



**Tunbridge Wells
Borough Local Plan (2020 – 2038)**

Representation Form

Please use a separate sheet for each representation

Ref: (For official use only)

Name of the Local Plan to which this representation relates:	Proposed Changes to the Tunbridge Wells Borough Local Plan (2020 - 2038): Response to Examination Inspector's Initial Findings, Received November 2022 and Supporting Documents, including Sustainability Appraisal
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Completed forms must be received at our offices by **midnight Monday 26 February 2024**

We encourage you to respond online using the consultation portal. Please note you do not have to sign in to respond via the portal: <https://consult.tunbridgewells.gov.uk/kse/>

Alternatively, you may email or scan forms to: LocalPlan@TunbridgeWells.gov.uk or send them by post to: Tunbridge Wells Borough Council, PLANNING POLICY, Town Hall, Royal Tunbridge Wells, TN1 1RS

Please note that representations must be attributable to named individuals or organisations. They will be available for public inspection and cannot be treated as confidential. Please also note that all comments received will be available for the public to view and cannot be treated as confidential. Data will be processed and held in accordance with the Data Protection Act 2018 and the General Data Protection Regulations 2018.

	1. Personal Details	2. Agent Details (if applicable)
Title	Mr	Miss
First Name	David	Katherine
Last Name	Gough-Cooper	Miles
Job title (where relevant)	Managing Director	Director
Organisation (where relevant)	Cooper Estates Strategic Land Ltd	Pro Vision
Address Line 1	Claremont House	The Lodge
Address Line 2	65c Main Road	Highcroft Road

Address Line 3	Longfield	Winchester
Address Line 4	Kent	Hampshire
Postcode	DA3 7QT	SO22 5GU
Telephone number	██████████	██████████
Email address (where relevant)		████████████████████

PART B – YOUR REPRESENTATION
(Please use a separate sheet for each representation)

Name or Organisation	Pro Vision obo Cooper Estates Strategic Land
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3.	To which part of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) as set out in the Development Strategy Topic Paper Addendum?	
Chapter and (if applicable) sub heading	11, 12, 13 and 14	
Policy	Housing for older people	
Paragraph number or appendix	13.4, 13.5, 13.10, 13.11, 13.12, 13.13	

4.	Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it: (please tick as appropriate)				
4.1	Legally Compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.2	Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

5.	<p>Please give details of why you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 - 2038) (as set out in the Development Strategy Topic Paper Addendum) are not legally compliant or are unsound. Please be as precise as possible.</p> <p>If you wish to support the legal compliance or soundness of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) (as set out in the Development Strategy Topic Paper Addendum) please also use this box to set out your comments.</p> <p>The text box will automatically expand if necessary.</p>
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Please see our statement accompanying these representations but in summary:

The Plan does not provide an “effective” or “justified” strategy which, as a minimum, seeks to meet the area’s objectively assessed needs. The Plan is therefore not “positively prepared”.

The Plan is not “consistent with national policy” (Paragraph 22 NPPF).

The Plan fails to make adequate provision for the needs of older persons. Extending the plan period to 2040 would increase the net need for extra care provision to at least 636 units based on the accepted prevalence rate of 45/1000. This is based on the prevalence rate of 45/1000 which (a) this Council has accepted and used to determine a recent planning application for extra care housing and (b) has been well tested elsewhere and is widely used.

Identifying the need for Care Home bedspaces to 2040. The evidence base only concludes a need for 740 bedspaces to 2035 (from 2015). The Council has failed to show how this need will be met.

AL/PE6 Woodsgate Corner has a dual allocation but should come forward as a care home.

If the St Michaels Burrswood site does come forward as an Extra Care development, it would result in the loss of 40 carehome bedspaces.

AL/SST/SS1 Paddock Wood has a dual allocation. It is unclear whether the development will meet the extra care need or the care home need.

The Council identify a shortfall of 61 extra care units. We say this is more likely a shortfall of 348 units given the uncertainty over dual allocations and deliverability. This shortfall would increase to 391 units if measured against the 2040 need.

Please set out what modification(s) you consider necessary to the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) Incorporating the Proposed Changes set out in the Development Strategy Topic Paper Addendum, legally compliant or sound, having regard to the Matter you have identified at Section 5 (above) where this relates to legal compliance or soundness.

6. You will need to say why this modification will make the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The text box will automatically expand if necessary.

Please see our statement accompanying these representations but in summary:

The SLP as proposed to be modified continues to deliver insufficient housing for older persons over the plan period, and this is a failure of the plan in terms of the social facet of sustainable development. The plan is therefore unsound.

To address our concerns, Woodsgate Corner should be allocated as a Care Home and not a dual allocation. The Council needs to review its Care Home needs as well as its Extra Care home needs and ensure sufficient allocations are made for both.

The Council should allocate at least one additional site to meet the extra care needs identified, and in that regard, we consider our client's site at Sandown Park to be suitable.

7.	Please use this box for any other comments you wish to make. The text box will automatically expand if necessary.
	We also make representations in relation to the plan period and proposed early review.

8.	If your representation is seeking a modification, do you consider it necessary to participate at the examination hearings stage when it resumes?
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No, I do not wish to participate at the examination hearings

Yes, I wish to participate at the examination hearings

9.	If you wish to participate at the examination hearings stage once it resumes, please outline why you consider this to be necessary:
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The Council has accepted that it has a high unmet need for older persons housing, but continues to confuse its need for Care Homes with its need for extra care housing. As a result the Council continues to make inadequate provision through site allocations to meet its needs. This is not a sound strategy and will do nothing to address the critical need for older persons housing. We consider that it is necessary to participate in the hearing to discuss the need for older persons housing and the proposed site allocation.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the examination hearings stage once it resumes.

Sustainability Appraisal

10.	To which part of the Sustainability Appraisal does this representation relate?	
Chapter and (if applicable) sub heading		
Policy		
Paragraph number or appendix		

11.	<p>Please use this box for any comments you wish to make about the Sustainability Appraisal.</p> <p>The text box will automatically expand if necessary</p>	
<p>The SA and other evidence documents show that there are available sites which can meet the full 15 year need. Whilst this would result in a delay to the adoption of the plan, we consider this is better than the alternative proposed by the Council since it will ensure a deliverable supply that meets needs now. The evidence shows that the “early review” mechanism does not work effectively in a short timescale and will inevitably leave the Council with a land supply shortfall. The consequence is a failure to address needs including the critical need of housing for older persons</p>		

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at later stages.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he identifies for examination.

Signature	Katherine Miles	Date	26/02/2024
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Chapter and (if applicable) sub heading	11, 12, 13 and 14	
Policy		
Paragraph number or appendix	MOD2 and MOD3, Table 3 and 4	

4.	Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it: (please tick as appropriate)				
4.1	Legally Compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.2	Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

5.	<p>Please give details of why you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 - 2038) (as set out in the Development Strategy Topic Paper Addendum) are not legally compliant or are unsound. Please be as precise as possible.</p> <p>If you wish to support the legal compliance or soundness of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) (as set out in the Development Strategy Topic Paper Addendum) please also use this box to set out your comments.</p> <p>The text box will automatically expand if necessary.</p>
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Please see our statement accompanying these representations but in summary:

The Plan does not provide an “effective” or “justified” strategy which, as a minimum, seeks to meet the area’s objectively assessed needs. The Plan is therefore not “positively prepared”.

The Plan is not “consistent with national policy” (Paragraph 22 NPPF).

The commitment to an early review is not a true commitment – there is no timescale and evidence shows that where early reviews have been accepted in the past, these have been unsuccessful in coming forward in a reason timescale and ensuring a sufficient supply of housing land.

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Please see our statement accompanying these representations but in summary:

Extend the plan period to 2040, increase the housing requirement for the full minimum 15 years from adoption, and make additional allocations to meet needs in full.

7.	<p>Please use this box for any other comments you wish to make.</p> <p>The text box will automatically expand if necessary.</p>
	<p>We also make representations on older persons housing needs</p>

8.	<p>If your representation is seeking a modification, do you consider it necessary to participate at the examination hearings stage when it resumes?</p>
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No, I do not wish to participate at the examination hearings

Yes, I wish to participate at the examination hearings

9.	<p>If you wish to participate at the examination hearings stage once it resumes, please outline why you consider this to be necessary:</p>
	<p>The Council has accepted that it has a high unmet need for older persons housing, but continues to confuse its need for Care Homes with its need for extra care housing. As a result the Council continues to make inadequate provision through site allocations to meet its needs. This is not a sound strategy and will do nothing to address the critical need for older persons housing. We consider that it is necessary to participate in the hearing to discuss the need for older persons housing and the proposed site allocation.</p>

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Signature	Katherine Miles	Date	26/02/2024
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