

## **Tunbridge Wells Borough Draft Local Plan 2013-2033: Issues and Options Consultation**

<b>Final Decision-Maker</b>	Cabinet
<b>Portfolio Holder(s)</b>	Councillor Alan McDermott – Portfolio Holder for Planning and Transportation
<b>Lead Director</b>	Lee Colyer – Director of Finance, Policy and Development
<b>Head of Service</b>	Karen Fossett – Head of Planning Services
<b>Lead Officer/Author</b>	Kelvin Hinton – Planning Policy Manager
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

**This report makes the following recommendations to the final decision-maker:**

1. That the progress in preparation of the new Local Plan evidence base and the proposed next steps including the Regulation 18 public consultation be noted;
2. That the Issues and Options Regulation 18 document appended to this report be approved as forming the basis of the relevant consultation; and
3. That public consultation on the Issues and Options document, including publishing public notices, be undertaken for a period of 6 weeks from 2 May to 12 June 2017.

**This report relates to the following Five Year Plan Key Objectives:**

- A Prosperous Borough
- A Green Borough
- A Confident Borough

The Local Plan Review is progressing preparation of a new Local Plan which will set out a development strategy for the Borough for the period 2013 - 2033, including allocation of land for housing, employment, retail, community and other uses, and identification of land which should be protected from development. The new Local Plan will promote a strategy of sustainable development which balances the Council's key corporate objectives.

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
Management Board	1 March 2017
Planning Policy Working Group	17 January and 07 March 2017
Discussion with Portfolio Holder	07 March 2017
Cabinet Advisory Board	20 March 2017
Cabinet	13 April

# Tunbridge Wells Borough Local Plan 2013/2033: Issues and Options Consultation

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report updates members on progress towards completing the new Local Plan evidence base and sets out proposals and arrangements for the Local Plan Issues and Options Regulation 18 public consultation to commence in May.
  - 1.2 This report presents and provides an overview of the intended Issues and Options document, including possible strategy options. Members are asked to comment on the draft Issues and Options document, attached as Appendix A, endorse its approach and content, prior to consideration by Cabinet at its meeting on 13 April.
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 As members will be aware, work has been progressing on the preparation of a new Tunbridge Wells Borough Local Plan. The Local Plan will make clear what is intended to happen regarding development and growth in the Borough over the life of the Plan 2013/2033, where and when this will occur and how it will be delivered. This can be done by setting out broad locations and specific allocations of land for different purposes; through designations showing areas where particular opportunities or considerations apply (such as protected habitats); and through criteria-based Development Management policies to be taken into account when considering planning applications and development proposals.
- 2.2 The focus of work over the last 12 months has been the establishment of an evidence base to inform the new Local Plan and the preparation of an Issues and Options document for public consultation in 2017 (Local Plan Regulation 18 Consultation). Regular update reports have been presented to the Planning Policy Working Group (PPWG) during 2016 and there have been a number of Local Plan presentations to members, parish and town councils and the Town Forum.
- 2.3 Officers have now reviewed the findings from the prepared and ongoing evidence base studies and considered the content and format of a draft Issues and Options document, ready for public consultation. Preparation of this document represents a key stage in the plan making process and the resulting consultation will be the first opportunity for stakeholders and the public to comment on the issues facing the Borough and possible options to address these, as well as an emerging strategy to meet future development needs.
- 2.4 There are some elements of the existing Core Strategy (CS) and Site Allocations Local Plan (SALP) that will be able to be retained and rolled forward

into the new Plan, given these remain valid and, in the case of the SALP, are recently confirmed allocations. As national planning policy changed in 2012, however, with the introduction of the National Planning Policy Framework (NPPF), and with the increase in housing and economic development need to be accommodated in the Borough, there are other elements which will need to be reassessed and updated.

- 2.5 The new Local Plan will set out an updated vision and a framework for the future development of the Borough, addressing needs and opportunities in relation to not only housing and the economy, but also community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. The Local Plan is also, as mentioned above, a critical tool in guiding decisions about individual development proposals, as it is the starting point for considering whether applications can be approved.
- 2.6 The draft Tunbridge Wells Borough Local Plan Issues and Options document (Local Plan Regulation 18 Consultation), as presented to this meeting, is in the format that it is intended will be published for public consultation. It should be noted, however, that minor amendments may still be required to the document to ensure it is up to date, i.e. if updated material evidence is completed and becomes available before the intended consultation. Minor presentational and text changes may also be needed.

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### **3. NATIONAL PLANNING POLICY FRAMEWORK (NPPF) CONTEXT**

- 3.1 It is important to remember that the Council has not prepared a comprehensive Local Plan for over ten years and that in the intervening time there have been many changes to the planning system at the national level, including national planning policy and associated guidance.
- 3.2 Members have previously been briefed on the implications of the NPPF in regard to both plan making and decision making of planning applications. In relation to preparation of a new Local Plan and this report, it is important to note that:
  - The NPPF introduces a presumption in favour of sustainable development and states that local planning authorities should positively seek opportunities to meet the development needs of their areas. Every effort should be made to identify, and then meet housing, business and other development needs and respond positively to wider opportunities for growth.
  - Planning decisions should be genuinely plan-led. Plans should be kept up to date and the Council has a duty to cooperate with neighbouring authorities and relevant organisations in preparing its plans.
  - In relation to housing, local authorities should identify a supply of specific deliverable sites sufficient to provide five years' worth of housing development against their requirements. Authorities should also provide an additional buffer of 5% to ensure choice and competition in the market for

land. In areas where there has been a record of under-delivery against housing requirements, this buffer should be 20%. Beyond this five-year period, authorities should identify specific sites or broad locations to meet growth for years 6 to 10 and, where possible, for years 11 to 15.

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#### **4. LOCAL PLAN EVIDENCE**

- 4.1 Members of the Planning Policy Working Group (PPWG) have received comprehensive reports, presentations and updates over the last 12 months regarding the various studies and pieces of work undertaken in order to establish an evidence base to support the work of preparing a new Local Plan. Key elements of this relate to establishing the housing, economic, retail and leisure development needs of the Borough.

##### Strategic Housing Market Assessment (SHMA)

- 4.2 A key piece of evidence work for the Local Plan is the establishment of the Objectively Assessed Need (OAN) in regard to housing through the production of a Strategic Housing Market Assessment (SHMA).
- 4.3 The Council's current SHMA was completed and published in late 2015 and identified an OAN figure of 12,960 units over the period 2013/2033, equating to 648 units per year.
- 4.4 Since publication of the SHMA the latest national population and household projections have been published and in addition the Council's Economic Needs Study has been completed, which seeks to identify the potential for economic growth. As a result, our consultants have been asked to review the new data, produce a SHMA update and advise whether any revision of the OAN is necessary. This update will be available in due course once the implications of the Housing White Paper have been considered.

##### Economic Needs Study (ENS)

- 4.5 This is a second piece of key evidence work for the Local Plan. The Council's ENS was completed and published in autumn 2016 with the results presented to PPWG members in advance. The study conclusions included that existing employment areas are performing well, but identified a lack of new supply and land as key concerns. The study recommended that the Council should "Plan Positively" to meet this identified need to meet economic growth and for the Borough to realise its full economic potential.
- 4.6 Based on promotion of 10,000 new jobs (2013-2033) the study recommended that the new Local Plan seeks to provide 11-15 hectares of B class employment land as a level of Objectively Assessed Need. (Class B: office, light industrial, research and development, warehousing/storage)

## Retail and Leisure Study (RLS)

- 4.7 This final key study in identifying overall development need in the Borough is at an advanced stage and the final report will be available to be published in April. As recently reported to PPWG members, it considers that Royal Tunbridge Wells is a thriving and healthy centre and identifies a need for 8,000-10,000sqm of convenience retail floorspace (i.e. new food and convenience stores) and 21,000-32,000sqm of comparison retail floorspace, as well as improvements to leisure provision. It is expected that the majority of this development should be directed to Royal Tunbridge Wells as the primary regional centre.
- 4.8 The new Local Plan will need to provide retail and leisure growth opportunities to enhance the existing centres (Royal Tunbridge Wells in the main, but also limited improvements to the smaller centres) in order to maintain their vitality and viability for investors and their attractiveness to residents and visitors over the longer term.

## Strategic Land Availability Assessment (SLAA)

- 4.9 The NPPF requires councils to prepare Strategic Land Availability Assessments (SLAAs) to demonstrate the availability of potential development sites within their area.
- 4.10 A SLAA is a technical assessment of sites that may have housing, economic, retail, etc. development potential and is a background document to help inform the plan making process. In assessing the supply of potential development sites, the SLAA must consider if land is 'suitable' for development, 'available' and 'deliverable'.
- 4.11 It is important to note that the SLAA does not determine whether housing (or any other development) will be built on a particular site. This is because not all sites considered in the assessment will be suitable for development (e.g. because of policy constraints or if they are unviable). It is the role of the assessment to provide information on the range of sites that are available to meet need, but it is for the Local Plan itself to determine which of those sites are the most suitable to meet those needs and to allocate as appropriate.
- 4.12 Based on national policy and guidance it is normal for councils in the early stages of plan preparation to carry out what is known as a 'Call for Sites'. This involves inviting individuals and organisations to identify sites and broad locations in the Borough for possible development. The Council conducted a Call for Sites between February and September 2016, which resulted in approximately 270 site submissions. These have been reported to PPWG and information made available on the Council's website.
- 4.13 The majority of sites have now being visited and initially assessed, a process which should be completed by the end of March 2017. The results of the work will be reported to PPWG as an interim stage SLAA and subsequently published in time for the Issues and Options consultation. A second Call for Sites is intended to take place in parallel with the Issues and Options consultation.

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## **5. CONSULTATION DRAFT TUNBRIDGE WELLS BOROUGH LOCAL PLAN ISSUES AND OPTIONS DOCUMENT**

### Format and Structure of Document

- 5.1 A copy of the draft Issues and Options document accompanies this report. A brief overview of the consultation document format/structure is provided below.
- 5.2 Foreword and Introduction. A Foreword from the Planning and Transportation Portfolio Holder is included, together with the Introduction which outlines: details of the consultation, the need for a new Local Plan, the type of plan document proposed, the evidence and information that is being gathered to inform the new Plan; the Sustainability Appraisal and Habitats Regulation Assessment processes; and next steps in the Plan preparation.
- 5.3 Context for Development. A profile of the Borough in terms of its context, settlements, demographics, housing, economy and environment is provided.
- 5.4 Vision and Objectives. A new draft Vision and set of strategic objectives is presented, which will set the scene for the emerging development strategy of the Borough.
- 5.5 Key Issues and Challenges. Identification of issues and challenges that the new Local Plan will need to address, based on work to date, arranged under themes of: Environment, Infrastructure, Housing, Economy, Transport and Parking, Leisure and Recreation, and Sustainability.
- 5.6 Strategy Considerations. Commentary on matters influencing consideration of the possible development strategy for the Borough, including: cross boundary issues, Duty to Co-operate engagement with neighbouring authorities, a revised settlement hierarchy, and approach to settlement development boundaries.

Identification of five draft strategic options to provide a framework for delivering development in the Borough.

- 5.7 Development Management Policies. Confirmation that a review of current development management policies is required as part of the process of preparing a new Local Plan and inviting comment on what existing policies remain fit for purpose and what new policies are required.

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## **6. STATUS OF DOCUMENT IN PLAN MAKING PROCESS**

- 6.1 Having an up to date, post NPPF 2012 Local Plan is essential in meeting the development needs of the Borough if a plan-led approach is to be achieved and if the Council is to maintain local decision making in the management of development. The new Local Plan is intended to cover the period 2013 to 2033.

- 6.2 The production of an Issues and Options document for consultation marks the start of stakeholder engagement in the preparation of a new Local Plan for the Borough and represents the first formal consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requiring that various bodies and stakeholders be notified that the Council is preparing a new Plan.
- 6.3 The stage also represents the publishing of a document to scope and inform what should be included in the draft Plan and, through the consultation, invite comment on what the Plan should seek to address and how. It provides an opportunity for wider debate on the future of the Borough and the current social, economic and environmental issues.
- 6.4 The document is intended to present:
- a draft Vision and set of strategic objectives
  - an outline of the issues facing the Borough
  - possible options for a future Borough development strategy
  - an opportunity for public and other stakeholder comment on options for accommodating levels of growth and development
- 6.5 It is important to make clear that, while the Issues and Options document forms part of the overall process of preparing a new Local Plan, it is not of itself a draft development plan or new planning policy. It is by definition a consultation document setting the scene for subsequent preparation of a draft plan document, inviting comments/views, and is intended to help shape the nature and content of the new Local Plan.
- 6.6 Therefore, in agreeing that the Issues and Options document proceed to consultation, members are not making any set decisions at this stage regarding: the direction of future strategy, future planning policy or the allocations of sites, etc. Decisions on these matters are for the future stages of the Plan preparation once the outcomes of the consultation on the Issues and Options document are known and have been considered, along with the conclusions of the remaining evidence studies and the Strategic Land Availability Assessment.
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## **7. AVAILABLE OPTIONS**

### **7.1 Note the progress made in preparation of the new Local Plan evidence base only and decide not to proceed to Issues and Options Consultation.**

The focus of work over the last 12 months has been the establishment of an evidence base to inform the new Local Plan and the preparation of an Issues and Options document for public consultation in 2017. Preparation of this document represents a key stage in the plan making process and not proceeding as intended would lead to delay in the overall timetable to produce an up to date Local Plan with associated risks.



7.2 Amend the draft Issues and Options document before proceeding to public consultation.

The draft Issues and Options document has been prepared with full regard to the prepared evidence base and background information. The Planning Policy Working Group has considered the draft document and has commended it for consultation with no substantial changes. There is no identified need or reasons to make further changes to the document.

7.3 Note the progress made in preparation of the new Local Plan evidence base and agree that the presented Issues and Options document be subject to public consultation under Regulation 18.

The focus of work over the last 12 months has been the establishment of an evidence base to inform the new Local Plan and the preparation of an Issues and Options document. The Planning Policy Working Group has commended the document for consultation with no substantial changes. Publishing the Issues and Options document for public consultation will enable continued progress in preparation of a new Local Plan in line with the Council's intended timetable.

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## **8. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 8.1 Progressing the Issues and Options Regulation 18 document to public consultation as described at 7.3 above is recommended for the reasons given.

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## **9. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

### **RECOMMENDATION FROM PLANNING POLICY WORKING GROUP**

- 9.1 The draft Issues and Options document was presented to and considered by the Planning Policy Working Group on 17 January 2017, and commended. Amendments and suggestions have been incorporated into the latest draft version.

### **RECOMMENDATION FROM CABINET ADVISORY BOARD**

- 9.2 The Planning and Transportation Cabinet Advisory Board was consulted on this decision at its meetings on 20 March 2017 and agreed the following:

That the recommendation in the report be supported.

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## **10. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 10.1 Work to establish the completed evidence base to inform the Local Plan Review will continue in accordance with the work plan and timetable presented to the

Planning Policy Working Group (PPWG). The broad programme is reflected in the Council's published Local Development Scheme document.

10.2 Full public consultation on the Issues and Options Regulation 18 document will follow agreement by Cabinet. The consultation will be undertaken for a period of 6 weeks from 2 May to 12 June 2017.

10.3 Following public consultation, all comments received will be considered and reported back to the PPWG for discussion. A consultation summary report will then be prepared and published as part of the overall Local Plan preparation process.

## 11. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Legal</b> including Human Rights Act	Local Planning Authorities are required to prepare and keep up to date a development plan for their area. Failure to do so may leave the Council's planning decisions at risk of appeal and could lead to intervention from the Government.	Russell Fitzpatrick Senior Lawyer Team Leader (Planning), Mid Kent Legal Services 09.03.17
<b>Finance</b> and other resources	No additional costs to the Council arise from the proposed evidence base Local Plan review work. Existing budget provision in place.  Budget is available from the Local Development Framework Earmarked Reserve, but the costs of consultation will be minimal.	Jane Fineman Head of Finance and Procurement 23.02.17
<b>Staffing establishment</b>	No additional staffing implications. Existing staff resources in place to progress a bid and evidence work.	Kelvin Hinton Planning Policy Manager 23.02.17
<b>Risk management</b>	Resources are in place to progress the Local Plan review work and no process, legal or other risks have been identified which would have a bearing on the proposed next stage.	Kelvin Hinton Planning Policy Manager 23.02.17
<b>Environment</b> and sustainability	The future Local Plan will set out a development strategy for the Borough, allocate sites for housing, employment, retail, community and other uses, and identify land which should be protected from development. It will therefore promote a sustainable form of development.	Kelvin Hinton Planning Policy Manager 23.02.17
<b>Community safety</b>	There are no community safety issues or effects in respect of crime and disorder.	Kelvin Hinton Planning Policy Manager 23.02.17

<b>Health and Safety</b>	There are no health and safety issues.	Kelvin Hinton Planning Policy Manager 23.02.17
<b>Health and wellbeing</b>	There are no health and well-being issues.	Kelvin Hinton Planning Policy Manager 23.02.17
<b>Equalities</b>	There are no equality issues.	Kelvin Hinton Planning Policy Manager 23.02.17

## 12. REPORT APPENDICES

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

- Appendix A: Tunbridge Wells Borough Local Plan Issues and Options (Reg 18 Consultation)
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## 13. BACKGROUND PAPERS

Tunbridge Wells Borough Council Local Development Scheme document April 2016:  
[http://www.tunbridgewells.gov.uk/\\_data/assets/pdf\\_file/0010/86671/LDS-April-2016.pdf](http://www.tunbridgewells.gov.uk/_data/assets/pdf_file/0010/86671/LDS-April-2016.pdf)

Tunbridge Wells Borough Council Local Plan Review Evidence Studies (Various)  
 (A large number of background studies and evidence documents have informed the preparation of the Issues and Options Document and Interim Sustainability Appraisal. These are listed in Appendix 1 of the Issues and Options Document and on the website at [www.tunbridgewells.gov.uk/localplan](http://www.tunbridgewells.gov.uk/localplan).)