

Sevenoaks District Council – Local Plan Hearing
Tonbridge & Malling Borough Council Position Statement

Respondent ID:	6201
Representation No.:	LPS2111
Matter:	1. Legal Compliance, including the Duty to Co-operate
Issue:	2. Is the Local Plan’s preparation compliant with the Duty to Cooperate [DtC] imposed by Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) [PCPA]?

Q13. Could the identified unmet housing need be accommodated in neighbouring authorities under the DtC?

- 13.1. The identified unmet housing need could not be accommodated in Tonbridge & Malling Borough. This position is summarised in the Statement of Common Ground between Sevenoaks District Council and Tonbridge & Malling Borough Council (see [Examination Document 6](#), section 4, Housing – Tonbridge & Malling Borough).
- 13.2. Before qualifying this answer, it is important to note that during the consultation on the Regulation 18 and Regulation 19 versions of the Tonbridge & Malling Borough Local Plan, Tonbridge & Malling Borough Council did not receive any formal requests from Sevenoaks District Council to address unmet housing need.
- 13.3. Tonbridge & Malling Borough Council (TMBC) officers have engaged on a regular basis with their counterparts at Sevenoaks District Council (SDC) to discuss cross-boundary strategic matters under the Duty to Cooperate (DtC). This is highlighted in section 5 of ED6. During these meetings, TMBC officers did not receive any formal requests to address unmet housing need.
- 13.4. TMBC is mindful that there are two Housing Market Areas (HMAs) exerting an influence across the Borough: the Maidstone HMA (northern and eastern areas); and the Sevenoaks, Tonbridge and Tunbridge Wells HMA (western and southern areas). This latter HMA is also known as the West Kent HMA and covers a large area of Sevenoaks District Council. The split geographically and in terms of households and housing need is approximately 50/50. This is highlighted in ED6, section 4. That part of Tonbridge & Malling Borough falling within the West Kent HMA is wholly within the Metropolitan Green Belt with the exception of those

settlements not washed over by the designation. In addition there are the high-level constraints of the Kent Downs Area of Outstanding Natural Beauty (AONB) and the High Weald AONB. TMBC is also mindful that the annualised Objectively Assessed Need (OAN) for the Borough for the plan period (2011-2031) of 696 dwellings per annum (dpa) is very similar to the OAN in the submitted version of the Sevenoaks District Local Plan (698 dpa). Furthermore, TMBC understands that housing affordability is a significant issue in the Borough with a median housing affordability ratio of 11.91 in 2018 ([Office for National Statistics](#), March 2019). This compares to a median housing affordability ratio for Sevenoaks of 14.54.

- 13.5. It is evident that TMBC faces similar constraints and challenges to Sevenoaks District Council for that part of the Borough covered by the West Kent HMA. However, TMBC's response during plan-making has and continues to be significantly different to that of Sevenoaks District Council.
- 13.6. TMBC has responded positively to the Government's policy for plan-making by addressing in full its assessed need for housing plus some flexibility to adapt to rapid change. This is summarised in the TMBC Spatial Strategy Topic Paper (see Examination Document (ED) 12 on the [TMBC Examination Documents](#) web page). This has been challenging but TMBC understands that if sustainable patterns of development are to be delivered and if the Local Plan is to positively address the acute need for housing, as demonstrated by the median housing affordability ratio, then sufficient sites need to be allocated for development to ensure there is no unmet need. This includes the removal of approximately 160 hectares of land from the Green Belt in the West Kent HMA to provide for residential development, as explained in the TMBC Green Belt Exceptional Circumstance Topic Paper (ED10 – on the [TMBC Examination Documents](#) web page).
- 13.7. Before addressing the matter of whether or not the unmet housing need could be accommodated in Tonbridge & Malling Borough it is important to first question whether it is reasonable for Sevenoaks District Council to expect TMBC to address it. Given the similarities between the two authorities (see above), TMBC considers that it is entirely inappropriate to ask the Borough Council to accommodate unmet housing need in an area with the same constraints that have been dismissed by Sevenoaks District Council. It is important to bear in mind that the part of Tonbridge & Malling Borough falling within the West Kent HMA is wholly within the Green Belt (with the exception of the settlements not washed over by the designation).
- 13.8. If Sevenoaks District Council had adopted a similar positive approach to meeting the housing development needs of their area in full, it is possible that there would be significantly less or no unmet need to consider. It is unreasonable to expect

TMBC to not only meet their assessed need for housing in full but to accommodate unmet housing need from Sevenoaks District Council who are facing similar constraints.

- 13.9. The significant median housing affordability ratio of 14.54 for Sevenoaks District in 2018 – the highest of all of the Kent districts – is an indicator of an acute housing need. A likely consequence of falling significantly short of this assessed need for housing through the Local Plan process is a worsening of this housing affordability ratio which will make it even more challenging for younger households in Sevenoaks to access the property ladder.
- 13.10. The above paragraphs have highlighted how unreasonable it would be to expect TMBC to accommodate unmet housing need from Sevenoaks District Council given the similar constraints and challenges that both authorities experience within the common HMA. The remainder of this Statement explains why TMBC could not accommodate the identified unmet housing need.
- 13.11. In determining the level of development that could be realistically delivered, there are several factors that need to be taken into account. These include:
- Housing Market Areas – consequences for sustainable patterns of development
 - Housing Market Capacity (Absorption Rate)
 - Infrastructure Capacity
- 13.12. **Housing Market Areas** – As highlighted above, there are two HMAs that exert an influence across Tonbridge and Malling Borough. The Maidstone HMA is focussed on the northern and eastern parts of the Borough (see the figure in the Statement of Common Ground, ED6). The part of the Borough covered by the Maidstone HMA is less constrained than the part of the Borough covered by the West Kent HMA, although it is partly covered by the Metropolitan Green Belt as well as the constraint of the Kent Downs AONB. Furthermore there are two Special Areas of Conservation.
- 13.13. As the name suggests, the focus, or centre of gravity, for this HMA is Maidstone, i.e. the majority of movements, e.g. for work, shopping, secondary schools, are between the north-east part of Tonbridge & Malling Borough and the urban area of Maidstone. With this in mind, addressing unmet housing need generated in Sevenoaks – which lies in the West Kent HMA - would result in an unsustainable pattern of development. Given that the unmet need is generated from a location at a significant distance from the Maidstone HMA, the resultant pattern of development would generate additional, long trips by the car from where people live

to where they travel to for daily activities. This could, potentially, have harmful effects on air quality and the functioning of the highways network between the north-eastern part of Tonbridge & Malling Borough and Sevenoaks. This would not be sustainable and should be avoided which is a significant reason why unmet housing need from Sevenoaks District Council could not be accommodated in Tonbridge & Malling Borough.

- 13.14. **Housing Market Capacity** – A key factor to understand when assessing the level of development that could be realistically delivered is the capacity of the local housing markets to absorb change. This is important contextual information.
- 13.15. When the housing allocations in the Tonbridge & Malling Borough Local Plan are factored into the pipeline of existing commitments the compound annual growth rate of the dwelling stock for the plan period (2011-2031) is 1.3%. This is highlighted in Table 5 in the TMBC Spatial Strategy Topic Paper (Examination Document 12 – see the [Local Plan Examination](#) web page). To put this into context, since the recession the compound annual growth rate of the dwelling stock in Tonbridge & Malling Borough was 1.1% (2008-16 – see Table 2 in the TMBC Spatial Strategy Topic Paper).
- 13.16. What this highlights is that adding the unmet housing need from Sevenoaks District Council to this quantum of development would result in a highly ambitious growth rate the deliverability of which is questionable, particularly in the current uncertain wider economic climate. This uncertainty is a significant reason why unmet housing need from Sevenoaks District Council could not be accommodated in Tonbridge & Malling Borough.
- 13.17. **Infrastructure Capacity** – As highlighted in the section above on Housing Market Areas, addressing unmet housing need generated in Sevenoaks in the Maidstone HMA part of Tonbridge & Malling Borough would generate additional, long car journeys across the Borough. This is likely to have negative impacts on the functioning of junctions across the highways network.
- 13.18. The transport evidence prepared in support of the Tonbridge & Malling Borough Local Plan highlights that there is not sufficient practical reserve capacity at junctions in the north-eastern part of the Borough and through the urban area of Tonbridge to accommodate the level of growth planned for in the Local Plan plus the unmet housing need from Sevenoaks District Council (please see the A20 VISUM Modelling Report (March 2019, ED4 & ED4A on the TMBC [Local Plan Examination Documents](#) web page) and the Transport Assessment & Addendum (June and August 2018, see the [Local Plan Examination Library](#) web page). The capacity limit of junctions across the highways network is a significant reason why

unmet housing need from Sevenoaks District Council could not be accommodated in Tonbridge & Malling Borough.

- 13.19. To conclude, it would be unreasonable to expect Tonbridge & Malling Borough Council to accommodate unmet housing need from Sevenoaks District Council given that TMBC is facing very similar constraints and challenges and is planning to address in full its own assessed housing need. Not only would it be unreasonable but factors including Housing Market Areas, market capacity and infrastructure mean that TMBC could not accommodate the identified unmet housing need.