives a total of 236 dwellings per year.
- 5.9 However, as at 31 March 2006, 904 dwellings on large sites within the urban areas (excluding very large sites) already had planning permission and therefore need to be deducted from the large site projection in order to avoid double-counting. This leaves 1586 dwellings to be built by 2021 on large windfall sites which did not have permission as at the base-date of the Study.
- 5.10 Furthermore, the draft Development Land Allocations DPD includes a total of 306 dwellings on sites which, if they had not been firmly allocated would have been regarded as windfalls. The large site windfall projection therefore needs to be further discounted by this amount. This leaves 1280 dwellings to be provided on large windfall sites over the 15 year period. In order to maintain a relatively consistent rate of development it is estimated that some 280 of these will be completed in the 2006-2011 period with the remaining 1000 being completed in the following 10 years.
- 5.11 In summary, the projected rate of windfall development based upon the position as at 31 March 2006 is as follows:

	Small sites	Large Sites	Total
2006/11	350	280	630
2011/16	350	500	850
2016/21	350	500	850
2006/21	1050	1280	2330

This position will be reviewed annually as part of the Annual Monitoring Report.

6. Conclusion

Identified Sites

- 6.1 The following Table summarises the results of the second stage analysis set out in Chapter 4.

	Available Sites		Other sites	
	Sites	Dwellings	Sites	Dwellings
Permissions	33	1314	0	0
Allocations	3	24	4	49
New Sites	23	1308	23	704
Totals	59	2646	27	753

- 6.2 The Urban Capacity Study has identified a total of 86 sites suitable for housing within the built-up areas with a total potential capacity of 3399 dwellings. However, 753 of these potential dwellings are on sites the availability of which is questionable. This leaves 2646 dwellings on 59 sites which are considered to be realistically available for housing before 2021.
- 6.3 2012 of these dwellings are on “new sites” not previously identified. 1308 of these dwellings on “new sites” are expected to come forward for development before 2021. Altogether, 46 “new sites” suitable for housing within the urban areas were identified as a result of the Urban Capacity Study, nearly two thirds of which (in terms of dwelling capacity) are expected to come forward for development by 2021.
- 6.4 The following Table illustrates the geographic distribution of these available sites.

Location	Permitted		Allocated		New Sites		Total	
	sites	Units	sites	Units	Sites	units	Sites	units
Medway Gap/Snodland	10	748	0	0	8	306	18	1054
Tonbridge	15	503	3	24	15	1002	33	1529
Rural Settlements	8	63	0	0	0	0	8	63
TOTALS	33	1314	3	24	23	1308	59	2646

As can be seen, the majority of sites likely to come forward by 2021 lie within the main urban areas, with a greater number in Tonbridge where there is a total potential for 1002 dwellings on 15 newly identified sites.

Windfall Development

- 6.5 In the past 5 years Windfall Development has contributed on average some 321 dwellings a year to housing land supply. One of the purposes of the Urban Capacity Study is to give greater certainty by the identification of the sorts of site that have been coming forward as windfalls within urban areas. Under the circumstances, to the extent that such sites are identified so the future rate of windfalls should fall. However, this is compensated for to some extent by an expected increase in the yield and rate of development on other non-identified sites (eg infill and intensification).

- 6.6 The net result of the analysis in Chapter 5 is an overall projected rate of 236 dwellings per annum. Taking account of existing permissions for windfall development this means that an additional 630 dwellings are expected from windfall development in the period up to 2011 and a further 1700 in the 2011-2021 period.

What happens next

- 6.7 Sites identified through the Urban Capacity Study have been carried forward into the Local Development Framework, with those identified as available being firmly allocated. There will then be an opportunity through the Local Development Framework process for formal representations to be made about the soundness of this assessment. The Framework and the Urban Capacity Study can be revised again in the light of the Inspector's recommendations.
- 6.8 The implementation of sites identified through the Urban Capacity Study will be monitored annually via the Kent Housing Land Study and the Borough Council's Annual Monitoring Report.