

Tonbridge and Malling Draft Local Plan consultation (Regulation 18)

January 2026

Response from CPRE Kent

Introduction

We are CPRE Kent, the countryside charity. Founded in 1926, CPRE is one of the country's longest-established and most respected environmental charities. CPRE Kent are the largest of the CPRE county branches, representing more than 1,170 individual members across the county.

Our vision is of a beautiful and thriving countryside that enriches all our lives, and our mission is to promote, enhance and protect that countryside. Our countryside is a priceless national non-renewable resource. CPRE's core objective is to protect and enhance the beauty and tranquillity of the English countryside. This shapes our approach to land supply for new homes. Overall, it is our position that local planning authorities should seek to ensure that the impact of development on the countryside, both directly and indirectly, is kept to a minimum and that development is sustainable in accordance with national planning policy.

We welcome the opportunity to comment on Tonbridge and Malling Borough Council's Regulation 18 Local Plan. As with other recent plan making exercises across Kent, we approach this consultation constructively and with an understanding of the increasingly challenging national policy context within which local planning authorities are now operating. That said, CPRE Kent has several overarching concerns which we consider fundamental to the soundness, credibility and deliverability of the emerging plan as a whole.

1. Timing of the consultation and NPPF reforms

Our most immediate concern relates to the timing of this Regulation 18 consultation against the backdrop of the newly published consultation on a revised National Planning Policy Framework (NPPF). Whilst we recognise that the constantly evolving national policy context is not within the Council's control, it is nevertheless regrettable that the timing of this consultation has clashed with not only the Christmas break, but also such substantial planning policy changes.

In this respect, it is the case that the proposed transitional arrangements within the current NPPF consultation would mean that this local plan would be prepared and examined against the December 2024 Framework, if the current Local Development Scheme (LDS) timetable is met. However, we are very concerned as to whether the Council will realistically meet this LDS timetable given the extensive further work still needed to complete and finalise the evidence base (see our comments below with respect to deliverability and current detail regarding the site allocations). Having to now accommodate the implications of a substantially revised NPPF further exacerbates the situation. This is because, even if the Council does manage to keep to its LDS timetable and submit under the transitional arrangements for the December 2024 Framework, the revised NPPF clearly becomes a significant material consideration once finalised.

In this respect, the proposals now being consulted upon would have direct and potentially far-reaching implications for the borough's draft strategy. The consultation confirms an intention to establish in principle support for suitable residential and mixed-use development around rail

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stations within existing settlements. It also proposes a default yes approach around well connected stations outside settlements, including on green belt land. Alongside this, the consultation introduces minimum density expectations of 40 dwellings per hectare around stations and 50 dwellings per hectare around well-connected stations. Given the number of commuter stations within Tonbridge and Malling, and the existing development pressures around them, these changes are capable of materially altering decision making outcomes. They also place renewed emphasis on whether settlement confines and boundaries are appropriately drawn and robustly justified, as the operation of the strengthened presumption is closely tied to what is, and is not, treated as within a settlement.

More fundamentally, the consultation also confirms the Government's intention to apply a permanent presumption in favour of sustainably located development, including making suitable urban land acceptable by default and recasting how the presumption operates across different locations. Taken altogether, these changes go directly to the effectiveness and drafting of most of the draft development management policies currently proposed, with many effectively being superseded as soon as the new NPPF comes into play.

Against this context, the timing of the Regulation 18 consultation does not allow CPRE Kent to properly consider, in a proportionate and meaningful way, the implications of the new NPPF against the detailed policy content of the Council's draft plan. We therefore see little point in providing detailed comments on the draft development management policies at this stage. Accordingly, CPRE Kent reserves its position and anticipates the need to make further and more detailed representations in due course once the position is clearer, which in practice is now likely to be at the Regulation 19 stage

2. Approach to green belt release

Turning to the substance of the plan, CPRE Kent has significant concerns regarding the Council's approach to green belt release and the way in which the Green Belt Assessment has been used to underpin the emerging spatial strategy. As drafted, the plan appears to go from an early and largely untested assumption that meeting the standard method housing requirement inevitably necessitates the release of green belt land, before moving rapidly to the identification of large-scale strategic allocations within the green belt. In doing so, the plan risks reversing the logic of national planning policy, which is explicit that green belt release should be a last resort.

National policy is clear that development should be directed first to brownfield land, then to optimised densities in the most sustainable locations, including town centres and areas well served by public transport, before any consideration is given to releasing green belt land. In our view, however, the draft local plan does not yet demonstrate that this sequential approach has been rigorously or transparently followed. While the plan refers in general terms to brownfield development and urban capacity, there is little evidence of a comprehensive, plan led brownfield first strategy capable of materially reducing the scale of green belt release now being proposed. Instead, the spatial strategy appears to be shaped at least in part by the availability of promoted green belt sites, with the Green Belt Assessment then relied upon to justify their inclusion.

This approach is particularly concerning given that the Green Belt Assessment itself has been undertaken in advance of the full exploration of spatial alternatives. Judgements about the performance of green belt land against the five green belt purposes are therefore being made without first establishing the realistic capacity of urban areas, or the extent to which densities could be optimised in the most sustainable locations. This risks assessing green belt parcels in isolation,

rather than as part of a genuinely plan led process in which release is only contemplated once all reasonable non green belt options have been exhausted.

Within this context, the application of green belt purposes, especially in relation to the role and function of towns and larger settlements, becomes critical. Where towns are treated too narrowly for the purposes of assessing sprawl, coalescence or the setting and special character of historic towns, there is a real risk that the contribution of surrounding green belt land is understated – accordingly, we believe that the Green Belt Assessment methodology should be re-visited and a further assessment undertaken. Land which in practice plays an important role in maintaining openness, preventing outward sprawl and protecting the setting of established settlements may therefore be characterised as performing weakly, thereby overstating the extent of land that can be considered suitable for release.

Taken together, these issues suggest that green belt release is being treated as a convenient means of addressing the gap between housing need and supply, rather than as an exceptional step justified only once a robust brownfield first strategy and a fully tested urban capacity approach have been exhausted. In our view, further work is required to revisit both the sequencing of the spatial strategy and the interpretation of the Green Belt Assessment, to ensure that the requirements of national policy are properly applied and that any loss of green belt land is genuinely unavoidable rather than the product of assumptions made too early in the plan making process.

With regard to the role that towns play in the Green Belt Assessment, it is noted that the issue of grey belt has not yet been tested at Local Plan Examination, and that Arup (the Council's GBA consultant) has been guided by its review of 50 relevant appeal decisions. With regard to the issue of large built up areas and towns, this review (see section 3.4 of the methodology) has flagged up that these areas should align with how places are defined in the development plan; and as such the Council's settlement hierarchy is significant when determining what constitutes a town for green belt purposes.

Despite reference in the GBA methodology to the fact there "can be no ambiguity as to whether places are villages or towns" there is ambiguity.

Figure 5.6 of the draft plan sets out the Council's settlement hierarchy. At no point in the settlement categories does it mention towns. Instead, there is reference to tiers and service centres. For clarity (and to allow alignment with the GBA) the borough's towns – currently identified as Tier 1 and Tier 2 settlements should be identified as towns.

Corresponding adjustment will need to be made to Table 3 of the GBA methodology (large built up areas for the Purpose A assessment) and at the very least to Table 5 (towns for the Purpose B assessment).

The GBA towns of Borough Green, Kings Hill, the Medway Gap area (comprising Aylesford, Ditton, East Malling, Larkfield, Leybourne and Lunsford Park), Snodland, Tonbridge and Hilden Park, Walderslade and West Malling should be listed in the Council's settlement hierarchy as:

Tier 1 – principal towns – Tonbridge and Hilden Park; Medway Gap area (comprising Aylesford, Ditton, East Malling, Larkfield, Leybourne and Lunsford Park) and Walderslade

Tier 2 – towns - Borough Green, Kings Hill, Snodland and West Malling.

3. Deliverability

CPRE Kent recognises that the NPPF requires the standard method for assessing housing need to be treated as a firm starting point. While we continue to have principled objections to this national policy and its implications, we accept that the Council must work within it. Acceptance of the headline figure, however, does not remove the obligation to produce a local plan that is justified, realistic and deliverable over the plan period as a whole.

In this regard, we are concerned that the draft plan places disproportionate weight on a small number of very large and complex strategic allocations in order to meet a housing requirement that bears little resemblance to historic delivery rates within the borough. Experience across Tonbridge and Malling, and more widely across Kent, consistently shows that large greenfield and green belt sites are slow to come forward, highly sensitive to market conditions and frequently delayed by infrastructure, land ownership and viability constraints. Simply allocating more land, particularly in constrained or complex locations, will not in itself result in higher delivery and can instead increase uncertainty and risk, both for the Council and for local communities.

This issue is particularly acute in relation to the proposed strategic allocation at land north of Borough Green, identified under policy BG1. This site is currently, at least in part, a working minerals quarry and its delivery is therefore dependent on the timing and phasing of mineral extraction, restoration and land remediation. These processes are inherently uncertain and often extend over long timescales that do not align neatly with local plan assumptions. In addition, the scale of development proposed, the requirement for significant new infrastructure and the reliance on land that is only expected to come forward in phases both within and beyond the plan period introduce further complexity. In such circumstances, there is a real risk that anticipated housing delivery will be delayed well into the later years of the plan, or beyond it, thereby undermining the robustness of the overall housing trajectory.

As we have argued elsewhere, a local plan that seeks simply to meet an annual housing figure on paper, without proper regard to delivery realism, risks being neither effective nor sound. A more cautious and transparent approach to phasing and trajectory would better reflect the realities of delivery on large and complex sites, while still providing a clear strategic framework for growth over the longer term. In particular, there is a strong case for adopting a stepped housing trajectory, which acknowledges lower delivery rates in the early years of the plan, when reliance is placed on existing commitments and smaller, more readily deliverable sites, with higher levels of delivery only assumed later in the plan period once strategic sites are genuinely capable of coming forward.

Such an approach would not represent a failure to plan positively, but rather a pragmatic response to known delivery constraints and market conditions. It would also reduce the pressure to over allocate land at this stage, particularly within the green belt, and would allow the Council to revisit and refine its strategy as further evidence emerges and circumstances change. In CPRE Kent's view, this would result in a more credible, defensible and ultimately more sustainable local plan.

4. Insufficient detail regarding the proposed site allocations

Finally, CPRE Kent has deep concern that many of the proposed site allocations do not yet appear to be sufficiently formed to understand the likely implications or impact of the Council's preferred spatial strategy. The Council itself acknowledges that further work is required to test site deliverability, infrastructure requirements and cumulative impacts. At the same time, a further call for sites is being run alongside this consultation, reinforcing the impression that the spatial strategy remains fluid and unresolved.

In our view, this raises serious questions about whether the plan is ready to progress towards Regulation 19 within the ambitious timetable set out by the Council. Bringing forward a plan where site selection, infrastructure planning and deliverability testing are still evolving risks storing up significant problems later in the process, including at examination. It also places consultees in the difficult position of being asked to comment on proposals that may change substantially in response to evidence that has not yet been completed.

5. Renewable energy development

CPRE Kent is also concerned that the draft local plan does not yet appear to be alive to the increasing likelihood of speculative proposals for renewable energy development and associated infrastructure, in particular large scale solar, across the borough. Recent experience across Kent demonstrates that, in the absence of clear and up to date local plan policy, such schemes are increasingly being promoted on a speculative basis, often in sensitive rural locations, including high quality agricultural land, valued landscapes and areas with limited grid capacity. This is a notable omission, given that national policy is explicit that renewable and low carbon energy development should be planned for through the plan making process. Paragraphs 161 and 164 of the NPPF require local plans to plan positively for renewable energy infrastructure and to identify suitable areas for such development, while ensuring that impacts on the natural and rural environment are properly addressed.

Against the scale of change now being proposed nationally to the energy system, this is a matter that warrants explicit and proactive consideration within the local plan. In our view, the plan should be providing a clear strategic framework that addresses the capacity, scale and appropriate siting of solar development, identifying where such proposals may be acceptable in principle and, just as importantly, where they would not be. Doing so would accord with the plan led approach promoted by the NPPF, provide clarity for communities, applicants and decision makers alike, reduce the risk of piecemeal and poorly located development, and help ensure that renewable energy deployment is genuinely sustainable and compatible with the protection of the borough's countryside and landscapes.

In addition to our overarching comments above and notwithstanding our comments regarding the implications of the draft NPPF, we do make the following comments on the specific allocations.

Policy BG1 - land north of Borough Green

CPRE Kent has serious concerns regarding the proposed strategic allocation at land north of Borough Green under policy BG1. Our concerns are both strategic and site specific. Strategically, we question whether reliance on such a large and complex site to deliver such a significant number of the local plan housing numbers represents a sound or resilient spatial strategy. At a site level, the scale and longevity of the constraints affecting BG1 make it unrealistic and high risk to place such a substantial proportion of the borough's housing delivery on this allocation.

The site lies within the Metropolitan Green Belt, impacts on the setting of the Kent Downs National Landscape and has the potential to result in the loss of ancient woodland and other irreplaceable habitats. These constraints are not new. The site has been promoted in various forms for well over a decade, yet despite this long history it has failed to progress meaningfully. One obvious reason for this is that large parts of the site fall within a minerals safeguarding area and remain subject to active or future mineral extraction. Permissions extend well into the 2040s, with some areas yet to be worked or even applied for. This is obviously going to be extremely problematic for the housing

trajectory in the local plan when considered against the reality of mineral operations, land restoration, remediation and release, all of which are uncertain in timing and outcome.

The Council's own Green Belt Assessment acknowledges the strategic importance of this land. Parcel BG 03 is identified as a moderately well performing green belt parcel, assessed as grey belt but also described as playing an important strategic role, with its release recommended only in the context of the wider plan. This reinforces CPRE Kent's concern that the site is not a marginal or weakly performing area of green belt, but land that currently contributes meaningfully to openness, separation between settlements and the wider landscape structure. Its release therefore requires particularly strong justification, which in our view has not yet been made.

The Sustainability Appraisal further highlights the risks of concentrating growth in a small number of very large allocations. At paragraphs 7.45 to 7.46 it recognises that significant growth proposed as single allocations, including at Borough Green, has the potential to cause adverse effects on the natural, built and historic environment, with the scale of development itself identified as a source of harm rather than a neutral factor. These concerns are reinforced by the Habitats Regulations Assessment, which identifies likely significant effects arising from recreational pressure, atmospheric pollution and impacts on water quality, quantity and flows. Taken together, this evidence points to systemic environmental risks that would require extensive mitigation, adding further complexity, cost and uncertainty to the delivery of the site.

Deliverability, including the site's ability to fund and provide the necessary infrastructure and affordable housing, presents a further and serious concern. The Council's Viability Appraisal explains at paragraph 4.1 that development typologies have been assessed across the borough based on typical development forms. However, the Borough Green allocation is not a typical site. Its existing use as a minerals extraction area, the presence of historic and contaminated landfills, the need for extensive remediation, long term gas and vapour monitoring, and the requirement for major infrastructure such as a relief road mean that bespoke viability testing will be required. In our view, it is not credible to assume that generic typology testing can adequately demonstrate the deliverability of a site with such abnormal costs and ownership complexities.

More generally, we also share many of the concerns being raised by local parish councils and communities, which reinforce our strategic objection. Traffic conditions are already severe, with the A25 and A227 operating at or beyond capacity and an existing Air Quality Management Area in Borough Green. The scale of construction traffic, combined with ongoing mineral extraction and landfill movements, would exacerbate these impacts, while the proposed relief road is unlikely to deliver meaningful traffic reduction and, in any event, would need to be fully delivered before any housing comes forward. Its delivery remains highly uncertain given land ownership constraints and the fact that parts of the route remain within safeguarded mineral land.

Overall, CPRE Kent is concerned about such heavy reliance on a single allocation of this scale and complexity. Should policy BG1 fail to come forward as anticipated, whether due to mineral constraints, land ownership issues, remediation costs, infrastructure delivery or viability, the borough would be exposed to prolonged periods without a demonstrable housing land supply, significantly increasing the risk of speculative development elsewhere and undermining plan led decision making.

Policy MG4 – land east of Kiln Barn Road and west of Hermitage Lane, Aylesford

We object to this proposed allocation as it comprises development on best and most versatile agricultural land (Grade 2 and Grade 3a). It is also identified as lying within a minerals safeguarding

area and consequently is not a site that we can agree is available for development within the plan period. In any event, Deadmans Wood (an Ancient Woodland) is a priority habitat.

In addition, the site forms a valuable role in separating the Aylesford and Maidstone. We believe that the land identified as a local green gap (draft policy SP9) should be extended to include land between the Medway Gap (at Aylesford) and Maidstone as a means of helping to avoid coalescence and preserve the separate characters and identities of these settlements by providing physical and visual breaks. The area was previously designated a strategic gap Council's 2007 Core strategy (policy CP5)

It is disappointing that the Council has drawn the conclusion that it's not worth designating this land as a Local Green Gap because of the recently implemented residential planning permissions in the vicinity of Barming Station, which it is stated at paragraph 7.11 means "that Medway Gap will have effectively merged with Maidstone once these developments are complete". We are firmly of the view that this area requires more protection and not less, in order that the separate character and identities of Aylesford and Maidstone are protected.

Policy TO1 – land north east of Tonbridge

We object to the allocation of this green belt site for residential development. This site comprises GBA parcels TO-23 to TO-33. Each of these parcels is identified as strongly performing green belt, with the exception of TO-27. Each of the sites score a zero with regard to Purposes A, B and D – although it is noted in the column summarising performance against these purposes that sites TO-23 and TO-28 are deemed to have a strong performance. However, notwithstanding this, all parcels across this site are considered to be grey belt. We query whether this is an error in Table 9.

Table 6.11 in the SA sets out the likely effects of the residential site allocations under policy A1. For north east Tonbridge. These concerns are reinforced by the Habitats Regulations Assessment, which identifies likely significant effects arising from recreational pressure, atmospheric pollution and impacts on water quality, quantity and flows. Taken together, this evidence points to systemic environmental risks that would require extensive mitigation, adding further complexity, cost and uncertainty to the delivery of the site.

Policy HI2 - Stockers Hill Road, Hildenborough

This site lies within the green belt and in an area defined on the Council's policies map as a non-designated Historic Park and Garden.

The proposed allocation includes GBA parcels HI-02, HI-03 and TO-01. Parcel HI-01 is identified as strongly performing green belt that plays an important strategic role within the borough. This site has variously been described as recommended (and not recommended) for further consideration – that is, further consideration is needed to assess whether if removed from the green belt this area is judged to be likely to result in harm to the wider green belt. These contradictory statements need to be corrected (see specific assessment plans and Table 9, summary of assessment findings).

Parcel TO-01 is also considered to be strongly performing green belt, with parcel HI-03 more weakly performing. Each of these three sites are also assessed as being grey belt, despite playing an important strategic role. This reinforces CPRE Kent's concern that this site is not a marginal or weakly performing area of green belt, but land that currently contributes meaningfully to openness, separation between settlements and the wider landscape structure. Its release therefore requires particularly strong justification, which in our view has not yet been made.

Two nearby public rights of way run north-south from Stocks Green Road to Tonbridge Road, but neither provides connectivity to Hildenborough train station, which is located in a remote rural area outside Hildenborough. For the station to be of any value in terms of sustainability/reducing reliance on private vehicles you'd need to cycle or walk along the B2027 and then north along Rings Hill. A distance of a little over one mile (24-minute walk) along unlit hedge lined, country lanes with no pavements. To do this you would be risking your life on a twice-daily basis.

While there is a bus service (subject to timetabling) running along Tonbridge Road, the nearest bus stop appears to be by the church in Hildenborough, which means travelling the last half mile on foot, along Noble Tree Road/Rings Hill.