

REPORT TO BURHAM PARISH COUNCIL 28th September 2026

By the Tonbridge and Malling Borough Councillors for

**Aylesford North and North Downs Ward
Councillors Dave Davis, Alex McDermott and Roger Dalton**

LOCAL GOVERNEMENT REORGANISATION

1. On Monday the 7th September the Minister for Housing and Local Government cancelled the proposed elections for the new Unitary Authorities. This means that TMBC and KCC will run until further notice and this will require TMBC to have elections on 6th May next year.

LOCAL PLAN

2. Council met on the 3rd September, to consider the Local Plan going out to Regulation 19 consultation. Matters have now come to a head. The Council's Objectively Assessed Need is now 20,106 houses. This is determined from a Government formula and that formula is populated from data again laid down by Central Government. It is effectively a diktat by Westminster as to what TMBC must produce to help them meet a target of 1.5 million homes by the next election.

3. However, South East Water, again following Government rules, have calculated in their Water Management Programme 2024 (WMP24) that they can only produce water for an additional 6318 houses by 2042. This is a detailed engineering plan of what can be achieved not a fantasy figure..

4. With such a glaring reality gap, of 13,788 houses, the plan TMBC was proposing to the public was unworkable. At the Council meeting, TMBC made the decision that we could not present this plan to the public until the shortfall of water was overcome or the housing numbers reduced to a level which South East Water could meet. TMBC has been in discussion with ministers. We have not rejected the whole plan but have tried to get time and ministerial effort to get a workable plan.

5. In less than 15 hours of making that decision, as we expected, the minister's letter was received instructing us to go out to the Regulation 19 Consultation on 11 September for 6 weeks.

6. TMBC have now got to implement a Phase 19 Consultation on a plan they feel is unworkable unless there is a totally secure provision of water to all the houses in the Borough. This is not TMBC's plan now but the ministers. There is a real risk that new houses will be adequately supplied with water but existing houses at the end of mains losing their supply..

7. It is essential the full implications of this plan are put to our residents. We need your help in promulgating this issue through helping us with public meetings and by any other means you have.

8. Things are moving very fast and we will update you at your meeting if there are major changes.

PLANNING CHANGES AT TMBC

9. Background. The August 2026 rewrite of National Planning Policy Framework is now the extant copy. This fundamentally altered the way District and Borough councils had to conduct planning. It required changes to the committee system and changes to what came before committees and hence the members' ability to call in. The other new document is the National Scheme of Delegation that comes into force on 31st October.

10. Committee Changes. This requires, TMBC to abolish the 3 area committees, where all councillors sat on the area committee that covered their ward. It was replaced by a single Borough wide committee. This committee consists of 13 members only, though substitutes are permitted. TMBC pre-empted the change and set this committee up in May. It is politically balanced. Each member has to undergo planning training though this has been done by most members.

11. Procedural changes. The Government have imposed changes to the planning system that removes much of the ability of elected members to influence planning, especially small scale planning that affects residents the most. Every application is assigned to one of two Schedules.

a. Schedule 1. Mandatory Officer Decisions

(1) **Householder applications** (e.g., home extensions, loft conversions).

(2) **Minor residential developments** consisting of 1 to 9 dwellings on sites under half a hectare.

(3) **Minor commercial developments.**

(4) **Routine technical processes**, including prior approvals, certificates of lawfulness, discharge of planning conditions, and biodiversity gain plans.

(5) If a minor application is connected to a Listed Building Consent application, it is automatically pulled out of Schedule 1 and into Schedule 2.

b. Schedule 2: Presumed Officer Decisions with "Gateway" Committee Access.

(1) Traditional local council rules—where an application automatically went to a committee if a certain number of neighbours objected—have

been entirely abolished. For a Schedule 2 application to reach the planning committee, it must pass a strict referral process: **The Joint Agreement:** Both a **Nominated Planning Officer** (typically the Chief Planning Officer) and a **Nominated Committee Member** (typically the Planning Committee Chair) must formally agree that a committee review is necessary.

(2) **The Significance Test:** They must prove the application meets a statutory "gateway test," meaning it raises an environmental, social, or economic issue of actual **local significance** or presents a major conflict with the local development plan.

(3) If the nominated officer and councillor disagree on whether a project is significant enough, the application defaults to being decided by the planning officers.

PARKING PLANS UPDATE

12. Until the change of Local Government reorganisation was announced, Phase 16 of the local parking plan was going to be the last phase that would be done by TMBC. That has just completed its informal consultation and will be considered by the Joint Transportation Board (JTB) in November. From that the options selected by JTB will go forward to Formal Consultation and then on to implementation next summer.

13. Phase 17 is fully populated and if the time scale of local government reform permits will go forward to implementation in the summer of 2028.

14. Phase 18 and onwards looking towards implementation in 2029 will be open soon for any applications from all sources, as normal. Like Phase 17 this is dependent on the Future of the Local government reorganisation.

ENFORCEMENT ACTIONS IN PROGRESS

15. Land Rear of Mackenders Lane Eccles Aylesford Kent .Further inspections have been undertaken, and the owner has been requested to submit a full planning application for the residential use of the caravan and the new containers. An application is expected to be made by the 5 August 2026. **This is our report from last time Dave Davis will update you on any changes on Monday**

16. Southern Extension to Peters Village 21/01939/OAEA. We have asked the officers for an update on 21/01939/OAEA - Land Adjoining Scarborough Lane Burham and Peters Pit Hall Road that we know at the Southern Extension which appears to have lapsed. Enforcement Officers are looking into this and we will

update you when they have completed their investigations. **This is our report from last time Dave Davis will update you on any changes on Monday**

17.

18. This was very much in Trenport's hands and as such any action will now be through their administrator.