

Examination of the Tunbridge Wells Borough Local Plan

Tunbridge Wells Borough Council Opening Statement

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Opening Statement for Tunbridge Wells Borough Council

1. Making a development plan is always a challenge. But a number of background factors have made ours particularly challenging:
 - first the borough contains natural and historic environments of recognised importance, areas of Green Belt and areas which are prone to flood, together with general concerns about the infrastructure capacity to support growth;
 - second, Government's view that the housing market is "*broken*", and the affordability of housing in the borough is worsening;
 - third, a number of neighbouring authorities have failed the Duty to Co-operate, and;
 - fourth, much of the plan preparation has taken place during a global pandemic.
2. I shall return to these challenges shortly.
3. In Tunbridge Wells borough we consider we have met these challenges in our Submission Local Plan, which steers a course for providing access to suitable - especially affordable - housing, access to employment, leisure and cultural opportunities and provides the necessary infrastructure to do so. It does so in a way that balances respecting the natural and historic environments of recognised importance in line with national policy with meeting the needs of the area and ensures that we play our part in tackling and responding positively to climate change.
4. In preparing the Local Plan, the Members of the Council have inevitably had to make hard choices – choices that cannot please everyone – in seeking to meet the borough's needs for homes, jobs and associated facilities, as well as respecting its distinctive qualities. These choices have been made within the necessary confines of law, policy and guidance from Government.

5. Above all, the Council recognises the utmost importance of having an up-to-date Local Plan, and the fact that the existing Development Plan is now old, prepared against a very different context, with policies which are either out-of-date or are becoming out of date. The age of the Development Plan impacts on dozens of planning decisions made every day, whether they are for major development proposals or extensions to houses – and in doing so the absence of an up-to-date Local Plan impacts on the residents, businesses and visitors of (and to) the borough.
6. In terms of the challenges I outlined, I'd like to start first with the context of the borough, and particularly those areas within it which are judged to be of importance in landscape, heritage or openness terms.
7. The borough contains land which has already been judged to be of national importance for its landscape and scenic beauty i.e. land which is in designated areas of outstanding natural beauty. It also contains land which has been judged to be worthy of keeping 'open' and free from built development or visual clutter and put within the Green Belt. AONB land accounts for nearly 70 per cent of the borough and Green Belt land approximately 22 per cent. Together these designations cover 75 per cent of the borough. As I will explain when discussing the housing situation in the borough, it is not wholly surprisingly then that those areas have had to be examined as potential locations for accommodating growth.
8. In addition (and as I have alluded to already) the borough is rich in historic features and supports a wide network of biodiversity sites, and parts of the borough are located in flood risk areas.
9. In terms of challenges, I would next like to turn to the needs of the borough. Housing, inevitably, receives many of the headlines although the Council believes that employment and other needs are of huge importance too. The Housing White Paper in February 2017 stated in the Secretary of State's Foreword that:

"This country does not have enough homes. That's not a personal opinion or a political calculation. It's a simple statement of fact..."

For decades the pace of house building has been sluggish at best. As a result, the number of new homes has not kept pace with a growing population. And that, in turn, has created a market which fails to work for far too many people. That has to change.

We need a radical, lasting reform that will get more [houses] built right now and for many years to come.”

10. Tunbridge Wells borough continues to have higher average house prices than most of Kent and the South East, and the rate that house prices have risen has been greater than the rest of Kent and the South East. For example, the average price of a house in Tunbridge Wells is now 73 per cent higher than it was in 2006, as compared to 62 per cent and 64 per cent respectively for Kent and the South East. There is also a need to ensure a range of housing type and sizes suitable to meet the needs of older people and those with specialist requirements, within both the market and affordable sectors, reflecting the demographics of the borough’s population.
11. One of the reforms following the Housing White Paper has been the introduction of a standardised methodology for calculating the housing need in a local authority area and simply put, the local authority is expected to provide for that need within its administrative area. Similarly, paragraph 35 (a) of the NPPF is clear that having a strategy which as a minimum seeks to meet an area’s objectively assessed needs – be that housing or vitally important employment needs – is a key test of the soundness of the plan. The Submission Local Plan does this – it is positively prepared. As I know you will discuss later today, there is no other unmet housing need in the West Kent housing market area, and there was none at the point that the plan was submitted in November last year.
12. The reality is that the preparation of a local plan takes place bounded by legislation requirements, national policy and national guidance on plan-making. One of those legal requirements involves appraising different ways of considering growth. In short, the borough has economic objectives, social objectives and environmental objectives. The avoidance of significant adverse impacts on those objectives has been borne in mind, and testing reasonable alternative options which might avoid or reduce those harmful impacts is a requirement which has been followed. The outcomes of those considerations through the iterative Sustainability Appraisals have influenced decisions made on the direction of the plan and the contents of policies.
13. The third challenge has been the issue the failure of three of our neighbours Local Plans under the Duty to Cooperate. In particular, we have noted the failures of the emerging Tonbridge & Malling Local Plan and the Sevenoaks Local Plan, both of which

are districts which are also heavily constrained. They have Green Belt and/or AONB constraints amongst other things. Those failures have underlined that the tough decisions we have made were necessary. Importantly the Council has approached the issues which resulted in the failure of those plans differently to our neighbours. Despite there being some uncertainty at times in the preparation of the Local Plan on some strategic cross boundary issues – particularly in relation to housing need in the West Kent Housing Market Area – Tunbridge Wells Council has engaged constructively, actively and on an on-going basis to maximise the effectiveness of the Local Plan, working with neighbouring authorities and other Duty to Cooperate partners. This has involved the Council asking tough questions, and being more robust than others in the engagement it has undertaken.

14. The final key challenge has been to prepare a Local Plan during a period of time in which a global pandemic emerged, locked the country down for substantial periods of time, and has accelerated societal and economic change. However, the Council has risen to this challenge – mindful of the Government’s advice issued swiftly after the start of the first lock down in 2020 – to continue to progress its Local Plan, and the Government’s deadline of having a Local Plan in place by December 2023. In doing so the Council has embraced different ways to consult on the iterations of the Local Plan, increasingly digital but ensuring that access to paper copies and different means to submit representations have been available. It has undertaken consultation in line with its adopted Statement of Community Involvement.
15. A comprehensive Local Plan such as this touches every aspect of life and work in the borough. I will not address these issues – or the spatial strategy - in detail as everyone involved in the Examination will be aware of these. But there are a couple of main points that I would like to draw out.
16. The first are the steps which the Council has taken in producing the Local Plan. Regulation 18 consultation has taken place on both an Issues and Options document, and a full Draft Local Plan, followed by Regulation 19 consultation on the Pre-Submission Local Plan.
17. The Council has produced an extensive and proportionate evidence base to inform the plan, updated as necessary as the need for further evidence has been identified, whether that be as a result of feedback from statutory consultees on the consultation on

the Draft Local Plan, or changes as a result of the pandemic. As before, the Council has produced an iterative Sustainability Appraisal to inform the various stages of the Plan, and has liaised extensively with partners including both infrastructure providers and under the Duty to Cooperate, including with neighbouring and county authorities.

18. These various strands of interlinked work – which includes the hugely important Infrastructure Delivery Plan - have enabled the Local Plan and its Development Strategy to evolve, and, including responding to the consultation on the Draft Local Plan, have undoubtedly improved the strength and robustness of the plan.
19. Of obvious controversy in our Plan is the decision to remove land from the Green Belt for development purposes and the decision to promote some major development within the AONB. As before, the decision to allocate sites in those locations has been taken only after reasonable alternatives have been considered, and based on the evidence base I outlined previously. These decisions – and the strategy and plan itself – are **consistent** with national policy.
20. Again, I do not propose to discuss the spatial strategy in detail, but I think it appropriate to recognise that the accommodation of housing and other development in the form of a new settlement and the transformational expansion of Paddock Wood has caused concern from – principally – those living within that part of the borough. The template to follow for both proposals will be the government’s garden community principles, and the Council has undertaken a huge amount of work to establish a framework for the comprehensive masterplanning of these sites, and delivery of infrastructure to mitigate the impact of this development and to deliver betterment in terms of flooding. This work has demonstrated that these allocations are **deliverable** over the plan period, and in relation to Tudeley will make a contribution to housing provision beyond 2038. Both reflect the policy in paragraph 73 of the NPPF setting out that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns.
21. Although the Council understands this has caused concern to those in the locality, it is through these allocations, and others that require the release of Green Belt land or major development in the AONB, that the Local Plan provides a strategy which meets the area’s objectively assessed housing and employment need. As such the Plan has

been **positively prepared**, and the Council believes will be a hugely important part of shaping the borough as a whole over the next 15 years.

22. The final element that I would like to address is the political support for the Local Plan. In my experience most Members at borough or district level stand for election as a result of a planning matter, and despite the multitude of services that the Council provides the one which has the highest priority for Members at TWBC is Planning.
23. Given this context, I have witnessed how the approach taken by the Portfolio Holder for Planning and Transportation has, through-out the preparation of the Local Plan, been to invite all members to monthly, and sometimes fortnightly, meetings to discuss all the factors which input into the Local Plan. This has resulted in Members who are highly engaged with the Submission Local Plan, and the strategy and policies within it.
24. The fact that the decision of the Tunbridge Wells Full Council to submit the Plan received such strong cross-party political support is – I believe – testament to its preparation and the urgency of needing an up-to-date Local Plan in place.

Conclusion

25. Finally, Sir, we recognise and welcome the unique examination process in which you as Examining Inspector will work pro-actively with us to resolve any potential soundness and legal compliance issues wherever possible, as opposed to an appeal process where an Inspector is making a yes or no decision based on the material in front of him or her.