To which part of the Local Plan does this representation relate to:
Policy SP2: Delivering Homes for our Communities

If your comments are in relation to a particular site allocation identified in the Local Plan, please select the site you wish to make a representation on:

Which policy section does your representation relate to? Select ONE option to ensure your responses are recorded accurately.
Policy SP2: Delivering Homes for our Communities

Do you consider the Local Plan to be legally compliant
No

Do you consider the Local Plan to be sound
No

If you do not consider the Local Plan to be sound, please specify on what grounds.
Not justified

Grounds for Objection: Omission of Key Evidence

The East Peckham Neighbourhood Development Plan is being prepared within the context of national planning policy and borough-wide planning requirements. East Peckham Parish Council is the qualifying body for the purposes of the East Peckham Neighbourhood Development Plan.

East Peckham Parish Council requested an indicative housing number from Tonbridge and Malling Borough Council, as set out in Paragraph 70 of the National Planning Policy Framework 2024 (NPPF) on 1 May 2026. Whilst the Neighbourhood Development Plan is being prepared under NPPF 2026 the housing requirement for all neighbourhood areas, as set out in the Tonbridge and Malling Borough Council Neighbourhood Planning Housing Distribution Technical Advice Note (July 2026) must be included within the evidence base for the Local Plan.

The Tonbridge and Malling Borough Council Neighbourhood Planning Housing Distribution Technical Advice Note (July 2026) sets out how housing requirements are distributed to designated neighbourhood areas within the Borough. The Note provides the Housing Distribution Methodology for distributing the overall housing figure across the Borough considering the context of local and national policy and guidance. Whilst it is accepted that there are only four designated neighbourhood areas within the Borough under national policy a Local Plan must be informed by a robust, proportionate, and publicly accessible evidence base.

In not publishing the Tonbridge and Malling Borough Council Neighbourhood Planning Housing Distribution Technical Advice Note (July 2026) the Tonbridge and Malling Regulation 19 Publication Local Plan fails to establish "*strategic policies"* which set a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations as required by Paragraph 69 NPPF December 2024.

As the Tonbridge and Malling Regulation 19 Publication Local Plan is being progressed under the requirements and transitional arrangements as set out in the Government's previous December 2024

National Planning Policy Framework (NPPF) it must meet the requirements of the December 2024 NPPF.

By failing to make the Neighbourhood Planning Housing Distribution Technical Advice Note dated July 2026 available during the statutory six-week publication period Tonbridge and Malling Borough Council has failed to satisfy its legal obligations regarding transparency and public participation. Not only does Policy SP2 not set out the housing requirements for designated neighbourhood areas it is impossible for stakeholders to scrutinise the assumptions, data, and conclusions underpinning the Housing Distribution Methodology provided by the Note.

The Tonbridge and Malling Regulation 19 Publication Local Plan is therefore legally non-compliant and unsound because the Neighbourhood Planning Housing Distribution Technical Advice Note dated July 2026 has not been published alongside the consultation materials. The plan cannot be proven to be justified or effective or consistent with National Policy (as required by Paragraph 36 NPPF December 2024) as critical information has been withheld from public review.

Modifications Necessary to Make the Plan Sound

To satisfy the tests of soundness, TMBC must implement the following modifications before submitting the plan to the Secretary of State:

1. Publish the Tonbridge and Malling Borough Council Neighbourhood Planning Housing Distribution Technical Advice Note (July 2026).
2. Amend and re-publish the Housing Supply in Figure 5.3 (page 47) setting out all of the sources of housing supply that contribute towards meeting the borough's housing need including those derived from existing commitments, site allocations, allowance for windfall development and those to be derived from emerging and Made Neighbourhood Development Plans.