



08

HISTORIC ENVIRONMENT



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08

HISTORIC ENVIRONMENT

Introduction

8.1 Tonbridge and Malling boasts a rich and varied historic environment, offering a unique sense of place and a distinctive character shaped by its diverse heritage.

8.2 Heritage assets (whether designated or non-designated) are an irreplaceable resource, providing a valuable contribution to the social and economic wellbeing of residents and visitors. Furthermore, all heritage assets, whether designated or not, form a material consideration in the planning process.



8.3 The [NPPF](#) advises that heritage assets should be conserved in a manner appropriate to their significance so that they can be enjoyed by both existing and future generations. Significance is defined as an asset's heritage interest, whether archaeological, architectural, artistic or historic, and may be derived from both the asset and its setting.



8.4 The council has prepared a [Heritage Strategy \(2024\)](#), which provides an evidence-based vision that informs and supports the Local Plan, and which sets out in detail the heritage assets within the borough. Designated heritage assets include Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas. The borough also has a significant number of non-designated heritage assets.

8.5 National Planning Guidance identifies these as ‘buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.’ These include but are not limited to sites that have been identified in the Kent Historic Environment Record, the TMBC Heritage Strategy, in a Neighbourhood Plan, or in a Conservation Area character appraisal.

8.6 Proposed development affecting a heritage asset is assessed against the impact that works would have on the significance of that asset. It is the degree of harm to the heritage asset’s significance, rather than the scale of the development, that is important in the planning process. Furthermore, the more important the heritage asset, the greater the weight will be.

8.7 The borough’s designated heritage assets are set out in Figure 8.1.



Figure 8.1: Heritage assets within the Borough



1,318
LISTED BUILDINGS

38 at Grade I,
76 at Grade II*
and 1,204 at Grade II
located throughout
the borough



60
CONSERVATION AREAS

Varying sizes including
many of the historic
towns and villages
within the borough



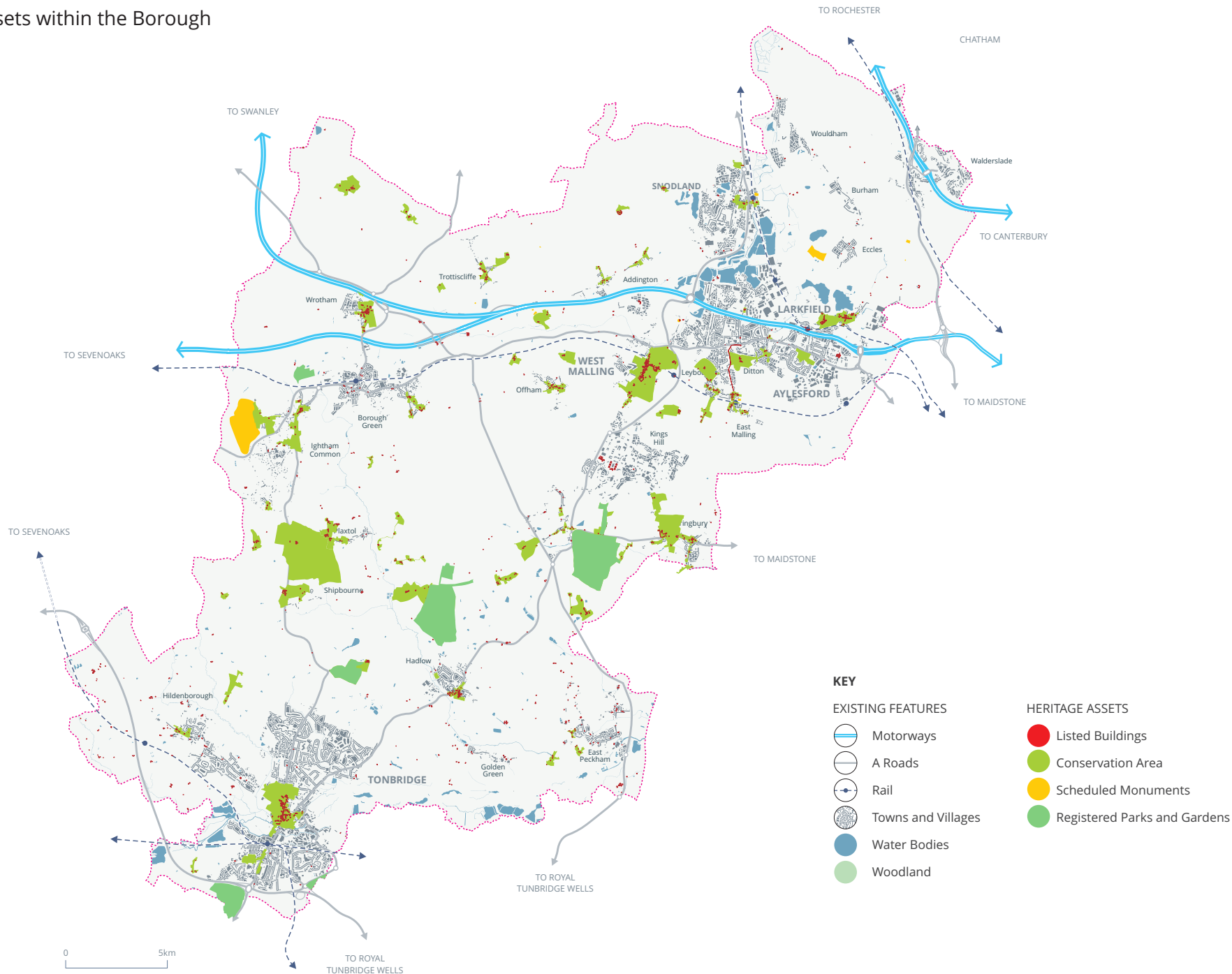
25
SCHEDULED MONUMENTS

Including prehistoric barrows,
medieval castles and monuments,
Roman Villas and World War II
defensive structures



5
REGISTERED PARKS
AND GARDENS

Mereworth Castle,
Somerhill, Ightham Court,
Mabledon and Oxen Hoath



Policy HE1: The Historic Environment

Development proposals will be supported where they conserve or enhance the historic environment, based on the following approach:

- 1 Development will contribute towards the conservation and enjoyment of the borough's historic environment and will make a positive contribution to its character and distinctiveness.
- 2 All designated heritage assets and their settings will be given a high level of protection and should be conserved and enhanced in a manner appropriate to their significance. All non-designated heritage assets including locally listed heritage assets and their settings as relevant will also be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.
- 3 The change of use of heritage assets, including buildings in Conservation Areas, will only be permitted where the proposed use is considered to be the optimum viable use that is compatible with the significance of the heritage asset, its features and setting and will secure the long-term sustainable future of the heritage asset as well as its conservation and enhancement. Development affecting a heritage asset should not compromise future restoration opportunities.
- 4 Where heritage assets are identified to be at risk, from neglect, decay and other threats, a positive pro-active approach will be applied. Landowners shall be expected to engage with the local planning

authority to bring forward proposals to preserve or enhance these assets, to facilitate their successful rehabilitation and seek their viable re-use consistent with their heritage value and special interest.

- 5 Proposals for total or substantial demolition of a heritage asset will only be granted in exceptional circumstances, and where it meets the following specific criteria:
 - a Clear and convincing evidence has been provided that demonstrates viable alternative uses cannot be secured;
 - b Planning permission has been approved for redevelopment that would result in significant benefits for the community which would definitively outweigh the subsequent loss from demolition or major alteration; and
 - c The physical condition of the building has deteriorated, to a point that the cost of retaining the building outweighs its importance and the value derived from its retention. A comprehensive structural report shall be provided to support and demonstrate this.
- 6 Development proposals affecting any heritage assets (both designated and non-designated) and /or their setting must demonstrate sufficient understanding of the significance of the heritage asset and / or its setting and for this information to be used at an early stage to inform development proposals in order to avoid or minimise harm, ensuring that heritage is at the heart of place-making. Heritage

statements must provide detail proportionate to the importance of the heritage asset. Such assessments shall demonstrate the following;

- a How the understanding of significance has informed the principles of the proposal and the potential impact of the proposal on the heritage asset and why the works proposed are desirable or necessary. As a minimum, the historic environment record as well as the Tonbridge and Malling Heritage Strategy should be consulted and positively addressed within the heritage statement including referencing the heritage themes of the strategy that apply [if applicable] and the heritage assets assessed using the appropriate expertise where necessary;
 - b Has considered and positively addressed the cumulative impact of incremental change from development on the significance of heritage assets; and
 - c Proposals affecting historic farmsteads within the borough shall be informed by and draw upon the Kent Farmsteads Guidance [2014] or its equivalent replacement.
- 7 Where a proposal would result in the partial or total loss of a heritage asset or its setting, the applicant will be required to secure a programme of recording and analysis of that asset and archaeological excavation where relevant and ensure that the information is recorded to an appropriate standard and submitted to the Kent Historic Environment Record.



Reasoned Justification

8.8 Heritage is a powerful driver of social cohesion, wellbeing, sustainability, environmental stewardship, and economic renewal, placing it at the heart of place-making that can enhance our quality of life.

8.9 The [NPPF](#) defines the conservation of heritage assets as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'. Policy HE1 seeks to support this and sit alongside the national policy requirements at the local level providing a positive, proactive and tailored approach to the uniqueness of the borough's heritage for the overall conservation and enjoyment of the historic environment. Managing change to the borough's historic environment and ensuring that the value of its heritage assets is maintained is a vital part of the council's planning function.

Policy Implementation

8.10 This policy refers to all heritage assets across the borough, including designated and non-designated assets. Proposed development affecting a heritage asset, including its setting, shall be assessed against the effect that such development will have on its significance. Any harm to designated heritage assets will require clear and convincing justification.

8.11 The policy sets out the requirement for a Heritage Statement. Heritage Statements are required for all Listed Building Consent applications and planning applications which affect a heritage asset. The Heritage Statement must include a description of the significance of the heritage asset or assets. Heritage statements should follow best practice and Historic England's advice notes.

8.12 Understanding the borough's heritage is an important first step to ensuring development is sympathetic to local character and applicants are advised to use resources such as the council's Heritage Strategy, Historic Environment records and Heritage Impact Assessments to fully understand the significance of affected heritage assets.





Listed Buildings



Introduction

8.13 The borough's historic environment includes over 13,000 designated Listed Buildings, reflecting its rich architectural and cultural heritage. The vast majority of these are Grade II listed, but the borough also hosts a small number of Grade II* and Grade I listed buildings. A Grade I listed building is a structure considered to be of exceptional interest, and a Grade II* listed building is deemed to be of particularly special interest or national importance.

8.14 Such assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Policy HE2 sets out how statutory Listed Buildings within the borough will be managed and afforded such protection.

Policy HE2: Listed Buildings

- 1 Development proposals affecting statutorily listed buildings shall have special regard to the desirability of preserving the asset or its setting. Loss of or harm to a statutorily listed building or its setting will only be permitted in exceptional circumstances, where it can be demonstrated that the loss or harm achieves substantial public benefits.

Proposals affecting statutory Listed Buildings will be required to:

- a Preserve or enhance the historic character, qualities and special interest of the building;
- b Not be detrimental to the architectural and historical integrity and detailing of the Listed Building's interior and exterior;
- c Protect the special interest of buildings of architectural or historic interest; and
- d Protect, and where possible enhance the setting of the building;

- 2 Proposals will be supported for alternative uses for listed buildings including change of use applications that contribute positively to their conservation either individually or as part of wider strategies for regeneration and must be compatible with, and respect, the special architectural or historic interest of the asset and setting. The Local Planning Authority will support proposals that improve public access where these are not prejudicial to the heritage assets existing character or appearance.

- 3 Proposals to install energy efficiency improvements or improve environmental sustainability will be supported where it can be demonstrated that the proposed measures take a 'whole building approach' and are suitable for the asset, and informed by an understanding of their specific performance, including construction and materials. The suitability of improvements will need to be weighed against the significance of the asset and / or its setting, or any features of special architectural / heritage interest that may be impacted. In accordance with policy HE1(6) above, as part of the application, additional details shall also be submitted in the form of a structural report to demonstrate that the integrity of the building would not be undermined including any proposed internal/external alterations.

Reasoned Justification

8.15 The [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)

provides specific protection for Listed Buildings and areas of special architectural or historic interest.

National Policy within the NPPF also seeks to protect designated assets and requires any harm or loss of the significance of a designated heritage asset to require clear and convincing justification.

8.16 Development proposals can affect the significance of heritage assets in a range of different ways. Physical impacts can range from minor internal and external alterations, new buildings or to the complete loss of the asset. Other impacts may not physically alter the asset but may affect its setting, which in turn could affect the significance of the heritage asset. As such, proposals require diligent consideration and management.



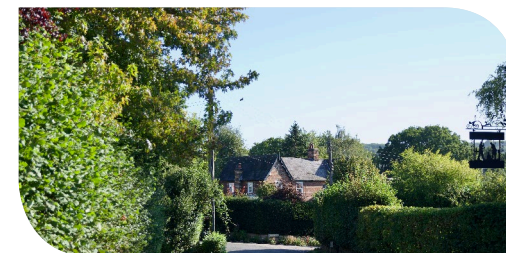
8.17 An inappropriate change of use of a heritage asset has the potential to result in long-lasting damage, not only physically but also through a potential loss of a historical past use and its contribution to society through time. A change of use of heritage assets will only be permitted where the proposal is considered to protect its historic significance whilst contributing to enjoyment and improving public access (if appropriate).

8.18 Overall, development proposals must demonstrate that they have given special regard to preserving the asset or its setting. It is important to consider the character and significance of listed assets in a holistic manner, whereby the character of the interiors can be just as important as external appearance. The protection and enhancement of all aspects of significance should be considered and great weight will be given to their preservation and, where appropriate, their restoration to optimal condition.

8.19 The setting of a heritage asset is normally the surroundings in which a heritage asset is situated. Its extent is not fixed and can alter over time as the environment evolves. The importance of setting lies in its contribution to the significance of the heritage asset or to the ability to appreciate that significance. Failure to consider and subsequently preserve the setting may result in the council refusing planning and listed building consent.

8.20 It is important that any energy improvement proposals demonstrate a 'whole building' approach that is based on an understanding of the construction, history and evolution of the building to ensure a balance is achieved in protecting the special historic character and setting, whilst ensuring worthwhile energy savings. Historic England have produced advice on the '[Whole Building Approach for Historic Buildings](#)' which relies on an understanding of a building in its context to find balanced solutions that save energy, whilst sustaining heritage significance and maintaining a comfortable indoor environment.

8.21 Furthermore, it should be acknowledged that historic/ traditional buildings are generally very sustainable, having mostly been built of local, traditional, natural materials via local labour and therefore having an inherently low carbon footprint. These are also quite often located within very sustainable locations such as market towns and mixed-use settlements. The removal and replacement of traditional buildings and materials with modern buildings/ materials is considered likely to use more energy and carbon than retention and repair using traditional, local materials.



Policy Implementation

8.22 Policy HE2 refers to all designated Listed Buildings and sets out more detailed criteria for development proposals affecting Listed Buildings. It does not cover non-designated assets.

8.23 In accordance with policy HE1, all development proposals affecting a designated Listed Building must be supported by a Heritage Statement. Applications without an accompanying statement will not be validated. The Heritage Statement should identify the significance of the asset and set out the impact of the development. The applicant should consult the relevant Historic Environment Record (HER). The level of detail required to support the application should be proportionate to the significance of the heritage asset and the impact of the development. In some cases, depending on the nature of the works, a structural report to demonstrate that the integrity of the building will not be undermined, covering both internal and external areas of the building, may be needed. This must be carried out by a

suitably qualified structural/building engineer. The Heritage Statement should be prepared by a conservation professional with appropriate qualifications and experience.

8.24 There are many measures that can be applied to traditionally built historic buildings to improve energy performance whilst ensuring protection of heritage significance. Many do not require planning permission/listed building consent and would be permitted development, such as loft insulation or draft excluders. For proposals that require planning permission and/or Listed Building Consent, the council will take into consideration the nature, character and scale of the proposed measures and the subsequent public benefits gained, and weigh these against the scale of harm to the significance of the heritage asset.





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Conservation Areas



Introduction

8.25 Conservation Areas are designated and maintained by the local authority for their “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”¹. Designation provides recognition in the planning process of the special character of an area and ensures that preservation or enhancement of this character is a priority in decision making.

8.26 There are 60 Conservation Areas in the Borough, with the majority of these covering historic village cores, hamlets, parkland, and areas of historic townscape. Conservation Areas in the borough are of varying scales and sizes. 16 of the Borough’s Conservation Areas have published appraisals that detail the aspects of their character which make them significant. In addition, the council has recently progressed work on an additional four Conservation Area Appraisals.

8.27 These appraisals provide an understanding of the special interest of a Conservation Area to ensure that development or changes are sensitive and appropriate to the character of the area. Conservation Area Character Appraisals are a consideration when considering planning applications.

8.28 In the absence of Conservation Area Appraisals for other Conservation Areas, the council is progressing work to ensure that information is available to support the plan-making process. Conservation Area Statements are being progressed as an interim measure to support plan-making and the development management function. The council is committed to progressing and reviewing Conservation Area Appraisals and has set a firm commitment to progress these also.

8.29 Once an area is designated as a Conservation Area, additional controls are introduced to preserve and enhance the identified special historic character and interest, for example, control over works to trees and control over demolition of unlisted buildings.

8.30 One of the biggest threats to Conservation Areas is the gradual erosion of their special architectural or historic character through inappropriate development. However, not all change within Conservation Areas is detrimental, and the right development of a high-quality design or removal of a visually harmful building can provide an opportunity to enhance the character and appearance of the Conservation Area and ‘uplift’ the environment visually.

8.31 The setting of a Conservation Area can also have significance, as can views both into and out of the area. Where these are important, an analysis should form part of any Heritage Statement.

8.32 Policy HE3 sets out the council’s approach to managing change within Conservation areas.

¹ [Section 69 of the Planning \(Listed Buildings and Conservation Areas\) Act 1990.](#)

Policy HE3: Conservation Areas

- 1 Development proposals within or affecting a Conservation Area will be supported where it is demonstrated to preserve or enhance the character or appearance of the Conservation Area and its setting taking into account cumulative impact.
- 2 All new development and alterations within or affecting Conservation Areas and their settings shall:
 - a Be of an appropriate land use that respects the origins and development of the settlement, historic functioning, character and appearance of the area;
 - b Be sensitively designed to respect the physical form, layout, scale, massing, architectural features, materials, height, building lines, roofscapes, relationships between buildings and the spaces and enclosures between them;
 - c Preserve trees and landscaping, open spaces, historically significant boundaries, boundary treatment including historic walls and railings that positively contribute to the character and appearance of the Area;
 - d Preserve traditional features such as shop fronts, signage, street furniture and lighting and surface treatment including the absence of kerbstones in some areas that positively contribute to the character and appearance of the Area;
 - e Preserve important views and vistas into and out of the Conservation Area including views of surrounding landscapes; and
 - f Take into consideration and positively address any recommendations set out in the applicable Conservation Area Appraisal (where one is adopted).
- 3 Proposals involving demolition or substantial demolition will only be granted, subject to conditions, if it can be demonstrated that:
 - a The structure to be demolished makes no material contribution to the special character or appearance of the Conservation Area; or,
 - b It can be demonstrated that the structure is beyond repair or incapable of an alternative suitable use; or
 - c The removal of the structure and its subsequent replacement would enhance the area; and
 - d Redevelopment of the site that would make an equal or greater contribution to the character and appearance of the conservation area.
- 4 Proposals for energy efficiency and/or measures to mitigate climate change will be supported, as appropriate, where they preserve or enhance the character or appearance of the Conservation Area and its setting and are easily reversible.
- 5 The council will review its Conservation Areas and update conservation area appraisals and management plans and these will be used to assess relevant applications. Applications will be supported where recommendations are implemented.



Reasoned Justification

8.33 The policy sets out the council's approach to the management of change within Conservation Areas and seeks to promote enhancement, protection of significance and to ensure that new development is sympathetic to the character and appearance of the Conservation Area.

8.34 Conservation Areas are designated for their special architectural or historic interest in accordance with [Section 69 of the Planning \(Listed Buildings and Conservation Areas\) Act 1990](#). Areas are a heritage asset and therefore considered to be an irreplaceable resource which should be conserved in a manner appropriate to their significance. The vast majority of the borough's statutory listed buildings are also contained within Conservation Areas, further adding to their historic significance.

Policy Implementation

8.35 The council will support proposals that demonstrates that they preserve or enhance the special character of a Conservation Area and its setting, including where relevant, views into and out of the area. Policy HE3 lists the planning considerations that are important in relation to Conservation Areas and development proposals are expected to have full regard to these. New development will be expected to respect, and where appropriate, positively contribute to the character of the Conservation Area.

8.36 Planning applications which directly or indirectly affect the significance of a Conservation Area should be informed by and respond to the Conservation Area Appraisal or the Conservation Area Statement.

8.37 Development within Conservation Areas can result in positive, negative and neutral impacts. Proposals that include the restoration of original details, historic fabric or preservation of special features of interest that make a positive contribution to the character and appearance of a Conservation Area will be supported.



8.38 The council will look favourably upon applications that replace or renovate buildings that make a negative or neutral contribution to a Conservation Area, for example if a building has been identified as having such an effect within an adopted Conservation Area Appraisal. For new buildings and extensions within or affecting Conservation Areas, the council will expect a high standard of design that positively responds to special architectural or historic interest, which does not exclude innovative, modern and contemporary design.

8.39 For applications involving demolition within Conservation Areas, the council will assess the condition of the building or structure and the contribution it makes to the character or appearance of the Conservation Area. Where it is considered that the building or structure makes a positive contribution, the total or substantial demolition of the building or structure will be resisted.

8.40 A programme of reviewing the existing Conservation Area Appraisals and preparing new Conservation Area Appraisals for the remaining areas which currently do not have an appraisal in place is underway and will continue over the Plan period. significance of the heritage asset.

Historic Parks and Gardens



Introduction

8.41 As a rural borough within the Garden of England, TMBC is fortunate to accommodate a number of designated (registered) and non-designated Historic Parks and Gardens.

8.42 Historic Parks and Gardens are a precious part of the borough's historic environment, comprising gardens, grounds and open designed spaces. Quite often they are associated with historic houses such as Mereworth Castle and Oxen Hoath and frequently located within historic areas such as Conservation Areas.

8.43 These gardens quite often have traditional features and structures such as historic walls, sculptures, follies, landscaping and veteran trees. They are also a multi-faceted resource, being part of the borough's open space asset as well as providing benefits for biodiversity, tourism, recreation and education.

8.44 Policy HE4 seeks to ensure that development proposals affecting Historic Parks and Gardens do not adversely impact upon these irreplaceable historic assets and seeks to protect them for future generations to enjoy. The policy is relevant to both designated (registered) Historic Parks and Gardens and non-designated Parks and Gardens.

Policy HE4: Historic Parks and Gardens (Designated and Non-Designated)

Development proposals affecting Historic Parks and Gardens on the national register or of local significance (as listed within the Kent Gardens Compendium and Annex 3) will be supported where they maintain, conserve or enhance the character, appearance, historic interest and setting, significance, design and layout of the landscape and views into and from the historic park or garden.

Reasoned Justification

8.45 Historic Parks and Gardens are considered to be valuable heritage assets and the council must consider the impact that development proposals may have on their special character.

8.46 The borough currently has 5no. registered historic parks and Gardens listed on the national register. These are Mereworth Castle, Oxan Hoath, Somerhill, Mabledon and Ightham Moat. In addition to the national register, within the borough there are 45no. Historic Parks and Gardens (non-designated) listed within the Kent Gardens Compendium which are also relevant and worthy of protection. The Kent Gardens Compendium is a comprehensive Register of Parks and Gardens of historic, horticultural, amenity or other value in the County of Kent, produced by KCC and the Kent Gardens Trust.

Policy Implementation

8.47 This policy refers to both designated (registered) Historic Parks and gardens which are listed on the [national register](#) and non-designated Historic Parks and Gardens which are contained within the [Kent Gardens Compendium](#).

8.48 Development proposals which are considered to affect these assets will only be supported where they maintain, conserve or enhance their historic interest.

8.49 For registered Historic Parks and Gardens of national importance, great weight will be given to their conservation, in similarity to designated listed buildings. For non-designated Historic Parks and Gardens (that are not of national

importance) a balanced judgement will be applied that has regard to the scale of the harm/loss posed by the development and the significance of the heritage asset.

8.50 It is considered that one of the biggest threats posed to Historic Parks and Gardens is the pressure for new development within their setting and also through views, which may have a detrimental impact on their significance. Development proposals affecting the setting and/or views into and out of Historic Parks and Gardens should have particular regard to detrimental effects, including the ability to access them.

Archaeology

Introduction

8.51 Tonbridge and Malling's archaeological sites shape local identity, uncovering the borough's past and enriching its sense of place. Archaeology is an irreplaceable and fragile resource which is vulnerable to damage or degradation over time and that requires specialised management and recording. Archaeology can include both below ground as well as above ground assets. The [Kent County Council Historic Environment Record](#) is the definitive record of all known archaeology in the County.

8.52 Within the borough, archaeology is a significant and rich heritage asset that includes area of both national and local significance ranging from Palaeolithic rock shelters at Oldbury Hill, to World War II remains at Kings Hill, West Malling. Whilst there are a number of Scheduled Ancient Monuments (SAM) identified throughout the borough, the majority of archaeological sites are not SAM's and are locally important non-designated assets. There can also be sites where there are currently no records of archaeological value but which can later be revealed before or during development works.

8.53 Should significant archaeological finds occur during development, the council will seek specialist advice and encourage appropriate action. In some instances, permitted schemes may need to be amended to avoid damage to archaeological remains.

8.54 Policy HE5 sets out detailed criteria for development proposals affecting all archaeological assets.

Policy HE5: Archaeology

- 1 The borough's archaeology and historic integrity of Scheduled Monuments and other important archaeological assets, as well as their settings, will be conserved and where possible enhanced.
- 2 Where it is considered that a development could either directly or indirectly impact on a heritage asset with archaeological interest (above or below ground), development will only be permitted where it can be justified in the archaeological interest (significance) of the heritage asset or its setting. This includes direct impacts on designated sites e.g. Scheduled Monuments, indirect impacts on the setting of designated sites and impacts on sites of archaeological interest.
- 3 Development proposals on sites where there is, or is the potential for, an archaeological asset, shall include an appropriate desk-based assessment of the asset. Where the assessment reveals that important or potentially significant archaeological assets may exist, developers will be required to, where necessary, undertake field surveys/ evaluations by an appropriately qualified person prior to the determination of the planning application. Such an evaluation shall determine;
 - a The character, significance and condition of any archaeological deposits or structures within the application site; and
 - b The likely impact of the proposed development on the archaeology, its significance and setting; and
 - c Measures to mitigate the effect of the proposed development including a statement setting out the impact of the development.
- 4 All stages of archaeological fieldwork shall be subject to a Written Scheme of Investigation approved by the local planning authority. No development shall take place on the proposed development site until the applicant, or their agents or successors in title, is in receipt of a Written Scheme of Investigation that has been approved by the Local Planning Authority.
- 5 In circumstances where development proposals affect non-designated heritage assets within an archaeological setting, the council will expect the archaeological deposits to be preserved in-situ. On sites where this is not possible, clear justification will be required. Where the justification is accepted, a programme of archaeological excavation and recording is likely to be required to be carried out. The fieldwork will be proportionate to the significance of the archaeological asset and must be carried out by an appropriately qualified contractor following a written specification agreed by the Borough Council. The programme will include all phases of desk-based and fieldwork, post-excavation analysis, publication of the results and deposition of the site archive in an appropriate repository.

Reasoned Justification

8.55 National Policy advises that ‘there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point’ ([NPPE Annex 2 Glossary](#)). Archaeology is therefore a material planning consideration with the key objective to conserve and enhance the historic environment of any development proposal.

8.56 Our archaeological heritage is rich and diverse and includes 25no. nationally important Scheduled Monuments of archaeological significance. In addition to this, it is estimated that there is approximately 12,500 hectares of land with archaeological potential including within Conservation Areas and Listed Buildings. Such land may hold archaeological remains that require appropriate investigation, recording and preservation.

8.57 Planning decisions will therefore take account of the significance of remains, including the wider advantages that conservation of the historic environment can deliver. Development proposals that affect heritage assets of archaeological significance should include a desk-based assessment and where appropriate, archaeological fieldwork.

Policy Implementation

8.58 This policy refers to all archaeological assets, both designated and non-designated, and seeks to conserve and where possible enhance all assets including their setting.

8.59 Where development proposals are likely to impact upon known assets, developers are advised to consult the Historic Environment Records (HER) to gain a clear understanding of the asset's significance. Applicants are expected to undertake a heritage assessment which should accompany any such application with a full Heritage Statement. It is also recommended that pre-application advice is sought prior to the submission of an application at the earliest stages. Development which affects a scheduled monument, and its setting will require permission from the Secretary of State.

8.60 Applicants proposing development on sites where there is, or is the potential for archaeology to be found will be required to undertake an appropriate desk-based assessment of the area. Where the assessment reveals that important or potentially significant archaeological assets may exist, developers will be required to, where necessary, undertake field surveys/evaluations by an appropriately qualified person prior to the determination of the planning application. This fieldwork must be informed by a Written Scheme of Investigation and approved by the council.

8.61 However, in some circumstances, the council may decide to impose a condition to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation, which should be in accordance with the professional standards of the Chartered Institute for Archaeologists (CfIA).

8.62 The conservation of an archaeological asset in its original location (preservation in situ) is the council's preferred approach where possible. Quite often this can be achieved by avoiding sensitive areas. If this cannot be done, a clear justification must be provided to the council. Where this justification is agreed by the council, a programme of archaeological excavation and recording will be required. The fieldwork will be proportionate to

the significance of the archaeological asset and must be carried out by an appropriately qualified contractor following a written specification agreed by the council. The result of all field work phases must be recorded, and this record shall be publicly accessible, being placed in an appropriate repository such as a record office or accredited museum.

8.63 As well as physical impacts on archaeology, development proposals can also affect the setting of archaeological assets. This could be from the loss of important views, vantage points or the introduction of new and visually harmful development to the area. The setting forms part of the significance of the asset and will be assessed as part of any application.

Enabling Development for Heritage Assets



Introduction

8.64 In some instances, development proposals are submitted which do not accord with national or local policy but may be regarded as acceptable to secure the long-term conservation of a heritage asset. Such development is referred to as 'enabling development'.

8.65 Such development is an exception to policy and seeks to ensure that the heritage asset can be preserved in the public's interest for future generations to enjoy.

8.66 Policy HE6 seeks to support enabling development for heritage assets where it is justified and it is the last option to secure a heritage asset's preservation.

Policy HE6: Enabling Development for Heritage Assets

- 1** Applications proposing enabling development to a heritage asset where there is no other alternative option available, which may conflict with policies in this Plan and/or national planning policies but would secure the future conservation of a heritage asset will be supported where it is demonstrated to meet the following criteria:
 - a** The proposal will not demonstrably harm the heritage values of the asset or its setting;
 - b** It can be demonstrated that alternative solutions were unsuccessful;
 - c** The proposed development is the minimum necessary to protect the significance of the heritage asset;
 - d** The proposal complies with the guidance set out in the Historic England Enabling Development and Heritage Assets GPA4 (2020) or its equivalent replacement;
 - e** A legal agreement to secure the restoration of the asset is agreed and signed; and
 - f** It facilitates public appreciation of the saved heritage asset.

Reasoned Justification

8.67 This policy is required in the interests of the conservation of a small minority of heritage assets at risk.

8.68 National Planning policy advises that Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Policy Implementation

8.69 Enabling development should only ever be regarded as a last choice in conserving heritage assets once all other options have been considered. Development should form the minimum required to cover the conservation needs only.

8.70 The proposed works should not harm the historic significance of the asset or its setting and should result in public benefits that outweigh the dis-benefits of conflicting with key policies.

8.71 The need for enabling development normally occurs as a result of the difference between the costs of renovating the asset in an appropriate manner and the final end value. This is known as the 'conservation deficit' and the proposed development should be the absolute minimum required to cover this deficit.

8.72 Any such application should be accompanied with a full heritage assessment set out in a heritage statement as well as a fully costed conservation management plan that refers to the conservation deficit. As part of the supporting information, the applicant needs to be able to demonstrate that they

have explored all alternative ways of securing the asset, including sources of public and private investment. The enabling development must follow the guidance set out in the [Historic England Enabling Development and Heritage Assets GPA4 \(2020\)](#) document or its equivalent replacement. To secure the long-term conservation benefits, a Section 106 legal agreement will be used.





09

DESIGN



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Achieving High Quality Design

Introduction

9.1 Good design is essential to delivering sustainable development. It enhances quality of life, improves perceptions of place, and supports environmental and economic benefits.





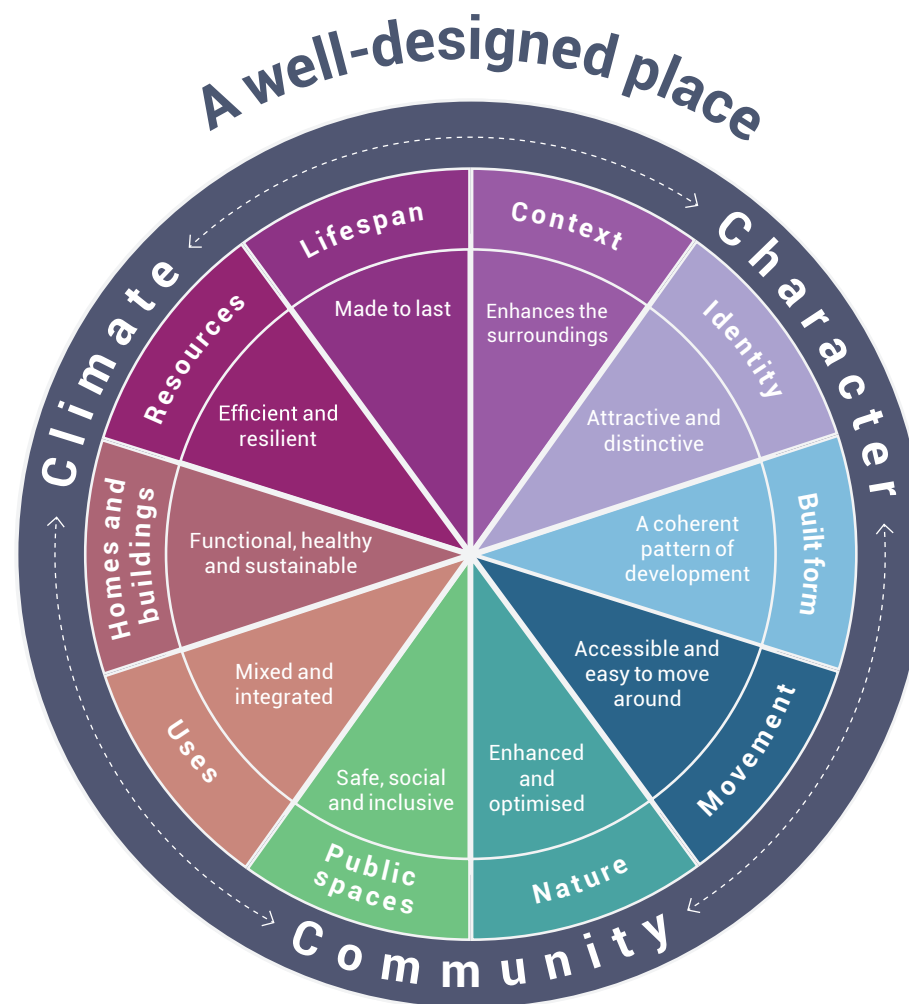


9.2 The NPPF attaches great importance to creating better places in which to live and work by achieving inclusive and beautiful design and sets out how this can be achieved through both plan-making as well as through the evolution and assessment of individual proposals. This plan provides draft site allocations, the design of which will be critical in creating vibrant, safe and functional communities with a distinctive sense of place that respect their local context. A key objective of this plan therefore is to ensure that all future development is designed with quality at its heart.

9.3 The borough has a rich and diverse urban and rural environment, containing many established and attractive places and buildings with distinctive architecture worthy of protection and enhancement. Such examples are the vibrant and modern garden village settlement of Kings Hill built on a former WW II airfield that provides a high-quality environment for homes and businesses, the unique Grade I listed Victorian Gothic Hadlow Tower locally known as “May’s Folly” and the numerous traditional oast houses of the historic hop industry, built of Kentish vernacular design and materials.

9.4 This Plan seeks to ensure that new buildings and spaces complement the rich character of the borough and create inclusive, attractive and healthy places which reinforce local distinctiveness. Furthermore, well-designed places can promote economic benefits including reduced heating bills, and in environmental terms, the use of sustainable materials can reduce the effects of climate change, with appropriate planting (including native species) increasing biodiversity levels on site and in the surroundings.

9.5 National planning policy is clear that the protection and enhancement of our built environment is fundamental to the achievement of sustainable development and is embedded within the overarching objectives of the planning system ([Chapter 2, Paragraph 8 \(c\) of the NPPF](#)). The importance of the built environment is further strengthened in Chapter 3 of the NPPF which requires local plans to contain strategic policies that (amongst other material planning issues) make sufficient provision for the conservation and enhancement of the built and historic environment.

Figure 5.1: National Model Design Code Diagram

9.6 In 2019 the Government published [the National Design Guide](#) which sets out 10 principles of well-designed places (updated 2021). This is shown in the diagram opposite.



9.7 As a borough that is predominantly rural in character, to achieve well designed places, developments should also respond positively to the borough's landscape characters and settings as informed by the [Landscape Assessment of Kent \(2004\)](#) and other landscape evidence including the borough's Local [Landscape Character Assessment \(2025\)](#) and [Landscape Visual Impact assessments \(2025\)](#).

9.8 When assessing the appropriateness of design, the council is informed by the [Kent Design Guide \(2000\)](#) and a suite of Character Area Appraisals, as well as the [Kent Downs AONB Management Plan 2021-2026](#) and the [High Weald AONB Management Plan 2024-2029](#).

9.9 Sensitively designed schemes can help reduce the likely energy demands of developments - and thereby mitigate the impacts on climate change - through the orientation of buildings and landscaping that makes the best use of natural light, heat and even shade. Well-designed places can also help reduce crime and disorder through natural surveillance and create secure environments. With this in mind, applicants should have regard to guidance in 'Secured by Design' or equivalent good practice at the time the application is made. In addition, a high quality well- designed environment can make a positive contribution to the health and well-being of residents and visitors.



9.10 **Policy D1** sets out the council's design expectations for proposals in the borough and includes key principles that should inform all proposed development.

Policy D1: Achieving High Quality Design

- 1 All development in the borough must incorporate principles of good design, be of the highest quality, and create inclusive, attractive places which promote a sense of place, pay regard to local distinctiveness and character and contribute to health and wellbeing.
- 2 Design must be considered at the earliest opportunity, having regard to national and local design guidance (including The Kent Design Guide), relevant design guides and Design Codes.
- 3 Major applications will be expected to demonstrate early, proactive and effective engagement with the community on design issues, where appropriate and as advised via any pre-application discussions.

- 4 Development proposals will be supported where they:

Context and Identity

- a Are locally distinctive, respond cohesively and create a positive sense of place by demonstrating a thorough understanding of the context and character of an area, including but not limited to, important views, topography, landscape and landscape features, townscape, form, details, materials, scale, skyline and heritage;
- b Respond positively to the scale, density, grain, massing and rhythm of the area; and
- c Are visually attractive and demonstrate a well-considered design response within the proposed elevational design, architectural detailing and use of local, traditional and high quality materials.

Built Form and Layout

- d Promote inclusive design;
- e Demonstrate that they meet the government's latest Nationally Described Space Standard in respect of internal accommodation, clearly setting out the floor area, number of dwelling storeys, the number of beds and built in storage area for each dwelling typology;
- f Make efficient use of land with sustainability at the heart, with ease of access to local public transport, facilities and services;
- g Incorporate way finding by using landmarks, vistas, destinations and focal points;
- h Be of an appropriate density for the area. Higher density development will be encouraged in sustainable and accessible locations where this is appropriate and is complementary to prevailing character. Lower density development may be appropriate in edge-of-settlement locations. Overall, density should be optimised in a way that accounts for the type of development required to meet the borough's needs, whilst also taking account of the character of the area;

- i** Make a positive contribution to the visual harmony of the area;
- j** Are designed to avoid unacceptable adverse impacts or harm to the amenities of neighbouring properties and their users / occupants in terms of privacy, sunlight and daylight, overbearing, noise, odour, traffic and vibration;
- k** have regard to 'Building for a Healthy Life' and National Space Standards;
- l** Where appropriate, provide high quality multi-functional green open spaces and public spaces, ensuring that open spaces are designed to be resilient to climate change and adaptable over time;
- m** Support habitat conservation and creation for wildlife and maximise opportunities for Biodiversity Net Gain, including incorporating tree lined streets and other planting;
- n** Make appropriate and visually attractive provision for service areas, refuse storage (including waste and recycling bins) and collection areas;

Movement

- o** Ensure easy navigation through a clear hierarchy of street and routes that are of appropriate widths and that ensure inclusivity and accessibility;
- p** Are well connected in transport terms and integrate well into the existing network;
- q** Provide high quality pedestrian and cycle infrastructure including PRow connections and prioritise safe and sustainable transport choices;
- r** Consider walkable neighbourhood and the prioritisation of people over cars, including looking to reduce vehicle speeds;
- s** Provide vehicle and cycle parking and charging points in an attractive way that is well integrated and does not dominate or clutter the street scene or detract from the public realm, and responds to local character and design standards; and
- t** Ensure safe access/egress from development and at each collection point for service vehicles (including appropriate turning areas), paying regard to published council guidance.

Lifespan

- u** Are designed to be adaptable to changing/ evolving needs and to facilitate opportunities for home working;
- v** Are designed to last, adding to the overall quality of the area utilising local and traditional materials;
- 5** Development should, where practicable and proportionate, be designed to:
 - a** deter crime and reduce the fear of crime, paying regard to the principles set out in Secured by Design;
 - b** maximise opportunities for healthy active lifestyle choices; and
 - c** reduce overheating and regulate the internal temperature of buildings through building form, orientation, passive ventilation and cooling, landscaping, urban greening and street trees, shading mechanisms, external colouring and green roofs and living walls.



Reasoned Justification

9.11 The NPPF requires the creation of high quality, beautiful and sustainable buildings and places which are fundamental to what the planning and development process should achieve. Good design creates better places to live and work, boosts health and well-being and helps make development acceptable to our communities. To this end, the NPPF requires that local plans set out a clear design vision and expectations for design policies to reflect local aspirations and for these to be grounded in an understanding and evaluation of each area's defining characteristics.

9.12 The NPPF is also clear that 'development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design'. Applicants will be expected to demonstrate how a high-quality design has been achieved and how national and local design guidance (including The Kent Design Guide) has been considered.

Policy Implementation

9.13 Development proposals must provide evidence, through their Design and Access Statements, to demonstrate how they have responded positively to the design policies in the local plan and local guidance, including The Kent Design Guide, Character Appraisals and where relevant, conservation Area Appraisals and Statements. Design and Access statements should explain how the principles of **Policy D1** have been considered and reflected in the project design. Where design and access statements are not required, proposals must comply with the design requirements set out in the

local plan and national guidance and policy. A Design and Access Statement should be provided in addition to any issue-specific assessment that is required via the council's validation checklist.

9.14 Proposals should demonstrate, as per the NPPF, how they make the effective use of land including achieving appropriate densities, by paying regard to an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change.

9.15 Pre-application consultation is encouraged to establish requirements prior to the submission of planning applications and major applications will be expected to demonstrate early, proactive and effective engagement with the community on design issues, where appropriate and as advised via any pre-application discussions. This may include the submission of a Statement of Community Involvement. This should clearly set out the outcome of any public involvement including exhibitions or design workshops.

Design Codes and Masterplans



Introduction

9.16 New development should create environments in which residents can live and work and also deliver benefits for existing communities, where relevant. A well-designed scheme will result in sustainable places which help to meet the development needs of the area whilst integrating well with existing settlements whilst also meeting wider local plan objectives.

9.17 The NPPF confirms that in order to provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the [National Design Guide](#) and [National Model Design Code](#), and which reflect local character and design preferences. These can be for particular areas or strategic sites. Strategic sites are those sites which have been identified in this local plan for either housing and/ or other non-residential uses, for example, retail, employment or leisure uses.

9.18 Design guides and codes therefore provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design.

9.19 The requirement for a masterplan on sites that deliver 100 plus dwellings and on significant non-residential sites (such as large-scale employment or mixed use – see Policy Implementation) will help to drive up design quality and ensure the creation of sustainable places. Design codes are also encouraged for developments of 100 or more dwellings or in relation to specific development types. Large strategic sites of 500 plus dwellings will require the submission of a design code in addition to a masterplan in order to provide a more detailed framework for creating high quality, sustainable and locally distinctive places. Design codes help deliver consistency and give certainty to the community.

9.20 Through this policy the council aspires to achieve high-quality design throughout the borough that responds positively to its built environment as well as encouraging innovative, sustainable, modern and contemporary design.

Policy D2: Design Codes and Masterplans

- 1 The council will require the submission of a masterplan for all sites of 100 or more dwellings, or sites for significant non-residential development (such as large-scale employment or mixed uses), submitted in either full or outline. Such masterplans must be informed by best practice, and a thorough understanding of the site and the area and comply with the principles set out within Policy DM1. For proposals of less than 100 dwellings, the submission of a masterplan is recommended.
- 2 Design Codes will be developed for large key sites as identified in the spatial strategy and on the Proposals Map. On large scale strategic sites of 500 or more dwellings the council will require Design Codes (in addition to masterplans). Design Codes are encouraged for developments of 100 or more dwellings or in relation to specific development types. The council will work collaboratively with site promoters in developing these. These will provide a framework for creating places that deliver high-quality and sustainable design.
- 3 For schemes proposing 500 or more dwellings, or where significant design implications are identified, these applications will be referred to a Design Review Panel.
- 4 Design Codes will specifically be required for self-build or custom build projects proposing 5 or more units, to encourage a coordinated approach to the design and development of individual plots.
- 5 New development and redevelopment will be expected to adhere to the requirements and provisions set out in design codes and design guides.
- 6 Preparation will consider the advice contained in National Planning Policy, the National Design Guide and the National Model Design Code as well as other evolving good design practice.
- 7 Design Codes and masterplans will reflect local aspirations and be informed by community engagement.

Reasoned Justification

9.21 The NPPF seeks to secure high-quality design and makes clear that poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions should be refused. Design codes should provide a framework for creating high-quality places. The [National Model Design Code](#) defines codes as a set of simple, concise, illustrated design requirements that are visual and numerical wherever possible to provide specific, detailed parameters for the physical development of a site or area.

Policy Implementation

9.22 Masterplans are expected to be prepared by the applicant/developer and should provide detailed supporting evidence of the design concept and evolution, providing a thorough site analysis, an evaluation of constraints and opportunities and provide a framework for new development on the site. Masterplans should be subject to pre-application advice and community engagement.



9.23 Design Codes for sites referred to in **Policy D2** are expected to be prepared by the applicant/developer and should use [the National Design Guide](#) and the [National Model Design Code](#) as a framework for how they should be prepared, including the seven-step coding process they need to follow. The content and level of detail of the Design code will be agreed at pre-application which should take place as early as possible. Design codes should be submitted to the council for consideration before final submission as part of any planning application.



9.24 To ensure that development delivered is of the highest quality, the council will seek to ensure that the quality of approved development is not materially diminished between permission being granted and the construction of the development.

10

HOUSING



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10

HOUSING

Introduction



10.1 Housing is central to this Local Plan's vision to ensure that the borough is a place where all residents can access good quality, affordable homes that meet their needs, whether renting or buying.

10.2 The Local Plan plays a vital role in delivering this vision by setting out a framework for sustainable housing growth and in doing so it is important that the development that comes forward responds to local needs, supports community wellbeing, and aligns with national planning policy.

10.3 There are a range of housing challenges within the borough, including affordability pressures, an ageing population, and the need to improve the condition and energy efficiency of existing homes. The council's Housing Strategy identifies four key priorities that underpin the approach to housing:

- Making best use of existing homes, improving housing quality and sustainability.
- Improving housing options and opportunities to prevent homelessness.
- Delivering the homes our residents need in the places they are needed.
- Working in partnership to achieve shared housing goals.

10.4 This chapter supports the delivery of these priorities by setting out policies to guide the location, type, tenure, and design of new homes, ensuring development contributes to inclusive, resilient, and environmentally sustainable communities. It also promotes housing that supports independent living, meets the needs of vulnerable groups, and contributes to the borough's wider strategic objectives, including those in the council's [Corporate Strategy](#).







Housing to Address Needs



Introduction

10.5 The council is committed to delivering housing that meets the diverse needs of its communities and supports the creation of inclusive, mixed, and sustainable places. Policy H1 sets out the council's approach to ensuring that new residential development contributes to a balanced housing market, ensuring that new housing reflects local needs in terms of type, size and tenure and will contribute to enabling equality of access to suitable accommodation.

10.6 The policy reflects the principles of the [National Planning Policy Framework \(NPPF\)](#), which requires local planning authorities to plan for a sufficient supply and mix of housing to meet the needs of different groups, including families, older people, people with disabilities, and those wishing to build their own homes. It also responds to local evidence, including the [Strategic Housing Market Assessment \(SHMA\)](#) and [Housing Register data](#), to guide the delivery of appropriate dwelling types, tenures, and sizes.

Policy H1: Housing to Address Needs

- 1 The council will respond to meeting local housing need by seeking to support the delivery of a wide choice of high quality and well-designed homes which will contribute to the creation of mixed, balanced, inclusive and sustainable communities.
- 2 Proposals for all housing schemes will be expected to provide for a mix of dwelling types, tenures, and sizes as well as provide a range and mix of housing formats to meet both national and local policy requirements and to meet local housing needs, as evidenced in the latest Strategic Housing Market Assessment and / or other relevant evidence that is provided to justify the mix of homes required during the plan period.
- 3 Housing development will be supported that is consistent with policies in this local plan including the settlement hierarchy and spatial strategy.
- 4 Overall housing mix will be achieved by the provision of:
 - a Market and affordable dwellings;

- b Housing for those with specialist needs (including dwellings for older people, adaptable and accessible housing and Use Class C2 accommodation including care homes);
- c Self-build and custom build plots; and
- d Gypsy and Travellers and Travelling Showpeople accommodation.

Housing mix

- 5 The council will seek the following housing mix by tenure on sites of 10 dwellings (net) or more:

	Market	Affordable home ownership	Affordable housing (rented)
1 bedroom	10%	20%	25%
2 bedrooms	30%	45%	35%
3 bedrooms	40%	25%	30%
4+ bedrooms	20%	10%	10%

- 6 Where applicants propose a different mix of market and affordable homes than that detailed above, proposals will only be supported where they are supported by up-to-date evidence of need including that which demonstrates the suitability of the proposal in relation to the following, which is not listed in priority order:
 - a Site viability;
 - b The context, character, density and location of the site / development including whether brownfield or greenfield development;
 - c Site constraints;
 - d The role and function of the development location and the specific characteristics of local households;
 - e Diversifying housing stock to ensure equitable housing provision for all;
 - f Accessibility to local transport and transport connections;
 - g Market demands and market conditions including the existing mix and turnover of properties at the local level; and
 - h Housing Register Data or other relevant up-to-date evidence no older than 3 years.

Reasoned Justification

10.7 A varied and responsive housing supply is essential to meeting the borough's demographic and economic needs. The policy is informed by the [SHMA](#) and other local evidence, which highlight the importance of providing homes of different sizes and tenures to reflect household changes, population ageing, and affordability challenges.

10.8 In particular, there is a strong need for 2 and 3 bedroom homes across all tenures, with targeted provision of 1 bedroom and 4+ bedroom dwellings to meet specific needs. For affordable rented housing, evidence points to a requirement for at least 40% of homes to have three or more bedrooms, including 10% with four or more bedrooms, to support larger households and reduce overcrowding.

10.9 The policy also seeks to address under-occupancy in the market sector by encouraging more efficient use of new housing stock. By promoting a mix of dwelling sizes and formats, the policy supports greater market choice, helps overcome absorption constraints, and contributes to improved delivery rates.

Policy Implementation

10.10 Policy H1 will be implemented through the development management process, with housing proposals expected to demonstrate how they contribute to a balanced and inclusive housing mix. Applicants must refer to the latest [SHMA](#), housing needs surveys, and other relevant evidence to determine the most appropriate mix of dwelling types, sizes, and tenures for each site.

10.11 Requirements vary across the borough so factors such as proximity to public transport and services, place and site characteristics will determine what is a suitable dwelling mix at any particular location. The final mix will be negotiated with the developer on a site-specific basis, so as to ensure compliance with the policy and regard to the most up to date SHMA.

10.12 Tonbridge and Malling's housing stock is characterised by a high proportion of semi-detached homes (41.9%) and owner-occupation (72.1%), with relatively high levels of under-occupancy (42.1%) and low levels of overcrowding. To address this imbalance, the council will resist an over-supply of 1- and 2-bedroom flats and instead promote a more diverse mix that reflects actual need, particularly for 2 and 3 bedroom

homes across all tenures. For affordable rented housing, at least 40% of homes should have three or more bedrooms, with 10% having four or more bedrooms.

10.13 Homes of different sizes and tenures should be distributed across a scheme to provide variation in character and form and to support social mix through having a range of different sized households (and households at different life stages) which will provide more integrated and balanced communities. Similarly, clustering of homes of a particular tenure can result in less socially cohesive schemes. Affordable homes for rent should be 'pepper-potted' unless there are servicing issues that requires them to be provided in clusters.

10.14 All proposals must comply with other policies within this plan in relation to design and other matters. Monitoring of housing delivery and mix will be undertaken through the Authority Monitoring Report (AMR), which will inform future updates to the Local Plan and ensure continued alignment with local needs.

Affordable Housing



Introduction

10.15 The provision of affordable housing is a critical component of sustainable development and inclusive communities. Policy H2 sets out the requirements for affordable housing delivery across the borough, ensuring that new residential development contributes meaningfully to meeting identified housing needs.

10.16 This policy applies to proposals that include a residential element, including Use Class C2 and permanent residential caravan sites, and seeks to secure affordable housing both on-site and through financial contributions where appropriate. The policy also addresses tenure mix, design integration, and exceptional circumstances where viability may affect delivery.



10.17 The Tonbridge and Malling Borough Council ([SHMA](#)) identifies an acute need for affordable housing across all sub-areas of the borough, and therefore the council will seek to maximise delivery at every opportunity. The majority of need arises from households who are unable to buy or rent on the open market, which points to a particular requirement for social and affordable rented housing rather than affordable home ownership products.



10.18 This policy also seeks to address housing affordability and the supply of specialist housing, aiming to significantly boost the supply of homes to support sustainable communities..

Policy H2: Affordable Housing

- 1 To meet the borough's need for affordable housing, development proposals which include a residential element (including C2 and permanent residential caravan sites) will be required to deliver 40% affordable housing on site where:

- a proposals are for 10 or more (net) units, or
- b proposals for 6 or more units within a National Landscape, or
- c where sites provide 0.5 hectares or more of developable area.

Financial contributions will be sought in lieu of on-site affordable housing on permanent residential caravan sites.

- 2 Relevant proposals as above must include an Affordable Housing Statement that sets out how the application meets policy requirements. Provision should accord with the definition of affordable housing as set out within national policy and in accordance with the policies of this plan. Affordable housing should genuinely be affordable to those identified as being in housing need as set out by the government eligibility criteria and any relevant policy requirements.
- 3 At least 50% of the housing must be affordable, on land which is proposed to be released from the Green Belt or on land within the Green Belt.

Tenure mix of affordable homes

- 4 Developments will be required to deliver a mix of affordable housing tenures. This should include a tenure mix of 50% social rent, 30% affordable rent and 20% intermediate accommodation unless a different tenure mix would be more suitable taking into account the location of the site and any other relevant factors. Where intermediate products are proposed there should be a preference of shared ownership. However, alternatives to shared ownership housing may be delivered where it is demonstrated that this will contribute to meeting local affordable housing need as indicated by up-to-date evidence and where these can be demonstrated to be genuinely affordable.
- 5 All affordable housing secured through policy must remain affordable in perpetuity. Legal agreements will make provision for achieving clawback on long-term phased schemes if affordable housing is converted to another tenure.

Exceptional circumstances

- 6 The council will seek to maximise affordable housing delivery, however, there may be exceptional circumstances where on-site affordable housing is not viable. In these circumstances, evidence will be required to be submitted to demonstrate why the level or tenure mix of affordable housing cannot be achieved on site. Any proposal for alternative tenure mix or a reduction in affordable housing provision should be discussed with the council at the earliest opportunity alongside the submission of detailed evidence for not meeting the policy.
- 7 In the exceptional circumstances where it is not viable to deliver affordable housing on-site, then either off-site serviced plots or a commuted sum in lieu of on-site delivery for the same number of units will be required. Viability will be subject to an independent assessment at the applicants cost. All proposals required to submit evidence of viability will be subject to viability reviews. Should viability improve prior to completion then affordable housing contribution would change accordingly.
- 8 Where a lower percentage of affordable housing or differing tenure mix is agreed on viability grounds, developers will be required to enter into an agreement that allows affordable housing contributions to be made in the future should higher levels become viable through an overage clause. The council will require viability to be re-appraised on subsequent phases of larger schemes of 10 units or more.

Design

- 9 The affordable housing provision must be well-integrated into a scheme and externally indistinguishable from market housing, including quality of materials, design and open spaces. The units should be located throughout the site in a manner that supports integration but can also be managed efficiently by Registered Providers.



Reasoned Justification

10.19 The analysis of the future mix of housing required takes account of demographic change, including potential changes to the number of family households and the ageing of the population.

10.20 The SHMA is clear that social rents are more affordable and could benefit a wider range of households – social rents should therefore be prioritised where delivery does not prejudice the overall delivery of affordable homes.

10.21 The borough faces significant challenges in meeting the demand for affordable housing, with affordability pressures continuing to impact residents across a range of income levels. Evidence from the SHMA and other local housing needs assessments demonstrates a persistent shortfall in affordable housing provision, particularly for social rent and intermediate tenures.

10.22 The SHMA analysis has taken account of local housing costs (to both buy and rent) alongside household income estimates and confirms the need for both social rent and affordable rent products.

10.23 Data from [the Regulator of Social Housing \(RSH\) for 2024](#) shows that Private Registered Providers (PRPs) own approximately 9,800 properties in the borough. Of these, 80% are general needs rented homes, with 84% of those let at social rent levels and the remainder at affordable rent. A further 12% are low-cost home ownership properties, such as shared ownership, and 8% are supported housing or housing for older people.

10.24 The SHMA justifies a policy position of 80%

low-cost rented housing and 20% affordable home ownership. Within the rented category, up to 60% of affordable housing at social rents being justified in need terms, equating to around 50% of all affordable housing. Low cost home ownership provision should focus on shared ownership, with no strong evidence of need for First Homes or discounted market housing.

10.25 The analysis of future housing mix also considers demographic change, including the ageing population and shifts in household composition, such as the number of family households.

10.26 To ensure clarity and consistency, the policy aligns with the National Planning Policy Framework (NPPF) definition of affordable housing (Annex 2), which includes:

- **Social Rent:** Set in accordance with Government rent policy, managed by registered providers, and retained as affordable in perpetuity.
- **Affordable Rent:** At least 20% below market rent, managed by registered providers or as part of Build to Rent schemes.
- **Discounted Market Sales Housing:** Sold at a minimum 20% discount below market value, with eligibility based on local incomes and house prices.
- **Other Affordable Routes to Home Ownership:** Includes shared ownership, equity loans, rent to buy, and other low-cost sale options.

10.27 Policy H2 responds to this need by requiring a minimum of 40% affordable housing on qualifying sites, with a higher threshold of 50% on land released from or within the Green Belt to reflect the exceptional nature of such development and the [NPPF](#) Golden Rules. The tenure mix prioritises social rent, in line with national guidance and local evidence, while allowing flexibility where justified.

10.28 The policy also ensures that affordable housing remains genuinely affordable and available in perpetuity, supporting long-term community stability. By requiring integration of affordable units within developments and ensuring design quality, the policy promotes inclusive neighbourhoods and avoids social segregation.

10.29 Where viability constraints arise, the policy provides a clear framework for negotiation, evidence submission, and independent review, ensuring transparency and accountability. This approach balances the need for flexibility with the overarching objective of maximising affordable housing delivery.

Policy Implementation

10.30 Development proposals that meet the thresholds set out in the policy, including those of 10 or more net residential units or 6 or more units within a National Landscape, or sites of 0.5 hectares or more, must deliver 40% affordable housing on-site. Permanent residential caravan sites must provide financial contributions in lieu of on-site delivery. Where development occurs on land within or released from the Green Belt, at least 50% of the housing must be affordable.

10.31 There are a range of affordable housing options that may be appropriate to meet identified needs. These include rented forms of affordable housing, such as social rent and affordable rent, and intermediate housing products such as shared ownership or discounted market housing. In relation to intermediate housing products, the SHMA evidence indicates that shared ownership should be the primary focus, with limited justification for First Homes or discounted market sale products.

10.32 The council strongly encourages early pre-application discussions for all development proposals with an affordable housing element. Wherever possible, these pre-application discussions should include a Registered Provider. Topics for discussion should include the amount, type, size, and tenure of affordable housing; the design and location of units within the wider development; identification of potential Registered Providers and funding opportunities; and agreement of the Heads of Terms for the Section 106 Agreement to secure delivery.

10.33 All qualifying proposals must include an Affordable Housing Statement. This statement must clearly set out what is being proposed in relation to affordable housing and provide a justification for the amount, type, and location of provision. As a minimum, it should include:

- The total number of residential units proposed;
- The percentage of affordable housing;
- The tenure mix and percentage split;
- The number of bedrooms and property types across all tenures;
- Space standards and floor areas of affordable units;

- Scaled plans showing the location of affordable units within the site;
- Details of any Registered Providers involved or market testing evidence;
- The levels or types of affordability proposed for different units; and
- An explanation of how the affordable housing will be managed.

10.34 In the case of outline applications, where some details may not yet be known, the Affordable Housing Statement must confirm that a legal agreement will be entered into to secure compliance with the adopted policy. Further information on our outline application validation requirements is available via the TMBC website

10.35 Affordable housing must be well-integrated into the overall development and indistinguishable from market housing in terms of design, materials, and layout. Units should be distributed across the site to support social inclusion and efficient management by Registered Providers. The council will not accept significant locational or design differences between private and affordable tenures unless supported by robust evidence demonstrating necessity for viability or management reasons.

Section 106 TCPA 1990 Provisions for Affordable Housing

10.36 The council has prepared model planning obligations relating to the delivery of affordable housing to seek to ensure wherever possible that tenure and bed size mix parameters are set at outline stage and these will be the starting point for all s106 negotiations relating to affordable housing. TMBC is mindful that in some instances, particularly with very large schemes, not all detail will be available at outline application stage. However, we will expect that the evidence base laid out at section 3 of the [Affordable Housing Protocol](#) is utilised to inform affordable housing proposals both at outline and reserved matter application stages and the draft s106 clauses are designed to ensure that is the case.

10.37 Affordable housing must remain affordable in perpetuity. Legal agreements will secure this requirement and include clawback provisions for phased schemes to prevent conversion to other tenures. The council will also require viability to be re-appraised on subsequent phases of larger schemes and will apply overage clauses where reduced affordable housing provision is agreed on viability grounds.

Viability

10.38 Where on-site delivery is not viable, applicants must submit robust viability evidence for independent assessment, the cost of which will be borne by the applicant.

10.39 In such cases, commuted sums or serviced plots will be required in lieu of on-site provision. Viability reviews will be undertaken, and if viability improves prior to completion, the affordable housing contribution will be adjusted accordingly.

Off-site delivery

10.40 In exceptional circumstances, the council may approve off-site delivery of affordable housing. Should on-site and off-site delivery be ruled out as options, a commuted sum may be deemed acceptable.

Build-to-Rent



Introduction

10.41 The NPPF sets out that the needs of people who rent their homes (as separate from affordable housing) should be assessed and reflected in planning policies (Para 63). The NPPF glossary defines Build to Rent (BtR) development as:

“Purpose-built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses but should be on the same site and/or contiguous with the main development.”

10.42 It therefore represents development which is constructed with the intention that it will be let rather than sold.

10.43 There are 94 BtR units in the borough, across two schemes. All of the units are 3-bedroom. Although one scheme was developed by Vistry, it is now operated by [Leaf Living](#). Further analysis of the Leaf Living website indicates that they operate two further developments in proximity, one in East Malling at Pippin’s Place and another outside TMBC in Paddock Wood. All these schemes are “single-family” BtR, which are typically suburban in style.

10.44 There are two BtR schemes in neighbouring Medway, at Chatham (71 units) and Gillingham (192 units) waterfronts. These are multi-family BtR schemes which are typically higher-density flatted developments. These developments are operated by [Three Sixty Space](#) and [Way of Life](#).

10.45 Even though there are only two BtR schemes in TMBC at the moment, the presence of several schemes built by different developers and managed by different operators in neighbouring locations indicates that there is likely to be further interest from the development industry in promoting BtR development in the area. The policy therefore sets out the requirements in the eventuality of a build-to-rent proposal.

10.46 BtR developments are a distinct form of housing provision, purpose-built for long-term rental and typically held in single ownership with professional management. The National Planning Policy Framework (NPPF) recognises the specific needs of renters as separate from affordable housing, and paragraph 63 requires that these needs be assessed and reflected in planning policies.

10.47 BtR schemes can play a valuable role in diversifying housing supply, meeting the needs of households who prefer or require rented accommodation, and supporting housing delivery. They often include communal facilities and services that foster a sense of community and offer greater security of tenure than traditional private rented housing.

10.48 This policy sets out the council’s approach to supporting BtR schemes in appropriate locations, ensuring they contribute positively to housing supply, affordability, and quality of life for residents.

Policy H3: Build-to-Rent

- 1 To help meet affordable housing need and to diversify housing supply through the provision of rental homes, the council will support build-to-rent proposals in sustainable locations with good public transport connections. Build-to-rent schemes should:
 - a Provide at least 10 homes;
 - b Provide high-quality accommodation that fosters a sense of community through the provision of communal areas, community facilities and services as part of the development;
 - c Provide sufficient internal space for all new dwellings, including changes of use and conversions, to cater for future occupants. The gross internal floor area for each new dwelling should meet or exceed the Nationally Described Space Standard or any subsequent equivalent space guidance;
 - d Offer a range of tenancy options to suit the renter including a minimum 3-year tenancy to meet renter needs;
 - e Is secured for the long-term (e.g. minimum 30 years); and
 - f Will be professionally managed and preferably in single ownership and management control.
- 2 A build-to-rent scheme, will be required to provide at least 20% of units as Affordable Private Rent to be maintained in perpetuity. The affordable private rent units must be at a minimum discount of 20% to local market rents and must be let to households with a local connection. They must also be built and maintained to the same standards as the build to rent properties;
- 3 A viability appraisal will be required to demonstrate affordable housing contributions, paid for by the applicant; and
- 4 Proposals for build-to-rent schemes should submit a build-to-rent report setting out how it intends to operate, manage and let the build-to-rent Scheme, to be agreed with the council.

Reasoned Justification

10.49 The Planning Practice Guidance (PPG) on Build-to-Rent recognises that where a need is identified, local planning authorities should include a specific policy to promote and accommodate BtR development. The council has identified a growing interest in BtR schemes locally and regionally, and this policy responds to that emerging need.

10.50 Given the BtR schemes in Tonbridge and Malling and neighbouring local authority areas suggests that the borough is well-positioned to attract further BtR investment.

10.51 The PPG sets out that at least 20% of units in BtR schemes should be provided as Affordable Private Rent, with a minimum 20% discount to local market rents. These units should be managed collectively by a single landlord and maintained in perpetuity. The council supports this benchmark and will require evidence to justify any deviation from it.

10.52 Given this context, it is important that the Local Plan sets out clear expectations for BtR development. This includes ensuring high-quality design, long-term management, and affordability through the provision of Affordable Private Rent units. The policy aligns with national guidance and supports the delivery of professionally managed rental housing that meets local needs.

Policy Implementation

10.53 To ensure Build-to-Rent (BtR) schemes contribute positively to housing delivery and community wellbeing, proposals will be expected to meet a range of implementation criteria. BtR developments should be located in sustainable areas with good access to public transport, services, and employment opportunities. This aligns with the spatial strategy of the Local Plan and will be assessed through site allocations or individual site assessments for windfall development.

10.54 All BtR homes must meet or exceed the Nationally Described Space Standard (NDSS), or any subsequent national guidance, to ensure sufficient internal space for future occupants. Developments should incorporate communal spaces and facilities that support resident wellbeing and foster a sense of community. In addition, schemes should provide appropriate outdoor space, secure cycle storage, and measures to support active travel, in line with wider design and sustainability standards.

10.55 Tenure arrangements must reflect the needs of renters, offering a range of tenancy options including a minimum three-year tenancy. BtR schemes must be secured for long-term rental use, typically for a minimum of 30 years, and should be held in single ownership with professional management to ensure consistency and quality of service. This reflects the definition of BtR set out in the National Planning Policy Framework (NPPF), which emphasises long-term tenancies and professional management.

10.56 The mix of units within each scheme should be appropriate to the type and location of the development. For example, multi-family flatted schemes are unlikely to deliver larger homes such as four-bedroom units, whereas single-family suburban schemes may offer a broader mix. The council will assess the proposed mix in the context of local housing need and site characteristics.

10.57 In accordance with Planning Practice Guidance (PPG), at least 20% of units within a BtR scheme must be provided as Affordable Private Rent. These units must be let at a minimum 20% discount to local market rents, calculated at the point of letting or tenancy renewal, and maintained in perpetuity. Affordable Private Rent units must be indistinguishable from market rent units in terms of quality and management, and must be let to households with a local connection. All units, both market and affordable, should be managed collectively by a single landlord.

10.58 Applicants will be required to submit a viability appraisal to demonstrate the scheme's ability to deliver affordable housing contributions. In addition, a Build-to-Rent Report must be provided, setting out the scheme's operational model, management arrangements, tenancy structures, and affordability mechanisms. This report will be reviewed and agreed with the council prior to determination.

10.59 The council will secure the long-term affordability and management of BtR schemes through planning conditions and/or legal agreements. Monitoring will be undertaken to ensure compliance with affordability, tenancy, and management commitments. Rent increases for Affordable Private Rent units should follow the same basis as those applied to longer-term market tenancies within the development.



Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites

Introduction

10.60 Gypsies, Travellers and Travelling Showpeople form part of Tonbridge and Malling's diverse communities and have distinct accommodation needs. National planning policy requires local authorities to ensure fair and equal treatment for these groups, including facilitating the provision and safeguarding of sites to meet identified needs.

10.61 The [Planning Policy for Traveller Sites \(PPTS\) 2024](#) updated the planning definition of a Traveller, removing travelling behaviour as a determining factor in assessing need in some cases where people no longer travel. This change broadens the scope of who may be considered in need of accommodation and reinforces the importance of safeguarding existing lawful sites.

10.62 Gypsies and Travellers typically live on pitches within sites, while Travelling Showpeople reside on plots within yards, sometimes grouped into Showpersons' developments. The council recognises the need to set pitch and plot targets to address both permanent and transit accommodation needs across the Borough.

10.63 This policy seeks to safeguard existing lawful sites and ensure that any proposed loss is appropriately mitigated, maintaining the overall supply of pitches and plots in the borough.

Policy H4: Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites

- 1 The council will safeguard and protect lawful existing Gypsy, Traveller and Travelling Showpeople sites. Where a loss is proposed, and there is a need in the Borough for pitches or plots, proposals will only be permitted where alternative provision is made, resulting in no net loss, and is in either an equivalent or an improved location. The alternative site must be provided before the original is lost and this will be secured as either a planning condition or via a S106 agreement.
- 2 Should a site have a personal planning condition attached to it relating to the site occupier, the council will support applications to modify or remove the condition (as relevant) to allow the continued use of the site as a Gypsy, Traveller and Travelling Showpeople site in perpetuity, subject to other policies in this plan.

Reasoned Justification

10.64 The borough has a recognised need for Gypsy, Traveller and Travelling Showpeople accommodation, as identified through the most recent [Gypsy and Traveller Accommodation Assessment \(GTAA\)](#). Existing lawful sites play a critical role in meeting this need and supporting the rights of these communities to live in culturally appropriate accommodation.

10.65 Safeguarding these sites is essential to prevent further shortfalls in provision, which could lead to unauthorised encampments, increased pressure on public services, and social exclusion. Where a site is proposed for loss, it is vital that suitable alternative provision is secured to ensure no net loss of accommodation. This approach aligns with national policy and promotes sustainable, inclusive communities.

10.66 Additionally, many sites have personal planning conditions attached to them, limiting occupation to named individuals. As circumstances change, it is important to allow flexibility to ensure continued use of these sites for their intended purpose, particularly where there is ongoing need and the site remains suitable in planning terms.

Policy Implementation

10.67 The council will safeguard all lawful Gypsy, Traveller and Travelling Showpeople sites i.e. sites that have been granted planning consent. Planning permission will not normally be granted for development involving the loss of such accommodation unless alternative provision is made to make good any loss. The alternative site must be provided before the original is lost and secured via a planning condition or Section 106 agreement.

10.68 Any replacement site must be of an equivalent or improved location, with appropriate access to services, infrastructure, and opportunities for community integration. Proposals will be assessed against the borough's current accommodation needs and relevant site suitability criteria.

10.69 Where a site has a personal planning condition attached to it relating to the site occupier, the council will support applications to modify or remove the condition to allow the continued use of the site as a Gypsy, Traveller or Travelling Showpeople site in perpetuity, subject to compliance with other policies in the Local Plan.

10.70 Applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the current [NPPE](#) and [PPTS](#).

10.71 The council will consider the following issues, among other relevant matters, when determining planning applications for Traveller sites:

- a** The existing level of local provision and need for sites;
- b** The availability (or lack) of alternative accommodation for the applicants;
- c** Other personal circumstances of the applicant;
- d** Locally specific criteria used to guide the allocation of sites in plans or to assess applications on unallocated sites;
- e** Applications from any Travellers, not just those with local connections.

10.72 The council will maintain an up-to-date register of lawful sites and regularly review the effectiveness of this policy through its Authority Monitoring Report (AMR). The [GTAA](#) will be updated as required to ensure the policy remains responsive to changing needs.

Gypsy, Traveller and Travelling Showpeople – Site Criteria



Introduction

10.73 Government policy encourages authorities to meet the needs of all Gypsies, Travellers and Travelling Showpeople and in the context of Travelling communities councils need to consider the [Human Rights Act 1998](#), the [Equalities Act 2010](#) and the [Housing and Planning Act 2016](#) section 124 for Traveller Sites. These policies are used to plan for the accommodation needs of those Gypsies, Travellers and Travelling Showpeople who continue to lead a nomadic habit of life, even if they have stopped travelling for certain reasons.

10.74 The council recognises the importance of providing appropriate accommodation for Gypsies, Travellers and Travelling Showpeople in line with national planning policy and local needs. Gypsies, Travellers and Travelling Showpeople have distinct cultural traditions and accommodation requirements, and it is essential that the Local Plan supports their inclusion and integration within the wider community.

10.75 The overarching aim of the National Planning Policy for Traveller Sites is to ensure fair and equal treatment of the travelling community, in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community. As part of this, the council is required to proactively plan to meet the housing needs of Gypsies, Travellers and Travelling Showpeople in the Borough.

10.76 The NPPF confirms that 'Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document'.

Policy H5: Gypsy, Traveller and Travelling Showpeople – Site Criteria

- 1** Proposals for new, extended or intensification of permanent or temporary gypsy, traveller and travelling showpeople sites will be supported where applications meet the following criteria:
 - a** The site is in a sustainable location and is either located within or adjoining a settlement confines boundary or within good proximity to a range of services including shops, schools and primary health care facilities accessible by public transport, to enable integration into the community;
 - b** The site is suitable in terms of vehicular access for cars, caravans and emergency vehicles, parking, turning, road safety and servicing arrangements, and has access to essential services such as water supply, sewerage, drainage and waste disposal;
 - c** Appropriate landscaping is included within the proposal to ensure that the scheme does not result in any adverse landscape impacts. In cases where proposals are in or adjacent to a National Landscape, the scale and the extent of development should be limited, sensitively located and designed to enhance, mitigate or avoid impacts;
 - d** The site is not affected by adjacent uses or environmental hazards that may affect the residents' health or welfare or located in an area of high risk of flooding, including functional floodplains;
 - e** The site promotes peaceful and integrated co-existence between the site and the local community;
 - f** The site demonstrates the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability;
 - g** The site is suitable in scale when considering its location and the settlement hierarchy and the range of existing local infrastructure and services;
 - h** The proposal achieves a well-designed lay-out, includes amenity space and space for equipment and animals with minimal hard standing and permanent structures and integrates with adjacent communities. Where amenity blocks are proposed these must be appropriate to the scale of the site;
 - i** Proposals make adequate provision for on-site facilities that meet best practice for modern Traveller site requirements, including, storage, provision for recycling and waste management;
 - j** No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site; and
 - k** All proposals must comply with The Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.
- 2** Where there is a demonstrated need for additional plots / pitches, suitable expansion or the intensification or regularising of existing sites will be supported by the council subject to meeting policy requirements. Where windfall sites are proposed then the application must demonstrate that the national policy definition for gypsy and travellers and travelling showpeople can be met as well as demonstrating that there is a strong local connection to the area.

Reasoned Justification

10.77 To support the wider needs of Gypsies and Travellers, the policy sets out criteria to inform future planning applications. The criteria set is to guide land supply allocations where there is identified need.

Where there is no identified need, the criteria-based policy is included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.

10.78 National guidance states that in general, new sites in the countryside, away from existing settlements, or where a site could dominate the nearest settled community, should be resisted. But as with bricks and mortar housing: well-planned and well-designed sites that make effective use of previously developed land and/or that positively enhance the environment will be supported. Enclosing a site with hard landscaping, high walls or fences, may give the impression that the site and its occupants are deliberately isolated from the rest of the community and will not be supported.

10.79 Similarly, it is vital that residents are able to access education, health and utilities (such as mains water supply, drainage and community facilities) in the same way that the settled community can.

10.80 This policy sets out the criteria against which planning applications will be assessed to meet the needs of Gypsies, Travellers and Travelling Showpeople. These criteria also provide a robust framework to consider any unidentified needs of the community during the plan period.

10.81 To support the wider needs of these communities, the policy provides a fair and balanced criteria-based approach. This ensures that land supply allocations are guided to where there is identified need, and that applications can still be assessed where no specific need has been identified. The criteria are designed to facilitate the traditional and nomadic lifestyle of Travellers while respecting the interests of the settled community.

Policy Implementation

10.82 All proposals must meet best practice design standards, including safe access, adequate amenity space, landscaping, and access to essential services. The council will resist schemes that enclose sites with hard boundaries or isolate residents, in line with national guidance.

10.83 Planning permissions will include conditions limiting occupancy to Gypsies and Travellers. Caravan site licences must be obtained from the council's Environmental Health Team prior to occupation. Conditions may also regulate the number of caravans, layout, and duration of stay to ensure compliance with the [Caravan Sites and Control of Development Act 1960](#).

10.84 The council will continue to engage with communities and stakeholders to promote peaceful and integrated co-existence, ensuring that Traveller sites are planned and managed in a way that supports both the travelling and settled populations.



Specialist Housing to Meet the Needs of Older and Vulnerable People

Introduction

10.85 Tonbridge & Malling has a similar age structure to regional and national averages in terms of older people, but with lower levels of disability. However, the borough is experiencing a significant demographic shift. Between 2024 and 2042, the population aged 65 and over is projected to increase by over 38%, with those aged 85 and over increasing by nearly 62%. This ageing trend is expected to result in a higher prevalence of disability, dementia, and mobility issues.

10.86 Older residents in the borough are more likely to be homeowners, with 75% of older person households owning their homes outright. This presents both a challenge and an opportunity: while many older people may have significant housing equity, they may also be living in homes that are no longer suitable for their changing needs.

10.87 The Local Plan seeks to widen housing choices for older people by securing a diverse supply of market and affordable housing, including specialist accommodation. This includes age-restricted housing, sheltered and extra care housing, and residential care homes. The aim is to enable older and vulnerable people to live independently for as long as possible, in homes that are adaptable, accessible, and located near local services and facilities.

Policy H6: Specialist Housing to Meet the Needs of Older and Vulnerable People

- 1** Given the borough's need for specialist accommodation for older and vulnerable communities, sites between 20 to 99 dwellings, will, subject to viability, be required to deliver at least 5% specialist accommodation as C3 and schemes for 100 or more dwellings will be required to deliver 5% specialist accommodation as either C3 dwellings or C2 equivalents taking into account local housing need.
- 2** The council will support development proposals for specialist housing¹ for older people and vulnerable groups. Proposals will be considered to take the following into account:
 - a** That the proposal makes a positive contribution to the borough's need for specialist housing as set out in the council's Strategic Housing Market Assessment or is supported by robust up-to-date evidence to support the proposal in the context of the local area for which the development will be located;

¹ Specialist housing for older people include Age-restricted general market housing, Retirement living or sheltered housing (housing with support), Extra care housing or housing-with-care (housing with care) and Residential care homes and nursing homes (care bedspaces).

- b** That the proposal seeks to meet the evidenced needs of the older or vulnerable community, ensuring that provision is affordable for the intended occupants and is of an appropriate mix;
 - c** That any proposal for accommodation is located in a sustainable location, within a settlement confines boundary and with good accessibility to infrastructure and services including shops, community facilities, public transport, primary health care, all of which could be reached without a car;
 - d** That the proposal is suitable in relation to the nature and topography of the site and that appropriate infrastructure can be provided to support walking and wheeling;
 - e** The design and layout addresses the health and well-being needs of older and vulnerable people, including, where appropriate, those with dementia and other long-term conditions;
 - f** The proposal meets the accessibility Policy H7, the Nationally Described Space Standard and provides amenity and garden space appropriate to the scheme as well as appropriate refuse storage;
 - g** An appropriate level of car parking is provided for residents, staff and visitors delivered in line with Kent County Council Parking standards including electric vehicle charging points;
 - h** The accommodation is appropriately designed and supported by a Care Needs Assessment to justify the development proposal's scale, design, tenure and accommodation type; and
 - i** The proposal provides affordable housing as set out in Policy H2 of this plan, calculated based on floorspace.
- 3** The loss of specialist accommodation for older or vulnerable communities will not be supported unless:
- a** Evidence demonstrates that there is no longer an identified need for the accommodation within the borough;
 - b** Alternative provision that meets the borough's needs is provided elsewhere; or
 - c** The housing cannot be converted to alternate specialist provision for older or vulnerable people / communities due to it not being able to meet minimum standards for any form of specialist accommodation or it is not viable to improve the accommodation to provide any form of specialist or social care accommodation.

Reasoned Justification

10.88 The Strategic Housing Market Assessment (SHMA) and supporting evidence provide a strong justification for this policy. The SHMA identifies a clear need to increase the supply of accessible and adaptable dwellings, wheelchair-user homes, and a range of specialist housing options for older people. This includes both market and affordable provision, reflecting the diverse needs, health conditions, and financial circumstances of older residents.

10.89 Between 2024 and 2042, the SHMA has identified that the borough will require:



10.90 The SHMA analysis shows a total of just under 1,800 units of housing with support or care, which represents around 135 per 1,000 people aged 75 and over. There is some variation by sub-area, with Tonbridge seeing the highest number (544 units), but the highest proportion per population aged 75+ is in Malling & Kings Hill.

10.91 For nursing and residential care, a slightly lower level of supply is shown, with a total of 744 bedspaces, the highest number being in Tonbridge, although the proportion per 1,000 people aged 75+ is highest within the Medway Facing sub-area.

10.92 While current provision is broadly aligned with need, particularly for extra care and nursing care, projections to 2042 indicate a requirement for additional provision across all types and tenures.

Policy Implementation

10.93 The policy therefore aims to widen housing choices for older people by securing a diverse supply of market and affordable housing, including specialist accommodation. It supports the development of well-designed, accessible housing such as care homes and extra care schemes, located near local facilities to promote independence and community integration.

10.94 The policy aligns with national guidance, including the [Planning Practice Guidance \(PPG\)](#), and is grounded in robust local evidence. It ensures that the borough is planning proactively for an ageing population, recognising the likely increase in disability and health-related needs among older people. By supporting a range of housing types and tenures, the policy helps ensure that older residents can access appropriate accommodation that meets their needs over time.

10.95 Applicants should refer to the SHMA and any subsequent updates to understand the scale and type of need in the borough. Proposals should be supported by a Care Needs Assessment and demonstrate how they meet the health and well-being needs of older people, including those with dementia and long-term conditions. Developments must also include a mix of housing types and sizes, and deliver a minimum percentage of specialist housing, as per the policy requirement.

10.96 The council will support a range of specialist housing types, including:

- Use Class C3: Age-restricted general market housing, retirement living, sheltered housing, and extra care housing;
- Use Class C2: Residential and nursing care homes, including dementia and end-of-life care;
- Other models which will be assessed based on the level of care and communal facilities provided.

10.97 The classification of specialist housing proposals will be determined on a case-by-case basis, taking into account the level of care provided and the scale of communal facilities. This ensures clarity in how different types of accommodation are treated in planning terms and supports appropriate delivery mechanisms.

10.98 Schemes should prioritise accessibility, affordability, and integration with existing communities. The council will expect developments to meet relevant space and accessibility standards, including M4(2) and M4(3) where appropriate. Proposals must also demonstrate how they contribute to wider health and well-being objectives, including the creation of dementia-friendly environments and support for active ageing.

10.99 Monitoring will be carried out through the Authority Monitoring Report (AMR), tracking the delivery of specialist housing types, tenure mix, and geographic distribution. The council will also monitor the loss of existing specialist accommodation and assess proposals for redevelopment against the policy criteria.

Accessible and Adaptable Homes

Introduction

10.100 The council is committed to ensuring that new housing development in the borough meets the needs of all residents, including older people, disabled people, and those with temporary or permanent mobility impairments. As the population ages and household needs diversify, it is essential that new homes are designed to be accessible, adaptable, and inclusive. This policy sets out the requirements for new residential development to meet higher accessibility standards, supporting independent living and reducing the need for costly adaptations in the future.

Policy H7: Accessible and Adaptable Homes

- 1** To meet the Borough's need for accessible and adaptable homes, all new dwellings (in all tenures) will be required to meet the accessibility standards set out in part M4(2) of the Building Regulations, subject to site suitability.
- 2** On schemes of 20 or more, developments will be required to meet M4(3) standards for 5% of the dwellings proposed in the market sector and 10% of all affordable housing provision.
- 3** The approach to providing accessible and adaptable homes should be discussed with the council at an early stage in the application process to ensure that the scheme proposed can reflect local need.
- 4** Only in circumstances where it can be robustly demonstrated by the applicant that it is not practicable or financially viable to deliver the provisions above or where the requirements are clearly incompatible with the location, will new development be exempt from this policy requirement. This will need to be evidenced by a viability assessment, paid for by the applicant.

Reasoned Justification

10.101 The council's approach to accessible and adaptable housing is grounded in national policy, local evidence, and demographic projections. The [National Planning Policy Framework \(NPPF\)](#) requires local planning authorities to plan for the needs of different groups in the community, including older and disabled people. The optional technical standards in [Part M of the Building Regulations](#) provide a mechanism for delivering homes that are more inclusive and capable of adapting to changing needs over time.

10.102 Estimates of need draw on data from the [English Housing Survey \(EHS\)](#), primarily from the 2020/21 dataset. This includes information on the age structure of wheelchair users, the extent of work needed to make homes 'viable', and the distribution of wheelchair users by tenure. Nationally, around 3.1% of households include a wheelchair user, with approximately 1% using a wheelchair indoors.

10.103 Locally, analysis for the borough uses household age structure projections and adjusts this for relative health conditions by age. This modelling estimates that there were approximately 1,345 wheelchair user households in 2024, and this is set to rise to 1,813 by 2042. National EHS data also shows that around 25% of wheelchair user households live in homes that are either problematic or not feasible to make fully viable. Applying this proportion locally suggests a current need for 336 additional wheelchair user homes, with a further 117 homes needed between 2024 and 2042, resulting in a total estimated need of 453 homes, or 25 dwellings per annum.

10.104 Tenure-based data from the [EHS \(2020/21\)](#) further supports the policy approach. It shows that 6.7% of social tenants are wheelchair users (including 1.8% who use a wheelchair indoors or all the time), compared to 2.6% of owner-occupiers (0.8% indoors/all the time). This justifies the higher proportion of M4(3) homes required within the affordable housing sector.

10.105 This policy ensures that new homes are accessible and adaptable, meeting both current and future needs by requiring compliance with specific building regulations. It supports independent living, reduces the need for costly retrofitting, and contributes to a more inclusive and sustainable housing stock across the Borough.

Policy Implementation

10.106 Given the SHMA evidence, the council requires all dwellings (in all tenures) to meet the M4(2) standards and around 5% of homes meeting M4(3) – wheelchair user dwellings in the market sector (a higher proportion of around 10% in the affordable sector).

10.107 Where the authority has nomination rights on properties, the supply of M4(3) dwellings would be constructed for immediate occupation (M4(3)(B)) wheelchair-accessible dwellings, and in the market sector, they should be constructed to be adjustable for occupation by a wheelchair user (M4(3)(A)) wheelchair-user adaptable dwellings.

10.108 The council recognises that there will be cases where this may not be possible (e.g. due to viability or site-specific circumstances) and there may also be some practical issues to consider, such as the

ability of any individual development to have mixed tenure, given the way care and support services are paid for.

10.109 Early discussions with the council are required to obtain up-to-date information on the specific need for wheelchair user housing in the local area.

10.110 Planning applications should include an Affordable Housing Statement detailing the number and types of affordable housing units.

10.111 Applicants should demonstrate how proposals respond to the Borough's accessibility objectives through clear design integration and supporting documentation. This includes identifying which dwellings will be built to enhanced accessibility standards and how these are distributed across the site.

10.112 For larger developments, the layout and mix should reflect the need for inclusive design, with accessible homes located in areas that offer convenient access to parking, public transport, and community facilities. These homes should be indistinguishable in appearance and tenure from other dwellings in the scheme.

10.113 Given the findings of the SHMA, the council expects all new dwellings to meet enhanced accessibility standards, with a proportion of homes designed to accommodate wheelchair users. Where the council has nomination rights, wheelchair user dwellings should be constructed to be immediately occupiable (M4(3)(B)). In the market sector, such homes should be built to be adaptable for future wheelchair use (M4(3)(A)).

10.114 Early engagement with the council is encouraged to ensure that proposals align with local needs and site characteristics. Pre-application discussions should explore how the development will contribute to a more inclusive housing stock and whether any site-specific constraints may affect delivery. These discussions should also be used to obtain up-to-date information on the specific need for wheelchair user housing in the local area.

10.115 Where full compliance is not achievable, applicants must provide a proportionate and transparent justification. This may include:

- A site-specific assessment identifying physical or environmental constraints.
- A viability appraisal, where relevant, prepared in accordance with national and local guidance.
- Consideration of practical issues such as the feasibility of mixed tenure provision in relation to care and support service delivery.

10.116 Planning applications should include an Affordable Housing Statement detailing the number, type, and accessibility of affordable housing units proposed.

10.117 The council will assess such cases on their merits, balancing the evidence provided against the borough's strategic need for accessible housing. Monitoring will be undertaken through planning approvals and completions data, with delivery reviewed periodically to ensure the policy remains effective and responsive to demographic change.

Self and Custom Build Housing



Introduction

Self-build and custom housebuilding covers a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation ('turnkey').

10.118 The [Self-build and Custom Housebuilding Act 2015 \(as amended by the Housing and Planning Act 2016\)](#) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

10.119 As of 1st April 2016, and in line with the Act and the Right to Build, relevant authorities in England are required to have established and publicised a self-build and custom housebuilding register which records those seeking to acquire serviced plots of land in the authority's area to build their own self-build and custom houses.

10.120 The [Levelling Up and Regeneration Act 2023 \(LURA\)](#) made some amendments to the 2015 Self and Custom Housebuilding Act which advised how the supply and demand of self and custom build housing plots can be assessed.

10.121 The [PPG](#) (Paragraph: 16a Reference ID: 57-016a-20210208) is clear that self-build or custom build helps to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design and layout of their homes and can be innovative in both their design and construction.

10.122 The council supports opportunities for Self and Custom build development within the Local Plan and encourages a proportion of plots on larger schemes to be marketed for Self or Custom Build use.

10.123 Self-build and custom housebuilding offers an important opportunity to diversify the housing market and increase consumer choice. It enables individuals or groups to play a significant role in the design and delivery of their own homes, ranging from managing the entire construction process to commissioning a builder for a 'turnkey' home tailored to their preferences.

10.124 [The Self-build and Custom Housebuilding Act 2015 \(as amended by the Housing and Planning Act 2016\)](#) defines self-build and custom housebuilding as homes built or completed by individuals, associations of individuals, or persons working with or for them, to be occupied as homes by those individuals. The [LURA](#) further clarified how supply and demand for such housing should be assessed.

Policy H8: Self and Custom Build Housing

- 1 To diversify the housing market and increase consumer choice, the provision of new homes of a high-quality design through Self-Build, custom housebuilding and other community led approaches will be supported in sustainable locations to meet the demand for self-build and custom housebuilding in the borough.
- 2 A minimum of 5% of dwellings on sites of 70 or more homes must be delivered as self or custom build plots on site. The onus will be on the applicant to demonstrate that self or custom build plots are not required based on the self-build register evidence.
- 3 Self or custom build plots should:
 - a Once delivered be properly marketed at a reasonable price for a period of 6 months before the plots can revert to market accommodation;
 - b Be marketed to those with a local connection for the first three months or to those on the self and custom build register for the first three months, with the remaining time being marketed to others with an interest;
 - c Provide a suitable housing mix and size of plots reflecting housing need and the housing market in the local area, ensuring that the land provided uses land efficiently and provides an appropriate density.
- 4 The Self-Build or Custom house building projects will be required to be of a high-quality design and have regard to policies within this plan and National Guidance. For sites which either propose or have potential to contain 10 or more units of Self Build or Custom Build accommodation, a Design Code will be required to encourage a coordinated approach to the design and development of individual plots.
- 5 The provision of Self and Custom build plots will be in addition to the level of affordable housing as required by this Local Plan.
- 6 Self-Build applications will be required to complete a Section 106 Planning Obligation or a Unilateral Undertaking in the event that the Self-Build plot does not come forward in line within criteria 3 of this policy.

Reasoned Justification

10.125 Custom and self-build housing contributes to the overall housing supply and offers an alternative to mainstream housing delivery. It allows individuals to tailor homes to their specific needs, often resulting in cost savings due to the absence of developer profit. This form of housing can also promote innovation in design and construction, support community-led development, and make more efficient use of land.

10.126 The [PPG](#) highlights the role of self-build and custom housebuilding in diversifying housing supply and increasing consumer choice. The council supports this approach and encourages the inclusion of self-build plots within larger housing developments.

10.127 In Tonbridge and Malling, as of the end of Base Period 10, a total of 203 households/ individuals had registered on the self-build register. This equates to 22 per base period. Against which 83 plots were permitted for self and custom-build dwellings, 9 per annum. The council has 3 years from an individual's entry to the register to permit a plot to satisfy the need they create. Therefore, as of the 30th of October 2024, the need is the cumulative total entries on the register at the end of Base Period 6 (30th of October 2021), which was 184. On the 30th of October 2025, the need will rise to the cumulative total entries on the register at the end of Base Period 7 (30th of October 2022), which would be 194.

10.128 With 83 suitable permissions allowed in Tonbridge and Malling, the need is currently not being met with an overall supply shortfall of 101 plots; this would rise to 111 plots in October 2025 if no further suitable permissions are allowed in the current base period. As well as the backlog need, in taking this assessment forward, we will need to address the scale of any future registrations. An indication of this can be garnered by past trends, and these suggest a need for 22 suitable plots per base period.

10.129 To ensure delivery, Policy H8 requires a minimum of 5% of dwellings on sites of 70 or more homes to be provided as self or custom build plots. These plots must be marketed appropriately, prioritising those with a local connection and those on the self-build register. The policy also ensures that these plots reflect local housing needs and are designed to a high standard, with larger schemes requiring a Design Code to guide development.

10.130 The council has introduced a Local Connection Test, a Financial Viability Test, and an administration fee for applicants to the register. These measures ensure that those on the register have a genuine connection to the borough and the financial means to bring forward a self-build project.

Policy Implementation

10.131 To support the delivery of self and custom build housing, the council will require applicants to demonstrate their intention to bring forward such plots through a Self-Build Delivery Statement submitted at validation or during the decision-making process. This ensures clarity from the outset and enables effective monitoring of delivery. The council maintains a statutory register of individuals and groups seeking serviced plots, and permissions granted will be monitored against the demand to ensure compliance with national legislation.

10.132 Marketing requirements will be enforced to ensure plots are genuinely offered to those seeking self-build opportunities. This includes prioritised marketing to individuals with a local connection or those on the register, followed by broader promotion if plots remain available. Where plots are not taken up within the required timeframe, legal mechanisms such as Section 106 agreements or Unilateral Undertakings will secure their reversion to general market housing, maintaining flexibility while safeguarding delivery.

10.133 For larger schemes, particularly those with potential for 10 or more self-build units, a Design Code will be required to guide development and ensure a coherent and high-quality built environment. The council will also continue to apply local eligibility tests to its register, including a Local Connection Test and a Financial Viability Test, introduced in August 2023, to ensure that applicants have both a genuine link to the borough and the means to deliver a self-build project.

10.134 This policy will be monitored through annual base period reviews, with the council committed to addressing both the existing shortfall and future demand. The approach supports a more diverse housing market and empowers individuals and communities to shape their own homes.

Houses in Multiple Occupation

Introduction

10.135 Houses in Multiple Occupation (HMOs) provide an important source of low-cost, private rented accommodation, particularly for students, young professionals, and those on lower incomes. A small HMO (Use Class C4) is defined as a property occupied by between three and six unrelated individuals who share basic amenities such as a kitchen or bathroom. Larger HMOs, with seven or more occupants, fall under the Sui Generis use class and always require planning permission. While small HMOs are generally permitted development for property already in residential use, the council may introduce an Article 4 Direction (A4D) in areas where there is evidence of harm to local character or amenity, requiring planning permission for all HMO conversions.

10.136 Although HMOs contribute to housing choice, unmanaged concentrations can lead to negative impacts on residential character, community cohesion, and the physical environment. This policy sets out criteria to ensure that HMOs are well-designed, appropriately located, and effectively managed, supporting the creation of mixed and balanced communities in line with national planning policy.

Policy H9: Houses in Multiple Occupation

Where planning permission is required, proposals for the change of use of an existing residential property to a house in multiple occupation (HMO) will be supported if the following criteria are met:

- a** Existing homes must be capable of conversion without causing harm to the amenity of future occupants, neighbours or wider area and without significant extension or alteration to the existing property;
- b** The scheme does not adversely affect the character of the area including by eroding the balance between different types of housing;
- c** Living spaces and communal facilities are of a good standard and are suitable for the intended residents;
- d** The development must not cause privacy or noise issues for occupants or neighbouring properties;
- e** The scheme provides suitable vehicular access and an appropriate level of car and cycle parking unless the site is located within 800m of a defined town centre, that offers regular public transport services;
- f** Adequate space is provided to accommodate bin and recycling storage areas. Sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal;
- g** Evidence is provided to demonstrate how a good standard of management will be provided; and
- h** All proposals must comply with the council's HMO Amenity Standards and Kent Parking Standards or the most updated standards.

Reasoned Justification

10.137 Policy H9 aligns with the NPPF by supporting the delivery of diverse housing types, including affordable private rented accommodation. It ensures that HMOs meet both planning and licensing requirements, safeguarding the health, safety, and welfare of tenants. The policy also responds to the wider need to maintain mixed and balanced communities, avoiding high concentrations of any single housing type, including HMOs.

10.138 While HMOs can meet specific housing needs, such as for seasonal workers or those employed in rural or business-related settings, their proliferation in residential areas can erode local character and strain infrastructure. Examples within the borough include large HMOs in rural locations like Plaxtol, which are likely linked to agricultural or staff accommodation, and others associated with business operations such as Carroty Wood and Harpwood House. These cases highlight the varied nature of HMOs and the importance of context-sensitive planning controls.

10.139 The policy provides a framework to manage the impacts of HMOs on the streetscape, environment, and community cohesion. It ensures that conversions do not undermine the availability of family housing, particularly smaller homes, and that proposals are supported by evidence of local need and good management practices.



Policy Implementation

10.140 Planning applications for HMOs will be assessed against the criteria in Policy H9, with a focus on maintaining residential amenity, protecting local character, and ensuring high living standards. Proposals must demonstrate that conversions can be achieved without significant structural alterations and that the property is suitable for shared living. Adequate communal space, waste storage, and parking provision must be incorporated, informed by the council's HMO Amenity Standards and Kent Parking Standards.

10.141 To protect the supply of small family homes, the subdivision of properties with three or fewer bedrooms will not be supported. The council will also resist the loss of existing HMOs unless there is clear evidence of lack of demand or viability. In assessing applications, the need for HMO accommodation in the specific location will be a key consideration, and applicants must provide supporting evidence of demand.

10.142 The council will monitor the distribution of HMOs and may introduce Article 4 Directions in areas where their concentration is considered harmful. This will ensure that all changes of use to HMOs are subject to planning control, allowing for a balanced approach that meets housing needs while safeguarding the character and amenity of neighbourhoods.

Residential Extensions, Alterations, Annexes and Ancillary Accommodation



Introduction

10.143 Alterations and extensions to existing buildings can play a vital role in meeting the changing needs of residents and enhancing the functionality of homes. However, such development must be carefully managed to ensure it respects the character of the original building, protects the amenity of neighbouring properties, and preserves the quality of the wider built environment. This policy sets out the criteria against which proposals for extensions, alterations, and ancillary accommodation will be assessed to ensure high-quality design and appropriate integration with existing development.

10.144 Permitted development rights allow certain extensions and outbuildings without planning permission if specific conditions are met. This policy addresses those cases that exceed these limitations, where planning permission will be required.



Policy H10: Residential Extensions, Alterations, Annexes and Ancillary Accommodation

The council will permit alterations and extensions to buildings which:

- a Are compatible with and integrate coherently with the character of the original building in terms of elevational design, layout, size, bulk, mass, height and position, use of dormers and window placement and choice of materials which should be in visual harmony with the original dwelling;

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Are set behind the building line to provide a visual break. With two storey or first floor flank extensions a minimum gap of 1 metre from the common boundary with the adjoining dwelling should be retained for the whole length of the extension. Roofs should be designed to complement the existing roof type and tiled to match the existing dwelling;

- c Will not result in unacceptable loss of privacy and sunlight, or unacceptable overlooking or overshadowing to neighbouring properties. New windows and balconies should have their principal outlook so that it avoids direct overlooking into such areas. Windows which have a flank outlook into the private garden area of an adjoining property will not be permitted unless suitable obscure glazing is included;

- d Are not detrimental to the amenity and character of the locality and streetscape; and
- e Do not cause harm to the special architectural character of listed buildings and non-listed buildings in conservation areas.

Proposals for annexes and ancillary accommodation, must:

- f Be within the curtilage of the main dwelling and have a functional connection with the main dwelling (for example, the occupant should be a dependent relative of the residents of the main dwelling or employed at the main dwelling);
- g Be used in conjunction with the main house and be in the same ownership as the main dwelling;
- h Be of an appropriate layout with sufficient usable space and contain windows in all habitable rooms to facilitate comfortable living conditions with natural light and ventilation;
- i Be designed in such a way as to easily allow the annex to be used at a later date as an integral part of the main dwelling and have no boundary demarcation or subdivision of the land between the main dwelling and the annexe;

- j Be accompanied by a written statement to explain who it will be used by, their relationship with the occupants of the main house and how the use of the annexe will comply with this Policy;
- k Where an annexe is permitted, the council will ensure that occupation of the proposed annexe is tied to the existing host dwelling by use of a planning condition of s.106 agreement as appropriate; and
- l In cases where an extension, outbuilding and/or annex is permitted, particularly in rural locations, the council will consider attaching a planning condition(s) to that approved planning permission to remove permitted development rights where it is considered that subsequent extension to the dwelling will adversely impact the character of the area, or the amenities of neighbouring occupiers.

Reasoned Justification

10.145 The council recognises that household extensions and alterations are a common form of development and can contribute positively to the housing stock when sensitively designed.

10.146 However, poorly designed additions can result in visual harm, loss of privacy, and adverse impacts on the character of neighbourhoods and streetscapes.

10.147 This policy ensures that proposals:

- Respect the architectural integrity of the original building, maintaining coherence in design, scale, and materials.
- Avoid overdevelopment and maintain adequate spacing between buildings, particularly in areas where gaps between properties contribute to the character of the street.
- Safeguard residential amenity by preventing unacceptable overlooking, overshadowing, or loss of sunlight.

- Protect heritage assets, including listed buildings and buildings within conservation areas, from unsympathetic alterations.
- Ensure that annexes and ancillary accommodation are genuinely subordinate to the main dwelling, functionally connected, and do not lead to the creation of separate, independent dwellings.

10.148 The policy also provides a mechanism for the council to manage future development through the use of planning conditions or legal agreements, particularly in sensitive locations such as rural areas or conservation areas.



Policy Implementation

10.149 In determining applications for alterations and extensions to buildings, the council will assess whether the proposed development demonstrates a high standard of design that responds positively to the architectural character of the original building.

10.150 This includes careful consideration of scale, form, and materials to ensure visual coherence and to avoid incongruous additions that may detract from the appearance of the host property or the surrounding area.

10.151 Proposals will be expected to maintain appropriate spacing between buildings, particularly in cases involving side extensions. This helps preserve the rhythm and openness of the streetscape and prevents the visual merging of properties. Roof design and detailing will also be considered to ensure compatibility with the existing dwelling, with particular attention paid to roof pitch, materials, and integration with existing features.

10.152 The council will give significant weight to the protection of residential amenity. This includes evaluating the potential for overlooking, overshadowing, and loss of privacy. The positioning and orientation of windows, balconies, and other openings will be assessed to ensure they do not result in intrusive views into neighbouring gardens or habitable rooms. Where necessary, design amendments or mitigation measures may be required.

10.153 In areas of special architectural or historic interest, including conservation areas and settings of listed buildings, proposals must demonstrate that they preserve or enhance the character and appearance of the heritage asset. The council will expect applicants to provide sufficient detail to show how the development respects the significance of these areas.

10.154 For annexes and ancillary accommodation, the council will require clear evidence that the proposed use is genuinely subordinate to the main dwelling. This includes ensuring that the accommodation is located within the curtilage of the host property, shares access and services, and is not physically or functionally separate. Applications must be accompanied by a supporting statement explaining the intended use, the relationship of the occupant to the main household, and how the proposal meets the criteria for ancillary accommodation.

10.155 To prevent future subdivision or independent occupation of annexes, the council will impose planning conditions or seek legal agreements to tie the accommodation to the main dwelling. In sensitive locations, such as rural areas or where cumulative development could harm local character, the council may also remove permitted development rights to control future alterations and extensions.