

**COUNCIL**

**MEETING OF 25 OCTOBER 2022**

**AGENDA ITEM 7 - QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE  
RULE NO 5.5**

The following question has been asked pursuant to Council Procedure Rule No 5.5 by Councillor R Roud:

'Madam Mayor, Councillors,

Having attended the excellent members briefing on TMBC Housing Needs Survey last week presented by Dr. Michael Bullock I was extremely interested to hear that other boroughs in the country have a policy of requiring developers to build properties which are in demand and are of insufficient numbers in their respective boroughs. These included two bed properties and bungalows.

I was astounded at a recent reply from the developer of Forty Acres in East Malling when questioned as to why they are not building any two bed properties which we as a borough are in desperate need of for first time buyers and essential workers, their reply was and I quote **'The proposed development has provided larger families sized homes to allow growing families to vacate smaller homes in the area that will then become available for first time buyers/smaller families. In preparing the application, the applicant found that smaller, private units in this location could not be justified'** (e mail from Robin Gilbert on 29<sup>th</sup> July). I can't believe a responsible developer would come up with such a statement. I suspect their motivation is purely **PROFIT**.

I for one would love to know where these smaller properties are in East Malling. On the contrary there are according to the briefing 67.1% under occupied properties in our borough. That is properties that are occupied by one or two residents in three and four bed properties who could and may want to downsize but cannot find two bed houses anywhere in their town or Parish. Also, if developers built smaller houses the density of housing on development sites could increase and thus reduce the number of sites required for our emerging local plan.

My question to this council therefore comes in three parts: -

- 1) Does Tonbridge and Malling have such a policy if not why not?
- 2) If we do have a policy of this kind, why is it not enforced?
- 3) If we do not have such a policy we should write one and enforce it on developers and include it in our draft local plan.

**Response of the Cabinet Member for Housing (Cllr K Tanner):**

Our current Affordable Housing Policy is set out in CP17 of the Core Strategy (September 2007) and the associated Affordable Housing SPD (July 2008) which make up the Local Development Framework. This provides guidance on what range of housing development across the borough should provide, but it doesn't require that split be achieved on every development. It also references Housing Needs Studies being utilised to update that evidence.

The Council has adopted an Affordable Housing Protocol for Development Management purposes. This is to guide and inform discussions with applicants and will utilise the Housing Needs Study as a key evidence source when it is updated in line with the latest Housing Needs Study, subject to Member approval, later this year. However, it has not been tested through the Plan making process and therefore at present cannot be utilised to require developers to deliver certain types of accommodation.

The Housing Needs Study, along with various other pieces of evidence including a Whole Plan Viability Study, will be utilised to inform draft policies for the Regulation 19 Local Plan, which is due to be presented to Members for approval in Summer 2023. When the Council has an adopted Local Plan in place, the policies will carry full weight. However, Members should note that even at that stage, under current planning legislation, each application would need to go through a site specific application process and individual site parameters would be agreed during that exercise.