

KENT ASSOCIATION OF LOCAL COUNCILS

Maidstone Area Committee - Chairman Geraldine Brown
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To: Tonbridge and Malling Borough Council
Local Plans Team
Gibson Building
Gibson Drive, Kings Hill, West Malling, ME19 4LZ
(email: localplan@tmbc.gov.uk)

14 November 2016

Dear Sir or Madam,

Tonbridge & Malling Local Plan - The Way Forward Regulation 18 - Issues and Options - September 2016

I am sending this letter on behalf of the Coordinating Team comprising the Kent Association of Local Councils (Maidstone Area), the Joint Parishes Group (a subset of Maidstone Parishes to the east and south of the Borough), the Campaign to Protect Rural England (Maidstone Branch), the Bearsted & Thurnham Society and Leeds Castle. We are, as a group, giving evidence to the current examination of the Maidstone Local Plan which began last month and is due to conclude in early December.

1. Tonbridge & Malling Borough Council (T&M) is taking great care to establish an up-to-date plan so that your community has greater control over where and when development takes place. You intend to have your new plan in place during 2019, your current plan having been adopted between 2007-10.
2. As you know, one of the key concerns of Inspectors examining local plans is whether the authorities concerned have met the Duty to Co-operate as set out in the National Planning Policy Framework (NPPF).
3. This letter majors on this issue and why it is of such importance in the relationship between T&M and Maidstone Borough Council (MBC).

Duty to Co-operate - requirement

4. This requires local authorities and public bodies to:
 - a) engage constructively, actively and in an ongoing basis in relation to the planning of sustainable development on strategic issues that cross administrative boundaries, including housing and employment. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities;
 - b) consider producing joint planning policies on strategic matters;
 - c) demonstrate evidence of co-operation, co-ordination and continuous engagement in dealing with cross-boundary issues when their Local Plans are submitted for examination e.g. by way of joint committees, formal agreements between LPAs, memoranda of understanding or jointly prepared strategies presented as evidence of an agreed position; and
 - d) engage continuously from initial thinking through to implementation.

The relationship between T&M and MBC

5. Economic activity in Kent is clustered around its main towns and in most cases these towns are located well within, and their urban spread does not cross, the boundaries of the districts to which they give their name: Sevenoaks, Ashford and Canterbury are examples.
6. For Maidstone and T&M, however, the situation is different.

7. The western boundary of Maidstone's urban area abuts that of Tonbridge and Malling Borough Council where it adjoins a number of Parishes which lie within the administrative boundary of Tonbridge and Malling – see attached extract from the OS map for the area (Attachment 1).
8. This boundary is wholly an historic and political construct. In reality, the way people live their lives is not defined or constrained by such boundaries, but is related to economic, employment, travel-to-work, housing, educational and recreational opportunities and markets that enable them to live their lives as they wish and to realise their aims and ambitions.
9. The built-up area of Tonbridge and Malling contiguous with Maidstone contains over 40,000 people (according to Wikipedia/ Parish Council web sites) – over 30% of the size of the urban area of Maidstone of which it forms an integral extension. The Tonbridge and Malling Core Strategy acknowledged (page 7) that the Parishes of Leybourne, East Malling, Larkfield, Ditton and Aylesford “*look predominantly eastwards to Maidstone for other than day to day services*”, (though we would argue that the pull of Maidstone extends further west and north west). MBC in their Local Plan make a similar point.

Employment Issues

10. The area covered by these Parishes contains some of the heaviest concentrations of industrial, commercial, office and warehousing development in the mid-Kent area. This is reflected in maps showing the employment density (number of workers per hectare) for Kent where the density for these Parishes reflects that of much of urban Maidstone.
11. The South Aylesford retail park at Quarry Wood, for example, contains a mixture of retail outlets often used by people travelling out of Maidstone. Indeed, some of the shops located there were once staples of Maidstone town centre. The New Hythe and Riverside Business Parks draw in labour from Maidstone. And the Kings Hill Business Park is recognised as being of sub-regional significance. The links with Maidstone are facilitated by nearby motorway connections and good road and rail links, while Tonbridge, 13 miles to the south west, has no such motorway connections and poor road and rail links.
12. There is a regular flow of commuters across the boundary. Attachment 2 from page 128 of the Historical Atlas of Kent shows these flows in 1991. The accompanying text (page 127) stated that there were over 6,000 journeys from Maidstone into Tonbridge and Malling. By January 2014, according to G L Hearn, combined daily flows between the two districts had risen to 13,900 – more than between Maidstone and any other location.
13. The detailed pattern of commuting has changed over the years, with the decline in employment at Aylesford Paper Mills and the growth in jobs in the new commercial and industrial estates bordering the Medway and office development at Kings Hill. But these cross-border flows remain an extremely important aspect of the jobs market in the two authorities requiring the closest co-operation to ensure that planning is done in such a way to be of mutual benefit to all concerned. For example, the brownfield Aylesford Paper Mill site – already provided with services - has the potential to provide for hundreds of new jobs in the area that would draw in workers from MBC as well as other local authorities, with a consequential impact on employment patterns and the provision of employment sites in those other areas.

Housing Numbers

14. Similar considerations apply to housing issues.
15. Your proposal recognises two Housing Market Areas exerting an influence on T&M: Maidstone & Malling and Sevenoaks/Tunbridge Wells/Tonbridge. As your document states, these HMAs reflect the key functional linkages between places where people live and work.
16. Your SHMA has identified an OAN of 696 homes p.a. over the period 2011-31. Taking account of building since 2011 (2,845), those in the pipeline with planning permission (4,244 as at 31st March 2016), 104 units from unimplemented allocations in your existing Development Plan and a windfall allowance for small sites (44 p.a.), you are left with a nett requirement of 6,000 units over the period to 2031, or 400 p.a.
17. We note that you have not made an allowance for larger windfall sites.
18. In paragraph 5.9.1 it is stated that:

“ the overall strategy illustrated on the map at Appendix F could represent a sound direction for the new Local Plan to take. This could, potentially, deliver in the region of 10,000 homes so it builds in some flexibility and choices at this stage, although this estimate would need to be subject to more detailed assessment”.

19. That implies that your built-in flexibility is some 4,000 units over the plan period.
20. We are concerned that the development strategy for South Aylesford and Ditton would add considerable pressure to the already heavily stressed Hermitage Lane – the Kent Messenger has reported plans for a further 2,800 houses adjacent to the boundary between the authorities. Maidstone Hospital is on that road and, as there is already tremendous congestion at rush-hours with adverse impact on emergency ambulances, additions to traffic are giving rise to serious concern.
21. Much of the south bound traffic along Hermitage Lane will end up going through the traffic lights at Watlingbury, which is already an area where air quality regulations are challenged, if not breached. Rush-hour delays at those traffic lights can already be very substantial.
22. Broadwater Farm also raises concerns in terms of settlement separation and rural impact.

Traffic & Coalescence

23. As noted above, Attachment 2 indicates the extent of commuting flows between T&M and MBC (and other nearby flows). While that information is dated, everyday observation indicates that commuting volumes have increased substantially, as confirmed by G L Hearn's figures.
24. In Attachment 3, MBC notes “severe traffic congestion” and that T&M's proposal could “allow settlements to coalesce with Maidstone”.
25. Both of those factors warrant dialogue between T&M and MBC to avoid both adverse impacts.

Gypsy & Traveller Sites

26. You have assessed a need for 21 pitches (2012-28) for Gypsy and Traveller sites.
27. However, we note that your assessment is based on an April 2013 report from University of Salford.
28. In paragraph 2.16, that report adopts a definition of “Gypsy & Traveller” based on the Housing Act 2004. Since that time, the definition has been very significantly revised by Government. As a result, University of Salford not only adopted a definition that was considerably wider than then-current Government policy, but one which is even further removed from current policy.
29. The soundness of the assessment of need for such sites may therefore be open to challenge.

Duty to Co-operate - implementation

30. A considerable amount of time has been taken up at the Maidstone Local Plan examination on whether the Duty to Co-operate has been met.
31. Following an FOI request, we have been told by MBC that, for the 22 meetings held with T&M since 2012, no papers were submitted and more than 70% went un-minuted.
32. The view of this Coordinating Team is that such record does not provide evidence of the constructive, active and on-going engagement intended by the NPPF.
33. While we are unsure of its accuracy, we are also somewhat distressed to see the Downsmail reporting that there is a somewhat less than cohesive approach to Local Plans between MBC and T&M. Please see Attachment 3.
34. It is the residents of the overall area who will endure any adverse impacts.

Conclusion

35. The above serves to illustrate how interdependent urban Maidstone is with the area of Tonbridge & Malling immediately to the west.
36. We believe that this calls for the closest possible working between the two authorities which goes substantially beyond that sought by MBC in the discussions leading up to the publication of its Local Plan, apparently confirmed by Attachment 3.
37. Accordingly, we respectfully request that the planning for these areas should be taken forward on the basis of a joint committee of the two councils that would be charged with drawing up

housing, employment, transport and other infrastructure plans for the area as a whole, so that coherent, strategic planning of the overall area reflects the position on the ground rather than the administrative border.

38. This is not a new concept, but one that was followed at the time of the Kent Structure Plan. It would also reflect the level of co-operation called for in the NPPF.
39. We recognise that local plans are moving to different timescales, but, as the Planning Practice Guidance points out, there are ways of overcoming such problems; by, for example, entering into formal agreements signed by the elected members of the respective authorities demonstrating their long-term commitment to a jointly agreed strategy on cross-boundary matters.
40. Given, as the Planning Practice Guidance points out, that Inspectors will expect to see such agreements at the examination to provide sufficient certainty that effective plans will be in place for strategic matters when the relevant local plans are adopted, there is every advantage of putting such arrangements in place early to ensure a smoother passage later on.
41. We would also encourage a joint approach with KCC Highways to update their traffic models for proposed housing and employment growth (and its potential locations) and to clarify where unacceptable situations may arise that may or may not be susceptible to meaningful mitigation, including taking account of air quality regulations.

Yours faithfully,



Geraldine Brown
Chairman

For and on behalf of the Coordinating Team of:

Kent Association of Local Councils Maidstone Area, Geraldine Brown, Chairman
Maidstone Joint Parishes Group, John Horne, Chairman
Campaign to Protect Rural England Maidstone Branch, Gareth Thomas, Chairman
Bearsted & Thurnham Society, Roger Vidler, Treasurer
Leeds Castle, Bill Lash, Estate & Project Director

Copies – Tonbridge & Malling

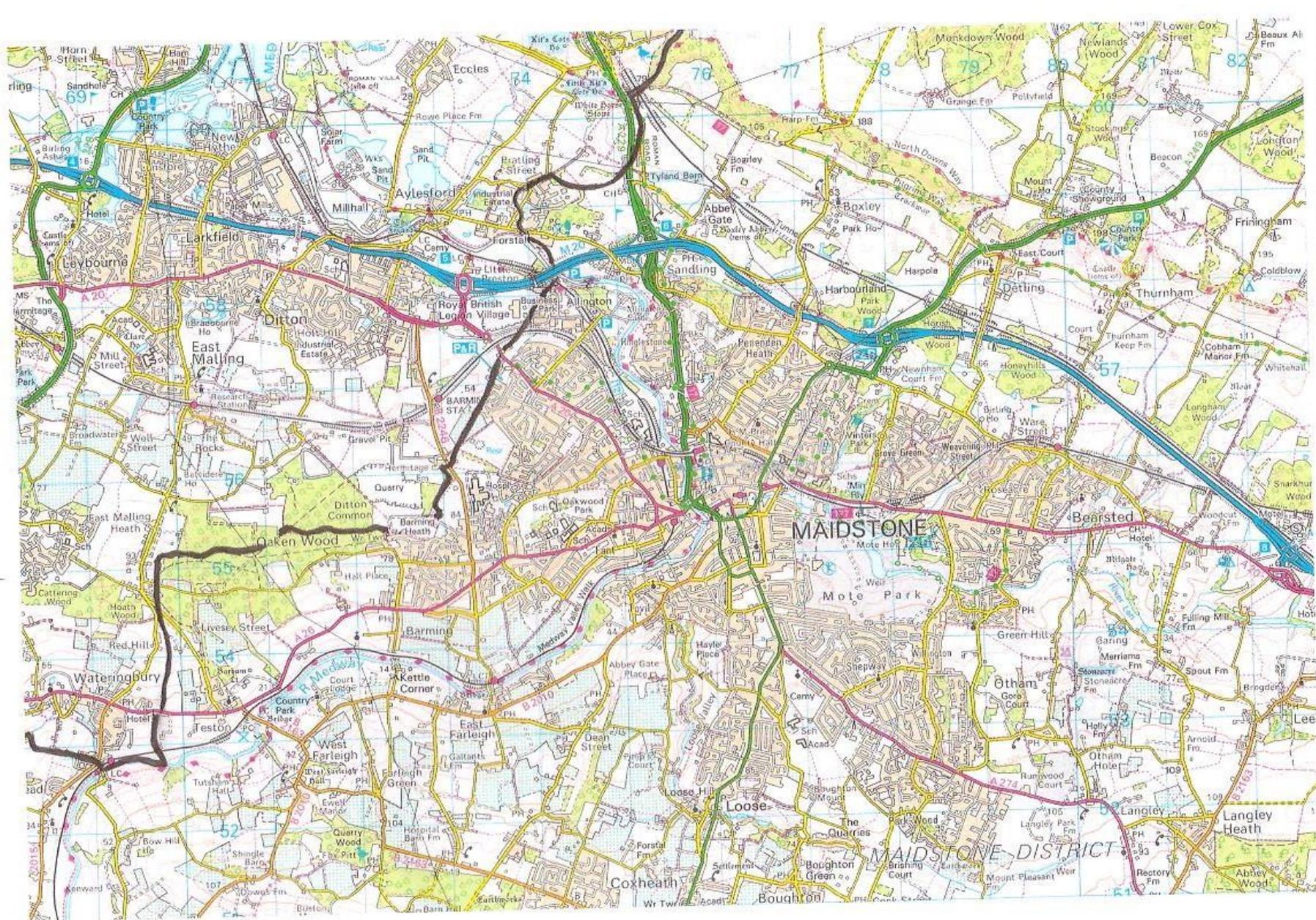
Cllr Nicolas Heslop, Leader of the Council
Cllr Howard Rogers, Cabinet Member for Strategic Planning and Infrastructure
Ms Julie Beilby, Chief Executive
Mr Steve Humphrey, Director of Planning, Housing and Environmental Health

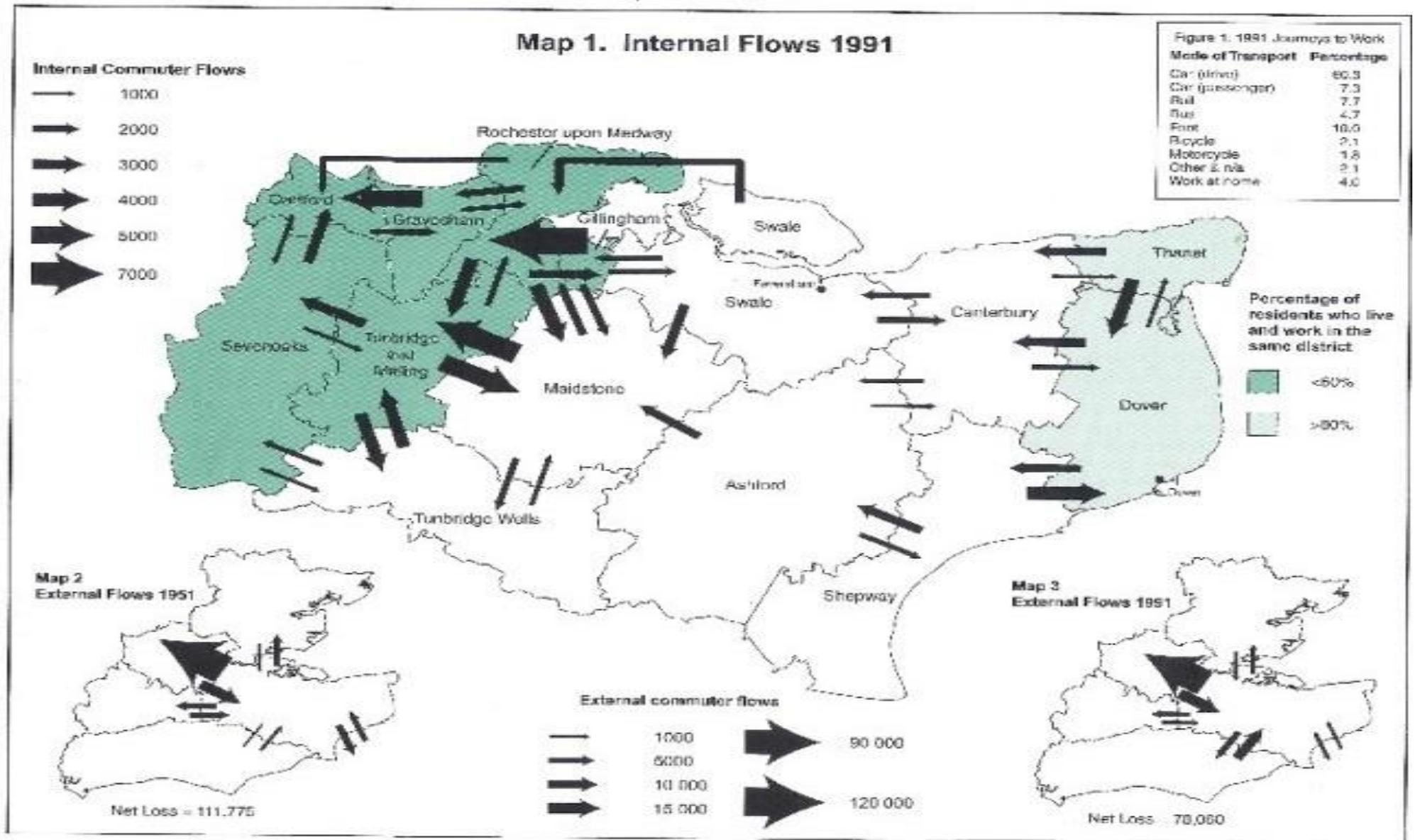
Copies – Maidstone

Cllr Fran Wilson, Leader of the Council
Cllr David Burton, Chair, Strategic Planning, Sustainability and Transport Committee
Ms Alison Broom, Chief Executive
Mr William Cornall, Director of Regeneration and Place

Copies

Mr Robert Mellor, Planning Inspectorate
Cllr Matthew Balfour, KCC, Cabinet Member for Environment & Transport





...the chamber's secretary, said: "We wanted to find someone who receives little or no recognition for doing a great job the whole community benefits from. Come rain or shine, Clive clears away the weekend rubbish, sweeps the autumn leaves and is often found digging out the moss in the pavement cracks."

Clive is also an avid fundraiser for the Pickering Cancer Drop-in Centre at Tunbridge Wells.

Turn to the MAP section inside for more details of the Christmas Lights Festival.



Councils clash over local housing plans

MAIDSTONE Council chiefs have sent a thinly-veiled warning to Tonbridge & Malling Borough Council to ease up on planning proposals.

Responding to TMBC's Local Plan consultation, Maidstone's chief executive Alison Broom said her residents have been in contact to "express their grave concerns".

A letter to the head of planning policy Ian Bailey was described by one seasoned observer of local planning policy as a "declaration of war".

It states: "Should Tonbridge and Malling Borough Council proceed with its development strategy, mitigating transport impacts on already busy routes into Maidstone will be vital, including the A20, Hermitage Lane and A26, the latter having already been subject to a significant increase in traffic following developments at Kings Hill."

The letter highlights potential pro-

posals on the Maidstone border at South Aylesford and Ditton which "suffers from severe traffic congestion" and raises the "current problems around Hermitage Lane and the A20".

It adds: "Focus in this regard should be upon an alternative route that draws road traffic away from this part of the A20 and Hermitage Lane in particular, whilst having regard to mitigating congestion and improving traffic flows on the wider road network in the area."

The letter says that the proposal could "also allow settlements to coalesce with Maidstone" and that "open space as part of any development, in order to address this issue, should therefore be a priority".

Howard Rogers, the cabinet mem-

ber in charge of planning at TMBC, said: "We have gone out with The Way Forward (consultation) document and are waiting for the responses to come back...but we will get these responses in and qualify accordingly."

"I am aware there are traffic issues in that part of Maidstone and I am aware of a lot of development work."

"We are a long, long way away from looking at planning applications, but rather looking at where potential building could happen and what would be needed in terms of infrastructure to accommodate it."

One local planning observer told Downs Mail it was "a highly significant letter - a declaration of war".

More Hermitage Lane & A20 news, see page 4

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Crossing fury

AN MP has launched a furious tirade after being caught up in traffic chaos at the level crossing in Aylesford. It emerged that issues with a railway bridge in London have helped to cause gridlock on roads in the area. →8

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