

**Strategic Planning,
Sustainability and
Transportation Committee**

8 November 2016

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

Response to Regulation 18 Consultation on the Tonbridge and Malling Local Plan

Final Decision-Maker	Strategic Planning, Sustainability and Transportation Committee
Lead Head of Service	Rob Jarman, Head of Planning and Development
Lead Officer and Report Author	Mark Egerton, Planning Policy Manager
Classification	Public
Wards affected	All

This report makes the following recommendations to this Committee:

1. That the Committee agrees the formal response to Tonbridge and Malling Borough Council Local Plan Regulation 18 Consultation

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all
- Securing a successful economy for Maidstone Borough

This report has regard to strategic proposals by an adjoining authority that may impact on the road network, residential amenity and employment in Maidstone Borough

Timetable

Meeting	Date
Strategic Planning, Sustainability and Transportation Committee	8 th November 2016

Response to Regulation 18 Consultation on the Tonbridge and Malling Local Plan

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Further to the informative report presented to the 11th October 2016 committee, this report provides a proposed response to Tonbridge and Malling Borough Council ("TMBC") in respect of its Local Plan Regulation 18 consultation. The Committee is asked to approve the proposed response in order that it may be submitted by the 25th November 2016 deadline.
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2. INTRODUCTION AND BACKGROUND

- 2.1 TMBC is producing a new Local Plan, to replace its current suite of Local Plan documents. The new Local Plan will have a time horizon up to 2031.
- 2.2 On 30th September 2016 TMBC published the first stage of its new Local Plan "The Way Forward" for public consultation.
- 2.3 This early stage consultation sets out the issues that need to be addressed by TMBC in its forthcoming Local Plan and a potential development strategy for the way forward, as well as associated technical assessments. It follows a 'call for sites' exercise, which took place between April 2014 and 1st September 2015 and received over 250 submissions. Following this consultation, TMBC's Local Plan timetable also proposes consultation in April 2017 on its 'Preferred Option'. The next formal consultation (Regulation 19) will then be on the proposed submission version of the Local Plan, which is due to take place in September 2017.
- 2.4 On 11th October 2016, an informative report was presented to the Committee to draw attention to this early stage consultation.
- 2.5 Officers have now considered TMBC's proposals. The stated purpose of the consultation is:
- "1. To identify the challenges that the Local Plan needs to address in terms of housing need, economic development, habitat protection etc.
2. To identify a potential strategy to respond to these challenges
3. Overall, to engage local people, groups, businesses and others in those choices"
- 2.6 The consultation document includes the following key points:
- A requirement to meet a housing need of 13,920, or 696 homes per year – an additional 6,000 homes overall once existing planning permissions and known sites are taken into consideration
 - A need to find up to 33 hectares of employment land
 - A need to work out 'a strategy for accommodating growth that could consider land adjacent to a range of settlements (including urban

areas), look at land in the least constrained parts of the borough, or land close to transport hubs, a mixed portfolio of sites both big and small, and consider a sustainable level of growth to facilitate improvements to infrastructure...'

- A map providing a potential development strategy, attached as Appendix A of this report.

2.7 The potential strategy includes a number of sites that are near to the border with Maidstone Borough, including 'South Aylesford and Ditton'. The accompanying text for this area states:

"The area, broadly from the A20, south and eastwards across Hermitage Lane to Kiln Barn Lane, is worthy of further consideration as a strategic development opportunity. It includes land currently farmed and part of the East Malling Trust land. This is an area that has historically provided some open separation between communities in the borough and Maidstone, but is otherwise relatively free of land use planning constraints. Development in Maidstone Borough has continued in a piecemeal form up to the borough boundary and along Hermitage Lane.

There is an opportunity here to consider a strategic approach to housing provision and some employment development of a scale that could provide longer term solutions to transport challenges in the vicinity. It would need a collaborative approach between landowners otherwise the essential purpose would be lost. A new road could link the south side of the South Aylesford Business Park across Hermitage Lane to the A20 and M20 to provide a highway solution that could bring significant benefit. This will need careful testing. There may also be an opportunity to improve Barming railway station and to integrate new education and health care facilities."

- 2.8 The consultation also provides final assessment of TMBC's call for sites. While this has informed the potential development strategy, TMBC have stated that this does not represent an assessment of whether sites will be allocated for future uses in the new Local Plan and that yields are a simple overall estimation at an indicative density of 30 dwellings per hectare rather than considering local policy considerations, character and the need for supporting infrastructure.
- 2.9 Excluding potential residential development at East Malling Research and excluding potential employment uses, 8 (eight) sites are located in the vicinity of Hermitage Lane, producing a yield of 2,730 residential units.
- 2.10 Having considered comments from Members, officers have produced a proposed response to the consultation expressing significant concerns regarding the proposals. This is attached as Appendix B.
- 2.11 Given the limited detail provided in the consultation, the response seeks to focus on key concerns associated with the location of new development near to Maidstone Borough. It also considers the current issues in this area, with a focus on current transport problems and the potential, additional negative impact of the proposed future development. The response also highlights concerns regarding air quality and open space as examples of matters requiring detailed consideration.

- 2.12 It is apparent that some of the concerns, particularly transport related issues, will also require Kent County Council to take ownership and responsibility to ensure appropriate resolution and mitigation. The response also highlights this issue.
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3. AVAILABLE OPTIONS

- 3.1 There are two options available to Members. Firstly, the Council could send a formal response to the consultation (with any amendments deemed necessary by this Committee).
- 3.2 Secondly, Members could choose not to make a formal response to the Tonbridge and Malling Borough Council Local Plan Regulation 18 consultation.
- 3.3 Choosing to make a response will help ensure that Maidstone Borough Council's comments and concerns are provided to Tonbridge and Malling Borough Council at an early stage in order that they may be considered as its Local Plan is produced. If no formal representation is made, this would result in a missed opportunity for the Council to set out its position and concerns in respect of this important stage of Local Plan production for a neighbouring local planning authority.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 As set out above, the preferred option is for the Council to submit a formal response to Tonbridge and Malling Borough Council consultation (with any amendments deemed necessary by this Committee) as set out in paragraph 3.1 above. This will help ensure that Maidstone Borough Council's comments and concerns are provided to Tonbridge and Malling Borough Council at an early stage in order that they may be considered as its draft Local Plan is prepared.
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5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 If the Strategic Planning, Sustainability and Transportation Committee agrees a proposed response, this will be submitted to Tonbridge and Malling Borough Council by the 25th November 2016 consultation deadline.
- 5.2 Regulation 18 is the first formal Local Plan consultation stage. Following this, the next formal consultation (Regulation 19) will be on the proposed submission version of the Local Plan, which is due to take place in September 2017. However, Tonbridge and Malling's Local Plan timetable also proposes consultation in April 2017 on its 'Preferred Option'.

5.3 Officers will use opportunities for formal and informal consultation with Tonbridge and Malling Borough Council to ensure this Council's views are expressed. The Committee will be informed as key proposals emerge.

6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	This report has regard to strategic proposals by an adjoining authority that may impact on the road network, residential amenity and employment in Maidstone Borough	Rob Jarman (Head of Planning and Development)
Risk Management	The Council is complying with the duty to co-operate with Tonbridge and Malling Council	Rob Jarman (Head of Planning and Development)
Financial	No financial implications arising from this report	Mark Green, Section 151 Officer and Finance Team
Staffing	No staffing implications. This will be managed with existing staffing resources.	Rob Jarman (Head of Planning and Development)
Legal	Regulatory processes and statutory requirements are currently being followed in respect of this matter.	Kate Jardine, Team Leader (Planning), Mid-Kent Legal Services
Equality Impact Needs Assessment	The consultation proposals are not detailed enough to raise any concerns	Anna Collier, Policy and Information Manager
Environmental/Sustainable Development	Regulatory processes in respect of this matter have been followed	Rob Jarman (Head of Planning and Development)
Community Safety	No implications	Rob Jarman (Head of Planning and Development)
Human Rights Act	The consultation proposals are not detailed enough to raise any concerns	Rob Jarman (Head of Planning and Development)

		Development)
Procurement	No implications	Rob Jarman (Head of Planning and Development)
Asset Management	No implications	Rob Jarman (Head of Planning and Development)

7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A: Tonbridge and Malling Local Plan Regulation 18 Potential Development Strategy – September 2016
- Appendix B: Maidstone Borough Council response to Tonbridge and Malling Local Plan Regulation 18 consultation

8. BACKGROUND PAPERS

None