

THE
HADLOW
ESTATE

Turnberry

Tunbridge Wells Borough Council Draft Local Plan - Regulation 18

Representation on behalf of the Hadlow
Estate – Land at Mabledon and Nightingale

November 2019

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1. Introduction

- 1.1. This representation is submitted on behalf of the Hadlow Estate concerning Tunbridge Wells Borough Council's spatial strategy and specifically, the allocation of a new hamlet at Mabledon under Policy AL/SO 3.
- 1.2. The Estate recognises the acute housing shortage facing the Borough, indeed the country, and has supported the principle of a new community at Mabledon on the basis that it will be seen in the same historical tradition of model villages such as those at Blaise Hamlet, Milton Abbas and Benenden, but with an emphasis on the organic character of the High Weald. The development can therefore serve as a model for future sensitive and sustainable development within the High Weald AONB with lessons which can be exported to other sensitive locations in the UK and beyond.
- 1.3. The proposed hamlet requires a long-term commitment and involvement throughout the planning and construction process. At the conclusion of the project, the new community will be regarded as significant in terms of UK town planning: that is the standard that will be delivered. This is consistent with the values and tradition of the Hadlow Estate which has a 170 year connection to the history and stewardship of the land and will continue to be maintained and managed alongside Mabledon, once the project completes.
- 1.4. Freed from the burden of purchasing land or retuning dividends to shareholders, the Hadlow Estate can invest in placemaking and create an exceptional development with high quality housing that showcases UK town planning. The community is therefore distinct from any other proposals in the Draft Plan.
- 1.5. Therefore, whilst we naturally support the general aspirations and content of the Plan which has been positively prepared, it is important for the emerging policies to align completely with the aspiration of the Estate and our intended delivery process so that the Council's spatial vision and aspiration for the scheme are fully realised. On that basis we make a series of corrections and adjustments to the draft Plan to make it Sound.
- 1.6. The following comments should therefore be registered as **Conditional Support for the overall Draft Plan**, whereby our client would likely raise no objections, provided our suggested modifications are incorporated in order to put the Draft Local Plan on a Sound footing. The changes suggested in this representation are easily remedied and we clearly set out how the Plan can be improved to enhance the clarity of the Spatial Vision and its delivery.
- 1.7. Our representation is structured as follows: In Section 2 we set out the case for the new community with particular emphasis on ensuring the supporting evidence base is clearly expressed i.e. justified and effective in accordance with the tests of Soundness.
- 1.8. We then discuss the additional evidence Hadlow Estate has prepared in respect of development within the High Weald AONB and the Green Belt within Section 3. This includes the proposed boundaries of the development.
- 1.9. Sections 2 and 3 have informed specific changes we would like to make to the wording of the Draft Plan to ensure its Soundness and these are set out in Section 4.

2. The Case for Mabledon

2.1. We have reviewed the Draft Plan and its supporting material to assist the Council in ensuring the evidential basis for the Plan is both robust and justified, particularly in its identification of Mabledon as a new hamlet of between 50 and 120 dwellings. We begin with the macro issues which drive the need for the new Local Plan i.e. Housing Need, before moving to the response to that need, the Spatial Strategy and the clear justification for selecting the site.

2.2. We conclude with some commentary on what it actually means in terms of Mabledon becoming an exemplar development in the tradition of model hamlet planning.

Housing Need

2.3. **Appendix A**, Stantec have undertaken an audit of the Council's approach to assessing housing need to ensure that it accords with National Planning Guidance. Although the approach has been found to be positively prepared, there are areas which the Council need to address to ensure the Plan is as robust as possible before Submission.

2.4. These matters include:

- a. More headroom in terms of overall housing numbers is required to manage potential risks such as for example, addressing unmet need arising from neighbouring authorities or future revisions to the Standard Method;
- b. The Plan period may need extended to address potential delays so it is compliant with paragraph 22 of the NPPF which requires a 15 year plan period from adoption;
- c. An extension of 5 years to the plan period would give the Council additional 'headroom' to manage these risks before the shortfall requires to be plugged;
- d. The Council should not include its housing backlog in the Standard Method: its housing need should be re-set from submission;
- e. Finally, the Council needs to update its economic evidence which is not in step with

its housing evidence and may point towards additional housing need. This needs to be resolved now in advance of Submission.

2.5. The Draft Plan is therefore positively prepared, but further work is needed to ensure it is consistent with national policy and justified.

Spatial Strategy

2.6. The Council has undertaken a rigorous process to construct an evidence base that justifies its proposed Development Strategy:

- a. The Borough constraints have been mapped;
- b. Development Constraints Study; The potential for expansion of existing settlements has been assessed: Limits to Built Development Topic Paper;
- c. In particular, the capacity of the landscape around the principal urban centres at Tunbridge Wells and Southborough has been reviewed: Landscape Sensitivity Assessment;
- d. Consultation on growth options has taken place: Distribution of Development Topic Paper;
- e. The relative sustainability of the Growth Options has been assessed: Interim Sustainability Report;
- f. An understanding of the quantum and location of land that could come forward for development has been established: Call-for-sites and SHELAA.

2.7. The Distribution of Development Topic Paper helpfully brings these matters together to explain the steps that led to the proposed Development Strategy within the Draft Plan. It is clear from the responses in the Issues and Options Consultation Statement that the preservation of the AONB is important and therefore directly aligns with paragraph 172 of the NPPF demanding 'great weight' is attached to conserving their landscape and scenic beauty.

- 2.8. The Distribution of Development Topic Paper comprehensively assesses the impact of proposed development in the AONB, relating it to the special characteristics that define the designation. In the case of Mabledon, we have undertaken additional evidence which is set out in Section 3. However, we note that one of the reasons for designating the proposed community is to establish a sensitive exemplar development that can capture the qualities of the High Weald and serve as a model for future, sustainable growth: this objective should be included in the main policy and we have added suggested wording in Section 4 below. This change would ensure the Development Strategy is situated on a firm, evidential and justified basis. This is not the case at present.
- 2.9. We have undertaken an independent analysis of the Council's evidence base in respect of the review of the Green Belt and this work is set out in Section 3 below. It reaffirms the findings of the Council in this respect, but we do consider that the Exceptional Circumstances should be elevated into the Draft Plan, at the end of Section 2 so they provide a link between Challenges and Opportunities and the response, i.e. the Vision, Objectives and Development Strategy. This would clearly evidence and justify the spatial strategy in response to the survey of the Borough.
- 2.10. Therefore, whilst we have objected to how portions of the evidence base need to be corrected or enhanced to make the proposed spatial strategy Sound, we are in support of the principle that Mabledon comes forward as a new exemplar community, sustainably located and an effective response to accommodating housing need in the Borough as well as informing how future need can be met in a constrained Borough.

3. Supporting evidence

Landscape and Visual Appraisal

- 3.1. The proposed site is located within the High Weald AONB and potential development on it would be visible from various local publicly accessible locations within the AONB, mainly the Public Right of Way that runs along the drive from the A26 through Mabledon Farm, down to Vauxhall Lane. Longer distance views from the AONB would be highly limited, primarily due to the relatively dense character of the woodland, trees and hedgerows. The amount of new development that would be visible would be small. The appraisal concludes that the visual change to the character of the High Weald AONB, would be limited.
- 3.2. The High Weald AONB Management Plan 2019-2024 defines five components of character (sometimes referred to as 'Special Qualities') that make the High Weald a recognisable, distinct and homogenous area. These include the following; (1) Geology, Landform, Water Systems and Climate, (2) Settlement, (3) Routeways, (4) Woodland and (5) Field and Heath. A further category of Other Qualities is also highlighted, which include '*People value the wonderful views and scenic beauty of the High Weald with its relative tranquillity*'. It is considered that these components are only capable of being directly affected by the proposals to a very limited degree.
- 3.3. The draft policy requires an exemplar design approach that makes a positive contribution to the objectives of the AONB Management Plan. At this stage, without a scheme devised, the assessment takes a precautionary approach to the assessment of effects. But, in accordance with the objectives of the draft policy, it would be an objective for the design of the scheme to not only minimise landscape and visual effects on the AONB but to deliver a scheme that, overall, would be in-keeping with and enhance the character and appearance of the High Weald. Development proposals based on such an approach would have the potential to be perceived as having a positive and beneficial landscape and visual effect on the AONB.
- 3.4. The draft Mabledon Farm allocation is unlike any of the other draft AONB allocations because at its heart is a vision for the creation of a new community, centred on an historic farmstead, based on the settlement typologies and evolution of farmstead,

hamlets and small villages in the High Weald. This contrasts with the other draft proposals to expand existing larger village and towns in the High Weald. Mabledon Farm is particularly appropriate for this because it has at its centre an especially suitable traditional farmstead, has an elevated, ridge top location, which is typical of the most characteristic smaller scale High Weald settlements and has, through the wider landholding, the ability for the settlement to be connected to its landscape setting through land management commitments.

- 3.5. In support of this, and as noted in Section 5 of this document, we have proposed the deletion of the word 'amenity' from Policy EN 20 Rural Landscape as it is too broad a term, and renders the policy ineffective.

Heritage Appraisal

- 3.6. Mabledon is typical of the scattered farmsteads and dwellings that are predominant in this part of the Weald. The footprint of a good proportion of the working buildings survives, and the farmstead contains a range of buildings built in locally characteristic materials including brick and weatherboarding.
- 3.7. The layout of the farmstead has, however, changed significantly since its construction in the early nineteenth century, and key buildings have been significantly altered including the main house and oast house. Others have been largely rebuilt on their original footprint.
- 3.8. Some of the buildings, particularly the farmhouse, oast house and Kent Barn, could make an important contribution to a new rural community, particularly when some of the most recent, unsympathetic modern buildings have been removed, allowing appreciation of the original farm layout. This core of historic buildings has the potential to become the focal point of an exemplary new development, whilst retaining their original farmstead character.
- 3.9. The reuse and restoration of the historic buildings provide an opportunity to reveal historic elements and ensure their long term conservation. Therefore on balance, it is likely that the proposed development would result in an overall neutral effect to their significance, with potential for their

enhancement depending on the detailed design of the proposed development.

Archaeological Appraisal

- 3.10. An initial review of the archaeological potential has confirmed that the site has a moderate potential to contain prehistoric evidence and known heritage assets from the Post-Medieval period. Although the presence of an ancient routeway along the western boundary of the site has been identified, there is a low potential for any occupation evidence from these periods.
- 3.11. The significance of the potential archaeological resources has been assessed and it has been concluded that the heritage assets within the study site are likely to be of no more than local interest, and not such that would preclude development provided adequate steps are taken to identify remains present and mitigate for their loss if necessary.

Green Belt Review

- 3.12. The NPPF envisages that plan-making authorities may move Green Belt boundaries in order to deliver sustainable and objectively assessed development needs, where there are fully justified exceptional circumstances. However, Policy AL/SO 3 for Mabledon indicates that the development proposals for Mabledon Farm would remain in the Green Belt.
- 3.13. Accordingly, post-allocation at the planning application stage, the applicant would need to make the case for 'very special circumstances' that would clearly outweigh the harm to the Green Belt, in accordance with Paragraph 144 of the NPPF. Such a case would need to be based on the raft of overarching very special circumstances identified by the Council in the Plan and supporting evidence, but also on very special circumstances that would be, at the time of the planning application, specific to this site. These would include (1) that this site has an allocation in the Local Plan, (2) that there was a specific need for the delivery of this site, for the numbers proposed, at that particular time, and (3) that the vision for the site required and the scheme proposed would deliver an enlarged settlement 'that reflects the evolution of farmsteads, hamlets, and small villages, and which remains connected to

the surrounding land and its management, has the potential to demonstrate a new sustainable approach to development in the High Weald, making strong and positive contributions to the objectives of the AONB Management Plan' (paragraph 5.56 of the supporting text to Policy AL/SO 3).

- 3.14. Evidently, the expanded farmstead development at Mabledon Farm would have a direct effect on the existing Green Belt and would impact to some degree on the four of the five purposes. However, this is considered to be limited in degree. The draft policy requirement for the scheme to be exemplar and of modest scale, would mean that the development would have limited visual impact and would retain an overall rural character, being perceived to be part of the countryside, rather than as urban development. Furthermore, the presence of retained Green Belt and AONB across the area between Tunbridge Wells and Tonbridge would mean that future residential development proposals, including in and around the expanded farmstead development, would be capable of being resisted at the application stage.

4. Sustainability Appraisal

- 4.1. We have reviewed Table 23 within the SA to ensure consistency with other sites and to ensure all relevant considerations are factored in.
- 4.2. These changes produce a more accurate SA appraisal for the site. Many of these scores would of course in many instances apply to any development, but the following are unique to Mabledon:
- The proximity of the site to strategic urban and employment areas leads to higher scores in terms of Employment, Services & Facilities, and Travel;
 - The wider Hadlow Estate can be leveraged in support of biodiversity improvements.
- 4.3. The site therefore moves from scoring positively across nine Sustainability Objectives to scoring eleven, whilst negative indicators fall from seven to two, which brings it in to line with other allocations.

Revised SA Appraisal for AL/SO 3 - Table 23, SA of the Spatial Strategy

Sustainability Objective	AL/SO 3	Commentary
Air	-	No change
Biodiversity	+	The ecological constraints will be mitigated through sensitive masterplanning. On the basis the Hadlow Estate extends beyond the allocation, there is opportunity to create net improvements in biodiversity.
Business Growth	++ / +++	No change
Climate Change	0	The draft Policy insists on a comprehensive climate change strategy
Deprivation	++	We note that some rural locations are scoring neutral under deprivation despite the increasing issues around fuel poverty. We have made an adjustment in response to reflect the fact there is less need to travel and that there are more non-car based solutions available.
Education	+	No change
Employment	+++	We note that isolated rural locations such as Frittenden were scoring a positive for employment despite its distance and lack of infrastructure, so we have adjusted the scoring to reflect that, given the close proximity of employment opportunities.
Equality	0	Adjusted to align with other allocations
Health	+	No change
Heritage	++	No change
Housing	+ / ++	No change
Land Use	0 / +	No change
Landscape	++	No change
Noise	0	The sources of noise are typical of urban environments and can be mitigated
Resources	?	No change
Services & Facilities	0 / -	No change
Travel	+	No change
Waste	0	No change
Water	0	The site is not at risk of flooding from watercourses, but the site will be masterplanned in accordance with the principles of directing development to those areas of the site with the lowest risk of other forms of flooding, e.g. ground water or managing overland flow appropriately

5. Amendments to Policy AL/SO3

- 5.1. The following proposed amendments have arisen in response to the specific issues regarding Soundness identified above as well as to ensure intentions are clearly expressed and the policies are Effective and Consistent with National Policy.
 - 5.2. We have also included the approach to Green Belt within the draft Policy on the basis that when an application comes forward in accordance with the Policy, the site will still be subject to Green Belt policy.
 - 5.3. In response to a request from Tonbridge and Malling Borough Council for collaboration around this allocation, we have also added this clarification to the Policy.
 - 5.4. The section related to contributions has been altered to ensure the policy complies with the legal tests related to S106 agreements.
4. An overarching masterplan and supporting information on delivery to be agreed with the Council prior to any planning application being submitted;
 5. The design and layout to be informed by a comprehensive energy and climate change strategy (Policies EN 4: Energy reduction in new buildings and EN 5: Climate Change Adaptation);
 6. Provision of public electric charging points and car share facilities in line with Policy TP 2: Transport Design and Accessibility;
 7. Development above 50 dwellings will need to be justified through the design process **and may not exceed 120 dwellings during this plan period**;
 8. The scheme shall include provision for the following:

Policy AL/SO 3

Land at Mabledon and Nightingale (SHELAA reference: Site 445)

This area, indicated by a star on the Southborough draft Policies Map, is allocated for a mixed use scheme to include land-based economic development and approximately 50-120 residential (C3) dwellings. [Development brought forward in accordance with the terms of this Policy shall be considered appropriate development in the Green Belt.](#)

Development on this site shall accord with the following requirements:

1. Provision of safe and acceptable access arrangements from the A26 for the proposed development with, where required, a secondary emergency access (see criterion 5 of Policy EN1: Design and other development management criteria);
 2. [Measures to enhance or provide](#) **Provision of** safe and accessible pedestrian and cycle linkages to Southborough and Tonbridge (see Policy TP 2: Transport Design and Accessibility);
 3. A vision for the site and an agreed design process to be developed in collaboration with the Council and with input from stakeholders, [particularly Tonbridge and Malling Borough Council](#) and the AONB Joint Advisory Committee, with a final version to be submitted and agreed by the Council prior to any planning application being submitted;
- a. Affordable housing (see Policy H 5: Affordable Housing);
 - b. Buildings for land based economic development;
 - c. Community facilities, including buildings, allotments, orchards, and recreation (see Policy OSSR 2: Provision of publicly accessible open space and recreation);
 - d. High quality sustainable forms of housing development with provision for log and bicycle storage using local materials wherever possible (see Policies EN 1: Design and other development management criteria and EN 2: Sustainable Design and Construction);
 - e. Live/work units and broadband or high speed mobile connectivity to facilitate homeworking (see Policy ED 3: Digital communications and fibre to the premises);
 - f. A scheme of landscape **restoration and** management for green space and the wider agricultural holding, with opportunities and provision for community involvement (see Policy EN 1: Design and other development management criteria - criterion 3, Policy EN 17: Local Green Space, Policy EN20: Rural Landscape and EN21:

High Weald Area of Outstanding Natural Beauty (AONB));

9. [The proposed development shall be an exemplar of sustainable design within the High Weald AONB and](#)
~~The~~ developer will enter into an agreement with the Council to facilitate using the site as an exemplar project through site visits and talks during and post construction, and to produce a publication to explain the scheme and processes adopted to be made freely available in an electronic format.

It is expected that contributions will be required towards the following if necessary, to mitigate the impact of the development:

- a. ~~Improvements to public realm;~~
- b. The provision of sustainable and active transport mitigation measures, ~~town-centre wide or town-wide transport mitigation measures;~~ and ~~or~~ [where necessary](#), highway works in the vicinity of the site, including the provision of pedestrian crossings (see Policies TP 1: Transport Assessments, Travel Plans, and Mitigation and TP 2: Transport Design and Accessibility);
- c. Primary and secondary education;
- d. Health and medical facilities;
- e. The provision of buildings and spaces to provide cultural infrastructure;
- f. ~~A new sports hub at Hawkenbury Recreation Ground, to include standing/seating for supporters and other ancillary structures, other sports and recreation grounds and built facilities, open space, and children’s play space~~ [The provision of appropriate and proportionate contributions to sport and recreation](#) (see Policy OSSR 2: The

provision of publicly accessible open space and recreation);

- g. Other mitigation measures identified through the pre-application process and planning application.

5.5. Other policies

5.5.1. [Landscape Policy for the rural areas of the borough and the High Weald Area of Outstanding Natural Beauty \(AONB\)](#)

We have proposed some minor modifications to make the policy more precise and effective:

[Policy EN 20 Rural Landscape](#)

Development will be required to:

1. Conserve and enhance the unique and diverse variety and juxtaposition of the borough’s landscape and the special features that contribute positively to the local sense of place; and
2. Not cause significant harm to the landscape setting of settlements, including historic farmsteads and hamlets; and
3. Not result in unsympathetic change to the character of a rural lane, which is of landscape, ~~amenity;~~ nature conservation, or historic or archaeological importance; and
4. Restore landscape character where it has been eroded; and
5. Preserve intrinsically dark landscapes in accordance with Policy EN 10: Outdoor Lighting and Dark Skies.

5.6. Summary of amendments to policies

The table below lists the policies that we have commented on above, and our responses to these policies.

Policy	Response
AL/SO 3 Land at Mabledon and Nightingale	Support with conditions
EN20 Rural Landscape	Support with conditions

Appendix A - Review of Housing Need

Hadlow Estate

Tunbridge Wells Review of Draft Plan

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1 INTRODUCTION AND SUMMARY

- 1.1 Peter Brett Associates (PBA) has been commissioned to review the emerging housing strategy in the Royal Borough of Tunbridge Wells Local Plan, and the supporting evidence that underpins the approach.
- 1.2 Our client, Hadlow Estate, are promoting a sustainable new community at 'Tudeley Village'. This is currently proposed for allocation in the emerging development plan. Given this fact, it is in both the Council's and our client's interest to ensure that the plan progresses to adoption as efficiently as possible.
- 1.3 With this in mind, we have been asked to review the plan and provide independent advice which highlights any potential weaknesses, so that these can be addressed prior to submission.
- 1.4 Our findings are that the plan has been generally been positively prepared, and the approach taken by the Council broadly accords with overall National Planning Guidance. However, we identify some areas of concern in respect of housing provision that the Council needs to address now before submission, to ensure the plan is sound.
- 1.5 In this paper we highlight the potential issues that we consider ought to be addressed. In summary we advise that **the plan is at risk because it proposes too little 'headroom' to manage known factors that are likely to increase the minimum housing 'need' above that in the draft plan.**
- 1.6 These factors include the revision to the Standard Method to secure the Government's 300,000 dwelling 'target'. While the exact timing of this announcement is unclear, it is almost certainly expected between now and when the plan would be submitted for examination.
- 1.7 Related to this is the **limited 'headroom' to absorb any 'unmet need' from other Councils that may emerge in the coming months.** This is very much a 'live issue' in this area with London now confirming a shortfall, and more locally, Sevenoaks 'failing' the Duty to Co-operate partly due to unmet need.
- 1.8 We are also concerned that the plan is at **risk of 'failing' NPPF paragraph 22 – which requires a 15-year plan period from adoption.** At the moment any delay to the submission of the plan or its examination could result in less than 15 years at the point of adoption.
- 1.9 Our concerns could be mitigated should additional land be promoted in the plan. However, there are inherent difficulties in estimating how much more land, given the Standard Method is in flux. Nationally the Method will need to increase by 15% to secure the 300,000 homes, but we don't know whether each Council will receive 15% or some more and some less. So our suggestion, to manage and best mitigate these risks, would be to extend the plan period by a further 5 years.
- 1.10 This approach would not result in a higher 'per annum' housing need in advance of any formal announcements concerning the future Standard Method. Nor would it

explicitly address unmet need from other Council areas in advance of any request. However, it would provide useful headroom that could be brought into the land supply if or when needed. From our experience it is considerably easier to compress a plan period and speed up delivery of sites to address an increase in 'need' than try to add new sites into the plan at a late stage or at the Examination stages.

- 1.11 We also have **a technical concern with the approach the Council is taking to the Standard Method and 'backlog'**. Our understanding is that neither backlog nor previous over-provision should be added to the Standard Method housing need figure. The housing requirement is effectively reset at the point of submission.
- 1.12 When the Method was introduced, not adding 'backlog' or previous over provision was justified partly to simplify the assessment process. MHCLG noted that any previous under/over provision should be reflected in the 'uplift' applied to the demographic starting point. In our opinion this was also done to prevent 'gaming' of the Standard Method where parties could seek to promote a base date to their respective advantage. This was a key criticism of the previous OAN process.
- 1.13 As noted this is a technical concern and we highlight it here only to avoid a 'last minute' recasting of the plan policies at a later stage, as was the case with the Sevenoaks Local Plan following its Inspector advisory visit.
- 1.14 Finally, **we are concerned that the Council has not yet updated its economic evidence and cannot, at the moment, demonstrate that the housing and employment policies of the plan are mutually sound**. This could have implications for the Council's preferred plan strategy should further work show, for example, that the age profile of the residents would suggest more homes are needed to accommodate the future workforce. In our opinion it is urgent that this work, showing how the housing and employment policies are mutually sound, is undertaken. Without this key evidence the Council cannot demonstrate that the plan as a whole is sound, and the correct strategy has been adopted.
- 1.15 In the rest of this note we expand on these points:
- In section 3 we outline why we don't think 'need' should carry forward backlog (as per Table 1 of the Plan) and so why Table 1 should be redrafted.
 - In section 4 we look at why and how the Council should be managing 'risks' associated with potential changes to the method and unmet need.
 - In section 5 we look at why it is important that the Council updates its economic evidence without delay.

Who are PBA?

- 1.16 PBA, now part of Stantec, is a planning consultancy with considerable experience of housing need issues. We have worked for the local authorities and developers across the country advising on housing need and have also worked with the Planning Advisory Service for many years. Our work includes providing direct support to local authorities, working with officers and members to raise capacity and deliver good plan making, reviewing evidence base documents and providing review

and advice on the plan programme. We have prepared the *Objectively Assessed Need and Housing Targets: Updated Technical Advice Note* which has been well used by Inspectors at Local Plan examinations and at S78 appeals. We have produced numerous Housing Needs Assessments identifying the Objectively Assessed Need for Local Authorities, and defending our work successfully through Local Plan Examinations, most recently in Plymouth, South Hams and West Devon. In addition, we work for private landowners and developers objecting to plans and ensuring that a robust housing need figure is established. Irrespective of the client, we pride ourselves in taking a consistent and robust approach.

2 BACKGROUND

The Council's position

- 2.1 The Regulation 18 consultation version of the Tunbridge Wells Borough Council Local Plan identifies a housing need figure for the Borough of 13,560 dwellings (678 per year) over the 20-year Plan period running between 2016 and 2036.
- 2.2 The calculation of the 13,560 dwellings figure using the Standard Method approach is set out in the Council's Housing Needs Assessment Topic Paper¹.
- 2.3 In summary, the calculation is as follows:
- The Council consider it sensible to use 2020 as the base year to measure the growth over a 10-year period. The 2014-based household growth projections for 2020 and 2030 are 51,450 and 56,293 respectively. This difference is a growth of 4,843, which, over ten year', averages to 484 pa (4,843/10).
 - Applying the affordability ratio (12.76 in the case of Tunbridge Wells) produces an adjustment factor of 1.55 (approx. 55%), and generates a need figure of 749 (484*1.5475).
 - However, this affordability adjustment factor (55%) exceeds the 40% cap, identified at stage 3 in the Standard Method. The cap is then applied to re-calculate the need and results in the 678 figure (484*140%).
- 2.4 The Council have correctly applied the Standard Method calculations to identify an annual average. Applying this to a 20-year period leads to the 13,560 dwelling figure referred to above. However, we have a number of concerns relating the lack of flexibility or contingency in the plan to accommodate changes in the method between now and submission. There is also no contingency to manage the possibility that unmet need may arise in neighbouring Council areas between now and plan adoption. We detail both of these concerns later (in Section 4. Managing Risk), but as noted earlier given the limited plan period, any delay to the plans progress could mean the Plan has too few years at plan adoption, and we turn to this matter next.

¹ Housing Needs Assessment Topic Paper for Draft Local Plan, Aug 2019

3 PLAN BASE DATE

Introduction

- 3.1 Table 1 of the plan outlines the Council's approach to assessing need. As noted previously we agree with the Council's calculation of the Standard Method, but we have one technical concern relating to the treatment of the 'backlog' element and the fact that it is being carried into the Borough's 'need'.
- 3.2 Our reading of the Planning Practice Guidance (PPG) is that the Council is wrong to carry previous over/under delivery of homes into the assessment of need. Previous delivery has already influenced the 'uplift' element of the Standard Method and should not be 'double' counted.
- 3.3 We raise this as a technical point, which can be simply addressed by redrafting Table 1 and the supporting text so that it is clear that the table is not reporting the 'need' but is reporting the Council's policy target.
- 3.4 In that respect the Council has, in Table 1, made a choice to address 'backlog' which we support given the severe lack of affordability in this area and that the Standard Method is only a minimum figure. However this runs the risk, as presented, of being confused with the Council's true 'Need'.
- 3.5 We set out the rationale for this in more detail in the next sections.

The Guidance

- 3.6 In setting the base year, the PPG makes it clear that the current year should be used as the starting point to calculate the ten-year average to apply to the Plan period². The PPG says, 'the current year being used as the starting point from which to calculate growth over that period'.
- 3.7 Logically the current year cannot be a year in the past, and in any event 'past years' may have been subject to different plan targets from older plans or previous rounds / iterations of the Standard Method.
- 3.8 The PPG clearly notes that when applying the Standard Method, 'backlog' is not to be added because 'historic undersupply' is already factored into the assessment as part of the affordability adjustments³.
- 3.9 We would also note that the use of 'backlog', 'over provision' and base dates were areas of evidence that many suggested was being 'gamed' under the OAN process. The clear instruction now in the PPG prevents this 'gaming'. Councils cannot adopt historic base dates for their housing policies where it may benefit them, but neither are they required to recover backlog. In practice this means that through the

² Step 1 - Setting the baseline, PPG Paragraph: 004 Reference ID: 2a-004-20190220

³ 2a-011-20190220

Standard Method the Council's housing targets account for any backlog when the plan is submitted.

Conclusion

- 3.10 Given the guidance was drafted and 'simplified' to remove backlog/oversupply from an assessment of need and subsequent (minimum), we think it is unhelpful that the plan's housing targets are presented with 'backlog' (i.e. base date in the past).
- 3.11 We suggest that the policy approach be simplified to align with the guidance and that Table 1 should not refer to 'need', but instead should refer to the Council's chosen 'requirement'.

4 MANAGING RISK

Introduction

- 4.1 The Council is currently proposing a small over-provision of land compared to need. This is less than 10%. This is justified on the basis that it is needed to manage supply-side risks including non-implementation / delivery of sites.
- 4.2 We consider that this is a very limited 'contingency' that does not deal with any of the demand-side issues, and this means risks arise to the smooth progress of the plan through to submission and post-submission.
- 4.3 As noted above there is little 'slack' in the proposed plan period to 'compress' the plan period to absorb any possible uplift in the Borough's need.
- 4.4 As we discuss below, there are sound planning reasons why the Local Plan, in its land supply, ought to consider more land being made available for new homes. This is because the majority of the factors we consider below could result in a higher need number at the critical point, just before submission.

Expected changes to the Standard Method

- 4.5 The local housing need figure identified by the Standard Method is only fixed at the point of submission of the Local Plan. The Planning Guidance says that it can be relied upon for a period of two years from the time that a plan is submitted to the Planning Inspectorate. Consequently, the housing need figure can change right up to and including the day before submission.
- 4.6 There are already clear signs from the Government that the Standard Method is going to be adjusted upwards, and this is likely to happen before the plan is submitted.
- 4.7 The most obvious sign is that the Government is committed to 300,000 new homes being delivered annually in the near future. Whereas the current Standard Method provides for only 266,000 new homes per annum nationally.
- 4.8 We do not know for sure how the Method will be adjusted upwards to meet this target. It could be via removal of the 40% 'cap', or through a more aggressive market signal uplift nationally and/or a shift towards 'policy-on' headship rates as opposed to those based on long term trends. It would not be fruitful or productive to overthink how this may be achieved, but it is highly likely that the Standard Method will be adjusted upwards in the next few months.
- 4.9 Our concern is that the plan is currently progressing without the flexibility or contingency to accommodate or absorb any uplift in the Method. This means that the Development Strategy set out in the emerging plan is at risk of misrepresenting the scale of growth likely to be required in the Borough. It follows that the possible portfolio of sites being promoted in the plan, tested in evidence, and forming the strategy does not reflect the likely scenario that more new homes will be required.

- 4.10 We note the Council’s Housing Topic Paper⁴ acknowledges that the Government will undertake a review of the Standard Method because of the “dated” 2014 household projections, and that this review is likely to be undertaken before the publication of the Tunbridge Wells Submission Plan. However, despite this acknowledgement, no provision is made in the emerging plan to mitigate this risk.

Emerging unmet need

- 4.11 The NPPF requires Authorities to consider if they can accommodate identified unmet need in neighbouring Authority areas.
- 4.12 In this respect it is relevant to note that the Borough’s Consultation Draft refers to Sevenoaks “not proposing to wholly meet its housing need”, and the Council “may need to update its housing targets as the Local Plan progresses”.⁵
- 4.13 The Housing Need Topic Paper expands on this finding⁶, and states that of the six adjoining Authorities only Sevenoaks has an identified unmet need - 1,900 dwellings, but that the constraints that apply to Sevenoaks also apply to Tunbridge Wells, meaning that they may also have a limited ability to meet any unmet housing need from any other council. The Sevenoaks Local Plan Examiner has recently sent the Council a letter to express concerns about unmet need and Duty to Cooperate, and we consider this below.
- 4.14 Another externality that should have always been on the Local Plan risk register, and which has now come into play, is unmet need from London, and we also consider this below.

Sevenoaks unmet need

- 4.15 Sevenoaks are an adjoining Authority and by their own admission have an unmet need of 1,900 dwellings.
- 4.16 The Tunbridge Wells Local Plan refers to unmet need from Sevenoaks, but other than the reference to having similar constraints to Sevenoaks, there is no consideration of any adjustment to accommodate any of this need. The Consultation Draft specifically refers to the need to keep a watching brief on the Sevenoaks Local Plan Examination, as well as on the needs of other Authority areas more generally.
- 4.17 The Sevenoaks EIP Inspector’s letter issued to the Council in mid-October, raises serious concerns that Sevenoaks Council has failed in its duty to co-operate with the other Authorities in the Housing Market Area to explore ways of addressing the unmet need. This must raise substantial concerns for all the HMA Authorities. Fortunately for Tunbridge Wells, the Plan is pre-submission and the Authority has scope to now address the matter.

⁴ Paragraph 17

⁵ Paragraph 4.8

⁶ Paragraph 28 onwards

London Plan

- 4.18 The London Plan Submission version identified a need for 66,000 homes per annum, and considered supply was sufficient across London to meet this figure. However, the very recent Inspectors' report identifies problems in the approach to future capacity on small sites, which produces a substantial gap between demand and supply of 13,000 dwellings per annum.
- 4.19 This is a significant unmet need, and the Inspector recommend an immediate review of Green Belt. The Metropolitan Green Belt straddles the regional boundary, and the impact will inevitably ripple out to the adjoining Authorities in the South East, leading to higher need targets all round.
- 4.20 The London Plan will be adopted early 2020, and so will be an important factor in Examinations in 2020 and thereafter. It will therefore, as with the Sevenoaks Local Plan's unmet need, be material to considerations for the Tunbridge Wells Local Plan.

Conclusion

- 4.21 To manage these risks and avoid delaying the plan, more sites are needed to provide additional contingency. This contingency is needed to ensure that the plan when submitted is capable of being found sound and no delay is needed to identify more sites at a late stage of the plan process.
- 4.22 We note that pragmatically one way to manage this is simply to increase supply versus need above the current non-implementation margin/buffer. This would leave the Council's formal target unchanged, and only need amending when the Method is revised and generates a higher housing need. At which point any surplus land would provide additional 'buffer', which may be helpful for 5-year land supply purposes in the future – recognising the target is only ever a minimum.
- 4.23 Given we know that nationally the Standard Method needs to increase by around 15% (from 266,000 to 300,000 homes per year) we consider a 15% minimum additional supply buffer would appear sensible to best ensure a sound plan at the time of submission. This will need to be kept under review.
- 4.24 We suggest that to ensure the plan is capable of 15 years from adoption, it would be sensible to extend the plan period beyond 2036, and undertake the additional evidence to support this before submission. It is exceptionally rare that plans proceed seamlessly through examination, and the lack of 'headroom' in the supply over the plan period is a risk requiring mitigation.

5 JOBS & HOUSES

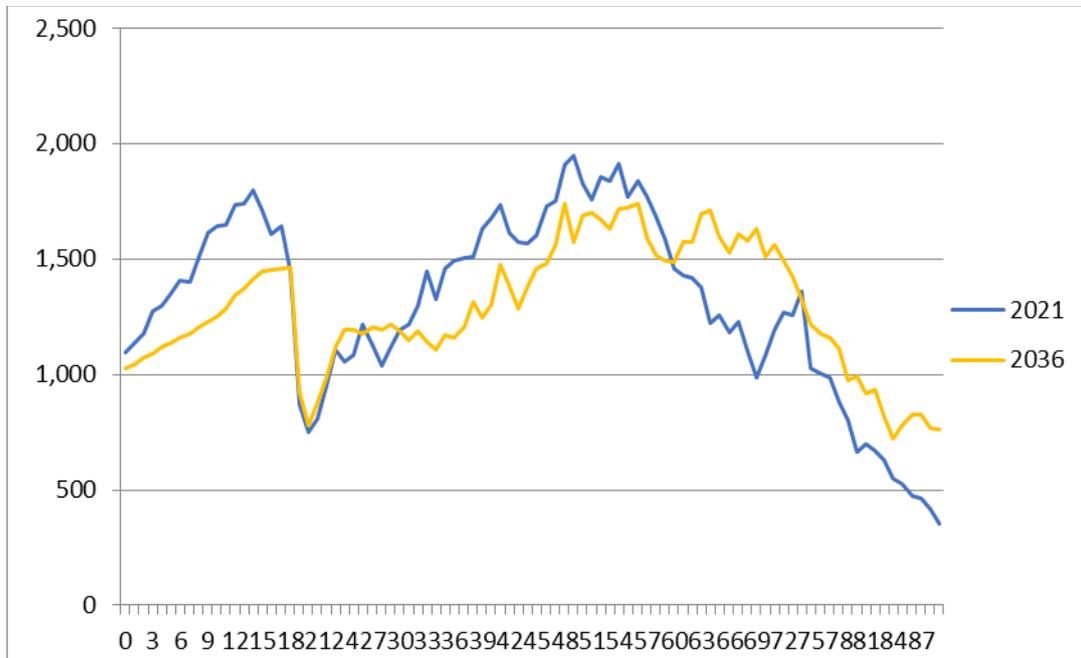
Introduction

- 5.1 Guidance is clear that a housing target that at least meets the relevant Standard Method number at the time the plan is submitted should be presumed 'sound'.
- 5.2 However, the plan as a whole still needs to be 'sound', and the implications of the proposed housing number tested, and where appropriate 'policy-on adjustments to the target promoted'.
- 5.3 This first 'test', of internal consistency between policies of the plan and different land uses, is clearly a matter of soundness. The second consideration of policy-on adjustments is more arguably a matter for the Council, but one the Council cannot form a view about because the evidence to do so has not been prepared.

Internal inconsistencies in the Plan

- 5.4 As currently drafted, there is a possible disconnect between the Plan's housing and economic strategies.
- 5.5 In summary, we understand that the Council's economic evidence has not yet been updated to address the population, labour supply and demand for jobs, flowing from the proposed housing target and housing land supply. Thus there could be a disconnect between the job and housing numbers, which only an update of the economic evidence can determine. This update need not revisit all aspects of the evidence or take long, but is needed to ensure the Plan is internally consistent.
- 5.6 The housing policies are informed by the Standard Method, which includes a 40% uplift on demographic need, but at the moment this is not considered by the economic policies and evidence base. As we understand matters the economic policies remain informed by the 2016 Economic Needs report. This document was used to support the plan as it emerged from the OAN system, and not the current Standard Method. While the OAN number is similar to the Standard Method (648 OAN vs 678 SM), the method for each assessment is very different, as is the current demographic baseline. The Economic Need evidence should therefore consider the impact of the new Standard Method number.
- 5.7 One particular issue is that recent demographic data shows that the Tunbridge Wells population is aging rapidly, and a significant share of any new homes are needed simply to accommodate this ageing population. This aging has been compounded by the reduction in working age international migration into the Borough – possibly a Brexit effect. International net migration into Tunbridge Wells has fallen from over 300 per annum in the mid-2010s to fewer than 100 in the recent past.
- 5.8 Previous evidence recommended no uplift in OAN to meet the Borough's economic needs, finding that the Borough's needs could be met inside the OAN. However, this was based on a demographic baseline whereby the population and labour supply were growing.

- 5.9 Using the most recent 2018 MYE data to develop a 'preview' of the next round of official population projections shows that population growth and the growth of the traditional working age population has stalled.
- 5.10 The chart below shows the Borough's age structure in 2021 and at 2036.



Source: ONS MYE 2018

- 5.11 We acknowledge that the Council will be required to provide more homes than the relevant household projections suggest – 40% in this case under the current Method. The logic of this adjustment is to address the lack of affordability in the current market – the uplift cannot be relied on to delivery more people and so more labour.
- 5.12 Further work is needed to align the Standard Method with the economic policies of the plan to ensure that the plan as a whole is internally consistent, at the moment the plan is at risk of not being internally consistent.

The need for a policy-on adjustment and evidence that the Plan Strategy is appropriate

- 5.13 Because the steps above have yet to be undertaken, there is no evidence that the economic policies of the plan are consistent with the proposed housing number. We cannot know whether an additional uplift in housing, to meet economic needs, is needed or wanted.
- 5.14 There is no evidence to demonstrate that the draft plan is the most appropriate development strategy for the Borough.

Conclusion

- 5.15 The risk to the Plan is that the evidence base that is informing the strategy and policies is materially out of date.

- 5.16 More recent demographic data suggests that 'trend' based population, and so household growth will result in a population that is much older than today, and with a much smaller working age population. This raises the possibility of a disconnect between the housing and economic policies of the plan that needs addressing by updated evidence.
- 5.17 We cannot tell whether the submitted plan is the most appropriate strategy because the evidence base is incomplete and materially out of date. Until the evidence is updated it cannot be known whether an uplift for economic needs is necessary, nor whether the uplift in housing numbers from the Standard Method will go some way to addressing this issue.
- 5.18 While we sound a note of caution about promoting a 'job led' number, because to do so harks back to the long and tortuous Objectively Assessed Need process where the system was plagued by less than robust 'methods' to align jobs and houses, internal consistency is needed. The Council needs to evidence that the Development Strategy is sound, whether or not an uplift is warranted and the plan is positively prepared. To do this will require new updated, relevant evidence. There is a risk that unless the Council is able to evidence its Strategy as submitted is sound, it is very likely that others will promote their own alternatives, and this will lead to debate and delay. In our experience such an update can be undertaken without the need to revisit all aspects of the economic evidence, and need not be an overly time-consuming task.

6 RECOMMENDATIONS

- 6.1 At the start of this note we set out that our objective is to critically review the emerging housing strategy and housing need target, including the application of the Standard Method.
- 6.2 We acknowledge that this is a draft plan, and the Council has time to cover off the risks to the housing need elements of the Plan prior to Submission. This note raises a number of risks from external influences that question whether the Plan's housing supply has enough flexibility to cope should the housing need number rise without the need to incur lengthy delay while a supply gap is 'plugged'.
- 6.3 In summary, we are concerned that the Plan may have too little housing land to manage the likely uplift if the Standard Method and/or to absorb unmet need which may emerge.
- 6.4 We are also concerned that the Plan is at risk of failing to look forward 15 years at adoption.
- 6.5 As a potential solution to all these issues we suggest extending the plan period by a further 5 years. This provides 'headroom' to subsequently shorten the plan period should need increase. However, should this not happen, the additional land would still be available to carry into subsequent plan reviews or brought forward should the Council subsequently struggle with the delivery test or 5-year land supply. So providing additional robustness to the plan strategy.
- 6.6 We have also highlighted the need to update the Council's economic evidence. This is so the Council can demonstrate consistency and broad conformity between the economic and housing policies of the plan. It will also show that the plan's Development Strategy is sound.
- 6.7 Finally, we suggest reworking Table 1 of the plan so that it does not report to carry 'backlog' into the Council's assessment of 'need'.
- 6.8 All these points will future-proof the emerging plan so that it stands the best chance of passing through the Examination process as smoothly as possible.

