

## Home Builders Federation

### Matter 1

## TUNBRIDGE WELLS LOCAL PLAN EXAMINATION

### Matter 1 – Legal Compliance

#### Issue 1 – Duty to Cooperate

#### Response to Questions 4, 5, 6, 7 and 8

In taking forward this local plan consideration has clearly been given to the issue of unmet housing needs in relation to Sevenoaks District Council with the Council going into much detail as to the process and timeline for considering these needs. This is not unsurprising given that the failure to consider these needs effectively have led to both the Sevenoaks and Tonbridge and Malling Local Plans being found not to have been prepared in accordance the duty to co-operate. From the evidence presented it would appear that the Council has approached the request from Sevenoaks to meet their unmet needs in a different manner to their partners in the housing market area. They have considered the level of unmet needs and assess the impact meeting these needs through their Sustainability Appraisal, and whilst we would argue that there is sufficient justification for a higher housing requirement in Tunbridge Wells to meet the unmet needs of Sevenoaks or another neighbouring area, we consider this matter to be one of planning judgement and policy rather than a failure of the Council to fulfil their obligations through the duty to co-operate.

Outside of the housing market area the Council have considered whether there are unmet needs in neighbouring authorities and have outlined this engagement in their evidence base. However, we are concerned that no mention is made as to any engagement with the GLA or any London Boroughs with regard to the capital's unmet housing needs. It is important to note that national policy in relation to unmet needs states that Council's should consider the needs of neighbouring areas. Whilst this will include those local authorities which border TWBC it should also include consideration of those areas that adjoin the housing market area within which the Council is located, and which are likely to have a strategic significance with regard to Tunbridge Wells. This is much wider consideration than that applied by the Council who have only looked to co-operate with neighbouring authorities.

Like other authorities across the wider south east the Council have seemingly failed to consider this matter. The Mayor of London set out prior to the examination of the



London Plan that there was a shortfall of around 10,000 homes over the plan period with the London Plan setting out his intention to seek willing partners across the rest of the south east to meet these needs. However, as we note in our representations, following the examination of the London Plan the Panel's report indicated that this shortfall over the plan period would be in the region of 140,000 homes due to the overestimate as to supply from small unidentified sites within the capital. This is a significant shortfall and one that will place pressure on authorities such as Tunbridge Wells and should have been fully considered as part of the preparation of this local plan.

We understand the difficulties surrounding engagement and co-operation with regard to the unmet needs of London and how individual authorities should respond. However, it is important that consideration is given to these unmet needs within authorities in housing market areas that are likely to be heavily influenced by the London housing market. However, we could find no reference to this strategic issue within the duty to cooperate statement and as such they do not appear to have been considered when preparing the local plan. It is therefore important that the Council set out how it has engaged with the GLA and considered the unmet needs arising in London as part of preparing this plan.

Whilst we are not suggesting that this issue could be resolved by TWBC it could have made provision to meet some of London's unmet needs which alongside others across the south east and east of England could lead to the shortfall in London being addressed. However, this requires the issue to be taken seriously and at least considered as part of the preparation of local plans in the wider south east.

Mark Behrendt MRTPI  
Planning Manager – Local Plans SE and E