

Representor number
PSLP_2048 to PSLP_2052

MATTER 1: LEGAL COMPLIANCE (INC. DUTY TO CO-OPERATE)

ADDENDUM

TUNBRIDGE WELLS LOCAL PLAN

Prepared by Pro Vision on behalf of Cooper Estates Strategic Land Limited

11 March 2022

Representor number
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TUNBRIDGE WELLS LOCAL PLAN

MATTER 1: LEGAL COMPLIANCE (INC. DUTY TO CO-OPERATE)
PROJECT NO. 2133

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11 MARCH 2022

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1.0 Response to additional examination documents post-Matter 1 Hearing session

1.1 This additional Matter 1 Hearing statement is made on behalf of Cooper Estates Strategic Land Limited, which has an interest in delivering specialised accommodation for older people in the borough and therefore an interest in the Council’s approach to meeting housing need.

1.2 We note the minutes of the meeting between the Council and Maidstone Borough Council in August 2021¹. We would draw attention to the final paragraph:

“Sevenoaks are reviewing its evidence base it hasn’t yet confirmed what it is looking to do with its local plan. Sevenoaks not providing a clear answer. So, question mark remains about unmet need in Kent area.”

1.3 The other minutes published following the Matter 1 hearing sessions in this document also provide further confirmation that unmet need, especially arising from Sevenoaks, was a key feature of DtC conversations since at least 2020.

1.4 However, it is this minute with Maidstone, quoted above, that clarifies that even after the failure of the Sevenoaks DC local plan, and a couple of months before submission of its Plan (in November 2021), that the Council was conscious of the possibility of there still being unmet need notwithstanding that Sevenoaks is now reviewing the precise position.

1.5 This relates to our concern² that the Council’s position has been one of “forging a way forward” through this uncertainty in the West Kent HMA and assuming that until such time as Sevenoaks revises its evidence base, that there is no unmet need. That assumption was described at the Hearings as “bonkers”.

1.6 As we have addressed in our hearing statement, the reasons for unmet need, including the highly constrained geography across the HMA – including very significant areas of Green Belt and AONB – and the signals from Housing Delivery Tests and recent s.78 appeal decisions about poor housing delivery and supply in the HMA, coupled with the obvious difficulties with agreeing a statement of common ground with Sevenoaks DC, make it abundantly clear that

¹ Doc TWLP/006: Explanatory Note on Maidstone Borough Council Minutes; 04 March 2022. Appendix 6: Minutes of meeting between TWBC and MBC 3 August 2021.

² See for example paragraph 2.11 of our Matter 1 Hearing statement.

there is inevitably unmet housing need in the HMA and it is not a question of 'if' but 'how much'³.

1.7 Following the failures of the Sevenoaks and Tonbridge and Malling Local Plans on Duty to Cooperate, rather than pause to clarify and plan effectively with those neighbouring authorities in the HMA to address this key strategic, cross-boundary issue, the Council has elected to 'forge ahead' and assume there is no unmet need until proven otherwise.

1.8 This comes back to our overarching concern⁴, echoing the Inspector for the examination of the Tonbridge and Malling Local Plan, that in the context of this obvious strategic, cross boundary planning challenge, the neighbouring authorities have not worked more closely together from the outset to assess the Green Belt and AONB on a sub-regional basis and plan effectively together to address housing need (including the needs for older people).

³ See our response to Issue 1 Question 7 in our Matter 1 Hearing statement.

⁴ See our response to Issue 1 Question 1 in our Matter 1 Hearing statement.