



Report to Tonbridge and Malling Borough Council

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Section 20

REPORT ON THE EXAMINATION INTO THE CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

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1. INTRODUCTION

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
- (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document; and
 - (b) whether it is sound.
- 1.2 This report contains my assessment of the Tonbridge and Malling Core Strategy DPD (CS) in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act.
- 1.3 My role is to consider the soundness of the submitted DPD against each of the tests of soundness set out in PPS12. In line with national policy, this DPD is presumed to be sound unless it is shown to be otherwise by evidence considered during the examination. I start with an overview of the compliance of the CS with the tests of soundness, drawing on my assessment in the following sections of the report, which broadly follow the main topics I identified at the Pre-Examination Meeting. Sections 3 to 10 of my report cover the main strategic issues for the future in Tonbridge and Malling, and give my conclusions on the tests of soundness, particularly tests 4, and 6 to 9. I have taken into account all the representations made, but I do not comment on them individually. My overall conclusion is that the CS is sound, provided it is changed in the ways specified. The principal changes which are required relate to alterations to the Green Belt boundary and the deletion of Special Landscape Areas.
- 1.4 At the end of my report are three schedules. The first two have been prepared by the Council. Schedule 1 comprises editorial changes necessary to convert the document from a submission draft to a version that can be adopted. The second schedule comprises changes the Council has proposed in its position statements, or that have arisen through further discussion with representors. None of these changes fundamentally alter the strategy. Many do help to clarify the way in which the strategy and policies will be implemented. In strict terms, the CS would not be unsound without them, but they will improve the document. The final schedule comprises those changes without which I consider the CS would not meet the tests of soundness.
- 1.5 Guidance regarding the form and content of core strategies has developed rapidly since the CS was prepared. In the light of this guidance, the Council might now present the document somewhat differently if it had the opportunity, albeit adhering to its overall strategy. I note that there are some criteria-based policies which could equally well be included within another DPD. In addition there are policies which add nothing locally-distinctive to national policy, for example CP7 in relation to Planning Policy

Statement (PPS) 7 and Areas of Outstanding Natural Beauty (AONBs), CP9 in relation to PPS9 and Sites of Special Scientific Interest, CP10 in relation to PPS7 and agricultural land and CP11 in relation to PPS25. The CS also includes a level of detail in relation to matters such as minor adjustments to village boundaries which would be better dealt with in subordinate DPDs.

- 1.6 However, these shortcomings should be weighed against the positive aspects of the CS, in particular the healthy housing land supply situation. On balance, therefore, I have taken the view that any such shortcomings are not significant enough to make the document unsound, and I have not put forward changes to resolve these weaknesses. However, when the CS is reviewed, the Council will need to ensure that it is more sharply focussed on a clear articulation of the spatial strategy for the Borough. It also means that the form and content of this CS should not be taken as an exemplar by other authorities engaged in the process.

2. OVERVIEW OF THE TESTS OF SOUNDNESS

Test 1: Consistency with the Local Development Scheme (LDS)

- 2.1 The CS is included within the Council’s approved LDS. It was submitted and is being examined broadly in accordance with the timetable set out in the LDS. I consider that test 1 is met.

Test 2: Compliance with the Statement of Community Involvement (SCI) and Regulations

- 2.2 The Council adopted its SCI in July 2005. The Statement of Compliance, dated September 2006, gives details of the steps undertaken to meet this test. I am satisfied that this test is met.

Test 3: The plans and policies have been subjected to Sustainability Appraisal (SA)

- 2.3 The Council commissioned independent consultants to undertake a sustainability appraisal of the CS. Section 2.6 of the submission draft CS outlines the various stages undertaken in the SA process (RD6.1 – 6.4). The SA reports incorporate the requirements of the Strategic Environmental Assessment Directive. The scoping report reviewed EU Directive 92/43/EEC – The Habitats Directive, and no requirement for an Appropriate Assessment was identified. I am satisfied that this test is met.

Test 4: Conformity tests

- 2.4 The CS sets out a spatial strategy to determine the future pattern of development in the Borough to 2021. It seeks to show how the social, economic and environmental needs of the area can be delivered in the most sustainable way. The spatial strategy is shown on a key diagram.
- 2.5 Section 2.2 and Annex B of the CS set out other documents, at the regional level and below, which have informed the preparation of the CS. Other than this, there are very limited references to other service providers, such as the Health Authority. However, there is no evidence before me, such as adverse representations from relevant bodies, to indicate any conflict between other such strategies and the CS. It is pertinent to note that much of the Borough is rural in nature and looks to towns in neighbouring areas for the provision of major services. Even in the south of the Borough, where Tonbridge is a main focus, some facilities are provided elsewhere. For example, I note the support in the Community Strategy for the early completion of the District General Hospital at Pembury, which is located outside the administrative area of Tonbridge and Malling.
- 2.6 The CS is required to be consistent with national planning policy. However, where new or revised national policy is published during the course of plan preparation a pragmatic approach to this test of soundness is required, as advocated in PPS3 (paragraph 6). In my report I identify a limited number of cases where the CS is not consistent with national policy, without adequate local justification. However, in all cases I have been able to

recommend changes that will bring the CS into conformity with national policy guidance.

2.7 The South East England Regional Assembly (SEERA) confirm in a letter dated 12 October 2006 that the CS is in general conformity with the adopted Regional Spatial Strategy (RPG9 and Alterations) and with the emerging RSS, the Draft South East Plan (RD2.2). SEERA makes a number of additional representations highlighting aspects of the CS which have not, in its view, had full regard to the adopted or emerging RSS. I note that these concerns were expressed for the first time after the CS had been submitted for examination. I do not consider any of the points raised to be so fundamental as to make the CS unsound. Regional Policy is evolving, and depending on the outcome of that process, it may be necessary for the CS to be reviewed, or for relevant policies to be included in other DPDs. In order to fully meet this test, the CS should explicitly confirm that it will be subject to early review if it is no longer in general conformity with the RSS when finally approved.

2.8 In conclusion, I am satisfied that, subject to the incorporation of the changes I recommend in Schedule 3, test of soundness 4 is met.

Test 5: Regard to the authority’s Community Strategy

2.9 The vision, set out in section 3 of the CS has been developed from the Community Strategy Vision and seeks to deliver the spatial and land use elements of the Community Strategy. I am satisfied that this test is met.

Test 6: Coherency and consistency within and between DPDs

2.10 The CS is the first DPD to be examined. Subsequent Examinations will need to address the consistency of other DPDs with this CS. Issues relating to the internal consistency of the Plan have been raised notably in relation to the designation of the Strategic Gap and the identification of the Bushey Wood Area of Opportunity. For the reasons I set out below, I consider that the Plan adequately resolves any potential conflict.

2.11 There are no representations from neighbouring planning authorities at the submission stage to suggest that there is any inconsistency between the CS and their DPDs relating to cross-boundary issues. Core Strategies are not yet in place for neighbouring authorities, but as far as I am able to judge, the document before me takes account of cross boundary concerns, where relevant, such as the potential to meet additional retail capacity that cannot be met in Maidstone. I am satisfied that this test is met.

Test 7: Appropriateness and evidence base

2.12 The evidence base supporting the CS is comprehensive, robust and credible. The Council has commissioned a number of independent reports to inform policy development on matters such as affordable housing, employment land, and retailing. The CS includes a housing trajectory which demonstrates how the strategic housing requirement will be met. A revised

version of the trajectory, to bring it more fully into line with PPS3, has been proposed by the Council.

- 2.13 In the process of preparing the CS, the Council generated preferred options from a series of initial options for future spatial development in the Borough. A sustainability appraisal was undertaken for the initial options, which was taken into account in generating the preferred options. In a Borough where development options are heavily constrained by Green Belt and AONB designations, the options for accommodating significant new development are perhaps less wide-ranging than could be the case elsewhere. I am satisfied that the Council considered all reasonable options and alternatives in relation to the key elements of the spatial strategy.

Test 8: Implementation and Monitoring

- 2.14 Section 7 of the CS deals with implementation and monitoring. With respect to implementation, the CS is realistic in identifying the importance of working in partnership with the private sector in delivering the strategy. The healthy housing land supply position is the result of a continuing strategy to bring forward strategic sites for development, so that a very substantial proportion of housing development over the plan period will be on sites that already have planning permission. This track record gives confidence that the CS will be implemented in a positive way.
- 2.15 Annex J to the CS identifies indicators for monitoring the performance of the CS against its spatial objectives, having regard to best practice guidance. In some cases, baseline data is not yet available, and some targets have yet to be set. Nonetheless, the Annex provides a useful framework to guide the work to be undertaken through the Annual Monitoring Report (AMR). I consider that this test is met.

Test 9: Flexibility

- 2.16 Pending the finalisation of the South East Plan there remains uncertainty over the level of housing provision that the Borough should meet. However, the CS identifies broad locations where additional housing could be accommodated should that prove necessary. It also adopts a flexible approach with regard to the issue of further retail development at Quarry Wood.
- 2.17 The CS has to strike a balance between the need for flexibility to deal with uncertain or changing circumstances, and the need to provide a level of certainty over where development will take place. I consider the CS strikes the right balance and that this test is met.

3. HOUSING LAND SUPPLY

Are housing land supply estimates realistic, and is there sufficient flexibility to meet changing circumstances?

- 3.1 The Regional Spatial Strategy (RSS), which will set the requirements for new housing development is still under examination at the time of writing my report. The CS takes, as its starting point, the figures contained in the draft RSS, although Policy CP16 makes it clear that the aim is to meet whatever figure is contained in the final version. It seems to me that this is a reasonable approach to take in such uncertain circumstances. However, for the avoidance of doubt, I consider that the CS should include a commitment to the early review of the document in the event that it is no longer in general conformity with the final version of the RSS.
- 3.2 The CS was submitted for examination before the 2006 version of PPS3 was published, although the Council was able to have regard to the draft. Nonetheless, the CS is able meet some of the key requirements of PPS3, including being able to demonstrate a 10 year supply of housing land following adoption, without placing any reliance on windfall sites. The Council has proposed various revisions to the text of the CS and the housing trajectory to bring it into line with PPS3 in this respect.
- 3.3 The lion’s share of the next 10 year’s supply of housing land comes from four sites with planning permission. I have seen no evidence which seriously undermines the Council’s confidence that these sites will deliver new housing, as expected, during the plan period. I also note that other sites are likely to come forward through the DLADPD and the TCAAP. Furthermore, whilst windfalls should not be relied upon in advance, they should not be ignored in the process of monitoring progress towards meeting the overall requirements. It seems to me that these combined sources have the potential to deliver new housing at a rate which exceeds the requirement in the draft RSS.
- 3.4 PPS3 also refers to preferably identifying sites for 11-15 years after the date of adoption of the Plan, or failing that the broad locations where development can take place. The CS was prepared with a time horizon to 2021. This falls two years short of a fifteen year horizon, but exceeds the 10 year horizon required by PPS12. Beyond 2021, the CS identifies opportunities for new development, on land ‘safeguarded’ from the Green Belt, and at Bushey Wood. I deal with these in more detail in other sections of this report. However, in general terms I consider that they provide confidence that if committed sites do not match delivery expectations, or if the final RSS requirements are significantly increased, the CS provides clear guidance on where additional housing can be accommodated.
- 3.5 I consider that the CS sets out a clear and achievable strategy for meeting, and probably exceeding, the housing requirements set out in the draft RSS, with sufficient flexibility to enable unexpected situations to be handled through the monitor and manage stages of the process. Bearing in mind

the constraints imposed by Green Belt and AONB designations across much of the Borough, this is no mean achievement.

- 3.6 One of the most fundamental consequences of this conclusion is that I find there is no justification for a general review of Green Belt boundaries, or a need to identify greenfield locations to meet general housing requirements.

Conclusions

- 3.7 I consider the housing land supply estimates to be realistic, and that the CS has sufficient flexibility to meet changing circumstances. Subject to the inclusion of a commitment to the early review of the CS, if no longer in general conformity with the RSS when finally adopted, I consider that the tests of soundness are met, with particular reference to tests 4, 7, 8 and 9.

4. GREEN BELT AND SAFEGUARDED LAND

Do exceptional circumstances exist to justify the proposed alterations to the Green Belt boundary?

- 4.1 PPG2 indicates that any alterations to the boundary of the Green Belt must be justified by exceptional circumstances. The adopted local plan identifies areas of land, excluded from the Green Belt when boundaries were defined for the first time, and which are reserved to meet future development needs.

Land at Haysden Lane, Tonbridge

- 4.2 The CS seeks to extend the Green Belt to the south-west of Tonbridge, by reducing the area of safeguarded land at Lower Haysden Lane. The Council considers that the expected increase in new housing within the urban area of Tonbridge, over and above that expected at the time the LP was adopted, amounts to exceptional circumstances in this case. Since the LP was adopted there has been an increasing emphasis in national and local planning policy on making the most efficient use of land within existing urban areas. Within this context, it is not surprising that opportunities to provide new housing within Tonbridge have increased. To my mind this does not constitute exceptional circumstances to warrant a reduction in the area of safeguarded land. It may mean that safeguarded land is not required for development as early as may otherwise have been the case. However, the purpose of safeguarding land in this way is to provide for longer-term development needs, beyond the plan period.

- 4.3 The Council also points to local opinion supporting the inclusion of this area within the Green Belt. I am also aware that one of the key priorities of the Community Strategy is to protect the countryside from development. It is understandable that local people have a preference against development of this site, but the planning system has to strike the appropriate balance between the need for development and the conservation of the countryside. In this instance, I consider that balance is achieved by retaining the site as safeguarded land. I conclude there are no exceptional circumstances to justify the proposed alteration to the boundary of the Green Belt at Lower Haysden Lane.

Land at Carpenters Lane, Hadlow and Howlands Allotments, Wrotham

- 4.4 The CS seeks to extend the Green Belt in both these locations to cover the areas of land which the LP designates as safeguarded land. It refers to changes in national planning policy guidance in relation to the provision of affordable housing within the Green Belt, but the Council accepts that this does not constitute the exceptional circumstances envisaged in PPG2. In any event, the Local Plan does not safeguard the land for any particular purpose, such as meeting local needs or for affordable housing. I have concluded that there are no exceptional circumstances to justify the alteration of the Green Belt boundary in these locations. As I find no need to identify greenfield land to meet general housing needs, I conclude that

these sites should continue to be safeguarded for future development needs.

Land at Isles Quarry West

- 4.5 I deal with the proposal to remove land at Isles Quarry West from the Green Belt in section 6 below. For the reasons given there, I consider that there are exceptional circumstances which justify the alteration of the Green Belt boundary in this location.

Other alterations to the Green Belt

- 4.6 A small number of very minor alterations to the Green Belt boundary are proposed in the CS, and I consider these are justified by local circumstances, primarily that they are developed sites on the edge of existing villages which are more appropriately included within the village confines. It is proposed to alter the Green Belt boundary to exclude the buildings of the Weald of Kent School, which border the urban area of Tonbridge. The school is a substantial complex of buildings which makes no contribution to the purposes of the Green Belt and is more appropriately considered as part of the urban area. However, I do not consider that currently open land should be excluded from the Green Belt to allow for the possible future expansion of the school. If such proposals were to come forward, they should be considered against the ‘very special circumstances’ test set out in PPG2 and endorsed in the CS.
- 4.7 A number of representations seeking changes to the plan are promoting the exclusion of sites from the Green Belt, with a view to the land being designated as safeguarded land, or allocated for development. A variety of reasons are put forward to justify these changes including the perceived sustainability of some sites and the contribution that could be made to affordable housing needs. Bearing in mind my favourable conclusions on housing land supply over the plan period, I have seen no evidence, other than that relating to Isles Quarry West, which comes close to meeting the exceptional circumstances test set out in PPG2. Nor do I find any convincing support for any further review of Green Belt boundaries in Tonbridge and Malling.

Land at Bushey Wood

Does this designation represent a sustainable approach to safeguarding land for future development needs?

- 4.8 The East Bank of the River Medway, including Bushey Wood, is one of the few areas of the Borough which is unconstrained by important national designations such as Green Belt and AONB. It has long been identified as a general location for meeting long-term development needs of the Borough, and this is carried forward in Policy CP17. It is now a clear aim of Government Policy that plans should have an extended time horizon.
- 4.9 It is not thought likely that this area will be required to meet development needs before 2021. However, I do not consider that the CS should be drafted so as to prevent development before that date, as this would

undermine the flexibility sought by PPS3. This flexibility would also be undermined if the development of Bushey Wood were to be precluded until safeguarded land elsewhere had been developed. Decisions on whether and when one or all of the sites will be needed would be better taken in the light of the most recent information available, at the time when the need to release further sites for development becomes apparent. The release of these sites will require a review of the relevant DPDs or preparation of an Action Area Plan, and there will therefore be a further opportunity for public consultation.

- 4.10 The Bushey Wood area is a mix of brownfield sites, including former cement works, together with agricultural land, and sites which have importance for nature conservation or the historic environment. The CS makes clear the intention to extend the area covered by this designation in the LP to include areas previously in employment use, but now vacant. To my mind, this is an appropriate approach, as it will enable the future of the area to be determined on a comprehensive basis. The CS establishes that the designation does not mean that the entire area will be developed. It recognises the need to take all the opportunities and constraints into account, as and when more detailed plans evolve, and that large areas will remain open within the overall development plans. I do not consider that the CS is the appropriate place to make decisions about whether, for example, there should be a buffer between new development and existing settlements such as Eccles. Nor do I have any evidence on which to conclude that the Policy would be used by the Council to unreasonably constrain necessary development by statutory undertakers.
- 4.11 I am not convinced that the CS should make provision for some new development at Eccles prior to the release of the area as a whole. I have no doubt that some new facilities would be welcome, but I agree with the Council that these matters are better addressed in the context of a comprehensive plan for development of the area as a whole.
- 4.12 I note that the area is at present relatively remote, with poor transport links. However, the scale of development proposed, together with implementation of nearby, related developments, such as Peters Pit, will enable sustainability issues to be addressed through the provision of improved public transport and new local facilities. A number of representations seeking changes to Policy CP17 are not objecting to the identification of the site in principle, but seek detailed wording changes. It is unnecessary and unrealistic to expect the CS to include significant detail about development which is not thought likely to be needed before 2021. Many of the concerns raised would be more appropriately considered as proposals are developed.
- 4.13 Similarly, the effect on the highway network, including trunk roads, will be an important consideration, as proposals develop. I have carefully considered the requirements in the Department for Transport “Guidance on Transport Assessment”, although it was published after the CS was submitted for examination. I note that the transport impacts of alternative spatial development patterns should be assessed at an early stage. In this case, whilst there is evidence that parts of the trunk road network in the

vicinity of Bushey Wood are under stress, there is little evidence to demonstrate that such problems are insurmountable. It is not uncommon for significant development projects to have to bear the costs of infrastructure improvements, including highway works. However, a full transport assessment, undertaken at least 14 years before development is envisaged, would be of limited value. That exercise would be better carried out when more information on the form and character of the development is known. If, as plans are developed, it is shown that the impact on the highway network would be unacceptable, or that the cost of ameliorating those effects would render the development unviable, the CS would need to be reviewed. In a Borough such as Tonbridge and Malling, which is highly constrained by Green Belt and AONB designations, such findings could have far reaching implications for the Borough’s ability to meet housing targets in the RSS beyond 2021.

- 4.14 The Council has suggested a change to the wording of Policy CP17 to indicate that development of the site would be brought forward through an Area Action Plan (AAP). I would not consider the CS to be unsound without this change. However, I am mindful of the importance placed by the Government on ensuring that the planning system delivers a flexible, responsive supply of land. It is acknowledged that a lengthy period of planning will be required before development commences on the ground. The preparation of an AAP would enable this work to be taken forward through the statutory planning process, but independent of the Council’s programme for reviewing its DLADPD. This would offer flexibility and ensure that the views of the community can be taken into account. Such a Plan could consider issues of the phasing of development, and whether there is any justification for the early release of sites as enabling development for the improvement of facilities at existing villages, such as Eccles. An AAP for Bushey Wood is not included in the Council’s current LDS, but could be added when it is next updated.

Conclusions

- 4.15 The CS fails test of soundness 4 in respect of the proposed alterations to the Green Belt boundary at Tonbridge, Hadlow and Wrotham, as detailed above. However, I consider that the safeguarding of land at Bushey Wood to meet future development needs meets the tests of soundness with particular reference to tests 4, 6 and 7.
- 4.16 In summary, the following changes are required for this part of the document to be sound (see Schedule 3 for specific changes in wording required):
- Delete references to altering the Green Belt boundary at Lower Haysden Lane, Tonbridge, Carpenters Lane, Hadlow and Howlands allotments, Wrotham;
 - Include reference to land at Carpenters Lane, Hadlow and Howlands Allotments as safeguarded areas covered by Policy CP4.

5. LOCATION OF DEVELOPMENT (SETTLEMENT STRATEGY)

Does the settlement strategy offer the most sustainable approach to accommodating new development?

- 5.1 The CS seeks to concentrate development within the urban areas of the Borough at Tonbridge, the Medway Gap and Walderslade (Policy CP12), and these locations are shown on the key diagram. The CS also identifies Rural Service Centres where some development could be permitted according to a criteria-based policy (Policy CP13). Development would be more restricted in the smaller rural settlements (Policy CP14), and in the open countryside (Policy CP15). I consider that this strategy strikes an appropriate balance between accommodating development in the most sustainable locations, whilst allowing some scope for development to sustain rural settlements and economies.
- 5.2 I am unconvinced by arguments that this strategy should be replaced by a policy along the lines of the sequential approach set out in PPG3. PPG3 has been superseded by PPS3, and I am satisfied that the approach in the CS is broadly consistent with the approach advocated in PPS3 (in particular paragraphs 36 – 39). Nor would there be any advantage in including a policy with criteria which would allow development in sustainable locations. It is the task of the CS to provide a spatial strategy to guide development to particular locations, bearing in mind the broader aims of creating sustainable communities.
- 5.3 A good deal of research underpins the categorisation of settlements as rural service centres and other rural settlements. The Council has made changes to these policies during the various stages of plan preparation, and I am satisfied that the policies now included in the CS reflect the most appropriate in all the circumstances.
- 5.4 Some concern is expressed that the criteria in Policy CP14 would be open to interpretation, and could lead to undesirable development. I understand that there will be pressure for development in the smaller villages in the Borough, which may not always be welcomed by local communities. If there are opportunities for development or redevelopment within villages, it is important that efficient and effective use is made of the land available, having regard also to environmental and amenity constraints, as well as the need to achieve a sustainable pattern of development. I consider that the Policy, as drafted, will allow for all these matters to be taken into account when individual development proposals are considered.
- 5.5 A number of representations seek changes to village boundaries and/or the allocation of land for development. As indicated above, I find no justification for the release of additional greenfield land to meet general housing needs. To allow sites in rural areas to be developed, for example, for retirement housing would not lead to a sustainable pattern of development. Policy CP20, which deals with ‘exception’ sites, is the appropriate way to meet a recognised local need for affordable housing.

The exception to this general stance is the proposed development at Isles Quarry West, which I consider in Section 6.

Conclusions

- 5.6 In summary, I consider the Settlement Strategy offers the most sustainable approach to accommodating new development, having particular regard to tests 4, 7, 8 and 9.

6. AFFORDABLE HOUSING (INCLUDING ISLES QUARRY WEST)

General

Are the thresholds, targets and other requirements of Policy CP18 fully justified by the evidence base?

- 6.1 In common with many other local authorities, Tonbridge and Malling has a pressing need for affordable housing. The approach to the provision of affordable housing set out in the CS is based on a Housing and Market Needs Assessment (HMNA - RD7.9) undertaken at the end of 2005. I am satisfied that this document is robust and credible and conforms to national guidance and good practice on the preparation of such assessments. The provision of affordable housing is an important element of the spatial strategy and I find no convincing reason why the matters included in Policy CP18 should not be within the CS, as opposed to a separate DPD or SPD. The CS commits the Council to monitoring the provision of affordable housing and reviewing the level to be sought on development sites through the production of SPD (paragraph 6.3.30). The Government Office for the South East has clarified that the Government sees no distinction between proposals for open market sheltered accommodation and any other open market housing schemes, so far as affordable housing policies are concerned¹. Such schemes should be considered on a case by case basis.
- 6.2 Policy CP18 broadly complies with the requirements of PPS3, with the exception of specifying the size and type of affordable housing likely to be needed in particular locations. I am satisfied that this is a matter that can be addressed outside the CS, particularly bearing in mind that much of the new housing provision in the Borough over the next few years will come from sites which already have planning permission. The size and type of affordable housing needed may change before substantial new allocations are required, and any current assessment could be out of date.
- 6.3 On the basis of the evidence provided, I am satisfied that the 40% requirement is appropriate in this locality, and that the way the policy is drafted provides sufficient flexibility to take account of individual site circumstances. The 15 dwellings threshold is now included within PPS3, as is the ability to set a lower threshold in certain circumstances. I am satisfied that the Housing and Market Needs Assessment provides compelling evidence of the need for affordable housing in the rural areas of the Borough which justifies the threshold of 5 dwellings. I find no good reason to exclude the rural service centres from this requirement.
- 6.4 PPS3 allows for planning authorities to set separate targets for social rented and intermediate affordable housing in their DPDs. I am satisfied that the terms of Policy CP18 in this regard are justified by the evidence and

¹ Letter dated 13 March 2006. Annex A to the Council’s Position Statement CS05

sufficiently flexible to allow for site specific circumstances to be taken into account.

- 6.5 Some general concerns are expressed that the Council’s reliance on sites which already have planning permission to meet general housing needs will constrain the amount of affordable housing that can be developed. This is because those permissions will have been granted at a time when affordable housing requirements were lower. This is a disadvantage, but I do not consider that the need for affordable housing alone justifies the release of greenfield sites. The provision of affordable housing is a matter that will be monitored through the Annual Monitoring Reports (AMRs). The Council will need to consider whether there is sufficient justification for the release of, for example, safeguarded land to assist in meeting outstanding needs for affordable housing.
- 6.6 The Council has proposed some additional wording to amplify the definition of affordable housing and bring it into line with PPS3. In the light of my introductory comments regarding emerging national policy guidance, I would not find the CS unsound without this change. Nonetheless, I consider that this wording adds clarity to the CS.

Malling Rural Area and Isles Quarry West

Is Borough Green the right location to meet the affordable housing needs of the Malling Rural Area?

- 6.7 The Housing and Market Needs Assessment identifies a general need for affordable housing in the rural areas. The CS recognises that some rural housing needs will be met in the nearby urban areas, or on strategic development sites. Policy CP20 allows for sites to be developed to meet identified local affordable housing needs, as exceptions to the usual policies of restraint. In general, this approach provides an appropriate framework for the delivery of affordable housing to meet needs arising in rural areas, and will be subject to monitoring.
- 6.8 About a quarter of the affordable housing need in the Borough derives from the Malling rural area. The CS identifies that allocating a large number of greenfield sites adjacent to villages would lead to a dispersed pattern of development in areas with relatively poor access to services and facilities. The CS therefore proposes to meet some of these needs through the allocation of a site at Borough Green, a rural service centre with a good range of services and facilities. I have had regard to those representations which express the view that Borough Green is not an appropriate location for new housing development. However, I am satisfied that there is a pressing need for affordable housing and that development at Borough Green is likely to lead to a more sustainable pattern of development than could be achieved elsewhere. I have seen no evidence to convince me that, if necessary, local services and infrastructure cannot be upgraded to meet the needs of new development on the scale proposed.

Is Isles Quarry West the most appropriate location in the Borough Green area, or are other sites clearly preferable? Is the proposed alteration to the Green Belt boundary justified by exceptional circumstances?

- 6.9 The CS identifies Isles Quarry West as a strategic housing allocation. The site is a former quarry and latterly a landfill site. It lies within the Green Belt and the AONB. There are two areas which benefit from certificates of lawful use or development for industrial and related activities. From the evidence before me, and what I was able to see on my site visit, there would appear to be potential for some intensification of existing uses which would not require planning permission. The Employment Land Review (RD7.4) concludes that this site performs poorly in qualitative terms, and classified it as an ‘other local’ site with potential for release. The loss of the employment potential of the site would not, therefore, have an unacceptable impact on the strategy for employment land.
- 6.10 Vehicular access to the area can currently be gained either via Quarry Hill Road, a predominantly residential road, or along a private road, known as the haul road. Whether or not the owners of the haul road would continue to maintain it in the future is a matter of conjecture. However, given the length of the road compared to the amount of industrial land available, I can understand the concerns expressed over the viability of retaining it in the long term. Without it, vehicular traffic to Isles Quarry, including heavy goods vehicles, would use Quarry Hill Road. The nature of the uses, and their lawful status, would make it very difficult to control this activity, either through planning or highways legislation. Development of the site for housing would significantly reduce the number of heavy goods vehicles visiting the site. It would also offer the opportunity for a comprehensive approach to the management of the highway network in the vicinity, so as to minimise the impact of traffic generated by the housing development.
- 6.11 It is to be expected that a site such as this would have some ground contamination. There is nothing before me to suggest that the site could not be remediated in accordance with current good practice. Other constraints, such as any ecological value of the site are matters that will need to be taken into consideration as more detailed plans are developed. I do not consider the site to be poorly related to the centre of Borough Green. I found the walk between the site and the village centre, via Quarry Hill Road to be a pleasant route. As its name suggests the road is on a gradient, but I do not consider it would be unduly daunting for most people. It would be expected that measures to promote sustainability, such as cycle routes and enhanced bus services, would form part of a package of development proposals.
- 6.12 In between the industrial sites, the land has been restored, although the standard of restoration would not be regarded as an example of current best practice. Even if further restoration could be achieved, the presence of the industrial uses would limit the overall effectiveness of such measures. Therefore, whilst the non-industrial parts of the site fall outside the definition of previously-developed land (Annex C PPS3), I consider the description of the site as derelict and despoiled (CS paragraph 6.3.34) to be an accurate reflection of the visual quality of the site as a whole. The

topography of the surrounding area means that the site is well screened in views from the surrounding countryside. Bearing in mind the generally poor landscape quality of the site, I consider that the proposed development would have a broadly neutral impact on the natural beauty of the AONB.

- 6.13 The Council considers the site is capable of producing about 200 houses, 40% of which would be required to be affordable, under the terms of Policy CP18. This would provide a relatively small proportion of the total requirement for affordable housing in the Malling rural area identified in the HMNA. However, I consider it would make a meaningful contribution.
- 6.14 Borough Green is encircled by the Green Belt, and there is no evidence to suggest that sites of a substantial size within the village confines are likely to come forward for development during the Plan period. Therefore, any sites which could make more than a minimal contribution to affordable housing will almost inevitably be located in the Green Belt. However, as I indicate above, the site is well screened from the surrounding countryside, which would help to minimise the visual impact of the loss of openness. I do not consider that the gap between Borough Green and Ightham would be unacceptably compromised.
- 6.15 It is the demonstrated need for affordable housing in the Malling rural area which has led to the formulation of Policy CP19. The CS indicates that cross subsidy with market housing is necessary to make the overall development viable, and there has been criticism that the evidence base does not fully justify this assertion. I have some sympathy with this view, as there is no development appraisal or similar information before me which would enable me to reach a reasoned view on this point. However, I am mindful of the Government’s policy objective to create a mix of housing, both market and affordable (paragraph 10 PPS3). The development of sites of any substantial size for affordable housing alone is likely to lead to a concentration of such housing², which would not fulfil that policy objective.
- 6.16 In this context, I consider that the details of the development economics of the site, which can change over time, are less important than an indication that the provision of a proportion of affordable housing, in accordance with the Council’s general aspirations, will be achieved. The site owners have indicated to the Council that this is the case, and there has been some scrutiny of this by the Council’s valuers. On balance, I am not persuaded that the lack of a detailed justification on the cross subsidy point renders the CS unsound.
- 6.17 The provision of affordable housing is an important factor, but I consider that it is the range of benefits that would be achieved, arising from the particular circumstances of this site, which together constitute the exceptional circumstances necessary to justify the alteration of the Green Belt boundary. The proposed revised boundary of the Green Belt, as shown on the Proposals Map, does not at present follow any clear features.

² A clear indication of the Secretary of State approach to this matter can be found in a recent appeal decision which forms RD7.27

- However, the development of the site would offer scope to create a clear boundary.
- 6.18 The general location of the site is shown in diagrammatic fashion on the key diagram which forms part of the CS. Revised Borough Green village confines are also identified in an Annex to the CS and the site is shown on the Proposals Map. Paragraphs 2.9 – 2.14 of PPS12 give guidance on the content of a CS, and further guidance on key diagrams is given in Annex A of that document. Whilst paragraph 2.12 states that core strategies should not identify individual sites, paragraph 2.13 and Annex A give examples of where CS polices and proposals will need to be identified on an Ordnance Survey base Proposals Map.
- 6.19 Bearing in mind the national importance attached to the Green Belt, I consider that proposals to alter the boundary can be appropriately included in the CS. In circumstances such as Isles Quarry West, the altered Green Belt boundary has the effect of identifying a site for development. Furthermore, the CS should not leave difficult decisions to later DPDs. The delivery of affordable housing is an important element of the CS and in the context of the Malling rural area, this site can reasonably be regarded as a strategic allocation. In all the circumstances, I do not consider that the approach taken to the identification of the Isles Quarry Site in the CS is inconsistent with the advice in PPS12.
- 6.20 Some criticism of the Isles Quarry West proposal comes from those promoting sites which they consider to be preferable. In some cases, these sites may be closer to some facilities, may be developable more quickly, or may be subject to fewer planning policy restraints, although all those near Borough Green are within the Green Belt. None, in my view, would offer the package of benefits that could result from the Isles Quarry development, as outlined above. I have carefully considered the points made, but there is no site (or sites) so clearly preferable in overall terms to the Isles Quarry West proposal, such as to convince me that the CS is unsound. In particular, I am not persuaded that harm to the purposes of the Green Belt would necessarily be minimised by developing a smaller site for affordable housing only. The level of harm that would arise depends not solely on the size of the area. For example, the loss of a relatively small area of land where the Green Belt is narrow could be more harmful than the loss of a larger site in other circumstances.
- 6.21 I have considered the points raised by local residents and others who oppose the development of this site. However, for the reasons I have given, I find the CS to be sound.

Conclusions

- 6.22 In summary, I find the CS to be sound in relation to the general strategy for the provision of affordable housing and the identification of a site at Isles Quarry West to assist in meeting the needs of the Malling Rural Area. I consider that the tests of soundness are met, having particular regard to tests 4, 7, 8 and 9.

7. STRATEGIC GAP AND SPECIAL LANDSCAPE AREAS

Strategic gap

Should this designation be retained and does it conflict with the Bushey Wood Area of Opportunity?

- 7.1 I am satisfied that the Strategic Gap identified in Policy CP5 is not intended to be a local landscape designation. Its objective is to maintain the separation of the Medway Towns from Maidstone and the Medway Gap. It is part of a larger Strategic Gap which is defined in the emerging RSS (Policy KTG3viii) to the south, east and west of Medway urban area. It is not appropriate to test this policy against the advice in PPS7 relating to local landscape designations.
- 7.2 I have some sympathy with the view that there is an inherent tension between the Strategic Gap designation and the identification of Bushey Wood, which lies within it, as an Area of Opportunity. However, I am satisfied the Policy and text of the Plan, which should be read together, adequately explain the circumstances in which land may be released for significant development. I am also satisfied that the terms of the policy would not unduly restrict small scale development which would not harm the purpose of the Strategic Gap.
- 7.3 I am aware that Policy CP6, which seeks to retain the separate identity of settlements, has similar objectives to the identification of the Strategic Gap. However, to rely on Policy CP6 would ignore the strategic importance of the area identified under Policy CP5, which is underpinned by its inclusion in the draft RSS. Whether or not it will be included in the final version is, as yet, unknown. The Council takes the view that it is better to include the Policy in the CS, accepting that the weight that can be accorded to it will be reduced if the concept is not included in the final RSS. Given the uncertainty over the final form of the RSS, I accept that this is a pragmatic approach to take.

Special Landscape Areas (SLAs)

Is this designation fully justified in the light of the advice in PPS7?

- 7.4 PPS7 (paragraph 24) states: “The Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally. The Government believes that carefully drafted criteria-based policies in LDDs, utilising tools such as landscape character assessment, should provide sufficient protection for these areas, without the need for rigid local designations that may unduly restrict acceptable, sustainable development and the economic activity that underpins the vitality of rural areas.”
- 7.5 I note the Council’s view that the designated SLAs are not a “local” designation to which PPS7 refers, as they are of, at least, county-wide importance. In my view the advice in PPS7 is intended to apply to all sub-

- national designations, and therefore the CS should comply with it, unless there are local circumstances which justify a departure from national policy.
- 7.6 The issue was considered by the Kent and Medway Structure Plan Panel in their report dated February 2005³. The Panel notes that the SLAs are soundly based on a series of rigorous formal assessments that appear to have found general acceptance and respect. The Panel concludes, on balance, that the SLAs should remain in the Plan, but that the Plan should be more explicit in its reference to the future role of LDDs to protect landscape interests using a primarily criteria-based approach. It also notes that there should be a review of the need for a SLA policy of RSS status.
- 7.7 The emerging RSS does not contain a policy relating to SLAs, and there is nothing before me to indicate that the inclusion of such a policy is being considered. It therefore seems likely that once the SP ceases to be material, the SLA policy will no longer have any strategic backing.
- 7.8 I note the Council’s deliberations in the Preferred Options Report, considering whether the SLA policy should be deleted in favour of a criteria-based approach. However, I have found nothing in the evidence before me which provides a sufficiently robust explanation of why criteria-based policies cannot provide the necessary protection, as required by paragraph 25 of PPS7. I have concluded that Policy CP8 conflicts with national policy in PPS7, and therefore fails test of soundness 4.
- 7.9 I consider that this can be remedied by deleting the Policy and associated justification. Policy CP1 contains criteria which require the impact of proposals on the natural environment to be taken into account, and the deletion of the SLA policy will not leave a complete policy vacuum. The Council may wish to consider the inclusion of criteria-based policies, linked to character area assessments in another DPD, or SPD.

Conclusions

- 7.10 I consider the approach taken to the identification of the Strategic Gap to be sound, having particular regard to tests of soundness 4, 6 and 7. However, in order to meet test of soundness 4, I find that Policy CP8 should be deleted, together with its supporting text and any other references to SLAs in the CS.

³ Relevant extract included as Appendix to the Council’s Position Statement CS07

8. EMPLOYMENT

Is the approach to safeguarding land for employment purposes sound in the light of the most up-to-date research? Is it sufficiently flexible?

- 8.1 The Council commissioned an Employment Land Review (ELR) to inform the preparation of the LDF (RD7.4). This is a comprehensive study, prepared generally in accordance with current best practice. I note the criticisms made of particular aspects of the study, but I have seen nothing to persuade me that this is not a robust evidence base to support the approach in the CS.
- 8.2 In the light of the strategy recommendations, the CS seeks to protect the highest quality employment sites, whilst allowing a more flexible approach to development proposals on other sites. Overall, there should be no net loss of employment land. The classification of sites takes account of their location and accessibility. I consider that the sustainability issues raised by some representations have been taken into account in the development of the strategy which seeks to focus employment development in urban areas, close to public transport and on previously developed land. Furthermore, the ELR takes into account the need for different types and size of employment uses, and I find no need for the CS to refer to the need for particular types of provision such as small units. Some of the representations seek to make changes to the CS which would facilitate small scale development of employment uses in the countryside. To my mind such changes would unacceptably weaken the settlement strategy which seeks to direct development to the most sustainable locations, whilst allowing for limited development, such as farm diversification, to meet local circumstances.
- 8.3 A number of changes to the wording of the Policy have been suggested in the representations. In many cases these would, in my view, unacceptably weaken the intentions of the strategy or introduce a level of detail which is inappropriate in the CS. I have some sympathy with the view that Policy CP22 could have been expressed in a way which more clearly articulates the underlying strategy. However, when this part of the CS is read as a whole, I consider the intentions are clear. The strategy will be developed to a more site specific level in the DLADPD, and I am satisfied that Policy CP22 provides an adequate framework in the CS. The Council has supported some minor changes to the wording of the Policy, which would aid clarity. I am not convinced that the CS should refer specifically to transport assessments. Government guidance indicates that the need for, and level of, such assessments is a matter to be determined in consultation between the developer and the relevant authorities. I see no reason for the Tonbridge and Malling Core Strategy to depart from this approach, and the repetition of Government guidance in DPDs is unnecessary.
- 8.4 The CS identifies the location of the main employment areas to be safeguarded on the Key Diagram. One of the areas identified is land west of Woodgate Way in Tonbridge. Whilst the CS does not identify the boundaries of the area, the ELR is explicit in identifying the constituent

parts of the area as a whole. The largest part of the site, Oast Park, is vacant, the site to the east of Oast Park is occupied by Siemens. The third area is a greenfield site, the ownership of which extends to include the bridge on Five Oak Green Road, which forms the access from the A26. The area is categorised as a ‘Good Urban’ site in the ELR, based on the perceived advantages, such as its location adjacent to the A26 and proximity to the town centre, and the potential to meet an identified local market demand. The study acknowledges the constraints that currently exist, particularly regarding the need to upgrade the bridge on Five Oak Green Road.

- 8.5 This categorisation is challenged, primarily on the grounds that the Oast Park site has been vacant for a long period of time, and the difficulties involved in achieving a comprehensive redevelopment of the area, particularly the need to upgrade access to the site.
- 8.6 I accept that if the problems of bringing Oast Park back into employment use are genuinely insurmountable, there is a high likelihood that the site will remain vacant and derelict. I note the history of unimplemented permissions relating to Oast Park and the Siemens site. However, there is little evidence before me to show that a comprehensive approach to development, including the upgrading of the access, has been actively pursued. I do not underestimate the difficulties of achieving the kind of comprehensive development envisaged in the ELR, and note the comments regarding the ‘ransom’ value that could be extracted by the owners of the bridge. Such problems can be overcome, but may well need intervention by the local authority to facilitate land assembly. However, I would not necessarily expect to see, for example, a commitment to the use of compulsory purchase powers in the CS, as this should be treated as a power of last resort.
- 8.7 I am mindful that a sustainable pattern of development requires land to be made available for employment uses in appropriate locations, as well as other uses such as housing. The ELR demonstrates that there is a relatively limited supply of suitable land available for employment development in the Tonbridge area. Overall, I consider that this is a finely-balanced judgement, but without more convincing evidence that a comprehensive redevelopment of the site cannot be achieved, the balance of advantage lies with the CS. Progress on bringing forward the development of this site should be closely monitored and the status of the site may need to be reviewed, if the identified constraints cannot be overcome.

Conclusions

- 8.8 In summary, I consider the CS to be sound in relation to the provision of employment land, having particular regard to tests 4, 7 and 9.

9. RETAIL

Is the retail hierarchy set out in the CS the most appropriate in all the circumstances, particularly with regard to the status of Lunsford Park and Quarry Wood?

- 9.1 The CS establishes Tonbridge as the only town centre in the Borough and as the main focus for retail development in the south of the Borough. Policy CP24 sets the context for the preparation of the Tonbridge Central Area Action Plan.
- 9.2 The retail geography of the more northern parts of the Borough is influenced by town centres in adjoining authorities, including Maidstone, Sevenoaks and the Medway towns. I agree with the Council that an assessment of the retail capacity of these parts of the Borough would be meaningless unless done jointly with neighbouring Boroughs. Since any identified capacity should preferably be met within those neighbouring towns, I agree that this is not an issue that needs to be addressed in the Tonbridge and Malling CS, with one exception that I return to below.
- 9.3 To inform the preparation of the CS, the Council commissioned a Retail Assessment by independent planning consultants (RD7.4). This study reviewed the existing retail hierarchy, as contained in the Local Plan, and concluded that the centres at Lunsford Park and Quarry Wood do not meet the criteria contained in PPS6 (Annex A Table 1). The definition of a District Centre states that they “will usually comprise groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library.”
- 9.4 The designated Lunsford Park centre comprises a large Tesco store, with associated car parking, a petrol filling station, and two smaller units (a hairdresser and a dry cleaner). I note that the Tesco store offers an extensive range of convenience and comparison goods, as well as a number of services such as a café and ATMs. Nonetheless, the definition in PPS6 refers to “groups of shops”. It seems to me that one very large and two small shops does not fall within any normal understanding what ‘groups of shops’ could comprise.
- 9.5 I find the range of non-retail facilities at Lunsford Park to be too limited to meet this element of the PPS6 definition. For example, ATMs offer a far more limited service than a bank or building society branch, and an in-store café is not the image usually conjured up by the term ‘restaurants’. That is not to say that the definition requires either bank branches or restaurants to be present in every District Centre, but I am not persuaded that Lunsford Park contains the range non-retail services that is envisaged in PPS6.
- 9.6 Furthermore, the range of goods and services offered is highly dependent on the actions of one retailer. In these circumstances, planning policies can exercise only limited control over the future mix of uses in the centre as a whole.

- 9.7 In terms of public facilities, there is a Doctor’s surgery and nursery, but this is adjacent to the designated centre, located beyond the extensive car park, and can only be reached from the car park via steps. One could also perhaps include the post box and recycling facilities in this category. However, I consider this to a very limited range of public facilities, compared to what would usually be found in a District Centre.
- 9.8 I accept that those living in the vicinity of Lunsford Park will shop there for day-to-day needs. Nonetheless, I find that Lunsford Park has the character of an out-of-town facility, not a District Centre.
- 9.9 I recognise that, to some extent, my conclusions differ from the views of the Inspector who held the inquiry into the original scheme in 1983, and that those views were endorsed by the then Secretary of State. In summary, he found that “the merits of providing a larger number of unit shops and a supermarket as compared with a superstore and a smaller number of unit shops had been inconclusive”. However, this view was reached against a very different and more limited policy background at national level.
- 9.10 I also note that the Council has granted permission for various extensions to the Tesco store, and has accepted the reduction in the total number of units. In addition Lunsford Park was designated as a District Centre in the Local Plan. However, the preparation of the LDF is an appropriate time to review the hierarchy of centres. Whatever minor factual inaccuracies there may be in the Retail Assessment, I consider the overall conclusions to be well-founded.
- 9.11 For similar reasons I consider that Quarry Wood is more appropriately designated as an out-of-town centre, rather than a District centre. This centre comprises a large Sainsbury store and the adjacent retail units are typical of those commonly found in out-of-centre retail parks. It does not, in my view, meet the definition set out in PPS6. I note that the Inspector who held an inquiry into proposals for retail warehouse development on a site in the vicinity of the Quarry Wood centre (RD7.26) commented that “To my mind the retail facilities at Quarry Wood have the character of out-of-centre group of shops”. I agree with his conclusion.
- 9.12 My conclusions on this issue have been strengthened by my visits to those centres designated as District Centres in the CS, which I consider far more closely meet the definition in PPS6. As requested, I have also visited centres within Braintree District. However, a local development framework is intended to be “local”, and it is a matter for the Braintree LDF to justify the local shopping hierarchy, according to the particular circumstances of that District. I found nothing to alter my views on the Tonbridge and Malling CS.

In the event of a need being established, is Quarry Wood the most suitable location for addition comparison goods retail floorspace in the north of the Borough?

- 9.13 There is an established concentration of out-of-centre retailing at Quarry Wood, which is within a few miles of the centre of Maidstone. There is a fairly complex set of circumstances relating to the issue of whether there is further capacity for comparison floorspace in the Maidstone catchment area, and if so, where it should be located. Quarry Wood may be an appropriate location, if there are no sequentially preferable sites. I am advised that work is being undertaken to inform the preparation of the Maidstone Borough LDF, but its findings are not yet available. In all the circumstances, I am satisfied that the criteria-based approach adopted in Policy CP23 is the most appropriate solution to this issue.
- 9.14 Under Policy CP23, new retail development would be allowed only to meet identified capacity in the Maidstone catchment area. In this context, it is likely that those who may travel to Quarry Wood are currently travelling further afield. On the face of it, the location of further retail floorspace at an established destination could have advantages in terms of limiting additional car journeys. The details of the impact on the highway network would be a matter for assessment at the time firm proposals come forward.
- 9.15 Discussion between the Council and some of the representors has resulted in proposed changes to the wording of this section of the CS, and the addition of a suitable symbol on the Key Diagram. In my view these changes do not alter the underlying strategy, but do assist in clarifying the policy, so far as is possible in current circumstances.

Conclusions

- 9.16 In summary, I find the CS to be sound in relation to the retail hierarchy and the approach to further retail development at Quarry Wood, with particular reference to tests 4, 6, 7 and 8.

10. OTHER MATTERS

Omissions

- 10.1 Some respondents have identified matters which they feel should be included in the CS, but which have been omitted. These include biodiversity, habitat areas, rural fringe management, more detail on renewable energy; a housing delivery plan; a sequential test for town centre uses other than retailing; and a policy for housing for rural workers. In some instances, respondents have raised these concerns only at submission stage, which renders it very difficult for the Council (and the Inspector) to include new policies.
- 10.2 The CS is not intended to be a comprehensive document and must focus on the principal components of the Borough’s spatial strategy. I do not consider that the CS is rendered unsound by any of the matters raised, some of which may be appropriate for inclusion in other DPDs.

General comments

- 10.3 One area of concern which cuts across the main topics I have identified is whether the CS meets the core principles of PPG13. I am satisfied that the spatial strategy, which seeks to concentrate development in the main urban areas is compatible with the aims of PPG13. Policy CP2 provides a framework against which individual proposals can be assessed. So far as the impact on the trunk road network is concerned, I am not convinced that the Borough’s spatial strategy should be tantamount to a moratorium on development which may have an impact on that network. Given the other constraints, such as Green Belt, which apply across much of the Borough, such an approach could severely restrict the Borough’s ability to meet development requirements. This could have implications beyond the Borough boundaries and, potentially, on the Regional Spatial Strategy.
- 10.4 A number of other issues which do not fall within the main topics I have identified have been raised in the representations. I have considered these but find nothing to convince me that the CS is unsound, other than in relation to the matters I identify in the rest of this report.

Conclusions

- 10.5 In summary, I have considered all the representations before me, but find no convincing evidence to demonstrate that the CS is unsound, other than in relation to the points I identify above.

11. OVERALL CONCLUSION

- 11.1 As referred to in my introduction the Council has prepared two schedules of changes to the CS, to clarify, correct and update various parts of the text. Although these changes do not address key aspects of soundness, I endorse them on a general basis in the interests of clarity and accuracy. In a few instances the changes proposed in these schedules will be superseded by the changes required under Schedule 3. The changes set out in Schedule 3 will give rise to the need for minor editorial changes such as renumbering policies and paragraphs and corrections to cross-references. I am content for such matters, plus any minor spelling or grammatical mistakes to be amended by the Council, so long as the underlying meaning of the plan is not altered.
- 11.2 I conclude that, with the amendments I recommend in Schedule 3, the Tonbridge and Malling Core Strategy satisfies the requirements of s20(5) of the 2004 Act and the associated Regulations, is sound in terms of s20(5)(b) of the 2004 Act, and meets the tests of soundness in PPS12.

Laura Graham

INSPECTOR

Schedule 1 - Schedule of Technical Changes

(not resulting from Representations)

Proposed Change	Reason
<p>Para 1.2.2 – Revise to read:</p> <p>1.2.2 The Local Development Scheme (LDS) is a management plan setting out the Local Development Documents that will be produced and the timescale for producing them. The LDS, which must be reviewed on an annual basis, has been approved by the Secretary of State. It indicates that the Council will be producing a total of six <u>series of</u> Development Plan Documents (DPDs) in two tranches (see Fig 1).</p> <p>First Tranche</p> <ul style="list-style-type: none"> • Core Strategy • Development Land Allocations DPD • Central Tonbridge Area Action Plan <p>Second Tranche</p> <ul style="list-style-type: none"> • Generic Development Control Policies DPD • Open Space Policies • Environmental Protection Policies • <u>Managing Development and the Environment DPD</u> 	<p>Update to reflect revised Local Development Scheme (2007).</p>

Proposed Change	Reason
<p>Para 1.2.3 – Revise to read:</p> <p>4.2.3 The adopted Local Plan Proposals Map is saved until September 2007 or until superseded by the LDF. <u>The Proposals Map will be republished once all the first tranche DPDs have been adopted.</u> The Plans in the Annexes to this document indicate proposed changes to the adopted Proposals Map. The Proposals Map will be republished, incorporating these changes, once this document has been adopted. It should be noted that throughout the draft Core Strategy there are various references which seek to explain what changes are being proposed to the adopted Local Plan. Once the Core Strategy is adopted these specific references will be deleted.</p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 1.3.1 – Revise to read:</p> <p>4.3.1 The process for preparing the LDF is set out in the Town and Country Planning (Local Development) Regulations 2004. It involves continuous public and stakeholder engagement with the aim of involving people in decisions as early as possible. The process is summarised in Fig 2 which identifies the current stage.</p>	<p>Conversion from submitted to adopted document.</p>

Proposed Change	Reason
<p>Para 1.3.3 add the following two additional bullet points:</p> <ul style="list-style-type: none"> • Submission to the Secretary of State (September 2006). The Core Strategy, as revised, was subject to another period of consultation over six weeks commencing 1 September 2006. • Public Examination The Core Strategy was subject to Public Examination during May 2007. The Inspector’s Report containing binding recommendations was received in *****. The Core Strategy was adopted by the Council on *****. 	<p>Updating. Conversion from submitted to adopted document.</p> <p>Dates subject to confirmation.</p>
<p>Delete paras 1.3.4 and 1.3.5</p>	<p>Updating. Conversion from submitted to adopted document.</p>
<p>Para 2.2.3 – Revise to read:</p> <p>2.2.3 The current Regional Spatial Strategy is RPG9, approved by the Secretary of State in 2001 with selected topic-based revisions since that time. RPG9 has a time horizon of 2016. The RSS is under review. A draft of the new RSS, known as the South East Plan, was submitted to the Secretary of State at the end of March 2006 and was subject to an Examination Public from October 2006 to March 2007. Following a further period of consultation there will then be an Examination in Public. The expectation is that the South East Plan will be approved by the Secretary of State early in <u>during</u> 2008.</p>	<p>Updating.</p>

Proposed Change	Reason
<p>Para 2.2.7 – Revise to read:</p> <p>2.2.7 The Tonbridge and Malling Borough Local Plan was adopted in 1998. It deals with the period from 1996 to 2011 and was prepared in the context of the Kent Structure Plan 1996. The policies of the Local Plan will all be reviewed as part of preparing the LDF. Many <u>Some</u> of the existing policies were intended to endure for the long term and will, if appropriate, be carried forward into the relevant Development Plan Document. The Local Development Scheme indicates in an Annex which policies <u>issues</u> are to be considered in relation to each of the proposed Development Plan Documents. <u>It also indicates which Policies are to be saved and how they will be superseded.</u></p>	<p>Updating in the light of the Saved Policies exercise and submission of the revised Local Development Scheme (2007)</p>
<p>Para 2.3.2 – Revise to read:</p> <p>2.3.2 For a start, nearly three quarters of the Borough is covered by the Metropolitan Green Belt. Within Green Belts the expansion of existing settlements, including Tonbridge, is tightly restricted. PPG2 makes it clear that a key feature of Green Belts is their permanence. Green Belt boundaries should be changed only in exceptional circumstances. Neither the RSS nor the Kent and Medway Structure Plan <u>The RSS does not</u> identify any strategic case for a change to Green Belt boundaries. The part of the Borough outside the Green Belt includes the important Strategic Gap separating the Medway Gap from Maidstone and the Medway Towns, extensive parts of the Kent Downs Area of Outstanding Natural Beauty, areas of the “best and most versatile” agricultural land and areas of national and local nature conservation interest. Furthermore, much of the lower lying land in the Medway Valley lies within the floodplain of the River Medway and is subject to varying degrees of flooding constraint.</p>	<p>To be consistent in specifically not referring to the Kent and Medway Structure Plan.</p>

Proposed Change	Reason
<p>Delete para 2.4.1 and revise para 2.4.2 to read:</p> <p>2.4.1 The Strategy The Community Strategy for Tonbridge and Malling, 'Serving You Better' includes a ten year vision for the Borough:</p> <p>Renumber the following paragraphs</p>	<p>Unnecessary background information now that the 2006 review of Community Strategy has been approved.</p>
<p>Para 2.5.8 – Revise to read:</p> <p>2.5.8 The affordable housing policies in the <u>Core Strategy</u> are based upon a <u>Housing and Market Needs Assessment undertaken in 2006</u>, adopted Local Plan were based upon a Housing Needs Study undertaken in 1995. The draft policies for affordable housing in the Preferred Options Report were based on a review of that Study carried out in 2002. For the purposes of this submission document a further review was undertaken at the end of 2005. the most significant findings of the most recent Study are <u>which are</u> as follows:</p>	<p>Unnecessary background information.</p>
<p>Para 2.5.10 – Revise to read:</p> <p>2.5.10 Gypsy and Traveller Accommodation Assessment is also being <u>has been</u> carried out for the sub-region including the Boroughs of Tonbridge and Malling, Maidstone, Ashford and Tunbridge Wells. In accordance with the requirements of Circular 01/06 (Gypsy and Traveller Caravan Sites) this information will be <u>has been</u> fed into the South East Plan.</p>	<p>Updating. Study now complete.</p>

Proposed Change	Reason
<p>Delete para 2.5.11 and revise para 2.5.12 to read:</p> <p>2.5.11 An Employment Land Review for the Borough was undertaken during 2005 in accordance with ODPM guidance <u>published in December 2004</u>. This reached the following headline conclusions:-</p> <p>Re-number following paragraphs</p>	<p>Clarification</p>
<p>Revise para 2.5.14 to read:</p> <p>2.5.13 Tonbridge, as the Borough's principal town centre, is the main focus for retail development. Retail studies have confirmed that there is significant quantitative potential and qualitative need for additional retail floorspace in Tonbridge, particularly for comparison shopping. The retail hierarchy has also been reviewed throughout the rest of the Borough but there is not considered to be any potential for significant additional floorspace. There may be scope for some limited retail development at Snodland, Martin Square/Larkfield, Borough Green and West Malling subject to site availability, but the main need is to retain what exists.</p>	<p>Unnecessary text.</p>
<p>Para 2.6.4 – Revise to read:</p> <p>2.6.4 The Final SA Report was published for public comment alongside the Preferred Options Report. It assessed the potential economic, social and environmental implications of the draft policies and proposals it contained. The assessment found that the Preferred Options performed well in sustainability terms. The conclusion was that the options are generally geared towards accommodating</p>	<p>Revise report title</p>

Proposed Change	Reason
<p>new housing development as sustainably as possible; providing for affordable housing needs (particularly in rural areas); reducing the need to travel; and protecting the Borough's countryside. Their more detailed conclusions and recommendations are set out in the published Final SA Report. The Council's response to their recommendations is set out in the Response to SA Report document. Sustainability Appraisal of Significant Changes Report.</p>	
<p>Para 2.6.5 – Revise to read:</p> <p>2.6.5 A Revised SA Report The Sustainability Appraisal of Significant Changes Report also appraises the changes made by the Council in response to consultation on the Preferred Options Report. It concludes that the changes are either beneficial or neutral in their effect. <u>A further Sustainability Appraisal Report may need to be prepared following adoption to appraise any significant effects of changes made at that stage.</u></p>	Updating
<p>Para 5.1.6 – Revise to read:</p> <p>5.1.6 The development strategy for the East Bank of the Medway, carried forward from the previous Local Plan, is to plan for development in this area supported by improved access by means of a new bridge across the Medway. The intention is to secure improvements in local access and facilities for the existing communities of the East Bank, whilst avoiding conflicts with areas of nature conservation and landscape importance. To this end, Peters Pit, which now has planning permission, is identified as a strategic development location. In addition, land at Bushey Wood, near Eccles, continues to be safeguarded for potential</p>	Updating and conversion from submitted to adopted document.

Proposed Change	Reason
<p>development beyond the end of the plan period. The extent of the safeguarded area has been enlarged to encompass <u>encompasses</u> all of the damaged land in this locality [see Annex G].</p>	
<p>Para 5.1.9 – Revise to read:</p> <p>5.1.9 The affordable housing needs of the Borough will be met by direct provision by Registered Social Landlords and by negotiation on development sites in excess of a prescribed threshold which will be <u>has been</u> set at a lower level in rural areas. The majority of affordable housing need arising in the more remote parts of the Malling rural area will be met at the rural service centre of Borough Green, on a derelict site to the south of the town which will consequently be <u>has consequently been</u> removed from the Green Belt [see Annex E]. Elsewhere in the rural area, affordable housing may be provided on sites released as an exception to policy or on sites specifically allocated for this purpose.</p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 5.1.12 – Revise to read:</p> <p>5.1.12 There is Considerable investment in transport infrastructure <u>has</u> already taking taken place, particularly in the north of the Borough. These sorts of improvements are needed in order to avoid congestion and inappropriate use of minor roads and to maintain or improve air quality. Investment in public transport services and other alternative transport</p>	<p>Updating. Leybourne and West Malling Bypass now complete.</p>

Proposed Change	Reason
<p>Box following para 5.1.12 - Revise wording of the final paragraph as follows:</p> <p><i>The Strategy is illustrated diagrammatically on the Key Diagram. The precise extent of policy areas will be shown on an Ordnance Survey base on the Proposals Map. Any proposed changes to the Proposals Map are illustrated in the Annexes to this document.</i></p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 6.2.4 – Revise to read:</p> <p>6.2.4 It is a matter for the LDF to assess whether there are any local circumstances that justify changes to Green Belt boundaries in the Borough. <u>In preparing the Core Strategy</u> the Council has identified only one significant location where it believes exceptional circumstances exist that justify the removal of land from the Green Belt and three others where land can be returned to the Green Belt. In addition, there are were some minor refinements to the village confines of Birling, Ryarsh and Platt <u>and the urban area of Tonbridge at the Weald of Kent School.</u> and a proposal to include the school buildings at the Weald of Kent School, Tonbridge within the confines of the urban area, which will have the effect of marginally altering the extent of the Green Belt in these locations [see Annexes D and H]. The overall effect of all of these changes is a net gain of Green Belt land amounting to 1.21ha. This is the first planned change to the extent of the Green Belt in Tonbridge and Malling since the early 1990's.</p>	<p>Conversion from submitted to adopted document.</p>

Proposed Change	Reason
<p>Para 6.2.6 – Revise fifth bullet point to read:</p> <ul style="list-style-type: none"> • The ability to meet the majority of affordable housing needs arising from the more remote parts of the Malling rural area in the most sustainable way; 	<p>To take account of the much higher level of need identified in the 2005 Housing and Market Needs Assessment.</p>
<p>Para 6.2.7 – Revise to read:</p> <p>6.2.7 It is therefore proposed to remove This site <u>has therefore been removed</u> from the Green Belt [see Annex E] and identify it and identified as a strategic location for development (see Policy CP19). Detailed proposals for the site are <u>will</u> be made in the Development Land Allocations DPD. The following policy establishes the extent of the Green Belt.</p> <p>POLICY CP3 etc (unchanged)</p> <p>The location of Isles Quarry West is identified diagrammatically on the Key Diagram. The precise extent of the allocated area and therefore the land to be excluded from the Green Belt will be shown on the Proposals Map pursuant to a policy in the Development Land Allocations DPD [see Annex E].</p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 6.2.10 – Revise to read:</p> <p>6.2.10 In the absence of any need for development within the plan period, and In view of the significant opportunities that the regeneration of the town centre is likely to yield, both for commercial and residential development, the Council has reviewed both the need for, and extent of, these safeguarded areas. Its conclusion is that</p>	<p>Update in the light of PPS3 (see Position Statement CS01)</p>

Proposed Change	Reason
<p>land at both locations should continue to be safeguarded but that the reserve site at Lower Haysden Lane, Tonbridge should be reduced in size having regard to both flooding and landscape constraints on the western part of the site. Much of the remaining land is playing fields. If and when development of the reserve site is justified, the aim would be to relocate the playing fields on land to the west which <u>has been</u> returned to the Green Belt.</p> <p>POLICY CP4 etc (unchanged)</p> <p>The location of these sites is identified diagrammatically on the Key Diagram. The extent of area (b) has not changed and is therefore the same as that shown on the Local Plan Proposals Map. The revised extent of the land at Haysden Lane is shown on the map at Annex F. <u>Their precise extent pursuant to this Policy is shown on the Proposals Map.</u></p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 6.2.11 – Revise to read:</p> <p>6.2.11 In addition to these two locations, a number of smaller areas were identified within the Malling rural area as being excluded from the Green Belt in order to meet local needs at the villages concerned. This reflected the advice in the 1992 version of PPG2. One of these, at Plaxtol, has now been developed and another at Wrotham has been partly developed for affordable housing and will now be. <u>These developed areas have now been</u> included within the confines of the villages. In the light of the Guidance in draft PPS3 (Housing), the remaining area at Howlands Allotments, Wrotham and the land at Carpenters Lane, Hadlow should be <u>have been</u> returned to the Green Belt (see Annex D). Any proposals for affordable housing on these or any other sites at Wrotham and Hadlow that</p>	<p>Conversion from submitted to adopted document.</p>

Proposed Change	Reason
<p>could not be met in any other way would be considered on their merits in the light of the exception site policy (Policy CP20).</p>	
<p>Para 6.2.13 – Revise to read:</p> <p>6.2.13 Special circumstances would include a shortfall in strategic housing provision sufficient to justify the release of additional land for residential development in the Bushey Wood Area of Opportunity prior to 2021 (see Policy CP17). The general extent of the Strategic Gap, insofar as it lies within Tonbridge and Malling, is shown on the Key Diagram. <u>Pursuant to this Policy</u> the detailed boundaries will be <u>are</u> defined on the Proposals Map and will include the Area of Opportunity at Bushey Wood.</p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 6.2.17 – Revise to read:</p> <p>6.2.17 The Kent Downs AONB comprises 27% of the Borough and forms a striking range of hills. This area is an important amenity and recreation area for both local people and visitors, particularly for walking and cycling. It also forms an attractive backdrop to settlements in the Medway Gap. A small part of the High Weald AONB impinges on the southern margins of the Borough with the Bidborough Ridge forming a landscape backdrop to the south of Tonbridge. The general extent of AONBs in the Borough is illustrated on the Key Diagram. <u>Pursuant to this Policy</u> their precise area of cover will be <u>is</u> shown on the Proposals Map.</p>	<p>Conversion from submitted to adopted document.</p>

Proposed Change	Reason
<p>Para 6.2.25 – Revise to read:</p> <p>6.2.25 The general extent of the larger SSSIs in the Borough, some of which are also SACs, is shown diagrammatically on the Key Diagram. These are the sites which, because of their size, are of such strategic significance that they affect the spatial strategy. The precise extent of all SSSIs is shown on the Proposals Map. The above Policy will also apply to any new SSSIs or SACs designated during the lifetime of the LDF. Detailed policies relating to Sites of Nature Conservation Interest, Local Nature Reserves and Ancient Woodlands will be included in the Environmental Protection DPD <u>Managing Development and the Environment DPD</u>. They are all covered by the general terms of Policy CP1.</p>	<p>Updating in the light of the revised Local Development Scheme (2007)</p>
<p>Para 6.2.29 – Revise to read:</p> <p>6.2.29 Evolving Government Policy on flood risk is contained in draft PPS25 which indicates that Local Planning Authorities should seek to avoid flood risk to people and property where possible and manage it elsewhere. Flood risk has to be considered alongside other issues such as transport, housing, economic growth, natural resources and particularly achieving sustainable regeneration. A risk-based approach to planning new development is therefore recommended that seeks to avoid inappropriate development in flood risk areas, minimise run-off from new development and manage flood pathways and flood storage.</p>	<p>Updating</p>

Proposed Change	Reason
<p>Policy CP11.2 – revise to read</p> <p>2. Development that is acceptable (in terms of draft PPS25) or otherwise exceptionally justified within areas at risk of flooding must:</p>	Updating
<p>Revise the last part of para 6.3.1 (following Policy CP12) to read::</p> <p>The general location of the urban areas is shown on the Key Diagram. The precise extent of the existing and proposed confines of these areas is shown on the Proposals Map. The confines of the urban areas have not changed from those in the adopted Tonbridge and Malling Borough Local Plan apart from: in the vicinity of Hermitage Lane, Aylesford, where the redevelopment of former temporary accommodation has significantly changed the character of the area; a minor change to include the buildings at Weald of Kent School, Tonbridge; and at Holborough, Snodland to follow the line of the rail link to the proposed cement works (see Annex H).</p>	Conversion from submitted to adopted document.
<p>Para 6.3.4 – Revise to read:</p> <p>6.3.4 The location of these rural settlements is shown on the Key Diagram. Their confines are shown on the Proposals Map. The confines are the same as those shown on the Tonbridge and Malling Borough Local Plan with the exception of Borough Green where the allocated site at Isles Quarry West is proposed to be included within the village confines (see Annex E).</p>	Conversion from submitted to adopted document.

Proposed Change	Reason
<p>Policy CP14 – Revise final section to read:</p> <p>Note: Dunks Green, Fairseat and Snoll Hatch are continue to be washed over with the Green Belt which means that any development within them must be limited to infill subject to no adverse effect on the character of the settlement.</p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 6.3.6 – Revise to read:</p> <p>6.3.6 The location of these rural settlements is shown on the Key Diagram. Their confines are shown on the Proposals Map. The confines are the same as those shown on the Tonbridge and Malling Borough Local Plan apart from minor extensions which are proposed at Birling, Ryarsh Fairseat and Platt. Pinesfield Lane at Trottiscliffe is deleted as an infill settlement. The only other change is the inclusion within the confines of Plaxtol and Wrotham of the now completed affordable housing sites identified in the adopted Local Plan under Policy P2/17. All of these changes are shown under Annex D.</p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 6.3.10 – Revise to read:</p> <p>6.3.10 The submission version of the South East Plan requires an average rate of development in Tonbridge and Malling Borough of 425 dwellings per annum for the 2006-21 period; a total of 6,375 dwellings. Draft PPS3 (Housing) and South East Plan Policy H3 specify a target of 60% of new development to be located on</p>	<p>Updating</p>

Proposed Change	Reason
<p>previously developed land and through conversions of existing buildings. In Tonbridge and Malling, over 90% of all housing development will take place on previously developed land; well in excess of the Government's target.</p>	
<p>Para 6.3.18 – Revise to read:</p> <p>6.3.18 <u>Compared to the Local Plan</u>, the safeguarded area has been extended to include the “Island Site” and mineral workings to the west of Bull Lane, Eccles. The benefit of including this area is that it will enable the future of the entire area, including the restoration of the mineral workings and long-term access to the Island Site, to be considered comprehensively, and prevent any prejudicial development in the meantime. It also provides a larger area within which new development can be planned, but this does not necessarily mean that more development will be proposed. The revised extent of the Area of Opportunity is shown on Annex G.</p>	<p>For clarification and conversion from submitted to adopted document.</p>
<p>Para 6.3.21 – Revise to read:</p> <p>6.3.21 The following policy continues to safeguard this broad area for future development</p> <p>POLICY CP17 etc (see change recommended In Position Statement CS02)</p> <p>The situation will be reviewed in the context of preparing and revising the Development Land Allocation DPDs. The general location of Bushey Wood is shown diagrammatically on the Key Diagram. The detailed boundary as shown on Annex G will be <u>is</u> identified on the Proposals Map.</p>	<p>Conversion from submitted to adopted document.</p>

Proposed Change	Reason
<p>Para 6.3.22 – Revise first bullet point to read:</p> <ul style="list-style-type: none"> the protection and enhancement of any prevailing nature conservation interests within the Area of Opportunity which are judged to be of sufficient importance to outweigh the need for development at the time such development is required; 	For clarification.
<p>Para 6.3.23 – Revise to read:</p> <p>6.3.23 Draft PPS3 sets out the Government’s policy for securing the provision of affordable housing. Policy H4 of the South East Plan requires LDDs to deliver a substantial increase in the amount of affordable housing in the region, with an overall target for the region as a whole of 25% of all new housing to be socially rented and 10% other forms of affordable housing.</p>	Updating
<p>Para 6.3.25 – Revise the end of the paragraph to read:</p> <p>In this context, and to reflect the potential delivery issues, the Council has taken the view that the aim should be to provide for 40% of the net housing on development sites above prescribed thresholds to be affordable. It is important that retirement and sheltered housing also addresses affordable housing needs either on-site or through commuted payments fro use at an alternative location.</p>	Editorial change to reflect the change to policy made between the Preferred Options and Submission draft stages.

Proposed Change	Reason
<p>Para 6.3.28 – Revise to read:</p> <p>6.3.28 The following policy applies a different percentage requirement for the urban areas (Tonbridge, Medway Gap and Walderslade) as defined in Policy CP12 and the rural areas because the number of sites within the rural areas above the national threshold set in draft PPS3 of 15 dwellings is likely to be extremely limited. The rural area is the entire Borough outside the defined urban areas, including the rural settlements referred to in Policies CP13 and CP14.</p>	Updating
<p>Para 6.3.34 - Revise the final part of paragraph (following Policy CP19) to read:</p> <p>Detailed requirements in respect of Isles Quarry West will be set out in the Land Allocations DPD. It is identified diagrammatically on the Key Diagram as a strategic development location. The precise boundaries of the allocation will be shown on the Proposals Map [see Annex E].</p>	Conversion from submitted to adopted document.
<p>Para 6.3.35 – Revise to read:</p> <p>6.3.35 In terms of the other larger villages in the Green Belt, there is no case for either West Malling or Hildenborough being treated in the same way as Borough Green because of their proximity to the main urban areas. In the case of Wrotham, where it is proposed to return the residual safeguarded area at Howlands Allotments <u>has been returned</u> back to the Green Belt (see Annex D), it would be expected that any local needs would be met by the proposed development at Isles Quarry West. East Peckham, although like Borough Green, relatively remote from the main urban areas, has very restricted opportunities for</p>	Conversion from submitted to adopted document.

Proposed Change	Reason
<p>development because of the floodplain and the need to maintain the separation of East Peckham from Snoll Hatch and Hale Street. It also does not have the brownfield opportunities that exist at Borough Green. At Hadlow, the small site in Carpenter's Lane, which was previously excluded from the Green Belt under <u>Local Plan</u> Policy P2/17, is now proposed to be <u>has been</u> returned to the Green Belt.</p>	
<p>Para 6.3.36 – Revise to read:</p> <p>6.3.36 In accordance with draft PPS3 (Housing) the existing <u>following</u> Exception Site policy will continue to apply alongside the other affordable housing policies in the rural areas to allow for any specific local needs that have not been met by the general affordable housing provision. One way that such needs may be identified is through a Village Plan prepared by the local community and supported by a detailed local needs survey. Sites released as an exception to policy should be made available exclusively for affordable housing to meet strictly defined local needs in perpetuity. A need for affordable housing may be considered a very special circumstance sufficient to override the normal presumption against development in the Green Belt.</p>	<p>Conversion from submitted to adopted document.</p>
<p>Para 6.3.38 – Revise to read:</p> <p>6.3.38 Local authorities should make appropriate provision for Gypsies, Travellers and Travelling Showpeople having regard to the requirements of the South East Plan. This objective is reflected in Policy CP1.5 of this Core Strategy. A sub-regional Gypsy and Traveller Accommodation Assessment, covering the Boroughs of Tonbridge and Malling, Maidstone, Ashford and Tunbridge Wells, was undertaken</p>	<p>Updating.</p>

Proposed Change	Reason
<p>during 2006. The findings of this Assessment will feed <u>have been fed</u> into the South East Plan that will eventually allocate specific plot requirements back to each District. Depending on the outcome of this process the Borough Council may need to prepare a DPD dealing specifically with the provision of a site or sites for gypsy and traveller accommodation in accordance with the following policy.</p>	
<p>Policy CP21 – Revise final part to read:</p> <p>There will a presumption against the development of gypsy and traveller accommodation <u>(including sites for travelling showpeople)</u> in the Green Belt unless there are very special circumstances.</p>	For clarification
<p>Para 6.3.40 – Revise to read:</p> <p>6.3.40 Insofar as Travelling Showpeople are concerned, there is an existing site in Constitution Hill, Snodland which will continue to be safeguarded <u>through a Policy in the Development Land Allocations DPD</u>. Studies do not identify a need for an additional site specifically in Tonbridge and Malling Borough. In the view of the Borough Council this is a matter that can only sensibly be addressed at the regional level.</p>	For clarification
<p>Para 6.3.42 – Revise to read:</p> <p>6.3.42 However, the development of existing employment sites needs to be carefully managed. Whilst it may be appropriate for certain poorly located employment</p>	Correction

Proposed Change	Reason
<p>sites, or sites that are detrimental to residential amenity, to be redeveloped for other uses, it is essential that the majority of existing employment sites are safeguarded. Policy RE3 <u>RE2</u> of the South East Plan requires the retention of accessible and well-located employment sites where there is a good prospect of employment use.</p>	
<p>Para 6.4.2 – Revise first bullet point to read:</p> <ul style="list-style-type: none"> ensuring that existing built environments of an historic or high quality will be preserved or enhanced through more detailed policies in the Environmental Protection DPD and Generic Development Control Policies DPD <u>Managing Development and the Environment DPD</u>; 	<p>To take account of the revised Local Development Scheme (2007)</p>
<p>Para 6.4.6 – Revise the start of the paragraph to read:</p> <p>6.4.6 <u>In the case of the natural environment</u>, compensatory measures should be undertaken within or immediately adjoining the development proposal and should relate to the particular biodiversity interest of the development site.....</p>	<p>For clarification.</p>
<p>Para 6.4.15 – Revise to read:</p> <p>6.4.15 The Council's general policies relating to culture and leisure are set out in the Borough Leisure Strategy and Local Cultural Strategy. PPG17 requires the Council to prepare an Open Space Strategy. This will identify the types of open spaces and their distribution and size in relation to locally identified needs and locally set standards. The outcome of this study, insofar as it relates to land use,</p>	<p>To take account of the revised Local Development Scheme (2007)</p>

Proposed Change	Reason
will be incorporated into the Open Space <u>Managing Development and the Environment</u> DPD.	
<p>Para 7.2.3 – Revise to read:</p> <p>7.2.3 Annex I Annex D is a schedule which indicates for each policy:</p> <ul style="list-style-type: none"> • The aims and objectives that the policy is intended to meet; • The relevant delivery agencies; and • The performance indicator. <p>Annex J Annex E defines the performance indicators in more detail, categorising them according to themes and classifying them by type. Each theme includes a number of output, local and contextual indicators. For each indicator the following is identified:</p>	Amend cross references
Annex D – Changes to Village Confines - Delete	Conversion from submitted to adopted document. All changes to confines to be shown on Proposals Map.
Annex E – Isles Quarry West - Delete	Conversion from submitted to adopted document. To be shown on Proposals Map pursuant to Policy H2 in the Development Land Allocations DPD.

Proposed Change	Reason
Annex F – Revised extent of Reserve Site at Haysden Lane – Delete	Conversion from submitted to adopted document. Changes to be shown on Proposals Map.
Annex G – Revised extent of Bushey Wood Area of Opportunity – Delete	Conversion from submitted to adopted document. Revised boundary to be shown on Proposals Map.
Annex H – Changes to urban confines – Delete	Conversion from submitted to adopted document. Revised confines to be shown on Proposals Map.
Annex I– Monitoring and Delivery – Renumber as Annex D	Conversion from submitted to adopted document.
Annex J - Performance Indicators – Renumber as Annex E	Conversion from submitted to adopted document.
Annex K – Glossary of Terms and Abbreviations – Renumber Annex F	Conversion from submitted to adopted document.

Schedule 2 - Summary Schedule of Proposed Changes

(Resulting from Representations and referred to in Position and Rebuttal Statements and accepted at the Public Hearing)

Proposed Change	Reason
<p>Para 2.2.1 – Revise third sentence to read:</p> <p style="padding-left: 40px;">The Structure Plan was adopted in June <u>July</u> 2006.</p>	<p>Position Statement CS13. In response to Rep 175.04</p>
<p>Para 2.2.5 - Revise the fifth sentence to read:</p> <p style="padding-left: 40px;">Tonbridge is identified together with Tunbridge Wells as a Transport Hub of regional significance <u>Regional Hub</u>.</p>	<p>Position Statement CS13. In response to Rep 158.01</p>
<p>Para 2.3.4 – Revise to read:</p> <p>2.3.4 The agenda for change to meet local needs for development and services has therefore to be carefully formulated within this highly constrained policy framework. Consequently, the key objective is to focus sustainable development within settlements and on damaged land.</p>	<p>Position Statement CS13. In response to Rep 181.16</p>
<p>Revise the Section on <i>Housing Land Supply</i> to read:</p> <p>2.5.3 Annex C is a Housing Trajectory, prepared in accordance with Government advice, which compares the committed supply of housing, with the housing requirements for Tonbridge and Malling 2006-2021 as set out in the submitted</p>	<p>See Annex A to Position Statement CS01 To take account of PPS3</p>

Proposed Change	Reason
<p>version of the RSS. Committed supply comprises:</p> <ul style="list-style-type: none"> • 4606 dwellings on sites already with planning permission as at 31 March 2006 likely to be implemented during this period; • Unimplemented housing allocations in the Tonbridge and Malling Borough Local Plan likely to be implemented before 2021 totalling 1065 dwellings. In this respect, it should be noted that 1000 of these dwellings are at Peters Pit which has been granted planning permission since the base date of 31 March 2006. <u>The other 65 are on the remaining part of Kings Hill that does not yet have planning permission.</u> <p>The total firm supply therefore equals 5671 dwellings, which is 704 below the submitted RSS requirement of 6375 dwellings for the 2006-2021 period. However, on the basis of past performance windfall development is likely to contribute at least an additional 2330 dwellings during this period which will mean that the overall requirement will be exceeded. In line with draft PPS3, there is more than sufficient land allocated to meet the requirements for the first 510 years following the anticipated adoption of the LDF (ie up to 2013 <u>2018</u>) without relying on windfalls.</p> <p>2.5.4 There is therefore already sufficient land potentially available to meet anticipated housing requirements up to 2024 <u>Disregarding windfalls up to 2018 there will, on the basis of the submitted RSS, be an overall shortfall of just 194 dwellings up to 2021.</u> Assuming the approved RSS requirements up to 2024 are not dissimilar, this means that the only justification for the release of greenfield sites for housing through the LDF would be to meet local needs that could not be met in any other way <u>if it proves impossible to identify sites for 194 dwellings on previously developed land.</u> This is fundamental to the Core Strategy.</p>	

Proposed Change	Reason
<p>Revise the Section on the <i>Urban Capacity Study and Windfall Projection</i> to read:</p> <p>2.5.5 An Urban Capacity Study has been completed in accordance with the advice in PPG3 and its companion document entitled Tapping the Potential. For consistency of approach it has been prepared in broad accordance with a protocol agreed with other authorities in Kent. Most of the sites identified through the Study will be brought forward as housing allocations in the Development Allocations DPD.</p> <p>2.5.6 Draft PPS3 makes it clear if an allowance is to be made for a continuing yield from windfall development it should be based upon a thorough examination of past trends. Windfall development is development that takes place on sites which have not specifically been identified as being available through the Development Plan process. <u>PPS3 makes it clear that an allowance for windfalls should not be included in the first 10 years of land supply unless Local Planning Authorities can provide robust evidence of local circumstances that prevent sites being identified.</u></p> <p>2.5.7 The yield from small windfall sites (below 5 dwellings) is projected to be some 70 dwellings per year. The overall projected yield from larger sites (5 dwellings or more) is projected to be 1280 dwellings (2006-2021). This excludes existing permissions for windfall development and potential allocations to avoid double counting. These estimates will be subject to regular monitoring. <u>In the Housing Trajectory (Annex C) windfalls are only counted beyond 10 years from the anticipated date of adoption of the Core Strategy.</u></p>	<p>See Annex A to Position Statement CS01 To take account of PPS3</p>

Proposed Change	Reason
<p>Para 2.5.15 – Revise the final sentence to read:</p> <p>However, if there are no suitable sites in Maidstone <u>the identified retail need could be accommodated at Quarry Wood</u> the headroom is such that an extension to the Quarry Wood Retail Park could be justified.</p>	<p>In response to comments made by Ringbest and discussed at the Public Hearing.</p>
<p>Aims</p> <p>Aim 1(d) – Revise to read:</p> <p>(d) Minimising the need to travel and providing the opportunity for trips to be made by all <u>a choice of</u> modes of transport;</p>	<p>Position Statement CS12. In response to Rep 182.02</p>
<p>Aim 2 (c) - Revise to read:</p> <p>(c) Avoiding <u>the adverse effects of</u> development in areas of significance for landscape or nature conservation, areas at risk of flooding, important historic assets and the best and most versatile agricultural land;</p>	<p>Position Statement CS12. In response to Rep 91.05</p>
<p>Aim 2(e) - Revise to read:</p> <p>(d) Ensuring infrastructure and services are co-ordinated to meet the needs of existing and any new communities, wherever required as an integral part of the <u>in association with</u> new development;</p>	<p>Position Statement CS12. In response to Rep 175.05</p>

Proposed Change	Reason
<p>The Strategy</p> <p>Para 5.1.4 - Revise second sentence to read:</p> <p>Unless there are special circumstances, New development will be located within the built-up areas of these settlements mainly on previously developed land or by conversion of existing buildings.</p>	<p>Position Statement CS12. In response to Rep 181.17</p>
<p>Policy CP1.2 – Revise to read:</p> <p>2. Provision will be made for housing, employment and <u>retail other</u> development to meet the needs of existing and future residents of the Borough in line with the evolving housing requirements of the South East Plan and local studies aimed at informing the need for, and form of, development required.</p>	<p>Position Statement CS12. In response to Rep 301.07</p>
<p>Policy CP1.4 – Revise to read:</p> <p>4. In selecting locations for development and determining planning applications the Borough Council will seek to minimise waste generation, reduce the need to travel and minimise water and energy consumption, having regard to sources of renewable energy <u>the need for 10% of energy requirements to be generated on-site from alternative energy sources and the potential for <u>the recycling of</u> water.</u> Where possible, areas liable to flood will be avoided.</p>	<p>Position Statement CS10 In the light of Rep 158.02</p>

Proposed Change	Reason
<p>Policy CP1.6 – Revise to read:</p> <p>6. Development will be concentrated at the highest density compatible with the local built and natural environment mainly on previously developed land and at those urban and rural settlements where a reasonable range of services is available and where there is the potential to be well served by sustainable modes of transport. <u>Best use will be made of the existing housing stock.</u></p>	<p>Position Statement CS12. In response to Rep 158.09</p>
<p>Policy CP1.7 – Revise to read</p> <p>7. Development must minimise the risk of crime and should make appropriate provision for <u>the infrastructure necessary to serve new development, including social leisure, cultural and community facilities and adequate open space accessible to all.</u> If still needed, existing facilities will be protected and land required to meet future community needs will be identified and safeguarded for that purpose.</p>	<p>Position Statement CS12. In response to Rep 175.06</p>
<p>Para 6.1.5 - Revise the third bullet point to read:</p> <ul style="list-style-type: none"> • Protecting and enhancing biodiversity and wildlife and avoiding impact on statutorily protected sites <u>areas of nature conservation interest;</u> 	<p>Position Statement CS13. In response to Rep 175.07</p>

Proposed Change	Reason
<p>Para 6.1.5 – Revise the eighth bullet point to read;</p> <ul style="list-style-type: none"> • meeting aiming to meet BREEAM or Eco-Homes very good standard as a minimum for all development; <p>Note: In the light of the latest Government Guidance this should now be updated to read:</p> <ul style="list-style-type: none"> • aiming to meet Code Level 3 of the Government’s Code for Sustainable Homes fro all new-build dwellings 	<p>Position Statement CS13. In response to Rep 221.01</p> <p>This standard effectively replaces the BREEAM and Eco-Homes Standard.</p>
<p>Policy CP2 (e) – Correct to read:</p> <p>(e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural <u>of</u> or historic environment or the character of the area.</p>	<p>Position Statement CS12. In response to Rep 175.08</p>
<p>Para 6.2.3 – Revise the second sentence to read:</p> <p>The extent <u>boundaries</u> of the Green Belt has <u>have</u> been set in previous local plans.</p>	<p>Position Statement CS13. In response to Rep 181.19</p>

Proposed Change	Reason
<p>Policy CP5 – Revise to read:</p> <p>Unless justified by special circumstances, development will not be proposed in the LDF or otherwise permitted that would harm the function of the <u>mid Kent Strategic gap</u> as a physical break maintaining the separation and separate identities of the built-up areas of Maidstone, Medway Towns and the Medway Gap.</p>	<p>Position Statement CS06 In response to Reps 175.09/10</p>
<p>Para 6.2.23 – Revise the second sentence to read:</p> <p>Sites of national significance are designated by English Nature <u>Natural England</u> as Sites of Special Scientific Interest (SSSIs).</p>	<p>Position Statement CS13. In response to Rep 64.04</p>
<p>Para 6.3.11 – Revise to read</p> <p>6.3.11 There is significant scope for additional development and re-development within existing settlements as identified in the Council’s Urban Capacity Study. In addition, there are four large ‘brownfield’ sites adjoining or close to the Medway Gap Urban Area (at Holborough, Kings Hill, Leybourne Grange and Peter’s Pit). Together with projected windfalls <u>in the 10-15 year period</u>, these sites can comfortably accommodate <u>get very close to accommodating</u> the levels of development set out in the South East Plan without the need for release of any greenfield land (see Annex C). <u>On the basis of allocating land for an additional 194 dwellings within the built-up areas, there will be</u> There is therefore no need to identify any greenfield sites for housing development. In consequence, the</p>	<p>Annex A to Position Statement CS01 To take account of PPS3</p>

Proposed Change	Reason
<p>only housing development that can be justified in the countryside is that necessary to meet locally identified needs, and/or rural diversification. If the figures in the South East Plan as ultimately approved are significantly higher then attention will turn first to the Area of Opportunity at Bushey Wood but it is likely that even in that event it would not be required until towards the end of the LDF timeframe.</p>	
<p>Para 6.3.14 – Revise to read:</p> <p>6.3.14 The general location of the Strategic Sites is shown on the Key Diagram. Their precise extent will be shown <u>for information</u> on the Proposals Map.</p>	<p>Position Statement CS11 In the light of Rep 172.03</p>
<p>Policy CP17 – Revise to read:</p> <p>Land at Bushey Wood is identified as an Area of Opportunity containing land with potential for meeting needs in the post 2021 period, or earlier if there is any significant shortfall in strategic housing provision. <u>Land will only be released for housing development within the Area of Opportunity though the preparation of an Area Action Plan.</u> In the meantime, development will not be proposed in the LDF or otherwise permitted which might prejudice its long- term potential.</p>	<p>Supplementary Statement CS02E/2 In the light of Rep 172.05 and discussion at the Hearing.</p> <p>Note: this change supersedes that in para 7.1 of Position Statement CS02.</p>
<p>Para 6.3.21 – Replace the first sentence after the Policy with the following:</p> <p>The situation will be reviewed through annual monitoring, but in order to ensure confidence about housing delivery in the long term, the Area Action Plan would</p>	<p>Supplementary Statement CS02E/2 In the light of discussion at the Hearing</p> <p>Note: this change supersedes that in para 7.1 of</p>

Proposed Change	Reason
<p>need to be in place before the approval of the first review of the South East Plan. The Area Action Plan will indicate the circumstances under which land will be released and the sequence and phasing of development.</p>	<p>Position Statement CS02 and in Supplementary Statement CS02E.</p>
<p>Para 6.3.22 - Revise the tenth bullet point to read:</p> <ul style="list-style-type: none"> • The provision of adequate access to the area <u>from the principal road network and the M20 motorway</u> avoiding the village of Eccles 	<p>Rebuttal Statement CS02 (para 6.4) In response to comments from the Highways Agency</p>
<p>Para 6.3.22 – Revise the twelfth bullet point to read:</p> <ul style="list-style-type: none"> • The relationship between any development and the Aylesford Wastewater Treatment Works <u>including any need to extend the works</u> 	<p>Rebuttal Statement CS02 (para 4.3) In response to comments from Southern Water</p>
<p>Para 6.3.22 - Add the following bullet point:</p> <ul style="list-style-type: none"> • The relationship between any development and the employment uses on the west bank of the river. 	<p>Position Statement CS02 In response to Rep 253.01</p>
<p>Para 6.3.24 - Revise the end of the paragraph to read:</p> <p>Housing for key for essential workers can fall into any one of the above categories, depending on the disposable income of the household. <u>Affordable housing should remain at an affordable price for future eligible households, or, if this restriction is lifted, the subsidy should be recycled for alternative affordable housing provision</u></p>	<p>Position Statement CS05 In response to Rep 158.07</p>

Proposed Change	Reason
<p>Para 6.3.30 – Revise to read:</p> <p>6.3.30 Affordable housing provision and the proportion of social rented housing will be monitored and kept under regular review and <u>if justified</u> the level to be sought on development sites will be revised <u>downwards</u> as necessary through the production of a Supplementary Planning Document. Further advice on the provision of affordable housing is contained in an Affordable Housing Guidance Note (to be updated to reflect the new policy context).</p>	<p>Rebuttal Statement CS05 (para 2.7) In response to comments from the Home Builders’ Federation</p>
<p>Policy E1 – revise part 2 of the Policy to read:</p> <p>2. Employment areas that:</p> <p>(a) are well located to the main road and public transport network, <u>and</u>;</p> <p>(b) <u>provide, or are physically and viably capable of providing through redevelopment, good quality modern accommodation attractive to the market, and:</u></p> <p>(c) are capable of meeting a range of employment uses <u>to support the local economy;</u></p> <p>will be safeguarded for such purposes. Redevelopment of such sites for housing, retail or other non-employment uses will not be proposed in the LDF or otherwise permitted.</p>	<p>Rebuttal Statement CS08 (para3.5)</p> <p>Rebuttal Statement CS08 and in response to discussion at the Hearing.</p>
<p>Para 6.3.46 – Revise the first part of the paragraph to read:</p>	<p>Position Statement CS09 and discussion at the</p>

Proposed Change	Reason
<p>6.3.46 In the north of the Borough, the main focus for retail development is the South Aylesford Retail Park at Quarry Wood. This Retail Park Quarry Wood contains a mixture of retail outlets for convenience and comparison goods and is considered to be the most suitable location for expansion <u>additional comparison goods retail development</u> if there is an identified need for comparison goods shopping that cannot be met within the Maidstone urban area.....</p>	<p>Public Hearing. in the light of Rep 180.09</p>
<p>Para 6.3.50 – Revise to read:</p> <p>6.3.50 The South East Plan identifies Tonbridge as a regionally important town centre and, together with Tunbridge Wells, as a Transport Hub of regional significance <u>Regional Hub</u> where investment in improving accessibility and economic development is to be promoted.</p>	<p>Position Statement CS13. In response to Rep 158.01</p>
<p>Policy CP24 (f) – Revise to read:</p> <p>(f) generally enhancing the public realm, including protecting and enhancing important open spaces and the creation of new ones, reducing the potential for anti-social behaviour and the fear of crime and making design statements at the gateways to the town centre.</p>	<p>Position Statement CS12. In response to Rep 91.11</p>
<p>Para 6.4.9 – Add the following words at the end of the paragraph:</p>	<p>Position Statement CS12. In response to Rep 175.20</p>

Proposed Change	Reason
<p>..... These will have to be determined on a case by case basis. <u>Where a developer considers that the full funding or provision of all necessary infrastructure and facilities is not possible, the Council will require the applicant to provide validated open book accounts, on a confidential basis, to substantiate their case.</u> The following policy provides the context for all development.</p>	
<p>Policy CP26.1 – Revise the second sentence to read [175.20]:</p> <p>All development proposals must therefore either incorporate the infrastructure required as a result of the scheme, or make provision for financial contributions <u>and/or land</u> to secure such infrastructure or service provision at the time it is needed, by means of conditions or a planning obligation.</p>	<p>Position Statement CS12. In response to Rep 175.20</p>
<p>Para 6.4.12 – Revise to read:</p> <p>6.4.12 For communities to be sustainable it is essential for a range of community services to be available. Community Services include schools and other education provision, social services, adult education, libraries, <u>community and youth services, health, culture, places of worship, police and emergency services, recreation and amenity space, sport, local shopping, public utilities and transport.</u> The Development Land Allocations DPD will identify specific proposals based upon detailed advice from service providers. The LDF will therefore inform the investment programmes of community infrastructure providers. <u>For a full definition of infrastructure see Figure 2 in the South East Plan Implementation Plan.</u></p>	<p>Position Statement CS12. In response to Reps 223.01/02, 292.01, 303.01</p> <p>Position Statement CS13. In response to Reps 158.10, 60.01, 303.02</p>

Proposed Change	Reason
<p>Policy 27.3(c) Revise section 3(c) to read:</p> <p>(c) the applicant has proved to the satisfaction of the Council that for the foreseeable future there <u>is</u> likely to be an absence of need or <u>adequate</u> support for the facility.</p>	<p>Position Statement CS12. In response to Rep 175.21 and 310.01</p>
<p>Annex B – make the following amendments to the documents listed in Annex B:</p> <ul style="list-style-type: none"> • The Local Transport Plan for Kent (2005) <u>2006-2011 (2006)</u> • Kent Biodiversity Action Plan (1997) <u>(2005)</u> • Kent Community Strategy – <i>Vision for Kent</i> (March 2002) <u>(April 2006)</u> • Kent Minerals Local Plan : <u>Brickearth (1986); Construction Aggregates(1993); Chalk & Clay/Oil & Gas (1997)</u> 	<p>Position Statement CS11. In response to Rep 78.03</p> <p>Position Statement CS13. In response to Rep 175.23</p>
<p>Key Diagram – Improve contrast between colours used for the Green Belt and the Strategic Gap</p>	<p>Position Statement CS11 para 2(3) In response to Rep 171.11</p>
<p>Key Diagram – add a symbol to identify Quarry Wood as the “Preferred location for comparison retail development” pursuant to Policy CP23.1(c)</p>	<p>Rebuttal Statement CS09 para 2.1. In response to representations from AXA.</p>
<p>Proposals Map – Delete land from the Special Landscape Area as identified under Annex A to Position Statement CS07</p>	<p>Position Statement CS07 – Annex A</p>

SCHEDULE 3

SCHEDULE OF CHANGES REQUIRED TO MAKE THE TONBRIDGE AND MALLING CORE STRATEGY SOUND

Policy context

Amend paragraph 2.2.4 to include a commitment to an early review of the Core Strategy if it is no longer in general conformity with the emerging RSS as finally approved.

Green Belt

Amend paragraph 6.2.4 to read as follows:

It is a matter for the LDF to assess whether there are any local circumstances that justify changes to Green Belt boundaries in the Borough. In preparing the Core Strategy the Council identified only one significant location where it believed exceptional circumstances exist that justify the removal of land from the Green Belt. In addition, there were some minor refinements to the village confines of Birling, Ryarsh and Platt and the urban area of Tonbridge at the Weald of Kent School.

Amend paragraph 6.2.9 to read as follows:

The inner boundary of the Green Belt around settlements was defined in previous Local Plans. In accordance with the advice contained in Annex B of PPG2 (Green Belts), and to ensure that the boundaries of the Green Belt would endure, the Council specifically excluded certain sites from the Green Belt around Tonbridge, and at Hadlow, Wrotham and Plaxtol so that they could remain available to meet long-term development needs. Those areas that have not been developed will be retained as safeguarded land.

Delete paragraph 6.2.10

Amend Policy CP4 to read as follows:

**POLICY CP4 The following areas are defined as
Safeguarded Land and reserved for future
development.**

**(a) North of Lower Haysden Lane,
Tonbridge;**

- (b) North of Dry Hill Park Road,
Tonbridge;**
- (c) Carpenters Lane, Hadlow;**
- (d) Land at Howlands Allotments,
Wrotham**

They will not be released for development before 2021 other than through a review of the Local Development Framework and only then if there is a demonstrable shortfall of housing land relative to the prevailing requirements of the South East Plan.

The location of sites (a) and (b), which are of strategic significance, are shown diagrammatically on the Key Diagram. The precise extent of the areas of safeguarded land is shown on the Proposals Map.

Delete paragraph 6.2.11

Make any other consequent changes that are necessary to ensure consistency throughout the CS.

Special Landscape Areas

Delete Policy CP8 and paragraphs 6.2.20 – 22.
Remove any references to Special Landscape Areas elsewhere in the CS.