

EXAMINATION OF THE TUNBRIDGE WELLS BOROUGH LOCAL PLAN

EXAMINATION STATEMENT ON BEHALF OF RYDON HOMES LIMITED

Matter 2 – Housing and Employment Needs (Policy STR1)

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1.0 Introduction

- 1.1 This Examination Statement provides a response on behalf of Rydon Homes Limited ("Rydon"), to those Questions raised by the Inspector (dated 16 February 2022), relating to Housing and Employment Needs (Policy STR1) in respect of the Tunbridge Wells Borough Local Plan ("the Plan") and its supporting evidence base.
- 1.2 This Statement has been prepared by Neame Sutton on behalf of Rydon.

2.0 Matter 2 – Housing and Employment Needs (Policy STR1)

Issue 1 – Housing Needs and the Housing Requirement

Q1. 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")?

- 2.1 Policy STR1 of the Submission Plan (CD3.128) sets out the housing requirement figure that the Council is intending to plan for, which equates to 12,204 dwellings (678 dpa) over the 18 year period 2020-2038. The requirement is correctly expressed as a minimum.
- 2.2 The figure of 678 dpa reflects the capped Standard Method figure applicable at the time of the submission of Plan for Examination and therefore accords with the advice set out in the PPG¹.

¹ Housing and Economic Needs Assessment section of PPG - Paragraph: 008 Reference ID: 2a-008-20190220 Revision date: 20 02 2019

- 2.3 In this respect Rydon is content that the calculation of the capped Local Housing Need (“LHN”) figure in the Plan is correct and reflective of the PPG.
- 2.4 It is however important to note that the capped LHN figure is a minimum starting point and it does not produce the Housing Requirement².
- 2.5 In fact in circumstances where the minimum LHN is the subject of a cap consideration can still be given to whether a higher level of need could realistically be delivered. The PPG advises that this may help prevent authorities from having to undertake an early review of the relevant policies³.
- 2.6 This is particularly relevant in Tunbridge Wells, which has experienced a worsening affordability over the last 10 year period with a median work place based affordability ratio rising from 9.91 – 13.27 (as at March 2021). In the last 12 month period the position has increased from 12.49 – 13.27.
- 2.7 This compares with a national average of only 7.84, which itself is a figure the Government regards as being too high and requires urgent action through the delivery of more housing.
- 2.8 Applying the uncapped Standard Method figure for the Borough of 749 dpa would therefore assist greatly in helping to manage the affordability crisis facing the Borough.

Q2. Are there any exceptional circumstances which justify an alternative approach to using the standard method? Is do, what are they, and what should the housing requirement be?

- 2.9 No there are not any exceptional circumstances that would justify an alternative approach to using the Standard Method. As set out in relation to Q1 above there are circumstances that demonstrate the Housing Requirement should be set above the minimum capped LHN, but that does not necessitate any alternative approach to the Standard Method because the PPG allows for increases above the LHN.

² Housing and Economic Needs Assessment section of the PPG - Paragraph: 002 Reference ID: 2a-002-20190220
Revision date: 20 02 2019

³ Housing and Economic Needs Assessment section of the PPG - Paragraph: 007 Reference ID: 2a-007-20190220
Revision date: 20 02 2019

Q3. 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?

2.10 In short, yes.

2.11 As has been explained in our Regulation 19 Representations and discussed in the context of Matter 1 there is a clear and increasing level of unmet need arising from Sevenoaks, which the Council has paid insufficient regard to as part of its legal obligation under the Duty to Cooperate ("DtC").

2.12 The deficit arising in Sevenoaks has materially worsened since the original Statement of Common Ground between Sevenoaks and Tunbridge Wells was completed in May 2019 (CD3.68ii). At that time the deficit equated to 1,900 dwellings. Taking the current Standard Method calculation for Sevenoaks that would apply to any new Local Plan it progresses the deficit has increased to at least 2,030 dwellings.

2.13 The SoCG between Sevenoaks and Tunbridge Wells (CD3.151) provides a brief update on the position and confirms at Paragraphs 2.6 – 2.12 that in relation to Sevenoaks there remains an unmet need although the authorities are not yet able to quantify it. Paragraph 2.9 confirms the request that was made in 2019 by Sevenoaks regarding its unmet need identified at that time of 1,800 dwellings. Although the SoCG also confirms the figure cannot now be relied upon it is clear that unmet need will still arise. Taking the simply calculation undertaken in Paragraph 2.12 above the direction of travel for unmet need arising from Sevenoaks is highly likely to be upwards.

2.14 There are also unresolved issues in relation to Tonbridge and Malling, Rother and the wider area including the interrelationship with London.

2.15 Unmet need has not been properly considered by the Council.

2.16 It is clear that some provision should be made within the Borough and in Rydon's view applying an uncapped LHN figure of 749 dpa would be a pragmatic approach to take. This would enable the delivery of at least a further 1,278 dwellings over the plan period that would go a long way towards addressing the clear unmet need arising from Sevenoaks of circa 2,000 dwellings. This increased provision would need to be over and above the 'buffer' that the Council has suggested it is delivering as set out at

Paragraph 4.54 of the Plan on Page 43 (CD3.128)⁴. The reason for this will be explored in the context of Matter 9 relating to the overall housing trajectory and 5-year housing land supply.

Q4. Will the plan period look ahead over a minimum 15 year period from adoption, as required by paragraph 22 of the Framework?

2.17 Providing the Plan is adopted by 2023 then yes it will look over the minimum 15 year period. However, any delay in the Plan's progression arising from the need to address matters explored in this Examination may well result in the Plan not being able to look ahead over a minimum 15 year period without the need to extend the current Plan period beyond 2038.

2.18 This should be given consideration by the Council at this stage to determine whether it would be sensible now to address a modest extension to the Plan period and in turn address the corresponding housing and employment needs for that extended period.

At the heart of the Framework is a presumption in favour of sustainable development (Paragraph 10). For Plan-making, paragraph 11 b) 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 11 b) relate to, amongst other things, land designated as Green Belt and Areas of Outstanding Natural Beauty ('AONBs').

Q5. Do policies relating to the Green Belt and/or High Weald AONB provide a strong reason for restricting the scale of development in Tunbridge Wells?

2.19 No they do not.

2.20 It is clear from the evidence base that in order to meet the capped LHN of 678 dpa as a minimum there is a need to release land from the Green Belt and within the AONB. The SA (CD3.130a) makes plain the need for Green Belt and AONB releases in order to avoid severe social impacts in terms of providing an inadequate level of housing

⁴ The matter of the 'Buffer' is also explained in the SoCG between Sevenoaks and Tunbridge Wells (CD3.151) at Paragraph 2.18 on Page 11

(Growth Strategies 1,2 and, 6) and other severe environmental impacts in terms of locating housing in unsustainable or inappropriate locations (Growth Strategy 6).

- 2.21 Given the conclusions of the of the SA and the Development Strategy Topic Paper (CD3.64), which also deals with the matter of exceptional circumstances, Rydon considers that the tests set out in the Framework in relation to Green Belt and AONB have been met⁵. Rydon does however note (see Matter 3 and 4 Statements) that the Council has not fully explored or taken the opportunities presented by sustainable locations both within the Green Belt and the AONB. This is a failure of the Plan that should be rectified but not one that affects this particular question in relation to Paragraph 11 b) of the Framework.

Q6. Is the housing requirement justified, having particular regard to the areas of Green Belt and AONB across Tunbridge Wells?

- 2.22 Yes.

- 2.23 The SA (CD3.130a) clearly demonstrates that delivery of the minimum capped LHN of 678 dpa is achievable. In particular Paragraph 6.2.17 on Page 82 confirms that *“In comparison to the other growth strategies, it can be seen that the Growth Strategy for the Pre-Submission Local Plan strategy is successful in maximising beneficial effects and minimising negative effects.”*

- 2.24 It is also apparent from Table 26 on Page 84 of the SA that the uncapped LHN of 749 dpa can also be justified with only marginal differences in terms of the impacts arising.

Issue 2 – Affordable Housing Needs:

Q1. What is the annual net need for affordable housing? For clarity to decision makers, developers and local communities, should the need for affordable housing be clearly set out in the Plan?

- 2.25 The Housing Needs Assessment Topic Paper – February 2021 confirms the annual need for affordable housing is at least 323 dpa⁶. This equates to 50% of the capped minimum LHN of 678 dpa, which is wholly unsustainable. This also represents only the need for rented accommodation⁷. The Council does not appear to have sought to quantify need arising for intermediate accommodation or other forms of affordable home ownership.

⁵ Specifically Paragraphs 144, 176 and, 177 of the Framework 2021

⁶ Paragraph 3.18 on Page 16 (CD3.73)

⁷ Paragraph 3.10 on Page 14 (CD3.73)

- 2.26 The number of households on the register is also substantial at 925 households. The Council confirms in the Topic Paper that this level is reasonably constant and ranges between 870 – 970 with the average time to be housed 'increasing somewhat'⁸.
- 2.27 This level of need is substantial and clearly demonstrates the Council is facing an affordable housing crisis.
- 2.28 The February 2021 Topic Paper does not appear to have been updated.
- 2.29 Given the worsening affordability situation within the Borough an update to the position set out at February 2021 is necessary. There is a direct link between worsening affordability and the level of affordable housing need that arises and without proper consideration the Plan will fail not only to address the worsening affordability but also to meet the needs of the most vulnerable members of the community i.e. those on the Council's Housing Needs Register.
- 2.30 The acute affordable housing need in the Borough is a matter that requires direct action by the Council and in this respect provides further sound justification for uplifting the Housing Requirement to ensure the delivery of as much affordable housing as is practicable.
- 2.31 The affordable housing need should be clearly defined within the Plan or referenced back to background document that can then be kept up-to-date so that all stakeholders are fully aware of the need in the Borough.

Q2. Has the need for affordable housing been accurately established and is it based on robust, up-to-date information?

- 2.32 As set out in relation to Q1 above the Council only appears to have quantified the need for rented accommodation. The need arising for other forms of accommodation such as intermediate appears to have been overlooked.
- 2.33 In terms of whether the evidence base is up-to-date the Topic Paper refers to the 2015 SHMA and a 2018 Housing Needs Assessment, both of which are now of some vintage.
- 2.34 Reference is also made to a review of affordable housing needs in the context of 'First Homes' undertaken by JG Consulting in February 2021 (CD3.76), which does appear to

⁸ Paragraph 3.12 on Page 15 (CD3.73)

be based on more up-to-date data and analysis. That document sets out the annual need of 323 dpa over the Plan period.

Q3. How does the need for affordable housing compare to the housing requirement? Based on the thresholds and requirements in Policy H3, will affordable housing needs be met?

- 2.35 Based on the Plan as submitted the minimum affordable housing need of 323 dpa equates to approximately 50% of the capped minimum LHN of 678 dpa that the Plan is based on.
- 2.36 That proportion bears no resemblance to the requirements set out in Policy H3 i.e. 30% on brownfield sites and 40% on greenfield sites. Furthermore, not all sites will meet the affordable housing thresholds set out in Policy H3 and therefore not all sites coming forward will actually deliver any affordable housing.
- 2.37 In short terms the Plan will not meet affordable housing needs, which bearing in mind the clear worsening of affordability in the Borough, is a serious concern. In effect the Plan as currently drafted will lead to a worsening affordability and consequently higher affordable housing need by the end of the Plan period, which cannot represent a Sound strategy. This reinforces Rydon's earlier comments regarding the need to increase the Housing Requirement beyond the capped minimum LHN.

Issue 3 – Employment Needs

- 2.38 No comment.
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