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Contact	Ian Bailey
Email	[REDACTED]
Your ref.	
Our ref.	
Date	27 <sup>th</sup> November 2019

Dear James,

**Re: Sevenoaks Local Plan - Duty to Cooperate**

Further to our recent, joint Duty to Cooperate meeting with colleagues from Tunbridge Wells on the 12<sup>th</sup> November to discuss the first phase of the Sevenoaks Local Plan Hearing sessions I am writing to reiterate the matters that I raised in respect of the Duty to Cooperate on the first day of the Hearing on the 24<sup>th</sup> September.

The comments I made in support of the Duty being met in respect of our two authorities making every effort to secure the necessary cooperation on strategic cross boundary matters before submission, in accordance with National Planning Practice Guidance, builds on the signed Statement of Common Ground (Document ED6) and my Hearing Statements.

These comments referred to the challenges in planning to meet Objectively Assessed Needs (OAN) for new housing across the West Kent Housing Market Area (HMA) and the fact that similar constraints are faced by those parts of Tonbridge and Malling and Tunbridge Wells that together with Sevenoaks make up the HMA. I explained why it is not possible for Tonbridge and Malling to accommodate unmet need in addition to meeting our own OAN in full, referring to the similar constraints in that part of the borough in the West Kent HMA and the challenging rates of delivery that are planned for the east of the borough making up part of the Maidstone HMA.

Planning Policy, Gibson Building, Gibson Drive, Kings Hill, West Malling,  
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Director of Planning, Housing & Environmental Health:  
Eleanor Hoyle (MA)  
Head of Planning: Louise Reid (MRTPI)

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In response to comments made by others attending the Hearing session on Day One, I explained that there had been regular, constructive and cooperative liaison between the three West Kent Authorities regarding cross boundary issues throughout the plan making process at Officer and Member level. I used examples of this, which I understand you have since provided to the Inspector in your recent correspondence, so I will not repeat here.

While the issue of unmet need has not been resolved through the Duty to Cooperate for the reasons already stated, as I noted on the day, due to the proximity to London and on top of the challenges we all face in meeting our own needs, it is unlikely that any Local Authorities in the wider South East will be in a position to accommodate additional growth.

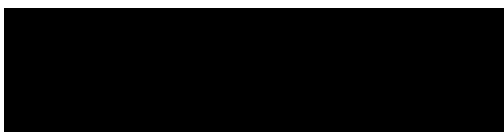
In my opinion, if there are sound reasons why unmet need cannot be accommodated by neighbouring authorities and this has been fully discussed and agreed through the Duty to Cooperate meetings and Statements of Common Ground, then the next step should be for the Local Planning Authority to revisit alternative options for meeting that need within the District. The fact that there is unmet need is not as a result of the failure of the Duty, but it is arguable whether all alternative options for meeting the need in situ have been exhausted.

Consequently, I concluded by stating at the Hearing that in my opinion and on behalf of Tonbridge and Malling Borough Council that the Duty to Cooperate has been met in full.

If the Inspector is minded to agree, then the issue of unmet need could be addressed through the remainder of the examination process, by a combination of assessing the ability of allocations already included to meeting future needs and seeking additional sites that could meet the District's OAN in full through main modifications, with the necessary updates to the evidence base that this would require.

I hope this is of assistance and look forward with interest to the Inspector's response in due course.

Yours sincerely,



Ian Bailey  
Planning Policy Manager  
Tonbridge and Malling Borough Council

Direct line: 