

**Paddock Wood Town Council  
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?**

**PWTC Response:**

1. PWTC has raised serious concerns with the housing trajectory in Figure 9 of the Local Plan and consider it to be inaccurate and unrealistic particularly when considering the significant infrastructure (and associated time for its delivery) required to support the proposed growth at Paddock Wood. We make a number of key points in relation to the housing trajectory below.
2. Experience with the three development sites currently under construction at Paddock Wood has indicated to the Town Council that there is insufficient investment available from infrastructure providers specifically Southern Water to address current capacity issues whereby residents experience sewage overflows on a regular basis even before the three current developments are connected.
3. There is no indication from Southern Water that it has any plans to provide for wastewater infrastructure delivery upon this scale within a time frame that matches the trajectory proposed by TWBC. The Town Council and the local MP have lobbied unsuccessfully for adequate investment and forward planning for this critical matter and have been entirely unsuccessful in getting this matter addressed to date.
4. Therefore, the critical issue of 'wastewater infrastructure' cannot be 'kicked into the long grass' by the Local Plan under the guise of multiple SPDs and then multiple uncoordinated planning applications by developers. The Local Plan and the examination must carefully consider and explore this issue and how the existing issue of sewerage overflows are to be addressed and how the infrastructure will cope with the introduction of thousands of new dwellings in an area with high flood risk. As it currently stands this critical matter has not been addressed and it should be seen as a 'showstopper' to further development at Paddock Wood.

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

**PWTC Response:**

5. To answer this one must look to the Housing Supply and Trajectory Topic Paper (Table 9) where it sets out the windfall assumptions by year and in total which equates to 1,670 dwellings over the plan period. The full trajectory should be included as an appendix to the Local Plan itself so delivery can be easily monitored in the future and so all are clear on the assumptions at the time the Local Plan was examined / adopted.
6. We consider that the Local Plan should not place such high reliance on 'windfall sites' and should instead prepare a full Urban Capacity Study and allocate small sites in town centre locations and locations well served by public transport (see NPPF Paragraph 125a). This approach would also lead to the Local Plan being compliant with NPPF Paragraph 69 regarding 'small and medium sized sites' whereby 10% of the housing requirement should be met on sites of no larger than 1 hectare.
7. We note that the Council's Brownfield Land Register is largely comprised of sites that have planning permission. This does perhaps indicate that there are many more potential previously developed sites that TWBC could and should consider for allocation in the Local Plan rather than simply hope (and rely on) sites come forward to make up a significant amount of the Council's housing supply in the housing trajectory.

**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?**

**PWTC Response:**

8. We do question whether the proposed 1,000 dwellings buffer has been included in trajectory as a way of TWBC covertly including an 'unmet housing need figure' from Sevenoaks that was discussed at the Stage 1 Hearings.

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

**PWTC Response:**

9. Please see our response to Question 3 above.
10. The Town Council considers that the buffer results in 'over allocating' housing development in environmentally sensitive areas which may result in untrammelled development in these inappropriate locations (Paddock Wood).

**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?**

**PWTC Response:**

11. We repeat our response to Question 1 which also addresses this point:  
We consider that the Local Plan should not place such high reliance on 'windfall sites' and should instead prepare a full Urban Capacity Study and allocate small sites in town centre locations and locations well served by public transport (see NPPF Paragraph 125a). This approach would also lead to the Local Plan being compliant with NPPF Paragraph 69 regarding 'small and medium sized sites' whereby 10% of the housing requirement should be met on sites of no larger than 1 hectare.
12. An adjustment should have been made to take into account the significantly reduced retail and office occupation levels in Tunbridge Wells Town Centre following Covid. No adjustment has been calculated or offered to address this.

## **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?**

**PWTC Response:**

13. If the 2020/2021 Authority Monitoring Report is the most up to date housing monitoring evidence this report states, the land requirement for April 2021 – March 2026 to be 3,556 dwellings (711 dwellings per annum). TWBC may be in a position to provide an update depending on progress on their housing monitoring programme.

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

**PWTC Response:**

14. As TWBC's Authority Monitoring Report 2020/2021 sets out, the average rate of delivery between 2006-2021 was 369 dwellings. Looking at more recent delivery rates between 2014-2021 the average rate was 542 dwellings. Please see below

<b>Year</b>	<b>Total Net Completions</b>
2016/2017	461
2017/2018	537
2018/2019	554
2019/2020	474
2020/2021	688
2006/07 – 2020/21 Average	369
2014/15 – 2020/21 5-Year Average	542

**TWBC Annual Monitoring Report 2020/2021 – Table 19<sup>1</sup>**

<sup>1</sup> [https://tunbridgewells.gov.uk/\\_data/assets/pdf\\_file/0015/409011/Authority-Monitoring-Report-2020-21\\_accessible\\_update.pdf](https://tunbridgewells.gov.uk/_data/assets/pdf_file/0015/409011/Authority-Monitoring-Report-2020-21_accessible_update.pdf)

15. The proposed annualised Local Plan target of 678 year on year is considerably higher than either of these past averages for housing delivery. The annualised housing target of 678 for the whole plan period would mean that TWBC would need to deliver (approximately) the same amount of housing it did in 2020/2021 (its highest annual delivery rate on record) every single year. We seriously question how realistic this is when one takes into consideration the need to provide key infrastructure to support this scale of housing, economic cycles and the local housing market's ability to absorb this scale of housing particularly given that the majority of housing is proposed in one location (around Paddock Wood).
16. The Five-Year Housing Land Supply Statement 2020/2021 confirms the historic delivery rates and the new 'borough record' for most housing in 2020/21 in its concluding paragraph<sup>2</sup>:

*"The Council's current assessment of housing land supply, as at 01 April 2021, reflects a continued improvement in the supply over previous years having increased from 4.69 years as at 01 April 2019, to 4.83 as at 01 April 2020, to 4.93 as at 01 April 2021. Delivery has likewise significantly improved on the delivery from previous years, having increased from 474 during 01 April 2019 – 31 March 2020, to 688 in 01 April 2020 – 31 March 2021 which is the highest annual rate of delivery within the borough on record."*

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

**PWTC Response:**

17. 4,476 dwellings using 2020/2021 as the base date. This equates to 895 dwellings per annum as TWBC's stated 'Projected Housing Completions'. Which then equates to an average of 207 dwellings more per annum compared to TWBC's highest annual delivery rate on record in 2020/2021 which was 688 dwellings. This appears entirely unrealistic.

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

**PWTC Response:**

18. Presumably it is based on the SHELAA. We have set out the inadequacies of the SHELAA in some detail within our Hearing Statements on Matter 5 (Site

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<sup>2</sup> Five-Year Housing Land Supply Statement 2020/2021 – Paragraph 37

Selection Methodology) and consider that it is not a reliable piece of evidence on which to base decisions.

**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?**

**PWTC Response:**

19. Please see our response to Question 6 below.

**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?**

**PWTC Response:**

20. There is a lack of a coordinated approach and 'read through' between infrastructure planning, funding, viability, delivery (and all the practical steps required as part of this process) and the heroic housing delivery assumptions made by TWBC. What appears to be completely absent from TWBC's Housing Supply and Trajectory Topic Paper are the assumptions about infrastructure delivery and where these fit into their phasing. The Topic Paper does not mention infrastructure in terms of phasing assumptions and does not mention flooding, transport or wastewater infrastructure.

21. We go into considerable detail in our Regulation 19 representations on this matter and include a number of our previous observations here as they are highly relevant to the Inspector's questions.

22. TWBC is seeking to deliver most of its housing need for the Plan period through a smaller selection of larger sites, focused primarily on Paddock Wood (and Capel) and a new garden settlement at Tudeley. The Council is particularly reliant on the cooperation of developers and landowners around Paddock Wood to meet its annual housing targets and therefore, the timeframe for the implementation of this development strategy must be supported by clear and convincing evidence.

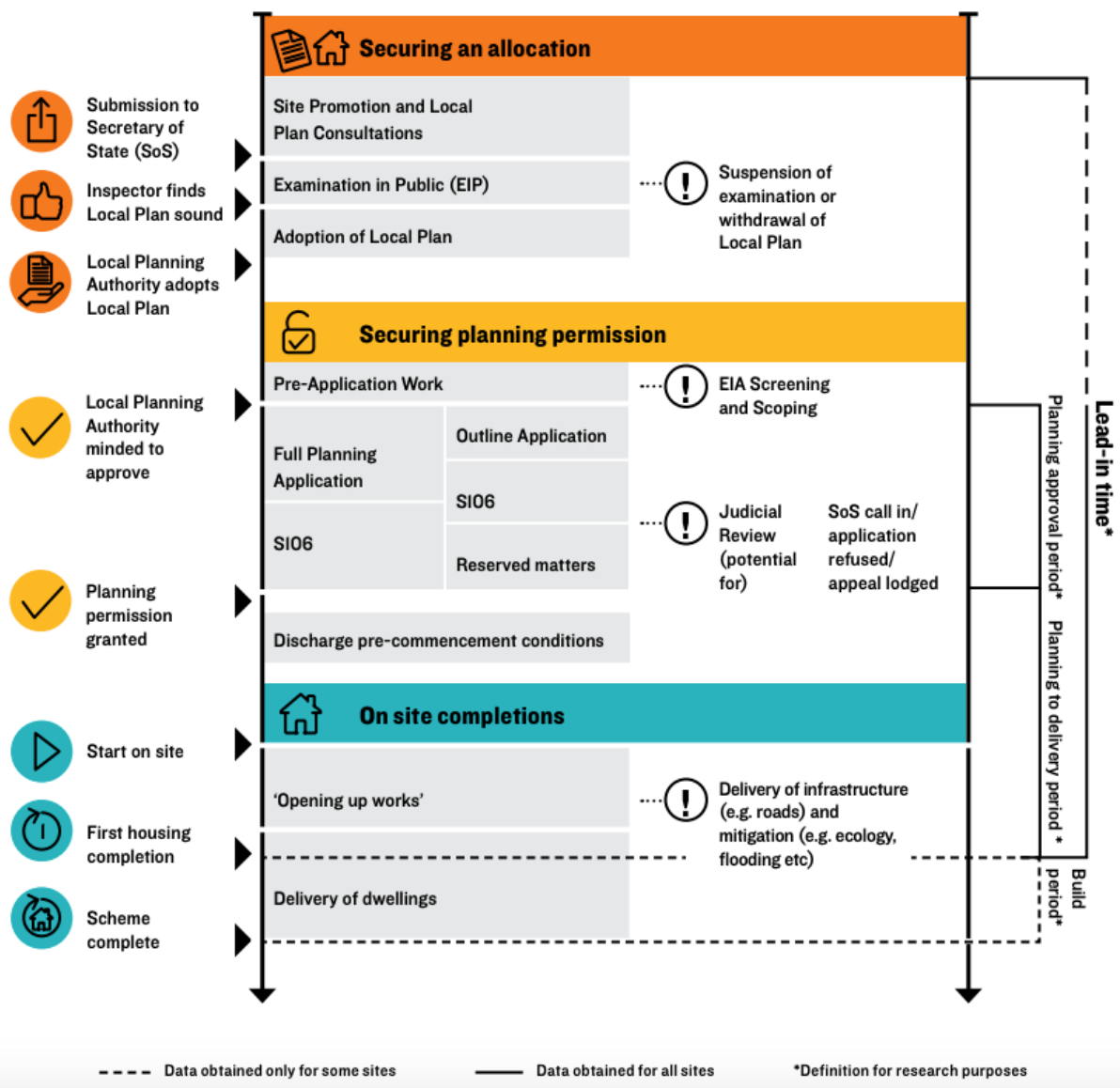
23. PWTC considers that TWBC has failed to appropriately outline how a housing figure of 3,540 (average) homes is deliverable within the Plan period and is concerned that there has been insufficient regard to the time taken for new developments to pass through both the planning and construction phases. Table 7 demonstrates that, prior to the substantive construction phase, there is already a significant delay with the grant of permission for larger sites of between 3 and 7 years.

Table 7: Super-size sites (2,000 plus dwellings) phasing assumptions (shading indicates construction start)

<b>Completions within:</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Year 6</b>	<b>Year 7</b>
Outline permission							
Outline at S106 Stage							
Outline under consideration							
Allocated site – planning activity							
Allocated site – no planning activity							

**Table 7 from Housing Supply and Trajectory Topic Paper (2021)**

24. The Lichfields ‘From Start to Finish’ Review Second Edition (2020) and the Letwin Review (2018) also highlight the delays with the delivery of large development proposals should not be underestimated as there will be many aspects of housing trajectory that are beyond the immediate control of a local planning authority.



**Timeline for the delivery of strategic housing sites - Lichfields Review (2020)**

25. For larger sites (2000+ homes), the Lichfields Review (2020) outlines an average lead time of 8.4 years for the average time from validation of the first planning application to the first dwelling being completed<sup>3</sup>. This is based on an average build-out rate of 160 dwellings per annum. In the case of Paddock Wood, it would take 22.5 years to deliver the upper figure of 3,590 dwellings. This corroborates the Town Council’s position that the Plan period is short-sighted, and not supported by appropriate evidence to justify this rate of delivery within such a constrained timeframe.

<sup>3</sup> [https://lichfields.uk/media/5779/start-to-finish\\_what-factors-affect-the-build-out-rates-of-large-scale-housing-sites.pdf](https://lichfields.uk/media/5779/start-to-finish_what-factors-affect-the-build-out-rates-of-large-scale-housing-sites.pdf)



26. The Letwin Review (2018) is also helpful in outlining a median build-out rate for large sites at 15.5 years, which is 3.5 years longer than TWBC's proposed build-out rate for Paddock Wood sites.
27. TWBC makes the case that the delivery of the Paddock Wood urban expansion is set purposefully higher than identified in the Letwin Review, given the extent of masterplanning work carried out by David Lock Associates involving input from the four main housebuilders (Crest Nicholson, Dandara, Redrow and Persimmon).
28. However, there are a total of 8 developers with control of the land around Paddock Wood, and whilst 4 of these developers are working with the Council, the masterplan is still lacking on any prescriptive detail on how each site would be released with cooperation from each developer and landowner. A lack of transparency in this regard casts further doubt on TWBC's ability to monitor both the quality and deliverability of larger sites. If development phasing remains poorly structured at the Regulation 19 stage, this risks setting unrealistic expectations of developers and stakeholders for the rest of the Plan period.
29. PWTC also considers that it is impossible to enforce such an even distribution of housing each year (300 dwellings per annum for 11 years). TWBC's housing supply and trajectory figures fail to reflect the lead times associated with various stages of the planning process, including:
- The preparation of relevant Supplementary Planning Documents which aid the delivery of larger sites;
  - The Pre-application process, including consultation and engagement with relevant consultees and stakeholders;
  - Potential delays in determining Outline planning permissions;
  - Approval of Reserved Matters and agreement of relevant phasing;
  - The discharge of conditions;
  - The preparatory site works, to be informed by site-specific survey recommendations and monitoring before commencement;
  - Securing of relevant funding (including S106 and CIL); and
  - Delivery of on-site and off-site infrastructure, (associated with larger sites and the creation of a new Garden Settlement).
30. TWBC has also failed to have sufficient regard to Green Belt and flood risk constraints affecting land surrounding Paddock Wood to the north and the west. It is still not clear how the masterplan will tackle such an important issue of flood risk and the triggers for necessary flood engineering and SuDS, which do not appear to have been incorporated into the housing trajectory.
31. The Regulation 19 Local Plan highlights that the Green Belt surrounding the key settlement, including the western edge of Paddock Wood *"contributes significantly to the discrete identity of and setting of settlements"* (page 26), and

yet, there is still very limited justification for the development of this scale. The TWBC Development Strategy Topic Paper (2021) highlights that STR/SS 1 Land at Capel and Paddock Wood and STR/SS 3 Tudeley Village are both classed as having an overall harm rating of 'High'.

32. Delivery will also rely on cooperation with adjoining authorities and liaison and negotiation with statutory consultees. Even the slightest delay in the start date will result in a slower performance, which is then likely to render the assumed delivery rates of a wider allocation unachievable.
33. Overall, the Town Council believes that a further review of housing trajectory is urgently needed, considering a more realistic and steadier rate of delivery. Given the broader concerns relating to the appropriate length of the Plan period - where there is a reliance on large-scale development and new settlements - the TWBC's housing trajectory must be reconsidered. Further evidence gathering should also assess whether TWBC should be considering a larger number of smaller sites to meet housing delivery across the Local Plan period.
34. Notwithstanding the technical evidence undertaken by TWBC, it remains the case that the Council is seeking to deliver a significant proportion of its overall housing need within a wholly unrealistic timeframe, against Green Belt and Flood Risk constraints.
35. The proposed delivery of up to 3,590 homes in one location will inevitably flood the housing market within one location, resulting in a negative impact on sustainable growth across the borough as a whole.
36. The Council's poorly thought-out assumptions regarding housing delivery and trajectory render the Local Plan unsound, as it fails the tests of being justified, effective and consistent with national policy, contrary to the requirements of paragraph 35 of the NPPF. Further evidence gathering and analysis is required to determine the most appropriate spatial strategy for the delivery of housing across the borough.
37. The Council has not considered the provision of additional resources within its own organisation that will be required to monitor delivery of the proposed scale of development. In the experience of the Town Council planning enforcement is seriously understaffed and whilst this is not strictly a planning issue the Council's over reliance upon consultants in the preparation of the plan must surely affect the efficient delivery of the numbers proposed, never mind the preparation and implementation of the numerous SPDs upon which the plan is set to depend.

**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?**

**PWTC Response:**

38. It would appear from the trajectory that there are a number of years of windfall allowance included within the 5 year housing land supply equating to up to 488 dwellings (depending on the base date of the five year supply calculation). This equates to nearly 1 year of the five year supply which clearly cannot be a robust approach and starting point for a new Local Plan – particularly when TWBC has failed to prepare an Urban Capacity Study to seek to allocate smaller sites using a plan-led approach rather than hope that windfall sites surface.

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

**PWTC Response:**

39. Based on TWBC's current Five Year Housing Land Supply Statement 2020/2021<sup>4</sup> TWBC does not currently have a five-year supply of housing land with 4.93 years of housing land. Therefore, based on the Council's own evidence no it will not have a five-year supply on adoption of the Plan.

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

**PWTC Response:**

40. There does not appear to be a contingency plan for this very likely outcome which leaves the Local Plan and Borough very vulnerable to speculative development. A number of developers have already indicated to the Town Council their readiness to proceed imminently with applications in the Paddock Wood area irrespective of the Local Plan and its adoption or otherwise.

**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?**

**PWTC Response:**

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<sup>4</sup> [https://tunbridgewells.gov.uk/\\_data/assets/pdf\\_file/0005/399470/Five-Year-Housing-Land-Supply-Statement-20202021\\_Accessible.pdf](https://tunbridgewells.gov.uk/_data/assets/pdf_file/0005/399470/Five-Year-Housing-Land-Supply-Statement-20202021_Accessible.pdf)

41. Yes, this should be a requirement for the Local Plan and it should be a Policy in the Plan. We note that the 'Delivery and Monitoring' section of the Plan has no policy connected to it which needs to be revisited and new policy / policies need to be prepared by the Council and consulted on. Again, this would require the provision of additional resources within the Council's own organisation to monitor and manage the delivery of the proposed scale of development which seems unlikely.