

Examination of the Tunbridge Wells
Borough Local Plan

**Tunbridge Wells Borough Council
Hearing Statement**

**Matter 2: Housing and
Employment Needs (Policy
STR1)**

**Issue 1: Housing Needs and the
Housing Requirement**

Document Reference: TWLP/011



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Matter 2 – Housing and Employment Needs (Policy STR1)

Issue 1 – Housing Needs and the Housing Requirement

To determine the minimum number of homes needed, paragraph 61 of the National Planning Policy Framework ('the Framework') states that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

Inspector's Question 1: [re. housing need under the standard method]

What is the minimum number of new homes needed over the plan period as calculated using the standard method? Are the calculations accurate and do they reflect the methodology and advice in the national Planning Practice Guidance ('the PPG')?

TWBC response to Question 1

Introduction

1. Reference is made to the Council's Housing Needs Assessment Topic Paper [[CD 3.73](#)], which has a section headed 'Standard Method' calculation of housing need (on paginated pages 3 and 4; (electronic pages 5 and 6).
2. It identifies the relevant PPG as being in the section on [Housing and economic needs assessment](#), at paragraph ID 2a-004-20201216.
3. Of note, under 'Step 1', it states:

“Set the baseline using national [household growth projections](#) (2014-based household projections in England, table 406 unitary authorities and districts in England) for the area of the local authority. Using these projections, calculate the projected average annual household growth over a 10 year period (this should be 10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period). Note that the figures displayed are rounded and individual cells need to be viewed in order to see the full number.”

4. The Topic Paper identifies a local housing need of 678 dwellings per annum (dpa) at the base date of the Local Plan (01 April 2020), calculated using the standard method. The basis of this calculation is consistent with the need identified in the ‘*Review of Local Housing Needs*’, by Icen Projects, to inform the Local Plan [[CD 3.75](#) as set out in Section 4].
5. This approach reflects the fact that, in the preparation of the Pre-Submission Local Plan, which was published in March 2021 (and presented to Members before then), statistics for 2020/2021 represented the “*current year*”, as set out in Step 1.
6. While the current year at the point of submission would be 2021/2022, the Council determined that it would be confusing and unnecessary to change the base date of the Local Plan at a very late stage, prior to actual submission.
7. Indeed, [PPG](#) Paragraph: 008 Reference ID: 2a-008-20190220 states that: “*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate.*” It adds: “*The housing need figure generated using the standard method may change as the inputs are variable and this should be taken into consideration by strategic policy-making authorities.*” (TWBC underlining for emphasis). The Council has done this. Moreover, Table 1 below shows the calculation based on 2021 figures (i.e., as at the point of submission), alongside the calculation based on the Local Plan base date of 2020. In essence, if the 2021 data were used, the need changes only negligibly, to 677 dpa. This is not considered to be material.

Table 1 Local Housing Need Calculation

	At Local Plan Base Date (2020)	At Submission (2021)
Step 1: Average annual household growth	484.3 (2020-2030)	483.5 (2021-2031)
Median workplace-based affordability ratio	12.48	13.27 ¹
Adjustment factor	53%	58%
Step 2 housing need figure	741	764
Housing requirement in last adopted plan	300	300
Cap @ 40% above household growth	678	677
Cap @ 40% above last adopted plan	420	420
Higher cap figure to be applied	678	677
Minimum Local Housing Need, dpa	678	677

8. Applying the 678 dpa figure over the 18-year plan period, 2020-2038, the housing need is 12,204 dwellings.
9. This calculation is consistent with [PPG](#) Paragraph: 012 Reference ID: 2a-012-20190220 which states: *“The method provides authorities with an annual number, based on a 10-year base line, which can be applied to the whole plan period.”* Appendix 1 to this Hearing Statement provides an overview of the standard method calculation using 2014 Household Projections and the 2019 median workplace-based affordability ratios.
10. It is noted that no further adjustment is warranted from under (or over) delivery in previous years, in accordance with PPG Paragraph: 011 Reference ID: 2a-011-20190220, which states: *“The affordability adjustment is applied to take account of past under-delivery. The standard method identifies the minimum uplift that will be required and therefore it is not a requirement to specifically address under-delivery separately.”*
11. Of course, this national guidance reflects the fact that the Government’s rationale for the affordability adjustment within the standard method is to ‘uplift’ the need figures above household projections to address historical under delivery; also, it is set to achieve the level of supply which the Government considers is necessary to duly increase supply to 300,000 homes a year across England.

¹ NB This figure, taken from the 2021 release, has been retrospectively amended to 13.35 in the more recent release. However, it does not change the minimum local housing need.

12. While subsequent figures for 2022 produce a slightly lower capped housing need, but a higher uncapped need, it is noted that [PPG](#) Paragraph 008 Reference ID: 2a-008-20190220 sets out that: “.. *local housing need calculated using the standard method may be relied upon for a period of two years from the time that a plan is submitted to the Planning Inspectorate for examination.*” The Council is following this guidance.
13. The appropriateness of using the Government’s standard methodology, as opposed to another approach, is set out in the response to Question 2 below, while the response to Question 3 addresses the matter of unmet housing needs.

Inspector’s Question 2: [re. whether there are exceptional circumstances to depart from the standard method]

Are there any exceptional circumstances which justify an alternative approach to using the standard method? If so, what are they, and what should the housing requirement be?

TWBC response to Question 2

Introduction

14. In preparing the Local Plan, the Council duly considered whether there are exceptional circumstances which justify an alternative approach to using the standard method (either higher or lower). This is presented in paragraphs 2.18-2.33 of its Housing Needs Assessment Topic Paper [\[CD 3.73\]](#).
15. It is concluded (at paragraph 2.33) that the standard method figure of at least 678 dwellings per year (dpa) is, in fact, an appropriate housing target for the Local Plan.
16. This conclusion aligns with the advice that the Council received from Icen Projects in its report entitled *Review of Local Housing Needs* [\[CD 3.75\]](#), following detailed scrutiny of relevant factors. The report’s Executive Summary provides a clear overview, with the conclusion at paragraph 1.6, which states:

“This report has considered whether exceptional circumstances exist which might justify an alternative assessment of housing need that would withstand scrutiny at a future Local Plan Examination. Icen conclude that they do not.”

Consideration

17. NPPF paragraph 61 sets the national policy on determining housing need:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.”
18. As Icen Projects states, at paragraph 1.4 of its report [\[CD 3.75\]](#):

“The “exceptional circumstances” test in the NPPF is a relatively high bar and would require the Council, should it wish to advance an alternative figure as its assessment of its housing need, to demonstrate (based on locally-specific evidence) that there is something wrong or inappropriate with the standard method calculation for the Borough – a reason as to why it is necessary to move away from the “standard method” formula; and then to put forward a credible alternative calculation of what its needs would be, which would withstand scrutiny through the examination process.”

19. The Review of Local Housing Needs [\[CD 3.75\]](#) considered more recent (2016- and 2018-based) demographic projections. These project weaker population growth in the borough [\[CD 3.75 Table 5.5\]](#). The report found that the weaker population growth is a function of weaker natural change and higher deaths than predicted in the 2014-based Subnational Population Projections (SNPP) but that these are factors which are not unique to Tunbridge Wells but reflect wider national trends. Similarly, more recent household projections indicate slowing household growth, but this is likely to have been suppressed, as concluded by IcenI Projects – see box on paginated page 44.
20. The Council would note in this context that [PPG Paragraph: 015 Reference ID: 2a-015-20190220](#) states that any method which relies on using household projections more recently published than the 2014-based household projections will not be considered to be following the standard method.
21. It is appreciated that the 678 figure dpa is the product of the cap within the standard method; also, that the PPG states at [Paragraph: 007 Reference ID: 2a-007-20190220](#): *“Where the minimum annual local housing need figure is subject to a cap, consideration can still be given to whether a higher level of need could realistically be delivered. This may help prevent authorities from having to undertake an early review of the relevant policies.”* This issue was considered within the IcenI Report [\[CD 3.75\]](#) and outlined in its Executive Summary and in the Council’s Housing Needs Assessment Topic Paper [\[CD 3.73\]](#) at paragraphs 2.18-2.33.
22. For clarification, the effect of the cap within the standard method is shown in the table in response to Question 1 above.
23. IcenI Projects further notes that the level of housing delivery implied by the capped standard method calculation is 1.20% pa, while the uncapped figure (764 dpa) would be

1.30% pa boroughwide. To put this in context, the Government's target of an increase to 300,000 new homes built nationally by the mid-2020s is equivalent to 1.2% stock growth pa. However, the Report finds that it is important to take account of the fact that, as extensive parts of Tunbridge Wells borough are affected by strategic development constraints, in particular the High Weald AONB, development would inevitably need to be concentrated in a more limited area of the borough; and hence, it considers the potential of the market to support high levels of housing delivery in those parts of the borough which are outside of the AONB - see Section 7 of its Report [[CD 3.75](#)].

24. The analysis undertaken indicates that delivery of 678 dpa results in high levels of housing delivery relative to what has been seen in Tunbridge Wells historically. It found that the delivery of the higher, uncapped need would involve a further significant increase over recent building rates, and there is little market capacity to accommodate the additional growth in the borough outside of the AONB in the period to 2030.
25. Icen Projects also considers that the extent to which the inclusion of an uplift to the household projections will improve affordability in Tunbridge Wells borough will be influenced by the extent to which housing supply and delivery is increased across the wider region, as well as London. In addition, wider macro-economic factors will influence overall housing affordability and demand, including wider economic trends, interest rates and access to mortgage finance. Nonetheless, there is evidence of past under-delivery in the borough, and the inclusion of the 40% market signals uplift in the standard method is justified.
26. The report by Icen Projects [[CD 3.75](#)] concludes, in essence, "*that there are not the exceptional circumstances to justify an alternative assessment of housing need that would withstand scrutiny at a future Local Plan Examination.*" (paragraph 2.21).
27. This conclusion includes consideration of affordable housing needs. The approach to affordable housing is discussed further in response to Matter 2, Issue 2 [TWLP/012]. It is noted that relatively high house prices reflect the combination of the attractiveness of the borough with high quality urban and rural environments (centred on the main town of Royal Tunbridge Wells), and good accessibility to London. The Review of Affordable Housing Needs [[CD 3.76](#)] found the link between affordable housing and overall need to be complex and that the affordable needs analysis does not justify a further increase to

overall housing provision, while nonetheless suggesting that affordable housing delivery should be maximised where opportunities arise (paragraphs 3.35-3.49).

28. The [PPG](#), at Paragraph: 010 Reference ID: 2a-010-20201216, asks the question: *“When might it be appropriate to plan for a higher housing need figure than the standard method indicates?”* It goes on to advise that:
- “Circumstances where this may be appropriate include, but are not limited to situations where increases in housing need are likely to exceed past trends because of:*
- growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);*
 - strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or*
 - an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;”*
29. These circumstances do not apply. There is no ‘growth strategy’ for the borough or wider West Kent area as defined in the PPG extract above. There are no strategic infrastructure improvements currently planned. While there has been consideration of unmet housing needs from Sevenoaks, as the Council explained in relation to the Stage 1 Hearing sessions, it considers that there is not presently any unmet housing need in the West Kent Housing Market Area and was none at the time of submission of the Plan. Sevenoaks District Council (SDC) is at such an early stage of its plan preparation that it simply cannot say whether there is likely to be unmet housing need or not. The existence (or not) of unmet need will only occur following consideration of evidence, discussions under the Duty to Cooperate and its own approach to exceptional circumstances for Green Belt release. SDC’s previous approach has been criticised by Inspectors involved in its plan.
30. The same paragraph in the [PPG](#) (010 Reference ID: 2a-010-20201216) also notes that *“there may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method.”*

31. As stated in the Housing Needs Assessment Topic Paper [[CD 3.73](#)] at paragraph 2.30, the recent (4/2015-3/2020) average build rate has been 495 dpa, some 37% lower than the capped standard method figure; i.e. the opposite is the case locally; that the capped figure already represents a substantial increase in housebuilding.

Conclusion

32. While there are of course potential advantages in a higher housing target, the Council does not regard these as sufficiently strong – or exceptional – to warrant adoption. Its assessment takes into account that:

- the capped local housing need is set as a minimum figure in any event;
- it already includes a significant (40%) uplift above official household projections to help address housing affordability;
- 678 dwellings pa will represent a very substantial boost in terms of the performance of the local housing market, being more than double the current (2010) Core Strategy requirement of 300 per annum and 37% higher than recent house-building rates (paragraph 2.30 of the Housing Needs Assessment Topic Paper [[CD 3.73](#)]);
- none of the circumstances set out in [PPG](#) paragraph: 010 Reference ID: 2a-010-20201216 regarding when it might be appropriate to plan for a higher housing need figure than the standard method indicates apply;
- while there will be (and have been) fluctuations in the projections and affordability over time, the PPG provides for local plans to rely on the standard method figure for two years from submission;
- furthermore, as set out in the Housing Needs Assessment Topic Paper (paragraph 2.31) [[CD 3.73](#)], there is no economic need for a further upwards adjustment beyond that of the Standard Method.

Inspector's Question 3: [re. wider housing needs]

In addition to the local housing need figure for Tunbridge Wells, should the Plan also make provision for housing needs that cannot be met in neighbouring areas? If so, what should that figure be?

TWBC response to Question 3

33. The Council's position in relation to accommodating housing needs from neighbouring areas is as set out in its Hearing Statement [see [TWLP/001](#)] in response to Duty to Cooperate (DtC) questions as part of Matter 1, in particular in its response to Question 5. Reference is also made to the Council's DtC Statement (November 2021) [[CD 3.132a](#)] and especially paragraphs 2.01-9.06.
34. The principal 'housing need' to consider is that of Sevenoaks District Council (SDC), which also falls within the same housing market area as the borough.
35. In essence, the Council considered the request from SDC in late 2018/early 2019 to help meet its unmet need, then identified as being some 1,800-1,900 dwellings. It did this both through its Sustainability Appraisal process (at both Regulation 18 and 19 stages) and as part of its approach to assessing prospective sites for allocation – unconstrained by an upper limit.
36. The outcome of the site assessment process has been to identify what the Council believes is the full extent of suitable sites for housing (and mixed use) development, while the Sustainability Appraisals have indicated the likely increasing negative impacts on key environmental objectives.
37. Hence, the Council believes, and believed at previous plan-making stages, that to accept needs from other areas would have an adverse impact when assessed against policies in the National Planning Policy Framework (NPPF), contrary to NPPF paragraph 11b) and the related [PPG](#) (Paragraph: 022 Reference ID: 61-022-20190315).
38. In addition, since the initial Examination findings into the Sevenoaks Local Plan in October 2019, it was unclear whether, and if so, what degree of unmet housing need there is from Sevenoaks, before becoming clearer (following SDC starting on a new plan) that there is no unmet need from SDC at present or at the point of submission of the TWBC Local Plan.

39. The reasons for the Council taking this view have been clearly set out in its Statement on Matter 1 in relation to the Duty to Cooperate [[TWLP/001](#)] and flow from concerns raised by the Sevenoaks Local Plan Inspector² on the soundness of its Plan and whether SDC has adequately explored all available options for addressing strategic matters, namely housing needs, within its own planning area.
40. While SDC has not formally withdrawn its 2019 Local Plan, it is considered that no weight can be attached to this plan. Indeed, SDC agrees at paragraph 2.09 that the *“request and the figure of 1,800 units in [the] April 2019 [request] can no longer be relied on”* [[PS_008](#)].
41. Accordingly, it cannot be said at this time (or at the point of submission of the TWBC Local Plan) that there is unmet housing need in the West Kent housing market area; nor is there likely to be unmet housing need on the basis of the approach taken in SDC’s 2019 Local Plan.
42. Furthermore, SDC is undertaking, or has very recently concluded, additional evidence gathering, including a Town Centre Strategy, District Wide Character Study, and Settlement Capacity Study and in relation to Green Belt (paragraph 1.9 of the SoCG with SDC (February 2022) [[PS_008](#)]), which have the potential to identify capacity for housing in Sevenoaks district. Importantly, it is still analysing the results of its ‘Call for Sites’ exercise (paragraph 1.10 of the SoCG with SDC [[PS_008](#)]); there may be additional sites provided than were submitted previously, and/or additional information provided on particular sites, which again has the potential to identify further capacity. Indeed, SDC has confirmed that it will duly reconsider its own constraints to reach a view on whether it can fully meet its own housing needs, in accordance with paragraph 141 of the NPPF (paragraph 2.11 of the SoCG with SDC (February 2022)) [[PS_008](#)].
43. Therefore, at this point SDC does not know, until it has completed its evidence base work and site assessment, whether there is, or is likely to be, any unmet need. Hence, there is no reasonable expectation to make provision for housing needs from Sevenoaks in the determination of overall housing needs (aside from the adverse impacts that doing so would likely have).

² Letter from SDC Local Plan Inspector to SDC dated 14 October 2019 [[PS_008a](#)]

44. As set out in the Matter 1, Issue 1 response to Questions 7 and 8, there was only one request made during the plan preparation (from Elmbridge Borough Council) to accommodate unmet housing need, and the reasons why it is not appropriate to accommodate housing needs from elsewhere are provided in that response [\[TWLP/001\]](#).

Inspector's Question 4: [re. plan period]

Will the plan period look ahead over a minimum 15 year period from adoption, as required by paragraph 22 of the Framework?

TWBC response to Question 4

45. The Local Plan period, as stated in the opening paragraph of the submitted Local Plan, is 2020-2038.
46. The current Local Development Scheme [[CD 3.143](#)] anticipated submission in October/November 2021, Examination starting in March 2022, the Inspector's Report in October 2022, ahead of adoption in January 2023.
47. This timetable included an allowance for a consultation on proposed modifications in summer 2022.
48. Of course, the Examination has been extended to allow further consideration of the Duty to Cooperate, with the last scheduled hearing date now being 14 July 2022 (with reserve dates of 15 and 19 July). This is a two-month extension to the original programme, which had the final hearing session on 26 May (with 27 May as a reserve).
49. It is now more likely that adoption would be in March 2023. Of course, this is dependent upon the progress of the Examination. If necessary, the Local Development Scheme will be updated in due course. However, even allowing for a consultation on any main modifications and consideration of representations on them, it is still anticipated that the Local Plan will have a 15-year time horizon.

At the heart of the Framework is a presumption in favour of sustainable development (paragraph 10). For Plan-making, paragraph 11b) states that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or**
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.**

The policies referred to in paragraph 11b) relate to, amongst other things, land designated as Green Belt and Areas of Outstanding Natural Beauty ('AONB's).

Inspector's Question 5: [re. whether Green Belt and/or AONB policies provide a strong reason for restricting the scale of development]

***Do policies relating to the Green Belt and/or the High Weald AONB provide a strong reason for restricting the scale of development in Tunbridge Wells?*³**

TWBC response to Question 5

Introduction

50. The Council is acutely aware of the importance of both protecting the Green Belt from urban sprawl and of conserving and enhancing the Area of Outstanding Natural Beauty (AONB) in the borough. Both designations have the potential to restrict the scale of development in the borough. The consideration of whether this is the case needs to be undertaken separately, as there are important differences in the respective NPPF policies, including in relation to respective "*exceptional circumstances*" tests.

51. The following sections address firstly Green Belt, and then AONB, elements.

³ Inspector's Note – A similar question is asked under Matter 3 (Spatial Strategy) and the Council may wish to address both in the same response to avoid any duplication.

Green Belt

52. This response firstly considers the policy context for reviewing Green Belts, before the assessment of its application to Tunbridge Wells borough.
53. National policy (NPPF paragraph 137) [[CD 1.4](#)] in relation to the openness and permanence of Green Belts confers a strong general presumption against most development in them.⁴ At the same time, designation does not convey an absolute protection, with a potential need to review boundaries as part of Local Plan preparation, normally every five years.
54. Once defined, or reviewed, through a plan-making process, the NPPF provides even stronger protection, to safeguard Green Belt from ad hoc applications for inappropriate development between Local Plan reviews.⁵
55. As the NPPF states (at paragraph 139), the general extent of Green Belts across the country is already established. The eastern part of Tunbridge Wells borough lies within the Metropolitan Green Belt, which was extended to a 35-mile radius of London after 1955.
56. When undertaking a review of its Local Plan, the Borough Council must consider whether there are “*exceptional circumstances*”, as required by NPPF paragraph 140. Undertaking such a review includes consideration of:
- the extent to which land meets the five purposes, set out at NPPF paragraph 138;
 - whether proposals for new settlements or major urban extensions warrant additional Green Belt (NPPF paragraph 139);
 - whether strategic policies establish a need for any changes to Green Belt boundaries (NPPF paragraph 140);
 - all other reasonable options for meeting its identified need for development, prior to concluding that exceptional circumstances exist (NPPF paragraph 141);
 - the need to promote sustainable patterns of development (NPPF paragraph 142);

⁴ Exceptions are set out in NPPF paragraphs 149 and 150

⁵ Very special circumstances as opposed to exceptional circumstances are needed (Compton Parish Council v Guildford BC [2019] EWHC 3242(Admin) para 70

- the presence of land which is previously developed and/or well-served by public transport (NPPF paragraph 142);
- the ability to offset removing land through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land;
- the development plan’s strategy and, where necessary, the identification of safeguarded land (paragraph 143);
- defining boundaries that use clear physical features (paragraph 143).

57. In order to properly consider these issues, the Council has undertaken the requisite range of studies:

Evidence document	Description
Green Belt Studies – Stages 1,2 and 3 [CD 3.43a, CD 3.43b(i), (ii), (iii), (iv) and (v) and CD 3.93c]	These assess the extent to which land meets the five purposes at progressive levels of refinement and the ability to offset removing land through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. Stage 3 also assesses the harm that would arise from any release and the strength of the remaining Green Belt.
Masterplanning for Paddock Wood and Tudeley Village [CD 3.66]	This assesses appropriate boundaries for the Green Belt where land is proposed to be removed.
Development Strategy Topic Paper [CD 3.126]	Drawing on a range of evidence documents, including the Brownfield and Urban Land Topic Paper [CD 3.83] and Duty to Cooperate Statement [CD 3.132], identifies a strategic development need to accommodate development in the Green Belt having considered all other reasonable options for meeting identified need in a sustainable manner.
SHELAA [CD 3.77]	Assesses the merits of potential of individual sites for development, including having due regard to the exceptional circumstances where sites are in the Green Belt.

58. The conclusions from these studies and assessments are that, for the most part, the existing Green Belt is effective and in general, land within the Green Belt makes a relatively strong contribution to Green Belt purposes and, therefore, the majority of the Green Belt does “*provide a provide a strong reason for restricting the scale of development*” in the borough.

59. There are, however, some areas where land within the Green Belt makes a weak contribution to one or more Green Belt purposes and there are instances where there are exceptional circumstances, including having regard to development needs, that justify their removal from the Green Belt.
60. These sites and the exceptional circumstances for their release from the Green Belt are set out in Section I (paragraphs 6.172 and 6.173) and Appendix 1 of the Development Strategy Topic Paper [\[CD 3.126\]](#). The Green Belt Study Stage 3 provides a summary of the harm assessment for all the proposed allocations within the Green Belt [\[CD 3.93c table 4.1 pages 114-115\]](#). Of the 15 sites, most show that the potential harm is from Very Low to Moderate but for two sites, the strategic sites at Tudeley Village (STR/SS 3) and Paddock Wood and East Capel (STR/SS 1), the potential harm is High.
61. Notwithstanding the Green Belt impacts, there are particular exceptional circumstances that apply to these sites are set out in the Development Strategy Topic Paper [\[CD 3.126\]](#) at paragraph 6.186, and reflect the particular context of Paddock Wood, being a sustainable existing settlement, mostly outside of the Green Belt, where expansion offers significant opportunities in terms of flood mitigation and patterns of sustainable transport; and, for Tudeley, the greater opportunities this offers for walking, cycling and public transport use to be ‘baked in’ to a high quality place, with employment and service provision to limit the need to travel for many trips, and close proximity to settlements (Tonbridge and Paddock Wood) with higher order services, to deliver betterment to existing residents of Five Oak Green and increased accessibility to the wider Green Belt.
62. The potential High harm identified for Tudeley Village is primarily a result of the scale of the site in an entirely rural area and the current contribution the site makes to Green Belt Purpose 3 “*safeguarding the countryside from encroachment*”. However, the Green Belt Study Stage 3 identifies only a Moderate harm on adjacent Green Belt ([CD 3.93c paragraph 4.118](#)) and explains how mitigation measures would help reduce the “*potential visual influence*” of the development on the adjacent remaining Green Belt (paragraph 4.123). These measures have been taken forward into the masterplanning.
63. The assessment is similar for land at Paddock Wood and east Capel and, again, mitigation is suggested and secured through the masterplanning process. The Stage 3 Report acknowledges that the two allocations together will “*narrow the overall gap*”

between Tudeley Village and Paddock Wood but indicates that the “*remaining Green Belt will continue to play a strategic role in preventing these neighbouring ‘towns’ merging*” (paragraph 6.4, purpose 2).

64. Careful consideration has been given through the Green Belt Studies as to how the remaining Green Belt can be strengthened and the extent to which compensatory improvements to the remaining Green Belt can be provided. Details of these are provided in response to questions on the Green Belt and site allocations.
65. These sites, alone and together, provide for a considerable amount of development that is outside of the High Weald AONB where this scale of development has been found to be unacceptable. They offer a comprehensive approach to development that can deliver multiple benefits and are in a sustainable location. Taking all matters into account, the Council believes that the release of the Green Belt for the strategic and other Green Belt sites is justified, and without the proposed Green Belt release, there would be a considerable shortfall against the identified housing need.

High Weald AONB

66. In respect of the AONB, national policies in the NPPF, at paragraphs 176 and 178, may provide a strong reason for restricting the scale of development in the borough, not least given that the High Weald AONB covers nearly seven tenths of its total area.
67. In terms of overall approach, the overarching policy imperative is that “*The scale and extent of development within all these designated areas should be limited, ...*”.
68. The Council has been mindful of this, both in terms of the cumulative impact and in relation to the assessment of individual sites.
69. The Development Strategy Topic Paper [[CD 3.126](#)], at Section H, paragraph 6.167 (paginated page 54) states that the total number of dwellings on developments in the AONB amounts to 14.6% of all residential allocations, using figures taken from Table 12 in Appendix 4. For clarity, Table 12 gives maximum figures, being the upper end of capacity ranges. It also erroneously includes one site, Land at Spratsbrook Farm (AL/RTW 16) that was reduced in scale to not be in the AONB at Regulation 19 stage. A new table correcting this, and also giving mid-point figures, is attached as Appendix 2.

70. It can be seen from the table at Appendix 2 that the corrected figure for housing developments in the AONB is 1,161 dwellings (using the upper-point total), or 12.38% of total dwellings proposed for allocations. Using the mid-point (and the mid-point total), this figure is 1,126 dwellings in the AONB, or 12.25% of total dwellings proposed for allocations.
71. This can be seen in the context of 69% of the borough being within the AONB. Also, in area terms, it is shown (also in Appendix 5 of the Topic Paper) that the developable area of all land allocated for development amounts to about one third of one percent of total AONB in the borough.
72. Using current (March 2022) address point data, it is also found that of the 51,406 residential address points in the borough, 10,666 (20.75%) are in the AONB. Hence, it can be seen that the scale of housing growth in the AONB is considerably less than proportional growth (i.e., 12.25% to 12.38% of total housing on Local Plan allocations are in the AONB compared to 20.75% of existing stock being in the AONB).
73. The NPPF policy that has a significant influence in terms of restricting the scale of development in the borough is at paragraph 177, which states that “, *permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.*”
74. This paragraph continues to identify three factors to which consideration should be given in determining such applications. These are:
- a) *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
 - b) *the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
 - c) *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*”
75. The Council has assessed whether developments should be treated as ‘major’, based on a clear methodology, consulted upon with Natural England and the High Weald Unit. This is set out at Appendix 2 of the Development Strategy Topic Paper [[CD 3.126](#)].
76. It can be seen, at Appendix 3 of the Topic Paper, that consideration is given to the impact on the AONB of all proposed site allocations, and of alternatives, its context,

AONB features, the likelihood of such features being adversely affected, and the scope for not only moderating adverse effects but also noting what opportunities for enhancement that development could bring. Quite properly, assessments also have taken account of both the local circumstances, including development needs, as well as site-specific and scheme-specific considerations.

77. Sites found to meet the relevant tests and suitable for allocation are typically those in a sustainable location, with limited negative effects on the wider AONB and/or AONB components and/or can make a positive contribution to AONB and landscape objectives and/or generate other wider public benefits, such as affordable housing and community infrastructure.

Regard to Natural England's representations

78. It is appreciated that there is an outstanding objection from Natural England in relation to the major developments in the submitted Local Plan. Both Natural England's and the Borough Council's positions are clearly set out in the agreed Statement of Common Ground (SoCG) [[CD 3.132c\(v\)](#)].
79. In essence, Natural England has taken a position whereby it objects to major development proposed within the AONB "*in principle*" (see Appendix H10: SoCG signed between TWBC and Natural England 26 October 2021, at paragraph 2.4).
80. The Council understands Natural England's position, given its remit, and agrees on the importance of conserving and enhancing the AONB. However, the Council cannot simply dismiss major development proposals in principle, as national policy set out in paragraph 177 of the NPPF does not support such an approach.
81. Rather, it has, very assiduously, assessed AONB sites in terms of their defining characteristics, as set out in the High Weald AONB Management Plan [[CD 2.1](#)], and wider landscape and scenic beauty, as is well evidenced in the Landscape Sensitivity Assessments [[CD 3.40](#)] and the site-specific LVIAs [[CD 3.96](#)] (undertaken at Natural England's request) and the AONB Setting Analysis Report [[CD 3.95](#)], as well as the SHELAA [[CD 3.77](#)].
82. Notably, Natural England has not challenged any of these evidence documents.

83. It is appreciated that there is a degree of negative landscape impact from some proposals, but this is regarded as compatible with NPPF paragraph 11, which states that “*strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.” (Council’s emphasis)*
84. More generally, the Council has given great weight to conserving and enhancing the landscape and scenic beauty of the High Weald AONB in its site assessments. It has rejected options put forward for strategic growth of the scale of a new settlement, for reasons set out at paragraphs 6.77 to 7.79 of the Development Strategy Topic Paper [[CD 3.126](#)] and paragraphs 6.2.23 to 6.2.28 of the Sustainability Appraisal [[PS 013](#)], which is in accordance with Natural England’s position, as set out at paragraph 8.9 (page 16) of its Statement of Common Ground [[CD 3.132c\(v\)](#)].
85. In addition, a good number of site submissions have been dismissed on the basis that they do not meet the NPPF policy tests for developments (including for major developments), and adverse impact on the AONB. In fact, a number that were included for consultation at the Draft Local Plan stage have been reduced in scale to be acceptable in NPPF AONB policy terms, as highlighted in paragraphs 6.160 and 6.161 of the Development Strategy Topic Paper, corrected to be a total of 31 allocations in the AONB, of which 10 are ‘major’⁶, of which nine are residential and one employment. This has restricted the overall scale of development in the borough.
86. At the same time, there are several developments, including a few major developments found to meet the exceptional circumstances test, where there is not a strong reason to restrict them on AONB grounds.

⁶ Four (residential) allocations are only ‘major’ developments when considered cumulatively with adjacent sites.

Conclusion

87. The above review of development capacities in different parts of the borough shows the attention given to assessing the options for development potential without impacting on the Green Belt or AONB. Reference is also made to the Council's earlier Hearing Statement regarding the consideration of options for wholly avoiding major developments in the AONB and Green Belt releases through the Sustainability Appraisal process - see response to Matter 1, Issue 3, Questions 4 and 5 respectively [\[TWLP/003\]](#).
88. In conclusion, it is the Council's view that NPPF policies relating to the Green Belt and/or the High Weald AONB do not provide a strong reason for restricting the scale of development in Tunbridge Wells borough that would meet local development needs, including that for housing as identified by the standard method – but are important factors in restricting greater scales of development.

Inspector's Question 6: [re. justification for the housing requirement]

Is the housing requirement justified, having particular regard to areas of Green Belt and AONB across Tunbridge Wells?

TWBC response to Question 6

Introduction

89. The Council's response to Question 5 is regarded as substantially addressing this question.
90. As acknowledged above, both Green Belt and AONB policies can provide a basis for not meeting the full development needs of an area. However, neither sets of such policies set down absolute restrictions on development. Rather, there are very particular considerations that apply to the respective designations which local planning authorities should take account of.
91. Even where adverse impacts are identified having regard to these policies, paragraph 11b of the NPPF still requires local planning authorities to determine whether they provide a "*strong reason for restricting the overall scale, type or distribution of development in the plan area*;".
92. There is a tension, recognised by the NPPF, in planning positively to meet objectively assessed needs for housing and other uses, and protecting areas or assets of particular importance. This has required the Council to very carefully and rigorously identify and analyse the respective interests and impacts.
93. In relation to the High Weald AONB, this process has involved identification, and consideration, of its components of natural beauty for every site and cumulatively. The conclusion is that the developments proposed in (and adjacent to) the AONB can be accommodated without serious harm to AONB interests. Both the scale and extent of development within the AONB is "*limited*", in line with the NPPF, as highlighted above. This does involve a few 'major developments', which have been identified as such against a consistent and accepted methodology, but these are justified on their individual merits.

94. Elsewhere, the scale of development needs has been a significant factor in looking at Green Belt land. A very limited number of sites are proposed to be removed from the Green Belt where their contribution to Green Belt purposes is not high. In addition, and to make a significant contribution to meeting development needs, strategic release is also proposed. This is clearly a balanced decision, but is considered to be justified, also having regard to the sustainability of a new community and the locally-specific improvements it will provide.
95. In summary, the Council has undertaken the proper balancing of planning interests, promoted as much development as is considered consistent with national policies and local circumstances (although not meeting all needs). The proposed quantum of development, and its disposition, is justified.

Appendices

Appendix 1: Standard Method Calculation

Step 1: Setting the Baseline

Table 1 - Projected number of households Within Tunbridge Wells Borough (2020-2030) using 2014 Household Projections (MHCLG)

Year	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Number of Households	51450	51926	52410	52897	53404	53882	54364	54847	55329	55814	56293

For the 10-year period from 2020 (the base date of the Local Plan) to 2030, the baseline calculation is 56,293 (2030) minus 51,450 (2020), which equals 4,843 divided by 10, which equals 484 dwellings per year.

Step 2: An Adjustment to Take Account of Affordability

As at the base date of the Local Plan, and upon publication of the Pre-Submission Local Plan, the latest median workplace-based affordability ratios were found within the 2019 dataset (March 2020 release). The 2019 affordability ratio for Tunbridge Wells borough was 12.48.

$$\text{Adjustment factor} = \left(\frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25 + 1$$

In applying the affordability adjustment formula above, for Tunbridge Wells borough, the adjustment factor (using the 2019 affordability ratio) is ((12.48-4) divided by 4) multiplied by 0.25 + 1, which equals 1.53. In applying the adjustment factor to the projected average annual household growth from 2020-2030 (1.53 multiplied by 484), this would equate to an uncapped need figure of 741 dwellings per year.

Step 3: Capping the Level of any Increase

Where the relevant strategic policies for housing were adopted more than five years ago (at the point of making the calculation), the local housing need figure is capped at 40% above whichever is the higher of:

- the projected household growth for the area over the 10-year period identified in step 1; or
- the average annual housing requirement figure set out in the most recently adopted strategic policies (if a figure exists).

The figure for a (step 1) is 484, and the average annual housing requirement in the Core Strategy (2010) was 300. As the larger of the two figures is 484, the annual requirement is 484 + the 40% cap, which equals 678.

As the capped figure of 678 is lower than the uncapped figure of 749 under the Standard Method, the minimum number of homes expected to be planned for in a way which addresses projected household growth and historic under-supply in the new Local Plan for Tunbridge Wells borough is 678 dwellings per year.

Appendix 2: Housing proposed in the AONB (which corrects certain figures in Table 12 of Appendix 4 of Development Strategy Topic Paper) [[CD 3.64](#)]

Settlement	Allocation Reference	Table 12 Corrected (Upper-Points)		Table 12 Corrected, But Using Mid-Points	
		Capacity (Upper-Point)	Notes	Capacity (Mid-Point)	Notes
Royal Tunbridge Wells	RTW 16	0	Spratsbrook proposed developable area not within AONB, so removed	0	
Cranbrook and Sissinghurst	CRS 1	180		180	
	CRS 2	45		40	Amended to mid-point
	CRS 3	204		202	Amended to mid-point
Hawkhurst	HA 1	42	Actually net 42 (as includes demolition of a dwelling)	42	
	HA 2	25		25	
	HA 3	24		24	
	HA 4	79		75	Amended to mid-point
Benenden	BE 1	20		19	Amended to mid-point
	BE 2	25		25	
Brenchley and Matfield	BM 1	45		45	
	BM 2	15		13	Amended to mid-point
Goudhurst	GO 1	14		14	
	GO 2	11		11	
Lamberhurst	LA 1	30		28	Amended to mid-point
Pembury	PE 1	60		55	Amended to mid-point
	PE 2	80		80	
	PE 3	80		80	
	PE 4	25		25	
	PE 6	80	C2 discount should have been applied to the upper range	71	Amended to mid-point, with C2 discount
	PE 7	35	C2 discount should have been applied to the upper range	35	
Sandhurst	SA 1	15		13	Amended to mid-point
	SA 2	15		13	Amended to mid-point
Speldhurst	SP 1	12		11	Amended to mid-point
Total		1161	Total should have been 1355 (rather than 1370); minus Spratsbrook, C2 discounts, and corrected HA 1, net figure is 1161	1126	Corrected figure, with mid-points of allocations used instead
Total as a % of all Allocations (9381 upper; 9194 mid)		12.38%	12.38% is the correct figure, with Spratsbrook removed and C2 discounts applied to individual allocations	12.25%	Corrected figure, with mid-points of allocations used instead