

Matter 8 – Meeting Housing Needs (Policies H1, H2, H3, H4, H5, H6, H7, H8, H9, H10, H11 and H12)

Issue 1 – Housing Mix

Q1. Is it sufficiently clear to decision-makers, developers and local communities what is required of applications for planning permission under Policy H1?

No Comment

Q2. How has the size, type and tenure of housing needed for different groups in the community been assessed and how is it reflected in planning policies, as required by paragraph 62 of the Framework?

No Comment

Issue 2 – Housing Density

Q1. Is it sufficiently clear to decision-makers, developers and local communities what is required of applications for planning permission under Policy H2?

No Comment

Q2. How does the Plan seek to optimise the use of land for development in town centres and other locations that are well served by public transport?

No Comment

Issue 3 – Affordable Housing

Q1. What is the justification for requiring 40% affordable housing on qualifying greenfield sites and 30% on qualifying brownfield sites in Policy H3? What are the figures based on, how were they calculated and what alternatives were considered?

3.1 Please see our reps on matter 5 issue 1 question 6 and the issue of the different affordable housing requirements proposed between different allocations in the Plan, which is not in our opinion justified.

3.2 Table 105. of the SA, suggests only 3 options were considered

- a) No Policy - Rely on Section 5 of NPPF only (at least 10% affordable home ownership)
- b) Keep existing Policy in 2010 Core Strategy CP6 - retain existing threshold of 35% for 10 dwellings +
- c) New Policy with 2 different thresholds - greenfield (40%)/brownfield thresholds (30%) and off site contributions for 1 to 9 dwellings

3.3 Option 3 scored more positively in terms of health and landscape, albeit the rationale behind this is not clear.

scores for Policy H 3 – Affordable Housing

Q2. Paragraph 65 of the Framework states that where major development involving the provision of housing is proposed, planning policies should expect at least 10% of the total number of homes to be available for affordable home ownership. How will this be secured by the Plan?

No Comment

Q3. What is the justification for developments of 6-9 units providing a financial contribution towards affordable housing in the High Weald AONB? What is this threshold based on?

No Comment

Q4. Where First Homes are concerned, the PPG states that where local plans have reached advanced stages of preparation, they will benefit from transitional arrangements and will not need to reflect the First Homes policy requirement. It also states that in such circumstances, consideration should be given to the need for an early update of the Plan.¹⁹ Is this necessary for soundness?

No Comment

Q5. What is the justification for requiring a minimum of 50% of the affordable housing to be delivered on-site prior to completion of 50% of the open market units approved? Is this viable and deliverable?

No Comment

Q6. What is the justification for requiring all forms of affordable housing to be provided on the basis of a local connection?

No Comment

Issue 4 – Estate Regeneration

No comment

Issue 5 – Rural Exception Sites

No comment

Issue 6 – Housing for Older People and People with Disabilities

Q1. Paragraph 62 of the Framework states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies,

including housing for older people and people with disabilities. What is the need for housing for older people and how will this be met over the plan period? Has the Council considered the need for different types of accommodation, such as sheltered accommodation?

No Comment

Q2. What is Policy H6(3) based on? Is it justified on all new build developments, and will the requirement be deliverable?

2.1 H6 (3) requires at least 10% of homes on all new build housing developments of 20 or more homes, be suitable for older people in that they are bungalows or one or two bed flats/houses. As per our reg 19 reps the justification behind this policy requirement is not clear and its implications have not in our opinion been fully thought through.

Q3. What is the justification for requiring all new build development to meet the optional technical M4(2) standard? Is the requirement viable and what contribution will it make to identified needs?

- 3.1 As per our reps on the reg 19 plan we do not believe the need for all new homes to be built to part M4(2) of the Building Regulations has been justified. Whilst the Housing Needs Study suggests at para 3.58 supports the provision of accessible and adaptable housing (M4(2)), with specific provision being made for wheelchair accessible/adaptable (M4(3)) homes to the order of 5% of total supply; it does not quantify the level of provision within M4(2) for either affordable or market housing.
- 3.2 Footnote 46 of para 129 of the NPPF is clear in that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address '*an identified need for such properties*'.
- 3.3 Para 3.55 of the Housing Needs Assessment Topic Paper indicates that:
'Whilst available data sources can provide a good indication of the number of disabled people, not all of the people included within these counts will require adaptations in the home. Across the borough, the HNS identified that 30.8% of households contained at least one person with an illness/disability. The most frequently mentioned illnesses/disabilities were physical or mobility impairment, at 8.1% of all households, and longstanding illness or health condition, at 7.7%.'
- 3.4 This position is not dissimilar to that seen nationally in the English Homes Survey. The study examined the need for adaptations in 2014/15 and noted that 9% of all households in England had one or more people with a long-term limiting illness or disability that required adaptations to their home. The survey also found that in 2014-15, 81% of households that required adaptations in their home, due to their long-term limiting disability, felt their current home was suitable for their needs and that only 10% of those households whose home required an adaptation were trying to move somewhere more suitable.
- 3.5 Given the above, and whilst we recognise that with an ageing population there will be more people with mobility problems in future, we do not consider that clear evidence

has been provided of an identified need, and do not believe a requirement for all new homes to meet M4(2) to be justified or consistent with national policy. In addition we feel the placing of this policy requirement is slightly odd as if you were not looking to develop accommodation for the elderly you would not necessarily look to this policy for advice as to what is required of all new housing – a standalone policy would in our opinion be a more appropriate route to adopt if the

Q4. What is the justification for requiring 5% of affordable housing on schemes of 20 or more units to meet the optional technical M4(3) standard? Is the requirement viable and what contribution will it have to identified needs?

4.1 As per our reps on the reg 19 plan we do not believe the need for 5% of affordable housing on schemes of 20 or more units to meet the optional technical M4(3) has been justified. Whilst the Housing Needs Survey found that 5.3% of homes had been adapted for a person with a long-term illness or disability, it's not clear whether those adaptations were made to support a wheelchair user. Given that national data indicates that around 3% of households contain an individual with at least one wheelchair user and there is no evidence to suggest Tunbridge Wells is any different we would suggest that this requirement is reduced to 3%.

Q5. How does the Plan take into account site specific factors such as vulnerability to flooding, site topography and other circumstances (such as step-free access) which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings?

5.1 It is not clear that any of these issues have been considered when setting the targets for M4(2) and M4(3) compliant dwellings. If nothing else policy H6 should provide a catch all that allows a variation in the policy requirement if the site specifics would make it impossible to deliver the proposed accessibility requirements

Q6. Is it necessary to distinguish between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings?

6.1 Yes it is necessary to distinguish between a wheelchair adaptable home and a wheelchair accessible home given that paragraph 56-009 of Planning Practice Guidance states that local plan policies for wheelchair accessible homes can only be applied where the Council are responsible for allocating or nominating the person to live in that dwelling

Issue 7 – Rural Workers Dwellings

No comment

Issue 8 – Self-Build and Custom Housebuilding

Q1. What is the need for self-build and custom housebuilding schemes and how will this be met over the plan period?

Q2. What is the justification for requiring 5% of the total number of dwellings to be custom and self-build plots on the allocations listed in Policy H8? Why these sites and not others?

Q3. Where plots have been marketed and are unsold, what is the reason for requiring plots to be then offered to the Council? Is this justified

No comments

Issue 9 – Replacement Dwellings

No comment

Issue 10 – Residential Extensions, Alterations, Outbuildings and Annexes

No comment

Issue 11 – Accommodation for Gypsies and Travellers

Q1. Is the assessment of future needs in the Gypsy and Traveller Accommodation Assessment ('GTAA') accurate, robust and up to date?

Q2. What are the accommodation needs over the plan period and how will they be met? How have site capacities been determined, especially for sites with the potential to expand?

Q3. Is it sufficiently clear to users of the Plan which sites are allocated to meet the needs for gypsies and travellers and travelling showpeople?

Q4. What process and methodology did the Council use to determine which sites to allocate?

Q5. Are the allocated sites justified, consistent with national planning policy and capable of being developed over the plan period?

Q6. Can the Council identify a supply of specific deliverable sites sufficient to provide five years' worth of sites against the identified requirement?

Q7. What are the 'highlighted site-specific mitigations' for the purposes of Policy H9?

Q8. Is it clear to decision-makers, developers and local communities how windfall development proposals will be considered

11.1 We provided detailed comments on the lack of any clear justification for the proposed Gypsy and Traveller Accommodation on the land east of paddock wood (within policy SSR/SS1) in our reps on the reg 19 plan. No new evidence has been submitted with the submission plan to alter our position as set out in our reg 19 reps. In addition we have qualified our position in our matter 6, issue 3 question 13 reps + para 4.2 (1) of the SoCG with TWBC (CD 3.140), which makes it clear that Redrow and Persimmon continue to question the need to provide a gypsy and traveller pitches within the land east of Paddock Wood as they do not believe this to have been justified by the evidence base.

11.2 In brief, policy H9 requires proposals for additional pitches, as identified in Table 11, as shown on the relevant Inset Maps of the Policies Map and on site layout plans showing potential areas for additional pitches in Appendix 5 (excluding for Policy STR/SS 1), to be permitted subject to providing the highlighted site-specific mitigations and meeting all the criteria below, as applicable. Policy STR/SS1 (2(f)) requires the provision of 'three-pitch gypsy/traveller site (to include one mobile home and one touring caravan per pitch).' on the western parcel (to the north of the railway line) and eastern parcel as shown on Map 27. Annex 1 of the Housing Supply and

Trajectory Paper identifies a number of gypsy/traveller sites located in close proximity to the eastern parcel, including Lucks Lane (p19), Mile Oak Stables (p27), Pearsons Green Road (p37), Vines Farm (p43), and Willow Stables (p47). The need for another facility in this area is thus questionable, especially when it is also clear from para 6.59 of the Housing Supply and Trajectory Paper that there are in fact sufficient sites to meet the need without requiring any provision on the STR/SS1 sites.

11.3 In addition, we note that Map 28 – the Paddock Wood and East Capel Structure Plan appears to suggest that the proposed site on the eastern parcel is located rear of Ledgers Cottage's and the former Ledgers Commercial Motor Services site on Queen Street, within what is SHLAA site 47, which whilst identified in the SHLAA as forming part of Local Plan Allocation STR/SS 1, does not fall within the land being promoted by Redrow and Persimmon and is not, as far as we are aware being actively promoted by anyone else. Whilst the deliverability of this facility could thus be called into question, we would also highlight the fact that initial masterplanning for the wider east of Paddock Wood site has no direct access onto Queen Street and as such is not well positioned to accommodate a gypsy/traveller site. Furthermore para 6.390 of the pre submission plan is clear in terms of site suitability and layout for gypsy/traveller sites, making it clear that, in setting out their policy, TWBC have had to have regard to the potential for noise and other disturbance from the movement of vehicles to and from the site, the stationing of vehicles on the site and on-site business activities; and that proposals should not detract from the amenities or privacy of neighbouring uses. Whilst the indicative location shown on Map 28 may have been able to meet these criteria, we do not believe placing such a facility within the heart of the wider development will contribute to the garden settlement principles and design objectives policy STR/SS1 looks to promote for the land east of Paddock Wood.

11.4 In the context of the above we note that the Strategic Sites Masterplanning and Infrastructure Study Feb 2021 at para 5.60 suggest that:

'Draft policy also requires provision of a serviced Gypsy & Traveller site of 3 pitches. Location of this facility remains flexible within the Structure Plan, however the following assumptions about location have been made:

- *Travelling (transitory) pitches should be located adjacent to the A228, ideally in the northwestern parcel*
- *Permanent pitches should be located in the south-east of the site, adjacent to Church Lane'*

The area identified on map 28 does not reflect the above. Which, given our comments about the SA (see below), only adds to the confusion as to what is required, and the associated justification for it.

11.4 To this end, we note that the SA (CD_3.156) at table 112 in assessing the options considered for gypsy and traveller accommodation identifies the chosen option as one that looks to focus on intensification / extension of existing sites, rather than new allocations, which given the provisions of Policy H9 and STR/SS1 is somewhat confusing. Indeed, the accompanying text makes no reference to provision on the proposed strategic allocations at Paddock Wood, such that the SA does not support the position adopted in policies STR/SS1 and H9.