

B

REF:

(For office use only)

**Tonbridge and Malling Borough Council
Local Plan 2011-2031**

Regulation 19 Publication Version – Representation Form

Please note: Representations cannot be treated as confidential and will be published on our website alongside your name. If you are responding as an individual rather than a company or organisation, we will not publish your contact details (email / postal address and telephone numbers) or signatures online, however the original representations will be available for public viewing at our council office by prior appointment, as soon as reasonably practicable after the Local Plan and supporting documents have been submitted to the Secretary of State.

Part B – Please use a separate sheet for each representation
(Please note: Part A must also be completed)

Name or Organisation: **East Malling Conservation Group (EMCG)**

3. To which consultation document does this representation relate? *Please tick appropriate box*

| | | | | | |
|-----------------------------------|-------------------------------------|-----------------------------|--------------------------|----------------------------|--------------------------|
| Local Plan (inc. Policies Map) | <input checked="" type="checkbox"/> | Sustainability Appraisal | <input type="checkbox"/> | Habitat Regs Assessment | <input type="checkbox"/> |
|-----------------------------------|-------------------------------------|-----------------------------|--------------------------|----------------------------|--------------------------|

4. Topic. *Please select topic (also listed in guidance note) and then state policy/section*

| | | | |
|-----------|------------|---|------|
| Topic | Green Belt | | |
| Policy | LP11 | Policy Map | LP11 |
| Paragraph | 4.8.4 | Sustainability Appraisal (SLAA ref number) | |

5. Do you consider the Local Plan is:
Please tick appropriate box, see guidance note for definitions and details

| | | | | |
|---|-----|---------------------------------------|----|--------------------------|
| 5. (1) Legally compliant | YES | <input checked="" type="checkbox"/> | NO | <input type="checkbox"/> |
| 5. (2) Sound | YES | <input checked="" type="checkbox"/> * | NO | <input type="checkbox"/> |
| 4. (3) Compliant with the Duty to Co-operate | YES | <input checked="" type="checkbox"/> | NO | <input type="checkbox"/> |

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* with respect to this policy

6. Please provide details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

East Malling Conservation Group (EMCG) has submitted representations with regard to four policies in the Reg 19 Plan. Since both the Inspectorate's and TMBC's guidelines require that each representation relates to only one policy we have complied with this, but it means that the first paragraphs of the attached pages are common to all four representations.

For all further details of this representation concerning policy LP11 please see the 2 pages attached at the end of this form.

(Continue on separate page/expand box if necessary)

7. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at 6 above.

Please note: any non-compliance with the Duty to Cooperate is incapable of modification at examination.

You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Not Applicable

(Continue on separate page/expand box if necessary)

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? *Please tick appropriate box*

NO, I do not wish to participate at the oral examination

YES, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

"Yes" is ticked because I wish to participate in the oral examination regarding other representations raised by EMCG which are requesting changes to the Reg 19 Plan.

(Continue on separate page/expand box if necessary)

Please note: the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

Francois Gordon

Date:

12th November 2018

1. EMCG is a voluntary group with about 120 members who are mainly residents of East Malling. The Group's prime objectives are to conserve the village heritage, its buildings, rural character and natural environment and to contribute to the management of change of in a way which will benefit the village as a whole. EMCG has been closely involved in shaping the development of East Malling for over 30 years including through the previous two plan cycles, through numerous planning applications and through the creation of the East Malling Village Design statement which has been adopted by TMBC. (A copy of the Design Statement is submitted as Annexe 1 following our representation concerning policy LP36).
2. EMCG has encouraged community involvement in, and responses to, the various stages of the Plan. For the Reg 19 version we organised a public meeting on 1st November 2018 which was attended by c. 200 East Malling residents and we circulated a petition which has to date been signed by 267 East Malling residents. The petition is submitted as Annexe 2 following our representation concerning policy LP36. The petition supports EMCG's representations, albeit in briefer form.
3. This representation is in strong support of Policy LP11 – Designated Areas, with particular reference to paragraph 4.8.4 which deals with the extension of the Green Belt as far east as Wateringbury Road.
4. Over many years it has been a subject of great concern to the East Malling community that the development of the new Kings Hill settlement on the East Malling boundary would, despite repeated assurances by TMBC, eventually result in the village being swallowed up by this huge new development to the south and by the relentless development to the north in Leybourne and Larkfield. We acknowledge that up to the end of the current local plan period those assurances have been honoured.
5. However, when the Kings Hill North development was proposed in this planning cycle, the community was (and remains) dismayed and a good deal of frustration and anger has been expressed by many individuals. Kings Hill North will eat up an area of beautiful farming countryside and quiet lanes on East Malling's doorstep and will seriously compromise the "New Barns and Broadwater Farm" Conservation Area. (See our representation regarding policy LP25).
6. The community, and EMCG on their behalf, eventually took the position that we very reluctantly would accept that the Kings Hill North development simply could not be stopped, due to the central government policies which are forcing our Borough and others in the South East to build housing way in excess of what would be required by the population growth from within the Borough. (We calculate that the Reg 19 Plan proposes a housing stock growth of 19% over a timeframe in which the Office of National Statistics predicts the UK population will grow by just 6.8% - to many in the local community this is simply incomprehensible).
7. The local community and EMCG therefore decided to focus on the prime objective of maintaining East Malling's separate identity from nearby settlements. This will partly be achieved by the crucial extension of the Green Belt in the Reg 19 Plan. This extension is not as large as we proposed to TMBC at the Reg 18 stage. Indeed We understand TMBC received nearly 400 separate communications from local residents at the Reg 18 stage pressing for this larger area of Green Belt. Without it, East Malling will remain threatened by encroachment from the east and even the south. However the extension in the Reg 19 Plan is a very welcome and essential step.

8. We wish to emphasise that the proposal is also extremely well supported by the policies in the NPPF, as is clearly explained in TMBC's various Green Belt Study documents and particularly the "*Green Belt Study: Stage Two Report*" (August 2018) submitted as evidence to support the Reg 19 Plan. We fully support TMBC's view that there are wholly justified exceptional circumstances for this extension of the Green Belt.
9. At a time when there is huge pressure on existing Green Belt, we understand that this extension of the Green Belt will come under close scrutiny. However, there is no better justified case than this, since it goes to the heart of the overarching purpose of Green Belt. That is, it will prevent coalescence of existing settlements and protect some particularly valuable countryside around the historic towns of East and West Malling.
10. Section 4 of the *Green Belt Study: Stage Two Report* puts a compelling case for this extension, based on the following principles set out in the NPPF at paragraph 80, which the Report quotes at paragraph 4.5:
 - To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns.This Green Belt extension is fully justified by every one of the above principles.
11. Moreover, in accordance with NPPF paragraph 84, the Reg 19 Plan makes ample provision for safeguarded land for future planning cycles, thus providing strong assurance that this new Green Belt boundary will not need to be altered in order to meet development needs for a long time in the future, if ever.
12. The defined expansion of the West Malling Green Belt is essential to, and will be effective in, maintaining separation of East and West Malling from each other and nearby settlements, provided it is carefully managed. It is for this reason that we support TMBC's decision-making in the Call for Sites exercise, rejecting those sites put forward which are within this newly designated Green Belt area. Therefore we urge TMBC and the Inspector to fully implement the compelling rationale of this Green Belt extension, and to reject any attempt by interested parties to "nibble away" at it, for example, by resurrecting, previously rejected sites by means of representations to the Reg 19 Plan.
13. As regards the period prior to adoption of the new Plan, we appreciate that, to an extent, the decision-taking has been taken out of TMBC's hands due to the NPPF's presumption in favour of sustainable development combined with TMBC's current difficulty in maintaining a full 5 year housing land supply. However that NPPF presumption is one in favour of sustainable development – not any development. Moreover, a key requirement of sustainable development is its environmental role which (to quote from NPPF paragraph 7) means "*contributing to protecting and enhancing our natural, built and historic environment...*". Since the very purpose of this Green Belt extension embodies these same key objectives, it follows that development on this land would subvert those NPPF objectives and could not be considered to be sustainable - even prior to formal classification of the land as Green Belt. This would be a material consideration to which great weight must surely be given in the examination of any such planning application.
14. **This Green Belt extension is fully justified by every one of the four NPPF principles reference above. The boundaries proposed in the Reg 19 Plan should be implemented in full when the new Local Plan is adopted. In the meantime we strongly urge TMBC to do all within their power to refuse planning applications for land which is located within or threatens the integrity and effectiveness of this Green Belt extension.**

End of Attached Pages