

Maidstone Borough Council

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Date: 31st May 2017

Dear Mr Hinton

Tunbridge Wells Borough Local Plan: Issues & Options Consultation & draft Landscape Character Assessment SPD

Thank you for consulting Maidstone Borough Council on the above documents.

The responses below are officer level comments, submitted in order to meet the consultation deadline of 12th June. This response will be considered by my council's Strategic Planning, Sustainability and Transportation Committee on 13th June. Following this meeting I will write to confirm if there are any adjustments to this response as a result of the Committee's consideration.

Issues & Options document

Question 1 re Draft Vision

The proposed Local Plan Vision commences with the statement that 'in 2033 Tunbridge Wells Borough Council will have delivered development to meet its local needs in a sustainable way'. In response, this reference to local needs is on the face of it contrary to the National Planning Policy Framework and the National Planning Practice Guidance and is therefore the wrong starting point for the Plan. It is considered that the Plan's objective should be to meet all of the borough's development needs (where this is consistent with national policy) and not be limited

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to 'local' needs, however this is to be defined. For housing, the NPPF explicitly requires local planning authorities to take account of migration when identifying the amount of housing needed (paragraph 157) and not to limit requirements to natural growth only. Similarly Local Plans are required to plan for anticipated economic inward investment and new and emerging business sectors which may locate in an area (paragraph 21), emphasising that development needs may go beyond those generated by existing local businesses.

The reference to local needs should be omitted from the draft Vision.

Question 5 Draft Strategic Objectives.

Draft Objective 4 is 'To provide high quality housing: to deliver the Local Plan's housing requirements, to include a range of housing types to meet local needs.' The NPPF does not support limiting provision to local needs, instead directing that a mix of housing should reflect demographic and market trends (which would include migration) and the needs of specific groups (paragraph 50).

The reference to local needs should be omitted from the draft Strategic Objectives.

Q6e/f – Main housing issues affecting the borough

As drafted, this section does not mention the requirement to provide for the specific accommodation needs of Gypsies and Travellers in the borough. Whilst Tunbridge Wells borough is understood to have a relatively small established population of Gypsies, Travellers and Travelling Showpeople, making planned provision for this community is an issue that must be considered and addressed through the Local Plan, drawing on an up to date assessment of needs. There may also be a need to make specific site allocations in the Plan as a result.

Q7 Cross boundary strategic planning

The consultation document lists some examples of potential cross-boundary strategic planning issues, the first being 'how the growth and development needs of the wider area can be accommodated'.

Consultation on proposed Main Modifications to the Maidstone Borough Local Plan has recently closed. Subject to the findings of the Local Plan Inspector in his final report, the Local Plan will provide for this borough's development needs for housing, employment, retail and Gypsy & Traveller needs up to 2031. A planned review of the Plan to be adopted by April 2021 will, amongst other things, reinforce the housing land supply position for the post 2026 period and, potentially, roll the end date of the Plan forward.

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Based on the work to date, the Issues & Options consultation document states that “the Council may face significant challenges in seeking to provide for the borough's relevant level of development need in the light of very significant landscape, environmental and infrastructure constraints” (paragraph 5.4). The document goes on to state that “the starting point is to meet the identified level of development needs in full, unless there are good planning reasons why this is not sustainable; for example, because of development constraints” (paragraph 5.17). Section 1 of the document identifies such potential constraints as including infrastructure capacity, highway capacity and congestion, landscape sensitivity, flooding and the nature of the existing built environment. It is understood that this draws on the council's Development Constraints Study 2016 which provides a factual overview of the geographical location of environmental, transport and Green Belt constraints but does not, as yet, reach conclusions on the development capacity of the borough.

Clearly this is a relatively early stage in the Plan making process and significant relevant studies are yet to be completed, in particular highways modelling, a Green Belt Review and further infrastructure capacity work.

As well as the identification of constraints, the work done to explore how such constraints can be overcome is likely to prove crucial. This accords with the NPPF requirement that Local Plans' starting point is to meet identified needs in full and not be limited to an assessment of local requirements. A pro-active and iterative approach which explicitly tries to address constraints is likely to be strongly linked to the demonstration that the Local Plan has been positively prepared.

Only if it is adequately demonstrated, through evidence and positive planning, that needs cannot be met in full should the scope for provision in other authority areas be explored. With respect to housing, the relevant geographical area is the housing market area (NPPF paragraph 47). The Sevenoaks and Tunbridge Wells SHMA (2015) identifies a single HMA covering Sevenoaks, Tunbridge Wells, Tonbridge and Crowborough (in East Sussex). The SHMA advises that in the event of an unmet need it would be appropriate to approach the authorities which share the HMA (in whole or in part) namely Sevenoaks, Tonbridge & Malling, Wealden and Rother. In the event of a proven unmet need, MBC would therefore expect opportunities to be fully explored in these authority areas as the priority.

In a similar vein, the Tunbridge Wells Economic Study (2016) concludes that Tunbridge Wells borough shares a functional economic market area with Sevenoaks District and Tonbridge & Malling borough, reflecting, in particular, the pattern of

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strongest commuting flows. These are the authorities with which Tunbridge Wells borough has the strongest economic links where any unmet needs should most appropriately be directed.

A further strategic issue identified in the consultation document is transport connections with Maidstone.

The principal road connections between the boroughs are A26 which connects Maidstone and Tunbridge Wells and A229 (Cranbrook/Staplehurst and then Maidstone). In respect of rail links, the Tonbridge to Ashford line connects Paddock Wood with the settlements of Marden, Staplehurst and Headcorn. Rail connections between Royal Tunbridge Wells and Maidstone town are indirect, requiring changes at both Tonbridge (Tonbridge - Hastings line) and Paddock Wood to reach Maidstone West via the Medway Valley Line.

As noted above, commuting patterns for Tunbridge Wells are strongest with Tonbridge & Malling, Sevenoaks and London whereas for Maidstone borough commuting flows are greatest with Tonbridge & Malling and London and Medway. The scale of commuting between Maidstone and Tunbridge Wells borough is, relative to other areas, less significant.

This understood, proposals which could upgrade transport connections, and specifically public transport services, between the boroughs would be welcome in principle. MBC would therefore request further clarification and discussion on this subject area as part of the Duty to Co-operate between the two authorities.

Landscape Character Area Assessment SPD

Section 7 of the document identifies that landscape character does not stop at administrative boundaries and that the assessment aims to join up with the equivalent studies in neighbouring areas. For Maidstone borough it is the 'Maidstone Landscape Character Assessment' (March 2012) to which the assessment's authors should have regard.

I hope these comments are helpful and I look forward to continuing, constructive dialogue on strategic, cross boundary issues as part of the Duty to Co-operate as your Local Plan progresses.

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Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M. Egerton'.

Mark Egerton
Planning Policy Manager

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