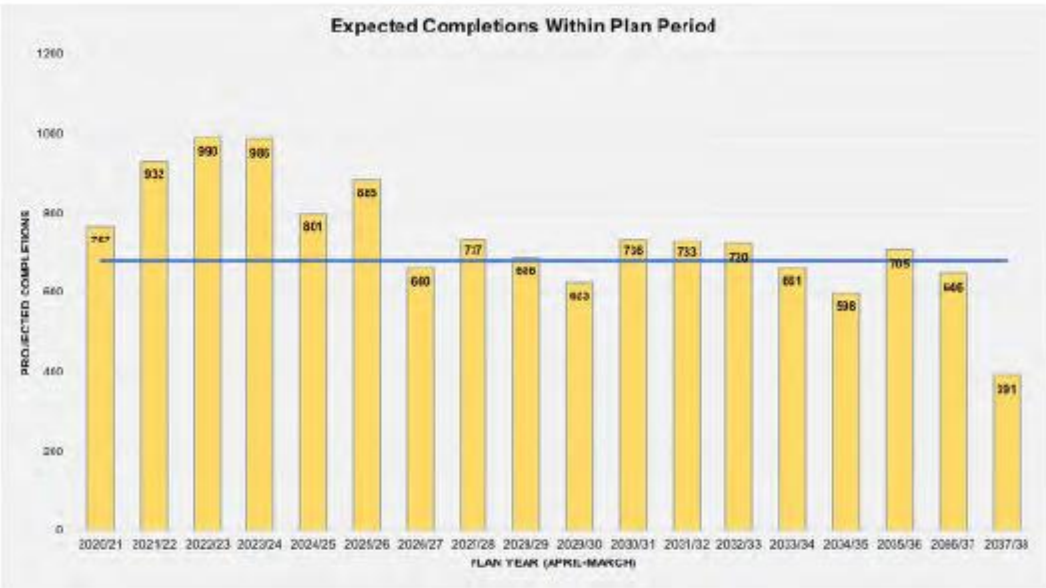
Matter 9 – Housing Land Supply

Issue 1 – Total Housing Supply

Q1. How has the housing trajectory in Figure 9 of the Plan been established? What factors were considered in arriving at the figures in the trajectory and are they accurate and robust?

1.1 Figure 9, 'The Housing Trajectory', as set out in section 7 of the Submission Plan and reproduced below for ease, is according to para 7.9 a headline trajectory, and is we understand predicated on the Housing Supply and Trajectory Topic Paper (Feb 2021) (CD 3.74), with para 7.10 of the Submission Plan making it clear that the increase in delivery early in the plan period is mainly due to the implementation of housing allocations in the earlier Site Allocations Local Plan (2016), together with other outstanding permitted schemes; and that whilst the strategic urban expansion at Paddock Wood and the new settlement at Tudeley Village are not expected to see first completions until about 2025/26[1], a continuity of housing supply should be maintained (including a rolling-five-year housing land supply with appropriate buffers); and that as such it is not proposed to have a stepped increase in the housing requirement within the plan period.

Figure 9 Housing Trajectory



1.2 In the context of the above table 3 of the Submission Plan advises that there are 'extant planning permissions at 1 April 2020' of some 3,313. Whilst we believe this figure should now be updated, and note that the Five-Year Housing Land Supply Statement 2020/2021 (CD 3.163) suggests extant planning permissions at 1 April 2021 of some 3,029, we would also refer back to our reg 19 reps and our comments

[1] This contradicts the SoCG between Redrow, Persimmon and TWBC on Land East of Paddock Wood and is a matter we return to later in these reps

on the lack of any buffer within the Housing Supply and Trajectory Topic Paper or the Five-Year Housing Land Supply Statement to take on board the potential for non-delivery, the evidence behind the inclusion of certain sites with outline consents, such as Brick Kiln Farm Cranbrook, and the inconsistency between the then Reg 19 plan, the Housing Supply and Trajectory Topic Paper and the Five-Year Housing Land Supply Statement as to what the actual number of extant permissions were, a matter that has not been addressed in the Submission plan and is exacerbated further by the new Five-Year Housing Land Supply Statement which postdates the Housing Supply and Trajectory Topic Paper and submission plan, and should we assume provide the most up to date housing land supply figures.

Q2. Does the total housing land supply include an allowance for windfall sites? If so, what is this based on and is it justified?

2.1 Table 3 (p36) of the Submission Plan, as set out below includes an allowance for 1,310 small windfalls and 360 large windfalls.

Table 3 Housing Need and Supply 2020-2038

1.	Housing need 2020-2038	12,204	18 years x 678 pa
2.	Extant planning permissions at 1 April 2020	3,313*	See HS&T TP
3.	Windfall allowance small sites	1,310	See HS&T TP/BL TP
4.	Windfall allowance large urban sites	360	See HS&T TP/BL TP
5.	Outstanding SALP/Local Plan site allocations	276	See HS TP
6.	Minimum additional allocations to meet need	6,945	= row 1 - rows (2-5)
7.	**Minimum total allocations**	**7,221**	Rows 5+6

**Includes discounting for C2 permissions*

2.2 As set out in our Reg 19 reps the overall number of windfalls allowed for (1,670 dwellings) amounts to 13.68% of the overall supply across the plan period[2], and more importantly over 18.78% of the supply when existing commitments are taken into consideration[3]. In addition it is over double that set out in the evidence base to the Reg 18 Plan (which suggested 700 windfalls over the plan period) and at 122dpa from 2023/24[4] is over double that suggested at Reg 18 (50dpa).

2.3 Whilst we accept that changes to permitted development rights and the likes of office to resi conversions will help sustain windfall rates within the borough for the short term, we would question whether the increased reliance on this source is justified. To this end we note that the Brownfield and Urban Land Topic Paper (CD 3.83) accepts that this resource is finite, and recommends a small sites windfall allowance of 80% below the average supply for the first 7 years (from 2023/24) to avoid double counting with extant permissions, followed by another 80% below that for the remainder of the plan period i.e.:

[2] 1,670/12,204 x100 = 13.38
[3] 12,204 – 3,313 = 8,891. 1,670/ 8,891x 100 = 18.78%
[4] See p32 of the Housing Supply and Trajectory Topic Paper which shows windfalls of 122dpa from 2023/24 to 2029/30 and 102dpa thereafter

122 x 80% = 98 dwellings pa x 7 years = 686 dwellings
98 x 80% = 78 dwellings pa x 7 years = 546 dwellings

2.4 Furthermore the Brownfield and Urban Land Topic Paper also recommends that the proposed allowance for large scale windfalls is set 80% below the average number of completions since adoption of the Core Strategy (i.e. from 2011 onwards) which results in an annual average of 24 dpa over 14 years of the plan period, or a total of 336 dwellings over the plan period (i.e. 24 dwellings pa x 14 years = 336 dwellings).

2.5 Para 4.40 of the Brownfield and Urban Land Topic Paper acknowledges that: '*an allowance for larger brownfield/urban sites has not previously been provided for (in the Draft Local Plan) and that their delivery may still not be as regular or frequent as smaller sites'*

2.6 Given the above, as per out reg 19 reps, we would caution against assuming the average will continue long term and would question whether assuming an 80% allowance of the average is justified. Why 80%, why not 75% or 50% so as to be robust and provide a suitable buffer to non-delivery of the strategic sites? As an authority with a 5 year HLS deficit at present[5] TWBC should in our opinion be looking to ensure that they allocate enough and provide enough of a buffer to ensure a rolling 5 year HLS moving forward. Relying on windfalls, especially within the 5 year housing land supply is not in our opinion helping in this regard and, despite what is said in the Brownfield and Urban Land Topic Paper there is no compelling evidence, as required by para 70 of the NPPF to include windfalls in the 5 year HLS – see further comments on matter 9 issue 2 below.

2.7 We would thus recommend windfalls are removed from the 5 year HLS[6] and the overall level of provision is reduced to 102dpa max from 2027/28. This would reduce the figure to 1,122 dwellings – i.e. circa 9% of the total supply[7]/ 12.6% of the supply after accounting for extant permissions[8] – which is still in our opinion a significant figure.

Q3. Paragraph 4.54 of the submission version Local Plan states that there is a 'buffer' of approximately 1,000 dwellings (based on the mid-point of dwelling ranges) over and above the minimum housing requirement across the plan period. Is the projected supply of housing justified and has sufficient land been identified to ensure that housing needs will be met?

3.1 The plan looks to deliver circa 13,251 dwellings over the plan period[9], some 8.6% above the requirement of 12,204[10]. As indicated in our reg 19 reps we do not believe

[5] The July 2021 Five-Year Housing Land Supply Statement 2020/2021 places the supply at 4.93 yrs (a shortfall of -52 dwellings) (CD PS_020 (formerly document 3.163) – a position we would question – see comments on Matter 9 Issue 2. The Council subsequently updated this position in August 2021, when the 5 yr HLS was reduced to 4.89 years (shortfall of -77 dwellings), and yet again in March 2022 following two S78 Inquiries to 4.66 years (shortfall of -239 dwellings) neither of which are referenced in the CD list. See https://tunbridgewells.gov.uk/planning/planning-policy/monitoring-information

[6] See p32 of the Housing Supply and Trajectory Topic Paper which shows windfalls of 122dpa from 2023/24 to 2029/30 and 102dpa thereafter

[7] 1,122/12,204 x100 = 9.19%

[8] 12,204 – 3,313 = 8,891. 1,122/ 8,891x 100 = 12.61%

[9] Assuming a mid-point between the 13,059-13,444 dwellings identified in para 4.54

the trajectory will deliver as predicted, and that a higher buffer needs to be introduced, to address any delay in the delivery of sites/ non delivery of sites, to try and address the acute affordable housing needs within the borough, and address any unmet needs arising from adjacent authorities.

3.2 Our reg 19 reps identified deficiencies in the supply expected from extant consents[11], the use of a windfall allowance (see above), outstanding site allocations, and the proposed new allocations promoted in the then Reg 19 plan. These deficiencies have not we feel been addressed in the submission plan and associated evidence base. Whilst we acknowledge that the Tunbridge Wells Cinema Site (AL/RTW 1) may at long last be getting a new lease of life,[12] recent press releases seem to contradict/ confuse the information set out in p23 of the latest Five-Year Housing Land Supply Statement which suggests 108 dwellings are now under construction, whilst Table 9 of the Housing Supply and Trajectory Topic Paper (CD3.74) in setting out the 'Local Plan Housing Trajectory' appears to suggest at p32 that this site will not deliver any dwellings over the plan period. Thus the number of houses to be delivered from this site needs further clarification. Likewise whilst we acknowledge that a new reserved matters application has been submitted for Brick Kiln Farm (21/03299/REM refers) (AL/CRS 1) this has still to be determined. That aside there has still been no progress on the former Gas Works on Sandhurst Road (170 dwellings – AL/RTW 7) and we remain concerned about the trajectory suggested for the proposed new settlement in Tudeley, which we note the Housing Supply and Trajectory Topic Paper suggests will be delivering 150dpa from 2025/26, rising to 200dpa in 2035/36, whilst the Five Year HLS Statement 2021/22 does not attribute anything in the five-year period to 2026/27. To this end we have to say, as will be noted later under issue 2 that there are many inconsistencies between the Housing Supply and Trajectory Topic Paper and the latest Five-Year Housing Land Supply Statement which need resolving so as to provide clarity on both the overall plan trajectory and the 5 year HLS.

3.3 As set out on our reg 19 reps, unlike the proposed expansion of Paddock Wood, Tudeley Village is an entirely new settlement wholly constrained by the Green Belt that is being promoted by Hadlow Estate. We are not aware that any national house builders are involved. None is mentioned in the site promoter's promotion material – Tudeley Village Delivery Strategy – December 2020[13]. Furthermore, we note that whilst the front page of the web site suggests that should the Tudeley village proposal form part of the adopted local plan construction would follow with a first phase of 360 dwellings completed in 2024/25, the Tudeley Village Delivery Strategy indicates that the build out rates are as recommended by the Borough Council and recites those set out in the Housing Supply and Trajectory Topic Paper.

3.4 No evidence is proffered in the Housing Supply and Trajectory Topic Paper to support the delivery strategy, and we note that the Tudeley Village Delivery Strategy

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[10] 13,251-12,204 = 1,047/12,204 x 100 = 8.58 rounded = 8.6%

[11] There being no buffer proposed to address potential non delivery – unlike the Reg 18 plan that provided a 10% buffer for non-delivery of small sites (1-9 units)

[12] https://www.kentlive.news/news/kent-news/abc-cinema-site-tunbridge-wells-6907342

[13] https://en.calameo.com/read/005138646e3c91ce5482a?authid=ofMfwz3z9AB7

makes it clear at p64 that the Hadlow Estate will control how land is released for development as part of its role as master developer, and that during the life of the development, the estate will deliver serviced land parcels that will be bought to the open market and offered to selected housebuilders for development. This and the design coding strategy set out in the Tudeley Village Delivery Strategy suggests that whilst an outline consent, together with detailed infrastructure provision will follow the adoption of the Local Plan, the actual design of the development parcels will follow a rigid serviced land sales strategy, which will inevitably delay housing delivery as each parcel is sold and developers advance an application for reserved matters.

3.5 Given the above we are not convinced delivery will commence in 2025/26. With no evidence to the contrary we believe the council have no option but to revert to the empirical evidence set out by Lichfields in Start to Finish (Second Edition (Feb 2020), which at Figure 4 suggests that on sites of 2,000(+) the average timeframes from validation of first application to completion of the first dwellings is 8.4 years, which assuming an application is submitted in the monitoring year 2022/23 would suggest first completions in 2030/31. Whilst we appreciate the fact the borough council are adopting the use of PPAs to help accelerate the planning process, which will help reduce the timescales set out by Lichfields in Start to Finish, there will, as set out above, still be a need to approve the Design Code and Masterplan following the hybrid infrastructure and outline application consent. Then when the land parcel sales have been marketed and agreed, those parcels will need individual RMs – this will not be a quick process. Furthermore, it is highly unlikely the site would deliver 150dpa on yr. one – there will be a gradual build up as the site progresses with we would suggest circa 40 in year 1, 80 in year 2, 120 in year 3 and then 150 (+) a year thereafter – dependent upon the number of outlets running in parallel.

3.6 As set out in our reg 19 reps, the above will clearly have an impact on the housing trajectory and the number of houses that are delivered from this site in the plan period. We believe the trajectory is more likely to be along the following lines, which suggests that it is likely that land will have to be found for circa 660 dwellings to address the shortfall.

JAA Table 1: predicted delivery rates Tudeley Village

	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	**Total**	**Difference**
TWBC position						150	150	150	150	150	150	150	150	150	150	200	200	200	**2100**	
JAA position									40	80	120	150	150	150	150	200	200	200	**1440**	**660**

3.7 This is in our opinion very different to the situation vis a vis delivery of the other strategic allocations in Capel/ Paddock Wood. We can confirm, as per our Reg 19 reps, that the land east of Paddock Wood, which is not in the Green belt or AONB is being promoted by Redrow and Persimmon and as set out in the SoCG with TWBC

(CD 3.140) has been the subject of a PPA to facilitate pre app discussions leading to the submission of 2 x hybrid planning application reflective of Redrow and Persimmon's landownership boundaries, which combined will provide for approximately 1,200 dwellings and related facilities[14] with an overarching Masterplan and EIA; as well as a separate (joint) application for infrastructure works, including a proposed bridge to facilitate the bus crossing into the Countryside development to the east (across the East Rhoden Stream). Whilst initially anticipated to be made in Autumn 2021, this is now likely to be in early summer 2022, and as set out in the SoCG whilst ahead of the adoption of the Local Plan, the applications themselves look to reflect the aims and objectives of the plan and will not be determined until the Inspector's report on the plan has been received, so as to run concurrent with adoption. We have in the light of the above reviewed the trajectory set out in our Reg 19 reps / the SoCG, and amended it to reflect a slightly reduced scale of delivery in 23/24 as set out below.

JAA Table 2: predicted delivery rates land east of Paddock Wood

	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34
Redrow	5	60	60	60	60	60	60	60	60	60	55
Persimmon	5	60	60	60	60	60	60	60	60	60	55

As land east of Paddock Wood is being promoted by two national housebuilders there is no reason why in our opinion delivery cannot be as per the above.

3.8 Given the above, and as the plan should in our opinion test the trajectory on the basis of a 10% buffer to accord with para 73(b) of the NPPF if it wishes to fix its 5 year HLS upon adoption, we believe the buffer should as a minimum be 10%, but more realistically, given our comments above, and the constraints imposed by both the Green Belt and AONB across the borough, and the issues of unmet needs in adjoining authorities, be circa 20%. Such a buffer would provide sufficient flexibility to enable the plan to adapt to rapid change as required by para 11 of the NPPF. We have for ease provided an indication of the scale of the shortfall if either buffer was considered and compared this against our position on the housing trajectory to give an indication of the scale of the shortfall that needs to be addressed.

[14] Including a local centre of approx. 700 sqm floorspace, a two-form entry primary school, land to expand the adjacent secondary school, new WWTW and bus link

JAA Table 3: Summary of effect of 20% Buffer on Total Supply over the Plan Period

Supply Source	Council	JAA
LHN for Plan Period 678 dpa	12,204	12,204
Supply Identified in the Housing Supply and Trajectory Topic Paper unless otherwise stated	13,251	11,473[15]
LHN with 20% Buffer for Plan Period	14,645 (814dpa)	14,645 (814dpa)
Additional Allocations Required	**1,394**	**3,172**

JAA Table 4: Summary of effect of 10% Buffer on Total Supply over the Plan Period

Supply Source	Council	JAA
LHN for Plan Period 678 dpa	12,204	12,204
Supply Identified in the Housing Supply and Trajectory Topic Paper unless otherwise stated	13,251	11,473
LHN with 10% Buffer for Plan Period	13,341 (814dpa)	13,341 (814dpa)
Additional Allocations Required	**180**	**1,868**

Q4. In the event that new housing is delivered as expected, what is the justification for the size of the buffer proposed?

4.1 As per our comments above, a buffer is required to take account of any delays to the delivery of any of the proposed allocations especially the strategic sites, and/ or slower than expected delivery rates. It would also address our position on the validity of the windfall allowance, and non-delivery of extant consents, and as such ensure the plans housing requirement is delivered in a sustainable, well planned fashion, rather than an ad hoc fashion of planning by appeal if a 5 yr. housing land supply deficit occurs.

Q5. Paragraph 69 of the Framework states that in order to promote the development of a good mix of sites, local planning authorities should (amongst other things) identify land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare, unless there are strong reasons why this cannot be achieved. What proportion of the housing requirement will be met from sites no larger than 1 hectare in Tunbridge Wells?
No comment

[15] 13,251 minus 1,778 (660 (Tudeley), minus 650 (windfalls (1,670-1,020 = 650), minus 303 (non-delivery of extant consents (10% of 3029) minus 57 (non-delivery of small sites – see p31-106 of app A of latest 5 yr. HLS Statement (568 units under 10 not started)) and minus the cinema site (108)) = 11,473

Issue 2 – Five Year Housing Land Supply

Q1. Taking into account completions since the base date of the Plan, what will be the anticipated five-year housing land requirement upon adoption of the Plan?

1.1 The Five-Year Housing Land Supply Statement 2020/2021 (CD 3.163) sets out in table 1 how the council have calculated the five-year housing land supply for the five-year period 01 April 2021 to 31 March 2026. Whilst not the five-year period for the plan upon adoption (we would anticipate this to be 01 April 2023 to 31 March 2028) it clearly demonstrates how the council intend to deal with any surplus delivery from previous years over the remaining plan period. On the basis of this approach, and if the plan is adopted in 2023/24, the five-year housing requirement on adoption will, taking TWBC anticipated supply for the intervening period at face value and the assumptions as set out in table 5 below, be circa 3,358 homes. As however, including the surplus from previous years in the assessment of the five-year housing land supply is open to debate, we note that if a surplus is not included, then the five-year housing requirement would be circa 3,560 homes[16].

JAA Table 5:

Row	Five-Year HLS Component	How Component is Calculated	Five-Year HLS Calculations (April 2021-March 2026	Five-Year HLS Calculations (April 2022-March 2027	Five-Year HLS Calculations (April 2023-March 2028
1	Annualised Need Across Five-Year Period	Calculated using the Standard Method using emerging Local Plan base date of 01 April 2020	678	678	678
2	Completions Between 01 April 2020 – 31 March 2021	Number of completions recorded through annual monitoring work for 2020/21 monitoring period	688	1620 (688 + 932)	2610 (688+932+990)
3	Spreading the Completions Surplus Over the Emerging Plan's Plan Period	688 completions against the need of 678 represents a surplus of 10 dwellings. There are 17 years (2021-2038) remaining in the emerging Local Plan's plan period; therefore, the surplus of 10 is divided by the remaining 17	0.59	16.5 1620 completions against a need for 1356 (678x2) = surplus of 264 over remaining 16 yrs	38.4 2610 completions against a need for 2034 (678x3) = surplus of 576 over remaining 15 yrs

[16] 678x5 (3,390)+5% (170) = 3,560. (712dpa)

		years			
4	Revised Annualised Need Across Five-Year Period	Need of 678 minus annualised surplus of 0.59	677.4	661.5 Need of 678 minus annualised surplus of 16.5	639.6 Need of 678 minus annualised surplus of 38.4
5	Five-Year Requirement	Row 4 multiplied by 5 (rounded to nearest whole number)	3,387	3308	3198
6	5% Buffer Applied	5% buffer applied for the five-year period as required by paragraph 73 of the NPPF. This has been calculated as 5% of Row 5 (rounded to nearest whole number)	169	165	160
7	Total Five-Year Housing Land Supply Need	Row 5 plus Row 6 (rounded to the nearest whole number)	3,556	3473	3358
8	Annualised Five-Year Housing Land Supply Need	Row 7 divided by 5 (rounded to the nearest whole number)	711	695	672

Q2. How does the five-year housing land requirement compare to previous rates of delivery in Tunbridge Wells?

2.1 Whilst really a matter for TWBC we note that the Authority Monitoring Report 2020/21 (January 2022) (CD 3.161) at Table 19 sets out: Net Additional Dwellings Completed by Monitoring Year for the period 2006/7 to 2020/2021 and that these comprise:

JAA Table 6:

Yr.	06/07	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	06/07– 20/21 Average	14/15-20/21 5 yr. average
Total Net Completions	517	517	411	104	315	212	-5	-16	323	447	461	537	554	474	688	369	542

2.2 An average of 650dpa (+) is thus clearly greater than that TWBC have achieved in recent years. That said low delivery rates from 2008/9 – 2015/16 were to do with the downturn in the economy at the end of the noughties / the effect of the delay between the adoption of the Core Strategy Local Plan in June 2010 and the Site Allocations Plan in July 2016.

Q3. Based on the housing trajectory, how many dwellings are expected to be delivered in the first five years following adoption of the Plan?

3.1 The housing trajectory at table 9 of the Submission Plan suggests that some 4,322 dwellings will be delivered in the period 2022/23 to 2026/27[17] and 4,069[18] in the period 2023/24 to 2027/28. This is however predicated on the supply set out in table 9 being realistic and deliverable within the terms of the NPPF.

3.2 For the reasons set out in our response to matter 9, issue 1 question 2, and matter 9, issue 2, question 7 we do not believe there to be any justification for including windfall development within the 5 year period.

3.3 In addition we would also question a number of the sites included within five year HLS in the Housing Supply and Trajectory Topic Paper/ the Five Year Housing Land Supply Statement 2020/21, and the apparent inconsistencies between these two documents. For example we note that table 9 on p29 of Housing Supply and Trajectory Topic Paper, suggests that the Land at the former Gas Works, Sandhurst Road will deliver 185 dwellings in the period 2023/24 - 2025/26, despite appendix 2 of the Five Year Housing Land Supply Statement 2020/21 at p108 suggesting that this site will only deliver 70 dwellings in the period 2025/26 and 114 thereafter; and that p29 of the Housing Supply and Trajectory Topic Paper also suggests that the Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down will deliver 50 dwellings over the period 2024/25 and 2025/26 despite appendix 2 of the Five Year Housing Land Supply Statement 2020/21 at p108 suggesting that this site will deliver 50 dwellings in the period 2025/26. These inconsistencies[19], together with issue of windfall delivery set out above and our position on the proposed trajectory for the strategic allocation at Tudeley (see response to question 3 (matter 9 issue 1) above) is such that we believe that TWBC may not have a 5 year HLS upon adoption. We have set out in appendix 1 (a) our position on this having regard to the information in the Housing Supply and Trajectory Topic Paper, and (b) the latest Five-Year Housing Land Supply Statement. As can be seen both suggest a deficit upon adoption assuming adoption in 2023/24 and a rolling shortfall thereafter.

[17] 990+986+ 801+885+660 = 4,322
[18] 986+ 801+885+660+737 = 4,069
[19] There are others such as those relating to the Cinema Site, Brick Kiln Farm, and Turners Pie Factory.
p23 of the latest Five-Year Housing Land Supply Statement suggests 108 dwellings are now under construction on the cinema site, whilst Table 9 of the Housing Supply and Trajectory Topic Paper at p32 suggests no delivery over the plan period
p23 of the latest Five-Year Housing Land Supply Statement suggests 70 dwellings will be delivered at Brick Kiln Farm in 2023/24 and 24/25 with 40 in 25/26, whilst Table 9 of the Housing Supply and Trajectory Topic Paper at p32 suggests no delivery over the plan period
p32 of the latest Five-Year Housing Land Supply Statement suggests 70 dwellings will be delivered at Turners Pie Factory in 2023/24 and 30 in 24/25, whilst Table 9 of the Housing Supply and Trajectory Topic Paper at p108 suggests 70 dwellings will be delivered in 24/25, and 30 in 25/26

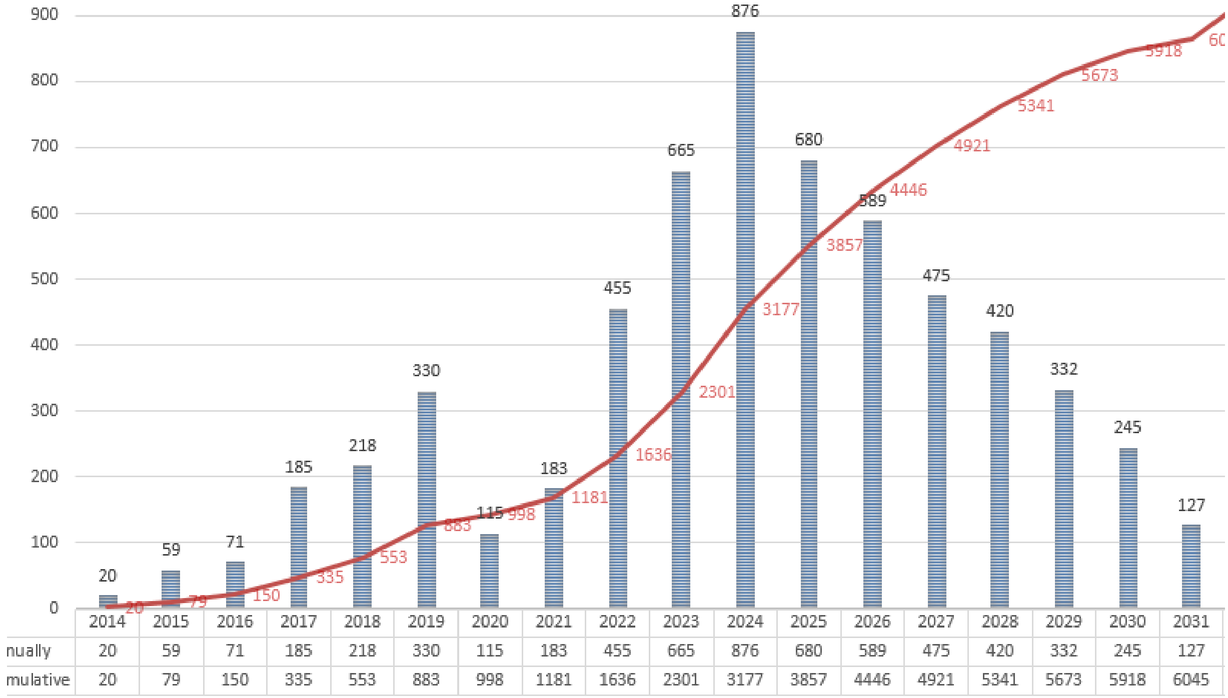
Q4. What evidence has the Council used to determine which sites will come forward for development and when? Is it robust?

4.1 Whilst primarily a matter for the council, we can confirm that we have had detailed discussions with officers about the delivery rates anticipated on the land East of Paddock Wood and are confident that this part of the strategic allocations can deliver as proposed in our response to matter 9, issue 1 question 3 above/ our response to matter 9, issue 2 question 6 below. We further note that para 4.6 of the Housing Supply and Trajectory Topic Paper references several nationally recognised evidence studies on lead in times and the phasing of large-scale housing projects, including Lichfields Start to Finish, and that this as well as their discussions with site promoters has helped frame their assumptions about when a site will start to deliver and at what rate. We consider this to be as robust as it can be in the circumstances, and would highlight the fact that whilst p30 of the Housing Supply and Trajectory Topic Paper suggests that delivery of the strategic sites in Paddock Wood/ Capel will not commence until 2025/26, believe for the reasons set out below that an earlier delivery rate is justified in this instance.

4.2 In the context of the above whilst noting that para 4.33 of the Housing Supply and Trajectory Topic Paper indicates that '*With limited local evidence, conclusions must be drawn from national and other local studies which suggest that lead-in times from outline or hybrid consent to first completions is around 18 months'* Persimmon achieved occupations within 14 months of starting on site at Mascalls Court Farm in Paddock Wood -14/506766/HYBRID refers[20].

4.3 Conversely Camland, the company delivering the serviced parcels at Ebbsfleet Garden Village have provided a table (overleaf) which clearly demonstrates the time it takes to deliver in earnest on major strategic sites. Whilst we accept that Ebbsfleet is considerable larger than Tudeley, and Camlands delivery at Ebbsfleet was severely hit by Covid, the start-up profile is telling and supports our proposition that delivery at Tudeley may not be as prolific in the early years as suggested.

[20] The Hybrid permission was granted 23 March 2018 and first occupation took place on 17th May 2019



Q5. Where sites have been identified in the Plan, but do not yet have planning permission, is there clear evidence that housing completions will begin within five years?

5.1 Whilst p30 of the Housing Supply and Trajectory Topic Paper suggests that delivery of the strategic sites in Paddock Wood/ Capel will not commence until 2025/26, the SoCG between Redrow/ Persimmon and TWBC (CD 3.140) highlights the fact that:

- Redrow and Persimmon have been undertaking pre-application discussions with TWBC since February 2021.
- They have also had various other meetings with statutory consultees and key stakeholders – including the Paddock Wood Town Council.
- They have participated in two Design South East Review Panel meetings
- An Environmental Impact Assessment Scoping Opinion was issued by TWBC on 6 August 2021 following a formal application for scoping in June 2021
- A Planning Performance Agreement has been entered into to progress pre-application discussions and will be extended following submission to address the period from submission through to determination[21].
- Redrow and Persimmon are looking to progress discussions with the Borough Council on the Framework Masterplan (SPD) concurrently with the submission of their hybrid applications.

5.2 Given the above and subject to the submission of the proposed applications as detailed above this summer and determination in 2023, there is no reason why,

[21] it is hoped this will look to facilitate the determination of the applications with 12 months (including s106), and to agree discharge of pre commencement conditions in a timely fashion,

especially as we are submitting hybrid applications, that Redrow and Persimmon cannot achieve first occupations in 2024 i.e. within the first five year period.

Q6. How have the projected rates of housing delivery been established for the strategic sites at Tudeley Village and Paddock Wood and East Capel? Are the figures realistic when taking into account the need for supporting infrastructure?

6.1 The projected housing delivery rate for the land east of Paddock Wood has been assumed to be 60 dpa for each outlet, there being two outlets – one for Persimmon and one for Redrow.[22] This compares favourably with the industry standard delivery rates for sites of 500-999 dwellings as set out in Figure 7: Build-out rate by size of site (dpa) in Lichfields Start to Finish (Second Edition (Feb 2020), and the findings of table 8 of the Housing Supply and Trajectory Topic Paper. The delivery rate set out in table 2 above also provides for a gradual build up and could possible deliver more over the middle part of the plan period[23]. As to the extent to which the delivery rates have taken into account the need for supporting infrastructure, para 5.194 of the submission plan makes it clear that the assignment of contributions will be refined through the Supplementary Planning Documents to be prepared for each Strategic Site; and that the delivery of this infrastructure should be through ongoing discussions with relevant stakeholders, including, but not limited to, Kent County Council, adjacent local planning authorities (Tonbridge & Malling and Maidstone Borough Councils) and other statutory consultees. To this end we have again had detailed discussions with officers of both TWBC and KCC about the infrastructure requirements generated by the land east of Paddock Wood and the phasing of said infrastructure, having regard to the requirements set out in the Strategic Sites Masterplanning and Infrastructure Study (CD 3.66)[24], and the Infrastructure Delivery Plan (CD 3.142), and whilst the detail will be a matter for future S106 agreements, we are confident that the main off site works can be linked to occupancy levels linked to this and the other parts of the strategic sites and that this can, as set out in the SoCG on Delivery and Funding of Shared Infrastructure be addressed in such a way that will not prejudice the delivery rates we are anticipating. To this end it is fair to say that the main off-site provision is the proposed highway improvements, the more complex of which are medium term projects that will be jointly developer funded according to the Strategic Sites Masterplanning and Infrastructure Study; and the sports hub which is also identified as a medium term requirement that will be jointly developer funded, both of which the SoCG on Delivery and Funding of Shared Infrastructure explains will be addressed through a set of key principles that will enable delivery and funding to be provided through the planning process at the appropriate point in time. It should also be noted that the land east of Paddock Wood is providing for its own sustainable transport links, its own and others educational needs – both primary and

[22] Persimmon and Redrow are looking to deliver 600 units each

[23] As per our reps on the reg 19 plan with the different lead in times and different timetables being adopted by the developers promoting the land that falls within the STR/SS1, the combined delivery rates within the middle part of the plan period could be more than envisaged the Housing Supply and Trajectory Topic Paper, given the various outlets that will by then be delivering. As previously suggested this should be reviewed along with trajectory in the Housing Supply and Trajectory Topic Paper as this may assist the council with their rolling 5 year housing land supply.

[24] especially Table 9: Infrastructure phasing assumptions, Table 11: Infrastructure requirements for Scenario 1 - both sites, and Table 13: Infrastructure requirements for Scenario 2 - Paddock Wood and east Capel only

secondary, its own flood alleviation and utility requirements, including wastewater requirements, its own community facilities, and its own open space/ play space requirements.

Q7. What allowance has been made for windfall sites as part of the anticipated five-year housing land supply? Is there compelling evidence to suggest that windfall sites will come forward over the plan period, as required by paragraph 70 of the Framework?

7.1 The Housing Supply and Trajectory Topic Paper (CD3.74) at Table 9 in setting out the 'Local Plan Housing Trajectory' indicates at p32 that there are 122 windfalls per annum from 2023/24. This would suggest 498 within the 5-year period 2022/23 to 2026/27 and 620 in the period 2023/24 to 2027/28. As set out in our response to matter 9 issue 1 we do not believe the windfall rates to be justified and we definitely do not believe there to be any justification for this scale of windfall development proposed within the 5 year period.

Q8. Having regard to the questions above, will there be a five-year supply of deliverable housing sites on adoption of the Plan?

8.1 Please see response to question 3 – in brief we do not believe there will be a 5 year housing land supply upon adoption – assuming adoption in 2023/24. Even if adoption was achieved in 2022/23 there would still not be a rolling 5 year HLS moving forward. As such TWBC need to look to introduce additional small/ medium sites to help bridge the gap and also address our concerns about the buffer and the issues that have been debated on the DtC and unmet need of adjacent authorities.

Q9. What flexibility does the plan provide if some of the larger sites do not come forward in the timescales envisaged?

9.1 We do not believe there is any flexibility if the larger sites do not come forward in the timescales envisaged, hence our view that additional sites need to be allocated to ensure a robust housing land supply both within the first five years and across the plan period.

Q10. Is it necessary to have a review mechanism in the Plan to consider progress against these, and other sites, and to identify any appropriate steps to increase supply if required?

10.1 Whilst we would not rule out a review mechanism we would in the first instance suggest the plan is amended to ensure it allocates sufficient sites to meet its needs and ensure a consistent supply across the whole of the plan period.