

Housing Land Supply Position

December 2023

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1. Introduction

- 1.1 The purpose of this report is to explain and demonstrate the Housing Land Supply (HLS) position for Tonbridge & Malling Borough Council as at 31 December 2023.
- 1.2 The report identifies the measures of performance for the HLS position before explaining the components of the projection and the assumptions made.
- 1.3 To conclude, the report sets out the Council's five-year HLS position and the implications for decision-taking.

2. Measures of Performance

- 2.1 **Standard method** - The principal measure of performance, in terms of housing supply, is the Government's standard method for calculating housing need¹. This method starts with the 2014-based household projections published by the Office for National Statistics (ONS)² and takes account of factors such as housing affordability³.
- 2.2 The outcome of this process is a housing need figure (as at 2023) of **839 dwellings per annum (dpa)** or **4,195 dwellings over the five-year period** (1/04/23 – 31/03/28). The figure of 839 dpa is capped at 40% above the annual average growth in households for the 10-year period 2022-2032, as per the standard method (step 3).
- 2.3 **Housing Delivery Test (HDT)** - The HDT is an annual measurement of housing delivery devised by the Government. At the time of writing this report, the latest measurement available was for 2021, which looked at delivery over the previous three financial years: 2018/19, 2019/20 and 2020/21. Given that the Council's adopted Local Development Framework is more than five years old, the measure of performance is the housing need generated by the standard method.
- 2.4 The HDT measurements for 2021 were published on 14 January 2022. The measurement for Tonbridge & Malling was **63%**. This means that the supply of housing in Tonbridge & Malling across the three-year period of 2018-2021 fell significantly short of the Government's expectations.
- 2.5 As a consequence of this HDT measurement, a **20% buffer** must be applied to the housing need for the five-year period 2023-2028. This means the need against which the projected supply is assessed increases from 4,195 dwellings to **5,034 dwellings over the five year period**.

¹ Standard method for assessing housing need: <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#housing-need>

² 2014-based Household Projections: <https://www.gov.uk/government/statistics/2014-based-household-projections-in-england-2014-to-2039>

³ Median housing affordability ratio: <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

3. Components of the Projection - Assumptions

3.1 The projected supply for the five-year period 2023-2028 includes the following components:

- Extant permissions as at 31 March 2023 (including supply from C2 developments)
- C2 and C3 permissions from 01/04/2023 to 31/12/2023
- Windfall allowance (small sites – for years four and five of the projection period)

3.2 Extant permissions – The housing land supply projection factors in extant planning permissions as at 31 March 2023. As well as C3 uses, the projection also includes supply from C2 uses (e.g. care homes) as this development frees-up accommodation in the open housing market. This approach is supported by the Government. The number of bed-spaces in C2 developments is converted to the equivalent C3 units based upon the average number of adults living in households.

3.3 To ensure the position is as current and as accurate as it can be, those extant permissions that had an expiry date between 1 April 2023 and 31 December 2023 were reviewed. A total of 47 units (See Annex A) have been discounted from the projected supply (see Table 4) because no evidence could be found to confirm that they have been implemented and that housing development will be taking place on the site. Permissions granted between 01/04/2023 and 31/12/2023 were also taken into account. During this time period there were 1,645 units permitted (See Appendix C for full list), of which 12 were completed, totalling 1,633 units outstanding and 7 demolitions, of which 3 were completed, resulting in 1,630 net units extant. Reserved matters on outline permissions were discounted due to double counting. Those were the 125 units at the Development site at Lower Haysden Lane, Tonbridge (22/02690/RM) and 4 units at Land Rear of 64 The Drive Tonbridge (23/00917/RM). This resulted in a total of 129 units to be built out by 2025/26. This totals 1,500 extant net units granted.

3.4 Extant permissions: phasing – The phasing of extant permissions was informed by local and national evidence on Build Out Rates (BORs).

3.5 In terms of local evidence, this included the BORs identified in the Housing Market Delivery Study⁴ prepared by GL Hearn (July 2022). These local BORs were based upon evidence from sites completed since 2011/12. The guide BORs are highlighted in Table 1 (below). The Housing Market Delivery Study forms part of the emerging Local Plan evidence base.

Table 1: Guide BOR based on completion data in Tonbridge & Malling between 2011 to 2021

Site size (units)	Previously-Developed Land (PDL) guide BOR (units/year)	Greenfield guide BOR (units/year)
10-49	18	16
50-99	30	23
100-499	57	43
500-999	80	68
1,000-1,499	94	107

Source: GL Hearn analysis

⁴ [Local Plan \(Regulation 18\) consultation evidence base – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/local-plan/regulation-18-consultation-evidence-base)

3.6 The BORs were also checked by the piece of research *Start to Finish* (second edition, February 2020)⁵ prepared by Lichfields. This piece of research looked at sites across England and Wales (outside of London). Table 2 highlights the findings of this research:

Table 2: Average annual BORs (England and Wales)

Site size (units)	BOR (units/year)
50-99	22
100-499	55
500-999	68
1,000-1,499	107
1,500-1,999	120
2,000+	160

Source: Lichfields analysis

3.7 **Windfall allowance** – The housing projection for the five-year period 01/04/23 to 31/03/28 includes a windfall allowance for small sites (fewer than five units). The methodology for this allowance is explained in Paragraph 3.8 of the *Windfall Allowance Methodology Paper* that forms part of the evidence base for the emerging Local Plan⁶. It considers trend data from 2008/09 onwards and excludes data from garden development in built-up areas. Table 3 highlights the trend data.

Table 3: Small sites windfall data (2008/09 – 2022/23)

Year	Total (net)
2008-09	60
2009-10	33
2010-11	46
2011-12	28
2012-13	94
2013-14	95
2014-15	52
2015-16	101
2016-17	95
2017-18	117
2018-19	52
2019-20	72
2020-21	71
2021-22	52
2022-23	61
Annual Average	67

3.8 The average annual supply during the trend period (67 units) has only been included from year four of the projection period onwards to avoid double counting of commitments during the early years, and to include the factor of 3 year implementation period of planning permissions.

⁵ [Start to Finish \(second edition\): What factors affect the build-out rates of large scale housing sites? \(lichfields.uk\)](https://www.lichfields.uk/Start-to-Finish-2nd-edition-February-2020)

⁶ [Local Plan \(Regulation 18\) consultation evidence base – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/Local-Plan-Regulation-18-consultation-evidence-base)

3.9 A windfall allowance for large sites (five units or more) is not included in the five-year projection period from 01/04/23. However, a windfall allowance for large sites is factored in after this period, as explained in Paragraph 3.8 of the *Windfall Allowance Methodology Paper*⁷. The reason why a windfall allowance for large sites is not included in the five-year projection is because the majority of the supply during this period from large sites will already enjoy planning permission at the base date.

Table 4: Large sites windfall data (2008/09 – 2022/23)

Year	Total
2008-09	817
2009-10	331
2010-11	299
2011-12	397
2012-13	288
2013-14	500
2014-15	369
2015-16	693
2016-17	569
2017-18	953
2018-19	332
2019-20	380
2020-21	356
2021-22	396
2022-23	418
Annual Average	473
Discounted by 50%	237

4. Housing Land Supply

4.1 Based upon the housing need of 839 dpa plus a 20% buffer, the Council is able to demonstrate **4.36 years of housing land supply** between 1 April 2023 and 31 March 2028 as at 31 December 2023. This position is summarised in Table 5. The List of C2 units Permitted between 01/04/2023 - 31/12/2023 alongside the extant C2 units are in Appendix B, the list of additional units permitted between 01/04/2023 – 31/12/2023 are in Appendix C. The sites marked in green are complete and those marked yellow are the excluded reserved matters as mentioned in paragraph 3.4, and the full list of extant planning permissions as at 31 March 2023, including C2 permissions, is set out in Appendix D.

⁷ [Local Plan \(Regulation 18\) consultation evidence base – Tonbridge and Malling Borough Council \(tmhc.gov.uk\)](#) para 3.8

5. Implications for Decision-Taking

- 5.1 Being unable to demonstrate a five-year supply of deliverable sites means that in determining planning applications the presumption in favour of sustainable development, as set out in the National Planning Policy Framework, applies⁸.
- 5.2 The Council progressing with the preparation of a new Local Plan to be adopted in 2025. Consultation took place on a Regulation 18 draft local plan in Autumn 2022. Further consultation will take place early summer 2024 (referred to as Reg 18b). The next step for the council will be the publication of the approved Plan in Winter 2024 when formal representations will be invited for consideration and forwarding to the Secretary of State. The submission of the council's plan (Reg 22) together with the representations received, evidence supporting the Plan, and any proposed modifications is programmed for Spring 2025. An examination of the council's plan will then be carried out by the Planning Inspectorate (PINS) and the Inspector(s) will most likely schedule open hearings, to which selected parties who have made representations, the council and any others will be invited by the Inspector(s) to participate. Following receipt of the Inspector (s) Final Report, and any necessary consultation on recommended major modifications, the council anticipates the new Local Plan will be made by December 2025. This timetable is set out in the new Local Development Scheme:

[Local Development Scheme – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk)

⁸ [National Planning Policy Framework - 2. Achieving sustainable development - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/national-planning-policy-framework-2024/national-planning-policy-framework-2024)

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Table 5: Housing Land Supply Position as at 31 December 2023

Standard method housing requirement of 839 dwellings per annum (dpa)
- Projected housing land supply for the 5 year period from 1 April 2023 to 31 March 2028

Year	Sites with Permission (1)	Sites With Permission Demolitions (1)	Small Sites Estimate (2)	Large Sites Windfalls (3)	Kings Hill Phase 3 (635 units)	Holborough Quarry	Peters Pit (aka Peters Village)	Tonbridge Central Area Completions and Permissions	Tonbridge Central Area Demolitions	Liberty Kings Hill Appeal Decision: Appeal A	Liberty Kings Hill Appeal Decision: Appeal B	Liberty Kings Hill Appeal Decision: Appeal D	Land East of King Hill	Land South West Of London Road And West Of Castor Park Allington (106 units)	Land Northwest Of Bell Lane Buxham Rochester Kent (53 Units)	Dilton Common (118 units)	East Of Clare Park Estate New Road East Malling (110 Units)	Land West Of Winterfield Lane East Malling (250 Units)	Land North Of Lower Haysden Lane Tonbridge Kent (125 Units)	South Of London Road And East Of Hermitage Lane Aylesford (840 units)	Oakhill House 130 Tonbridge Road Hildenborough Tonbridge (171 units)	Brampton Field, Dilton Edge (300 Units)	Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent (330 units)	C2 sites conversion to C3	C2 Sites conversion to C3 01/04/2023 to 31/12/2023	Planning Permissions expired 01/04/23 to 31/12/23	PHASED Net Permissions permitted 01/04/2023 to 31/12/2023 (7)	Completions from Planning Permissions (Net)	Total Completions	5 Year Totals	5 Year Supply 2023/24-2027/28
2011/12	119					100		113																				444	444	2,845	
2012/13	151					59		30																				394	394		
2013/14	257					12		149																				608	608		
2014/15	267					43		60																				487	487		
2015/16	441					64		319																				912	912		
2016/17	436					60	13	142																				830	830	3,375	
2017/18	616					101	139	48																				1,166	1,166		
2018/19	135				29	61	60	39																33				455	455		
2019/20	118	-30			95	78	202	10	-2															6				477	477		
2020/21	166	-9			120	47	103	14	0															6				447	447		
2021/22	177	-30			100	1	160	26	-1				34											0				467	467		
2022/23	184	-16	0	0	100		141	1					33				49							32				524	524		
2023/24	184	-65	0	0	51		68	103		70	4		53				43	43		68	14	22		37	37	-47	0	685	685	3,731	4,391
2024/25	243	-19	0	0	68		80	135			43	70		43	14		18	43		68	56	43		43	76		10	1,034	1,034		
2025/26	249	-4	0	0	68		93	27			43	0		43	22			43	39	68	35	43		37	95		120	1,021	1,021		
2026/27	27		67	0	4			0			43			20	22	43		43	43	68	39	43	43		57		343	838	905		
2027/28	56		67	0							43					43		43	43	68	27	43	43		27		243	679	746	3,367	
2028/29	0		67	118							34					32		35		68		43	43		27		243	525	710		
2029/30	0		67	118																68		43	43		16		185	355	540		
2030/31			67	118																68		20	43				150	281	466		
2031/32			67	118																68			43				150	261	446	1,655	
2032/33			67	118																68			43				50	161	346		
2033/34			67	118																68				29				97	282		
2034/35			67	118																68								68	253		
2035/36			67	237																24								24	328		
2036/37			67	237																								0	304	1,216	
2037/38			67	237																								0	304		
2038/39			67	237																								0	304		
2039/40			67	237																								0	304		
Totals	3,826	-173	938	2,011	635	626	1,059	1,216	-3	70	210	70	120	106	58	118	110	250	125	840	171	300	330	194	335	-47	1,494	13,240	16,189	16,189	4,391
																										5 yr Housing Requirement (4)		5,034			
																										Difference		-643			
																										5-Year Supply (5)		87%			
																										No. of years of HLS (6)		4.36			

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Appendix A – Expired Planning Permissions as 01/04/2023 - 31/12/2023

App. Ref	Proposal	Expiry Date	Not started – Gains	Not Started – Losses
18/03048/OA	Outline Application: Redevelopment of existing garden furniture retail centre (with ancillary cafe) and commercial cattery and small pet boarding centre with 9 no. dwellings comprising 3 no. detached four bedroom houses and 6 no semidetached three bedroom	25/08/2023	9	
20/01087/FL	Demolition of existing public house and outbuilding and erection of 3 No. 4-bed detached dwellings	16/08/2023	4	
20/01147/FL	Erection of one dwelling with incidental ground works and access	05/08/2023	1	
20/00394/FL	Erection of a detached dwelling within the rear garden to the west of 8 Valley Forge Close. The dwelling is to be a 2 bedroom single storey bungalow	18/04/2022	1	
20/00936/FL	Proposed demolition of existing double garage and replacement with a new detached two storey house and modified parking as an additional dwelling	23/06/2023	1	
20/01220/OA	Outline Application: detached dwelling circa 110SqM on parcel of land next to existing terrace of dwellings	04/08/2023	1	
20/00159/FL	Extend and adapt the existing building with a single storey side extension and two storey rear extension to create two additional (four in total), self-contained flats with shared/private amenity space and additional car parking	05/10/2023	2	
20/01122/FL	Development of the rear car park to form a 70 room hotel (Use Class C1); 10 residential units (Use Class C3); retention of the existing retail unit (Use Class A1); associated car parking, landscaping, refuse and cycle storage	20/10/2023	10	
18/02344/PDVOR	Prior Notification: Change of use from office (Class B1) to 9 residential units (Class C3) (Part 3 Class 0)		9	
19/01251/FL	Demolition of existing industrial unit and re-development of the site to provide 9 flats in a three storey building with associated communal garden	12/11/2023	9	
		Total (Gross)	47	0
		Total (net)	47	

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Appendix B – C2 Extant Permissions as at 31 December 2023

Site Reference	Address	Proposal	Site Status	Conversion to C3 gain	Not Started	Under Construction	Complete (Gain)	Not Started (Loss)	Completions (Loss)	Phasing 2023/24	Phasing 2024/25	Phasing 2025/26	Phasing 2026/27	Phasing 2027/28	Phasing 2028/29	Phasing 2029/30	Phasing 2030/31	
20/01414/FL	DevelopmentSite AtThe Hermitage Hermitage Lane Maidstone Kent	Demolition of existing buildings and construction of new 70 Bed Care Home	Not Started	37	70	0	0	0	0	70								
21/02567/FL	Duchess Of Kent Court Hall Road Aylesford Kent	Ground floor extensions with first floor extension creating 5 additional units, larger communal space, and two additional parking spaces	Not Started	3	5	0	0	0	0		5							
21/00598/FL	Land West Of Station Road North West Malling Kent	Erection of a care home (within use Class C2) including parking, access, landscaping and other associated works	Not Started	37	70	0	0	0	0			70						
20/00341/FL	140 Tonbridge Road Hildenborough Tonbridge Kent TN11 9HJ	Demolition of existing garage and associated buildings and structures and the erection of a 75-bed care home (use class C2) with car parking	COMPLETE as at 31/12/2023	40	0	0	75	0	0	0	0							
23/00859/FL	50 Gibson Drive Kings Hill West Malling Kent ME19 4AF	Demolition of existing office (Use Class E) building and construction of a 78-bed care home (Use Class C2) with associated parking and development Permitted 13/07/2023	Not Started	41	78	0	0	0	0				78					
22/02562/FL	Land Rear Of 239 To 259 London Road West Malling Kent	Development of an integrated retirement community comprising of 140 extra care units together with associated communal facilities (all within Use Class C2); Permitted 14/09/2023	Under Construction	74	0	140	0	0	0		140	0		0				
22/01909/OA	Development Site Southern Part Of Former Aylesford Quarry Rochester Road Aylesford	Outline Application: A later living community comprising up to 180 age-restricted dwellings (Class C3), up to 191 extra care houses and apartments (Class C2) with associated community facilities within a central hub building, an 80 bed care home (Class C2), up to 70 Key Worker apartments, a new facility for the local Scouts and parking, associated green infrastructure including landscaping, public open space, allotments, biodiversity enhancements and associated accesses to Rochester Road and Bull Lane	Not Started	143	271							110	30	50	50	31		
C2 Phasing Total					494	140	75	0	0	70	145	180	108	50	50	31	0	
C3 Conversion phasing				375						37.04	76.72	95.24	57.14	26.46	26.46	16.40	0.00	335

Appendix C – C3 Units Permitted from 01/04/2023 to 31/12/2023.

[LDF - housing land supply position – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk)

Appendix D – Extant Permissions as at 31/03/2023

[LDF - housing land supply position – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk)

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