

## **Tudeley Village**

Tunbridge Wells Borough Council Local Plan 2035  
Regulation 19 Pre-Submission Draft Consultation

Policy STR/SS 3

# **GREEN BELT APPRAISAL**


on behalf of the Hadlow Estate

June 2021

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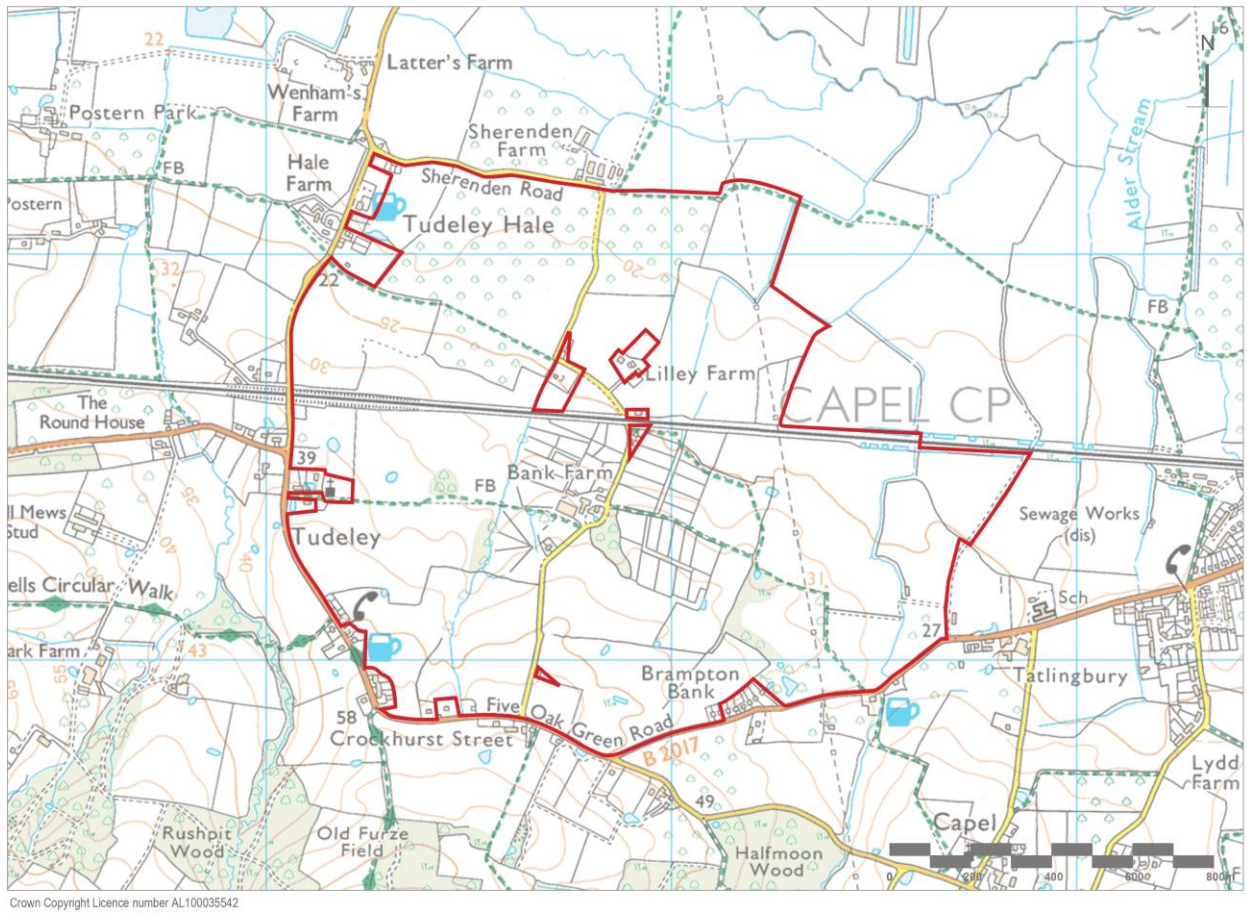
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## 1.0 INTRODUCTION

- 1.1 This appraisal is an assessment of the implications for the Green Belt in the context of a potential release of Green Belt land for a strategic development site identified in the Tunbridge Wells Local Plan, which has reached the Regulation 19 Pre-Submission Draft consultation stage. This stage is a public consultation into the Council's draft Local Plan policies and proposed strategic and other site allocations that have been identified to deliver the identified housing need for the Local Plan period up to 2035. These site allocations are widely distributed across the borough, focussed mainly on land that would expand the principal and secondary settlements. In addition, there is one new settlement proposal at Tudeley ('Tudeley Village') as defined by draft Policy STR/SS 3 (formerly Policy AL/CA 1 at the Regulation 18 Consultation stage). Enplan (landscape, planning and environmental consultants) has been instructed by the landowners of the land at Tudeley, the Hadlow Estate, to undertake a Green Belt appraisal for this proposal.
- 1.2 This appraisal reviews Tunbridge Wells Borough Council's (TWBC) Green Belt Strategic Studies (Stages 1-3) and the Development Strategy Topic Paper, February 2021, all of which form part of its evidence base for the Local Plan. It considers the likely permanence of a revised Green Belt boundary and recommends where that boundary should be struck and the exceptional circumstances that warrants the release of this part of the Green Belt.
- 1.3 The proposed Tudeley Village site is located between the hamlets of Tudeley and Tudeley Hale and the village of Five Oak Green (refer to Figure 1). The centre of the site is roughly equidistant between Tonbridge, to the west, and Paddock Wood, to the east. The site lies both to the north and south of the London-Ashford railway line and is bounded to the west by Hartlake Road, to the north by Sherenden Road and to the south by the B2017 Five Oak Green Road. To the east, the limits are not so readily defined, but include the edge of an existing solar farm and a series of field boundaries.



**Figure 1: Proposed Boundary of Policy STR/SS 3**

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## 2.0 NATIONAL GREEN BELT POLICY CONTEXT

- 2.1 This section describes the background of relevant national planning policy guidance, in so far as this relates to Green Belt matters.
- 2.2 Paragraph 11 of the NPPF requires that plan-making should apply a presumption in favour of sustainable development and should positively seek opportunities to meet the development needs. This includes, as a minimum, providing for objectively assessed housing and other needs, unless policies that protect areas of particular importance “*provides a strong reason for restricting the overall scale, type or distribution of development in the plan area*”. Such restrictive policies include land designated as Green Belt (Footnote 6).
- 2.3 The NPPF states that the fundamental aim of Green Belt is to prevent urban sprawl and openness by keeping land free from development. Paragraph 134 sets out the five purposes of Green Belt, as follows:
- a) To check the unrestricted sprawl of large built-up areas;
  - b) To prevent neighbouring towns margining into one another;
  - c) To assist in safeguarding the countryside from encroachment;
  - d) To preserve the setting and special character of historic towns; and
  - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 2.4 Paragraph 136 states that, once established, Green Belt boundaries should only be altered where “*exceptional circumstances*” are fully evidenced and justified, through the preparation or updating of plans. The strategic policies of the plan should establish the need for any changes to Green Belt boundaries “*having regard to their intended permanence in the long term, so they can endure beyond the plan period*”.
- 2.5 Paragraph 137 requires that, before concluding that exceptional circumstances exist, it is necessary for the policy-making authority to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. These include making as much use of suitable brownfield sites and under-utilised land as possible, optimising density of development and informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development. Paragraph 138 requires that authorities should also set out ways to

compensate for the impact of removing land from the Green Belt through improvements to the environmental quality and accessibility of land remaining in the Green Belt.

- 2.6 Paragraph 138 states that local planning authorities should set out ways in which removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. Paragraph 141 states that local planning authorities should seek to plan positively to enhance their beneficial use for example looking for opportunities to provide access, outdoor recreation, to enhance landscapes, visual amenity and biodiversity. This is supported by Planning Practice Guidance which emphasises that where it has been demonstrated necessary to release Green Belt land, that policies for compensatory improvements should be made, informed by supporting landscape, biodiversity or recreational needs and opportunities. This could include new or enhanced green infrastructure, woodland planting, landscape and visual enhancements (excluding mitigation of development), improvements to biodiversity, habitat connectivity and natural capital, and new or enhanced walking and cycling routes.
- 2.7 Paragraph 139 sets out the requirements of authorities when defining Green Belt boundaries (which can include new boundaries related to the release of land from the Green Belt), which can be summarised as follows:
- a) Consistent with the plan's strategy in meeting identified requirements for sustainable development;
  - b) Not to include land unnecessary to keep open;
  - c) Where necessary, safeguard between the boundary and urban area, for future development beyond the plan period;
  - d) Make clear that any safeguarded land is not allocated for development;
  - e) Demonstrate that Green belt boundaries will not need to be altered at the end of the plan period; and
  - f) Clearly define boundaries using physical features that are likely to be permanent.
- 2.8 Accordingly, the NPPF envisages that plan-making authorities may release land from the Green Belt and, in so doing, define new Green Belt boundaries in order to deliver sustainable and objectively assessed development needs, where there are fully justified exceptional circumstances. Authorities must have regard to the likely permanence of any

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revised Green Belt boundaries which should reflect the strategy for meeting identified requirements and for safeguarding land outside the revised Green Belt that may be required for future development needs beyond the plan period, i.e. ensuring the revised boundaries can work into the long term. Where land is removed from the Green Belt, authorities should seek compensatory improvements to the environmental quality and accessibility of land remaining within the Green Belt.

### **3.0 REVIEW OF TWBC'S GREEN BELT STRATEGIC STUDIES: STAGES ONE AND TWO**

3.1 TWBC's Green Belt Strategic Study; Stage One, November 2016, defines the scope of the study, which can be summarised as follows:

- The assessment is undertaken in relation to the contribution of the areas of land within the existing Green Belt in respect of each of the five purposes of the Green Belt, as defined by the NPPF (NPPF 2012 being current at that time);
- Whether a more detailed second stage of study would be required;
- The study will not determine whether or not land should remain or be included in the Green Belt, as this is the role of the Local Plan and includes whether there are exceptional circumstances for altering existing boundaries; but
- By establishing the extent to which areas of Green Belt fulfil the purposes for which it was designated, this is intended to inform further decisions on whether any of the Borough's Green Belt should be amended.

3.2 The assessment methodology studies two aspects of the fundamental aims of Green Belt; the extent to which land has been kept free from urban sprawl and the extent to which it is necessary to keep land open in order to prevent future urban sprawl. The study considers the overall contribution that various parts of the Green Belt make to fulfilling the five purposes and the harm that would result from release.

3.3 The Stage One study divided the Green Belt of the borough up into ten broad areas. The Tudeley Village draft allocation lies within BA3, between Tonbridge and Paddock Wood – south of the railway, and BA4, north of the railway. It suggested some 33 parcels for more detailed assessment at Stage Two. These parcels are all located at the edges of the existing settlements which abut Green Belt. None of these Stage Two parcels are applicable to Tudeley Village.

3.4 The Stage One study considered that BA3, to the south of the railway, had a 'Strong' rating against three of the five purposes (checking unrestricted sprawl, preventing towns merging and safeguarding the countryside from encroachment), 'Weak' against one (preserving the special character of historic towns) and did not assess against the last purpose (assisting urban regeneration).

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3.5 In respect of preventing neighbouring towns for merging, the supporting text identified that:

*“Tonbridge and Paddock Wood are over 6km apart, with the broad area occupying a large proportion of the gap between the towns. Therefore, the broad area does provide a significant contribution to the gap between towns, notwithstanding that smaller areas within the larger ‘broad area’ could be developed without compromising the size of the gap between towns.”*

3.6 BA4, to the north of the railway, was considered to have a ‘Strong’ rating against two of the five purposes (preventing towns merging and safeguarding the countryside from encroachment), ‘Relatively Weak’ against two (checking unrestricted sprawl and preserving the special character of historic towns) and, again, did not assess against the last purpose (assisting in urban regeneration).

3.7 The study included the same supporting text as for BA3, in respect of preventing neighbouring towns from merging. For checking the unrestricted sprawl, it states:

*“The broad area does not lie adjacent to a built-up area, but its western edge does lie close to the settlement edge of Tonbridge. Development within the area would be unlikely to be perceived as sprawl from Tonbridge however, owing to the strong edge to the town.”*

3.8 The Stage Two report, July 2017, provides an overall rating for each broad area to indicate the level of harm that could be caused to the Green Belt, should the area be released. All ten broad areas, across the borough, were considered to rate as ‘Very High’ for harm to the Green Belt, noting that there may be opportunities for small-scale development, i.e. non-strategic.

3.9 The TWBC Green Belt Strategic Studies Stages One and Two were undertaken in the context of determining the extent to which the broad areas fulfilled the purposes of including land within the Green Belt. They specifically did not consider these functions in the context of whether land should be released from the Green Belt for development, where exceptional circumstances could exist, as defined by the NPPF.

## **4.0 REVIEW OF TWBC'S DEVELOPMENT STRATEGY TOPIC PAPER**

- 4.1 TWBC's Development Strategy Topic Paper, February 2021, concludes that in order to meet the objectively assessed development needs of the borough, it is necessary to release some Green Belt land for development (as well as areas of Green Belt land that are also within the Area of Outstanding Natural Beauty). The Topic Paper sets out that some 22% of the borough lies within Green Belt and, moreover, the majority of this wraps around the main settlements in the eastern part of the borough (Tunbridge Wells, Southborough and Pembury), as well as the area to the east of Tonbridge/west of Paddock Wood, i.e. the area in which the draft allocation for Tudeley Village is proposed.
- 4.2 The Topic Paper sets out the NPPF's policy context for the review of Green Belt boundaries, where fully justified exceptional circumstances exist. It identifies that neither the NPPF nor the Planning Practice Guidance provide definitions or criteria for exceptional circumstances and relies on case law which may provide some guidance as to an approach. Of note, TWBC suggest, is the case of *Calverton Parish Council v Greater Nottingham Council's 2015 High Court Judgement*, where the objectively assessed housing need had been determined, the following issues were raised:
- The acuteness/intensity of the housing need;
  - The inherent constraints on supply/availability of land suitable for delivering sustainable development;
  - The consequent difficulties in achieving sustainable development without impinging on the Green Belt;
  - The nature and extent of the harm to the Green Belt which would be lost if the boundaries were reviewed; and
  - The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.
- 4.3 The Topic Paper considers various factors that are considered to contribute to exceptional circumstances specific to this borough to justify changes of Green Belt boundaries. These factors can be broadly summarised as:

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- The more sustainable part of the borough is heavily constrained by Green Belt (22%) and AONB (69%);
  - Development requirements are higher than previous plans and are more than twice the amount at the Core Strategy stage in 2010 and without release TWBC will be unable to meet its housing and employment need, as well as land for a secondary school;
  - Neighbouring authorities are unable to assist in meeting TWBC's need;
  - The strategy has maximised development within the existing built-up area and optimised densities;
  - All reasonable options, without releasing Green Belt land, have been fully examined and utilised including robust provision for windfalls, higher densities in urban areas, suitable and deliverable brownfield sites are promoted, sustainable growth outside the Green Belt have been maximised, AONB site allocations are being made and have been maximised, and all suitable sites outside of the Green Belt (and, for major sites, outside of the AONB) have been considered as part of the SHELAA process and Sustainability Appraisal; and
  - All allocated land has been appropriately used, including a balance between residential, employment and other uses, appropriate to a site's location whilst ensuring that the development needs, including infrastructure, are delivered.

4.4 Having undertaken the process TWBC consider that there are exceptional circumstances for the release of land within the Green Belt at Capel for Tudeley Village at the Regulation 19 Consultation stage. In the context of the broader exceptional circumstances, as above, TWBC identify additional site and specific development circumstances, which have been included as part of their decision. For Tudeley Village these include policy specific requirements to:

- Provide flood mitigation measures within the wider landholding related to Tudeley Village, including the potential to reduce flood risk associated with Five Oak Green;
- For the proposals to offer an opportunity to deliver development of exemplar design quality, with exceptional permeability and low levels of private car use;
- Provide a site for a secondary school;

- A new green route to Tonbridge (as well as other inter urban links) and improvements to the landscape and accessibility of the countryside beyond the allocation; and
- Together with the expansion of Paddock Wood, opportunities to provide significant new highway infrastructure and localised highway improvements.

4.5 Further explanation is provided to support the release for the larger sites, including Tudeley Village, for which the report sets out the masterplan process will create open space and improve, existing or deliver new landscape buffers (with development set back from boundaries) within the new developments to ensure the openness of remaining Green Belt is not compromised and that compensatory improvements to the environmental quality and accessibility of remaining Green Belt within the locality will be secured through the masterplanning approach (i.e. following the approach of July 2019 updates to Planning Practice Guidance).

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## 5.0 REVIEW OF TWBC'S GREEN BELT STRATEGIC STUDY: STAGE THREE

- 5.1 The Stage Three study dates from November 2020 and followed on sequentially from the Distribution of Development Topic Paper, September 2019 (subsequently superseded by the Development Strategy Topic Paper, February 2021, as reviewed above), and TWBC's identification of potential development sites within the Green Belt and their acceptance that there are exceptional circumstances to alter the Green Belt boundary, including removing Green Belt land for the proposed development at Tudeley Village<sup>1</sup>. The Stage Three study is an assessment of the potential harm of releasing Green Belt in line with national policy, guidance and case law, and also considers mitigation measures and reviews opportunities to enhance the beneficial uses of Green Belt land. It builds on the Stage One and Two studies, as reviewed in Section 3.0 above and addresses the policy position at the Regulation 18 Consultation stage.
- 5.2 Recognising that there is no defined approach in policy as to how to undertake Green Belt studies, the Stage Three study defines a methodology based on experience of similar exercises undertaken. The assessment of harm combines the loss of the contribution of the released land with an assessment of the impact of this on the contribution of remaining adjacent Green Belt land in three steps: (1) establish contribution with reference to Stage Two study, (ii) assess impact of release on adjacent Green Belt and (iii) assess harm to Green Belt purposes and potential to mitigate. It is noted that the assessment methodology only identifies potential mitigation measures at a high level, targeted at reducing the impacts on the five purposes, but it does not factor in the effect of this mitigation, as this would depend on the details of the mitigation<sup>2</sup>. The method also provides for high-level comments on potential compensatory improvements, but again, although not apparently stated, it does not factor in the benefits of potential compensatory improvements to the assessment of harm.
- 5.3 In respect of harm to the five purposes, the study concludes on Tudeley Village as follows (in summary):
- **Purpose 1: Checking the sprawl of the large built up area** – the land is not close enough and makes No contribution to checking sprawl;
  - **Purpose 2: Preventing neighbouring towns merging** – the land lies between Paddock Wood and Tonbridge (a gap of 6km), but Five Oak Green and

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<sup>1</sup> Policy STR9: Green Belt: Pre-Submission Draft Local Plan Regulation 19 Consultation

<sup>2</sup> Paragraph 3.56 of the Stage Three study

connecting features reduce the perceived separation. The land has a strong distinction from these settlements, meaning development of it would be more intrusive than urban edge development, but the size of the gap means it makes a Relatively Weak contribution to preventing neighbouring towns from merging;

- **Purpose 3: Safeguarding the countryside from encroachment** – the land is open countryside with no characteristics to relate it to inset settlements. The stronger the separation from the urban area the greater the perceived encroachment. The land makes a Strong contribution to safeguarding the countryside from encroachment;
- **Purpose 4: Preserving the setting and special character of historic towns** – the land makes No contribution to preserving the setting and special character of historic towns;
- **Purpose 5: Assisting in urban regeneration, by encouraging the recycling of derelict and other urban land** – all Green Belt land is considered to contribute equally to this purpose.

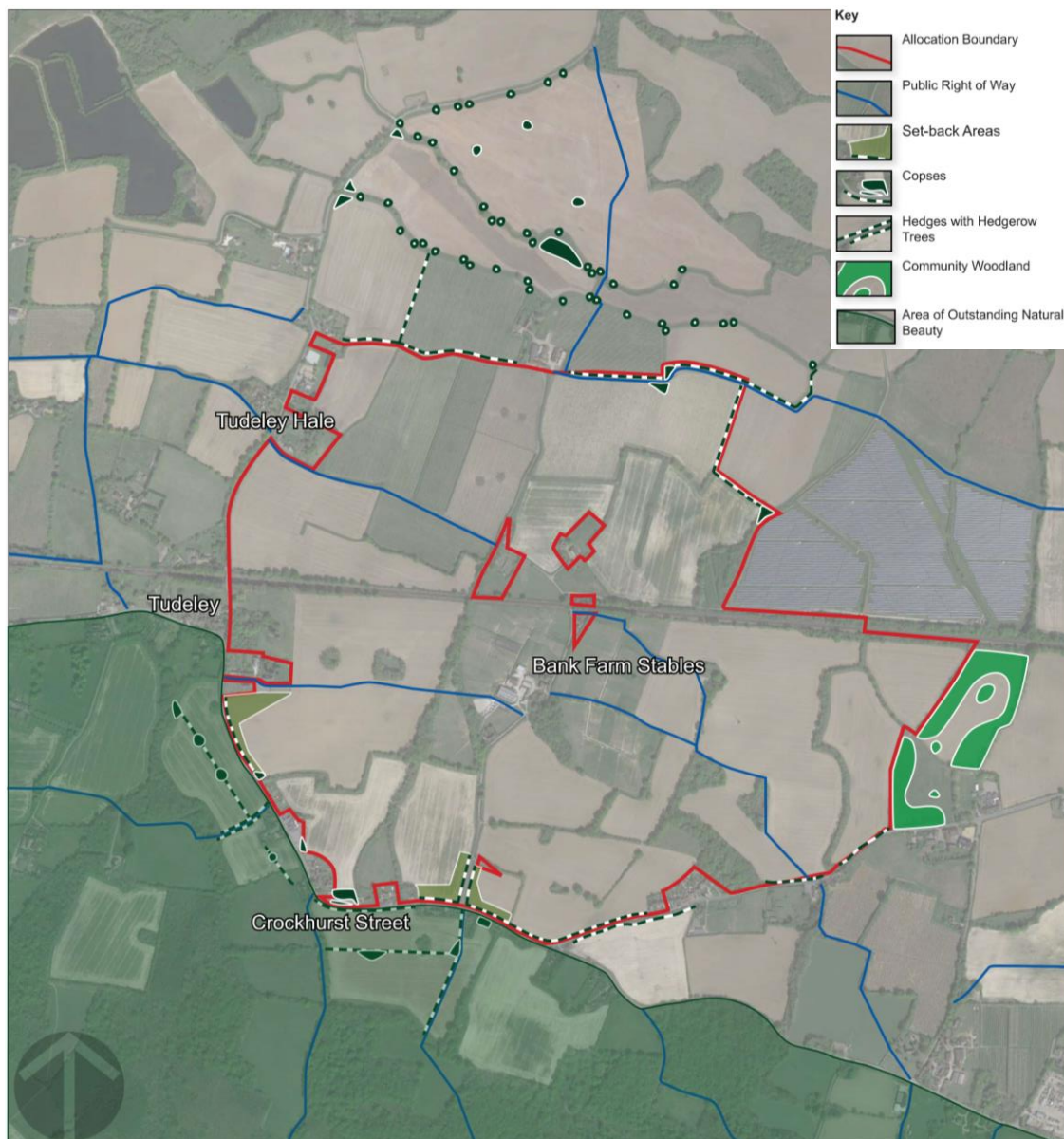
5.4 The study concludes that the release of the land would have a Moderate overall impact<sup>3</sup> on the adjacent Green Belt land. The land makes a Strong contribution to the prevention of encroachment on the countryside and a relatively weak contribution to preventing neighbouring towns merging into one another; and the impact of its release on the adjacent Green Belt would be Moderate. Harm resulting from the release of Policy AL/CA1 would be High<sup>4</sup>. It is noted that in the Chapter 6: Summary and Next Steps the harms are said to be Very High for Tudeley (and Paddock Wood)<sup>5</sup>; this reference at paragraph 6.3 of the report is inconsistent with the main body of the assessment and would appear to be in error.

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<sup>3</sup> As defined at paragraph 3.50 of the Stage Three study

<sup>4</sup> Paragraph 4.119 and Table 4.1

<sup>5</sup> Paragraph 6.3 of the Stage Three study



**Figure 2: Indicative Landscape Mitigation Proposals (for effects on the retained Green Belt and the setting of the AONB), additional to those identified on the Tudeley Draft Masterplan**

5.5 It is right that the Stage Three study only considers on site mitigation located within the allocated land. However, in addition, given the single ownership of the allocated site and a very large area of adjoining and surrounding land, there is considerable opportunity for offsite mitigation on land, within the ownership, and within the retained Green Belt. The potential on site mitigation measures includes a number which the submitted Draft Masterplan for Tudeley addresses (as included at Appendix A of the Stage Three study), and some that it currently does not. Offsite landscape mitigation and landscape/environmental enhancements (and access improvements) have been considered further by the Hadlow Estate since the preparation of the Draft Masterplan,

and the Delivery Document submitted on behalf of the Estate sets these opportunities out. These include for new and enhanced green infrastructure, new woodland planting, landscape and visual enhancements (excluding the mitigation of the potential development), improvements to biodiversity, habitat connectivity and natural capital, and new and enhanced walking and cycling routes. Such proposals would come forward at the appropriate stage of the planning process.

5.6 Figure 2 identifies a range of Indicative Landscape Mitigation Proposals for the potential effects on the retained Green Belt (and on the setting of the AONB). These include for a range of measures including setting back certain edges of development along the B2017 and for the landscape treatment of these open spaces, hedges with scattered hedgerow trees and copses that either reinforce existing hedgerows or are planted on the alignment of former hedgerows (with reference to 1940s and 1960s aerial photography) typically to the south and south-west of the B2017, multiple scattered individual trees and copses within the Medway Valley to the north of the allocated site and the provision of a Community Woodland between the proposed secondary school site, within the allocation, and Capel Primary School.

5.7 The identified mitigation in the Stage Three study is as follows (in summary) and a response to this is provided:

- **Open space and planting, within the allocation, to reduce impact on the gap between Tudeley Village and Five Oak Green** – there would be open space uses in association with the potential provision of the secondary school on the south-eastern edge of the allocation and some potential for planting, as the masterplan demonstrates and as the Stage Three study recognises<sup>6</sup>. The land in the gap itself, outside of the allocation, is largely in the ownership of the Estate and this offers the opportunity for the development of a new Community Woodland to provide the most robust form of landscape treatment to mitigate this effect on the sense of perceived separation. This would not necessarily compromise any required future extension to Capel Primary School;
- **Open space and planting, within the allocation, to reduce the urbanising influence on the Medway Valley** – the Draft Masterplan illustrates extensive open space uses and some planting along the northern edge of and within the

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<sup>6</sup> Paragraph 4.125 of the Stage Three study

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allocation, as the Stage Three study recognises<sup>7</sup>. The land to the north, within the floodplain, is within the ownership of the Estate and this offers the opportunity for further landscape mitigation, characteristic of the floodplain;

- **Strengthen the B2017 boundary by enhancing hedges and introduction of woodland copses and belts** – this is fully achievable for the allocated land frontage onto the B2017 and also for land to the south and west of the B2017 within the ownership, with a dual role of also mitigating the effect on the setting of the AONB. The study highlights the potential for an urbanising effect on the character of the B2017 and the resultant impact on the perceived separation distance between Tudeley Village and Paddock Wood. The indicative landscape proposals seek to address this;
- **Reduce the urbanising effect of development along the B2017 through use of set-back and appropriately designed road infrastructure to maintain the rural character of the road; and gradation in scale of built form, with lower density development to the periphery and in vicinity of railway and B2017** – the principle of set-backs has been included with the indicative landscape proposals. The other matters can all be fully addressed at a more detailed stage;
- **Introduce a village-like character to reduce the perception of being a ‘town’ in respect to Purpose 2, through the application of ‘garden settlement’ principles** – this is a policy requirement and, therefore, would be delivered;
- **Reduce urbanising influence by avoiding high-density built development on rising ground to the south and south-west and ensuring new development is designed sensitively with views and local character considered** – the Draft Masterplan assumes higher density development at the village centre not on ground to the south or south-west;
- **Use of sustainable drainage features to define/enhance separation between settlement and countryside, integrating with the existing pattern of dykes and streams** – this is a principle adopted within the masterplan for the northern and eastern boundaries, where attenuation is most relevant. Sustainable drainage features, as a matter of principle, would be adopted site wide.

5.8 The study highlights that the draft wording of Policy AL/CA 1 (and consistent with the Regulation 19 Policy STR/SS 3) includes for the provision of a range of landscape and

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<sup>7</sup> Paragraph 4.125 of the Stage Three study

green infrastructure requirements, as well as the provision of compensatory improvements to the environmental quality and accessibility of retained Green Belt outside of the allocation. The study identifies that the harm from releasing the allocated land from the Green Belt would be High, but this consideration does not take into account the onsite mitigation measures that the study highlights and, of course, it does not take into account the considerable potential for offsite mitigation and compensatory measures on retained Green Belt land. Notwithstanding this outcome, TWBC considers that there are both general borough-wide as well as specific factors that amount to the exceptional circumstances necessary to release the allocated land from the Green Belt.

- 5.9 For the cumulative assessment of the harms of Tudeley Village and an expanded Paddock Wood, the study concludes there would be additional in-combination harms, in the sense of separation between Tonbridge and Paddock Wood, i.e. Purpose 2. It considers the retained Green Belt separation between Tonbridge and Tudeley Village to be strong but would significantly weaken the Green Belt separation between Paddock Wood and Tudeley Village, although for the latter the remaining Green Belt between these would continue to play a strategic Green Belt role. In respect of Purpose 3, this study concludes that the in-combination release would weaken the extent to which the remaining Green Belt land, particularly between Tudeley Village and Five Oak Green, contributes towards safeguarding the countryside from encroachment<sup>8</sup>. Mitigation measures for this last point are as for the impacts of Tudeley Village, in its own right, and as set out above at paragraph 5.6.
- 5.10 The scale of the allocated site allows for the mitigation identified in the Stage 3 study to come forward and to be detailed at the planning application stage. The single ownership position of Tudeley Village proposal provides a special, near unique opportunity to secure wide ranging mitigation and compensatory measures, unlike most urban edge developments in the Green Belt. These are set out in outline in the Delivery Strategy submitted on behalf of the Estate and which would be detailed as part of a planning application and be secured through legal agreement. These have the potential to reduce the harm, additionally and substantially, to the purposes of the Green Belt, especially the most significantly harmed purpose, Purpose 3 (safeguarding the countryside from encroachment), and to balance/compensate for the residual harm of Tudeley Village on its own, or in-combination with the Paddock Wood releases, with a range of benefits to nearby and wider retained Green Belt.

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<sup>8</sup> Paragraphs 5.19-5.21 of the Stage Three study

## 6.0 THE LIKELY PERMEMANCE OF THE REVISED GREEN BELT BOUNDARY AT TUDELEY VILLAGE

6.1 This section considers, independently, an appropriate revised boundary for the Green Belt in conjunction with the release of the land for Tudeley Village identified in draft Policy STR/SS 3. The revised boundary seeks to meet the six requirements of Paragraph 138 of the NPPF, as summarised at paragraph 2.6 of this report. Accordingly, the area proposed to be released from the Green Belt should be sufficiently large to ensure that it meets with the Local Plan's strategy requirement for identified need and to define clear boundaries, using physical features that are recognisable and permanent.

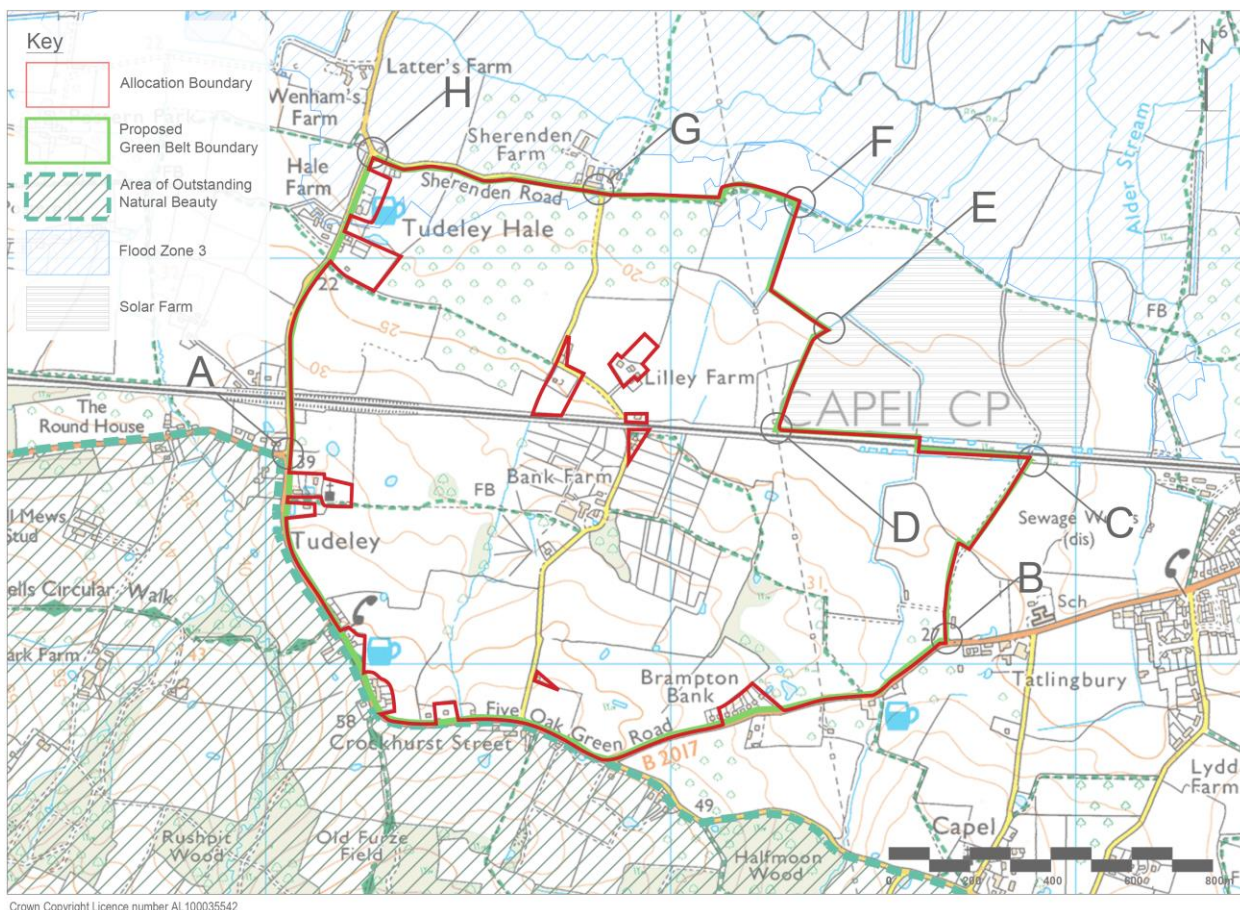


Figure 3: Proposed Green Belt Boundary

6.2 Figure 2 identifies the draft policy boundary and a suggested revised Green Belt boundary. This figure also illustrates the AONB boundary and that of Flood Zone 3. The justifications for the various boundary lengths are as follows:

- The B2017, from the junction with Hartlake Road, east to a robust wooded shaw with ditch, that runs northwards from the B2017 from a point opposite the

George & Dragon Public House (points A to B on Figure 2). The AONB boundary also runs along and lies to the south of the B2017, up to the junction with Alders Road, from where it follows Alders Road to the east. The presence of the AONB is considered to further reinforce the likely permanence of this boundary;

- The hedgerow, from the B2017 north to the railway line (points B to C) is a recognisable landscape feature, that would remain into the long term. However, the Stage Three study identifies the relative weakness of the eastern edge of this extension. The mitigation proposals outlined above, suggest that a new Community Woodland in the remaining gap between the secondary school land and Capel School/edge of Five Oak Green which would provide suitable mitigation and ultimately a robust boundary to the revised Green Belt;
- The railway line, between points C and D;
- Two field boundary shelter belts (points D to F) and with a boundary against the solar farm (points D to E). Again, land beyond this boundary may be used for recreational purposes or for flood attenuation purposes and, therefore, may be deemed to be not inappropriate development within the Green Belt. Equally, the boundary could follow the solar farm to the north, increasing the release of Green Belt land beyond the draft policy area boundary but including potential recreational or flood attenuation uses;
- A clearly defined ditch beside which there is a Public Right of Way, west to Sherenden Farm (points F to G);
- Sherenden Road, from Sherenden Farm west to the junction with Hartlake Road (points G to H). This boundary is considered to be robust into the long term, but it would include some land that is within Flood Zone 3 and, therefore, unlikely to be developable for residential uses, as well as being outside of the draft allocation boundary; and
- Hartlake Road, south from the junction with Sherenden Road to the junction with the B2017 (points H to A).

6.3 The suggested boundary along the western side from Sherenden Road to the B2017, would release land at Tudeley Hale that is outside of the draft allocation boundary, and

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also land to the south of the junction of Hartlake Road with the B2017, including All Saints Church, Tudeley. An alternative to this would be to draw the revised boundary around the rear boundary of these properties but the suggested boundary is considered to be clearer and more robust along the road than it would be along the domestic boundaries of these properties. Various smaller land parcels and individual residencies with the wider boundary of the draft policy, would also be included as part of the release. Again, it is considered that this position is more defensible in the long term.

- 6.4 The suggested revised Green Belt boundary is considered to provide for enough land to meet with TWBC's strategic requirement for the identified need and the boundaries proposed are clear, using physical features that are recognisable and permanent. No land has been included which is unnecessary to keep permanently open or that is safeguarded between the urban area (as yet undefined) and the revised Green Belt boundary.

## 7.0 EFFECTS ON THE GREEN BELT AND THE CASE FOR EXCEPTIONAL CIRCUMSTANCES FOR THE RELEASE OF GREEN BELT LAND

- 7.1 The existing Green Belt extends between the two principal settlements of Tonbridge and Paddock Wood. The present depth of Green Belt is some 6km at the closest points. Five Oak Green lies within this area and is surrounded by Green Belt. The Green Belt is some 1.1km wide between Five Oak Green and Paddock Wood and some 3.7km between Five Oak Green and Tonbridge. Although, for the purposes of Paragraph 134 of the NPPF, Five Oak Green is not considered to be one of the relevant “*large built-up areas*”.
- 7.2 The TWBC Green Belt Strategic Study considers that the Green Belt between Tonbridge and Paddock Wood (identified as BA3 and BA4) is rated as ‘Strong’, in terms of preventing neighbouring towns from merging into one another and in assisting safeguarding the countryside from encroachment, with the land south of the railway also ‘Strong’ in checking the unrestricted sprawl of large built-up areas. Whilst land north of the railway is rated as ‘Relatively Weak’. Neither of the areas are considered important of preserving the setting and special character of historic towns.
- 7.3 The suggested revised boundaries for the release of land for Tudeley Village from the Green Belt would retain an area of Green Belt between Tudeley Village and Tonbridge of some 1.65km wide, at the closest point; 2.75km wide Between Tudeley Village and Paddock Wood (as existing) and 0.5km wide with Five Oak Green, although this is not a large built-up area. Some of the land west of Paddock Wood is also allocated for release from the Green Belt, up to the A228 Whetsted Road. The retained Green Belt between Tudeley Village and the revised boundary of Paddock Wood would be some 2.1km. Distance alone is not a requirement of or a defining issue for Green Belt but, rather, it is the degree to which the retained land serves the five purposes.

**Table 1: Assessment of the retained Green Belt land against the five purposes**

Five purposes (NPPF 134)	GB retained between Tudeley Village and Tonbridge	GB retained between Tudeley Village and Paddock Wood
<b>To check the unrestricted</b>	The suggested new boundary along Hartlake Road and the B2017 is considered to be clear,	The suggested new boundary along the eastern edge of Tudeley Village would comprise, in part, a solar farm

<p><b>sprawl of large built-up areas</b></p>	<p>recognisable and permanent. Moreover, the area of land south of the B2017 is within the AONB and some of which is a Registered Historic Park and Garden. The new boundary would check further development between Tudeley Village and Tonbridge. The retained land in the Green Belt, between the two settlements, would be robustly defined and would provide a clear sense of open land free from sprawl.</p>	<p>and several landscape features, including hedgerows. The 2km wide area of land between Tudeley Village and the revised Green Belt boundary for Paddock Wood is a significant area of countryside which includes Five Oak Green (outside of the Green Belt and hamlet of Whetsted, within the Green Belt. The revised Paddock Wood boundary would be clearly and robustly defined by the A228. The new Tudeley Village boundary would be defined by clear landscape features and would provide a clear sense of open land free from sprawl.</p>
<p><b>To prevent neighbouring towns merging into one another</b></p>	<p>The broad 6km width of the Green Belt between Tonbridge and Paddock Wood would ensure that with the presence of Tudeley Village the two towns would not merge or be perceived to merge. The new boundary to the west of Tudeley Village would be robustly defined and prevent Tudeley Village from merging, into the long term, with Tonbridge.</p>	<p>The broad 6km width of the Green Belt between Tonbridge and Paddock Wood would ensure that with the presence of Tudeley Village the two towns would not merge or be perceived to merge. The revised Paddock Wood boundary would be clearly and robustly defined by the A228. The new boundary to the east of Tudeley Village would be robustly defined by clear landscape features and prevent Tudeley Village from merging, into the long term, with Paddock Wood.</p>
<p><b>To assist in safeguarding the countryside from encroachment</b></p>	<p>Evidently the introduction of Tudeley Village would represent encroachment into the countryside. However, the retained Green Belt west of Tudeley Village would remain as overwhelmingly rural in character (partly AONB and Registered Historic Park and Garden) and the new boundary robustly defined.</p>	<p>Evidently the introduction of Tudeley Village would represent encroachment into the countryside. However, the retained Green Belt east of Tudeley Village would remain rural in character, albeit with the presence of development (Five Oak Green and Whetsted and roads) within it. The revised Paddock Wood boundary and new Tudeley Village eastern boundary would be clearly defined by the A228 and this would</p>

		protect the countryside of the retained Green Belt.
<b>To preserve the setting and special characteristics of historic towns</b>	The area of Green Belt between Tonbridge and Paddock Wood, to the south of the railway, does not form part of the setting of an historic town (as confirmed by TWBC's Green Belt Strategic Study). To the north of the railway, the area forms part of the wider river valley setting of Tonbridge. Tudeley Village would lie beyond the valley floor and its western boundary would be clearly defined by its boundary along Hartlake Road.	The area of Green Belt between Tonbridge and Paddock Wood, to the south of the railway, does not form part of the setting of an historic town (as confirmed by TWBC's Green Belt Strategic Study). To the north of the railway the area forms part of the wider river valley setting of Tonbridge. However, the eastern part of Tudeley Village would not relate to Tonbridge's wider river valley setting.
<b>To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</b>	All parts of the Green Belt within the borough are considered to contribute equally to this purpose (as confirmed by TWBC's Green Belt Strategic Study).	All parts of the Green Belt within the borough are considered to contribute equally to this purpose (as confirmed by TWBC's Green Belt Strategic Study).

7.4 Evidently, the development of the land for Tudeley Village would have a direct effect on the existing Green Belt and would impact to some degree on the first three of the five purposes. However, as the information in Table 1 seeks to set out, the retained Green Belt between Tonbridge, Tudeley Village and Paddock Wood would be clearly and robustly defined and would prevent urban sprawl, neighbouring towns from merging with one another and safeguard the countryside from encroachment, into the long term.

7.5 TWBC have defined in the Development Strategy Topic Paper, February 2021, the exceptional circumstances that they consider exist for the release of Green Belt land within the borough. As set out in Section 4.0 above, TWBC have identified the extent of Green Belt and AONB constraints, the acute need for development land to be brought forward through the Local Plan and the inability for neighbouring authorities to assist in meeting TWBC's need. They consider that they have maximised the use of urban sites,

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optimised development densities and they have considered all suitable sites outside of the Green Belt (and, for major sites, outside of the AONB).

7.6 TWBC also consider further exceptional circumstances exist for the release of the land for Tudeley Village. These are to:

- Provide flood mitigation measures within the wider landholding related to Tudeley Village, including the potential to reduce flood risk associated with Five Oak Green;
- For the proposals to offer an opportunity to deliver development of exemplar design quality, with exceptional permeability and low levels of private car use;
- Provide a site for a secondary school;
- A new green route to Tonbridge (as well as other inter urban links) and improvements to the landscape and accessibility of the countryside beyond the allocation; and
- Together with the expansion of Paddock Wood, opportunities to provide significant new highway infrastructure and localised highway improvements.

7.7 TWBC's Strategic Flood Relief Assessment (SFRA), highlights flooding concerns associated with the Alder Stream and Five Oak Green. The Hadlow Estate own land within the catchment of the Alder Stream, upstream of Five Oak Green. Subject to detailed assessment, there would appear to be the capacity to develop flood mitigation proposals (storage/attenuation) that hold water back within the catchment, slowing its delivery to Five Oak Green and to do this in a manner that would enhance biodiversity. The Estate also controls land higher in the Medway catchment, including watercourses that influence the nature of flooding within the Medway Valley, including Five Oak Green, to which similar proposals would be applied.

7.8 TWBC are seeking that the development proposals are of exemplar design quality based upon Garden City principles, as articulated by the Town & Country Planning Association and reflected in the Government's request for Garden Community proposals in their Prospectus dated 4th June 2019. Draft Policy STR/SS 3 for Tudeley Village sets out these principles. It is recognised that many developments around the country will state they comply with these principles. However, the Hadlow Estate is seeking to place Tudeley Village firmly within the tradition of Garden Village planning in the UK as seen in Letchworth Garden City, Welwyn Garden City, Port Sunlight and Bournville, now

protected as Conservation Areas with many Listed Buildings and visited by town planners from around the world. The legacy of these communities has inspired others, including the Hadlow Estate who ally themselves with the work of other estate landowners at, for example, Poundbury, Chapelton and Tornagrain.

7.9 These developments have three characteristics which the majority of other planned garden communities cannot deliver, and the principles set out above by Government do not adequately capture. These characteristics will be fundamental to the delivery of the required exemplar design quality and, indeed, will meet the exceptional circumstances test. The three characteristics are:

- **Landowner-led** - the presence of a single, long-term landowner with a vested interest in the site and an aspiration towards leaving a legacy is in contrast to the majority of new development schemes where a developer has no long-term financial stake in the land. Their priorities lie in the immediate satisfaction of their shareholders. The difference this makes is enormous. Development by a single, long-term landowner is, arguably, the only route that allows an extended, measured view of development. The ability to adopt a patient perspective on financial returns creates considerable opportunity to innovate beyond the norm. With it, the premium that highly crafted construction, well-considered design and mixed use will reap over time can be appreciated. Ultimately, this will secure a better place in the long run. This approach is grounded in the principle of capturing uplift that informed the original Garden Cities and model villages. Both Letchworth and Welwyn were, for example, delivered by single bodies acting as the landowner, which were able to capture the land value uplift resulting from development. This uplift then financially supported the delivery of the towns' physical and social infrastructure. The process of capturing land value gains takes time, though, and thus is often not attractive to conventional investors.
- **Mixed Use** - Commercial and employment uses are firmly integrated within the residential fabric of the community, including the ability to 'live over the shop'. This level of integration is often too complex for more simplistic developments to accommodate as they inevitably rely on larger contractors delivering single-use development plots. This leads to a physical separation and disaggregation between housing and non-residential uses. The free-standing neighbourhood centre clustered around a car park is anathema to a square, high street or high

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road. Moreover, developments such as Poundbury would boast that it has as many jobs as it has residents, whilst Chapelton had 30 employees by the time it had only 125 occupations. Conventional housing developments cannot deliver these statistics.

- **Stewardship** - Long-term landownership also facilitates long-term stewardship. It captures the original ethos of Garden City governance, which meant that stewardship was undertaken for the benefit of the community and that the community had a stake in the settlement's future. For the original Garden Cities, model villages and contemporary exemplar planned settlements, having a collective vision was fundamental to building momentum in the creation of community identity. Stewardship bodies have historically, and continue to be, valuable means of supporting this vision. Their roles can be summarised under two main functions:
  - (i) Design regulation, via building codes applicable during initial development and any subsequent alterations; and
  - (ii) Maintaining common, unadopted areas of the community.

In so doing, they act as a vehicle for sustaining and protecting in perpetuity the unique features of the settlement – its buildings, public realm, facilities and their characteristics and identity – that encourage civic pride, identity and interaction. This in turn leads to greater value being placed upon community spirit, encouraging sound investment and creating benefits for those who live, work or visit the settlement.

- 7.10 TWBC have identified an essential need for the delivery of a new secondary school for the future requirement generated in the wider area, beyond Tudeley, in combination with the future requirement that Tudeley Village and an expanded Paddock Wood would generate. The draft allocation boundary identified in the Draft Local Plan has been widened in the Pre-Submission Draft, in order to accommodate sufficient land to deliver a secondary school at Tudeley Village and well-located for access from the A228 and Paddock Wood. The allocation (Policy AL/CA 2) in the Draft Local plan, of land to the east of Tonbridge and west of the site for Tudeley Village has accordingly been omitted from the Pre-Submission Draft. Both this and the proposed secondary school site are on land in the ownership of the Estate and the Estate is particularly well-placed to provide adequate land for a new secondary school in the appropriate location.

7.11 Paragraph 138 of the NPPF requires that where it has been concluded that it is necessary to release Green Belt land for development, the impact of removing land can be offset through compensatory improvements to the environmental quality and accessibility of the remaining Green Belt. Such provisions, as they are required through policy, should not necessarily be considered, in themselves, to be exceptional circumstances. However, the Estate owns considerable land contiguous with Tudeley Village, within the Medway floodplain to the north and around Tudeley Woods to the south. Subject to detailed consideration, this land and the habitats within it have a significant and perhaps unique potential for environmental and biodiversity improvements, as well as opportunities to enhance accessibility to the Green Belt. These have the potential to go well beyond and exceed any 'normal' level of expectation for compensation.

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## 8.0 CONCLUSIONS

- 8.1 This appraisal is an assessment of the implications for the Green Belt in the context of a potential release of Green Belt land for a strategic development site identified in the Tunbridge Wells Local Plan, which has reached the Pre-Submission Draft Regulation 19 stage. This stage is a public consultation into the Council's draft Local Plan policies and site allocations that have been identified to deliver identified housing need, including draft proposals for one new settlement at Tudeley ('Tudeley Village'), as defined by draft Policy STR/SS 3.
- 8.2 The NPPF envisages that plan-making authorities may move Green Belt boundaries in order to deliver sustainable and objectively assessed development needs, where there are fully justified exceptional circumstances. Authorities must have regard to the likely permanence of any revised Green Belt boundaries which should reflect the strategy for meeting identified requirements and for safeguarding land outside the revised Green Belt that may be required for future development needs beyond the plan period.
- 8.3 TWBC have defined in the Development Strategy Topic Paper, February 2021, the exceptional circumstances that they consider exist for the release of Green Belt land within the borough. These include the extent of Green Belt and AONB constraints, the acute need for development land to be brought forward through the Local Plan and the inability for neighbouring authorities to assist in meeting TWBC's need. They consider that they have maximised the use of brownfield sites, optimised development densities and they have considered all suitable sites outside of the Green Belt (and, for major sites, outside of the AONB).
- 8.4 TWBC also consider further exceptional circumstances exist for the release of the land for Tudeley Village. These are to provide flood mitigation measures to reduce flood risk associated with Five Oak Green, to offer an opportunity to deliver development of exemplar design quality, with exceptional permeability and low levels of private car use, the land for a secondary school, a new green route to Tonbridge (as well as other inter urban links) and improvements to the landscape and accessibility of the countryside beyond the allocation, and together with the expansion of Paddock Wood, opportunities to provide significant new highway infrastructure and localised highway improvements
- 8.5 The suggested Green Belt boundary, revised to accommodate Tudeley Village, is considered to provide for enough land to meet with TWBC's strategic requirement for identified need and the boundaries proposed are clear, using physical features that are recognisable and permanent. No land has been included which is unnecessary to keep

permanently open or that is safeguarded between the urban area and the new Green Belt boundary.

- 8.6 Evidently, the development of the land for Tudeley Village would have a direct effect on the existing Green Belt and impact to some degree on the first three of the five purposes set out at Paragraph 134 of the NPPF. However, the retained Green Belt between Tonbridge, Tudeley Village and Paddock Wood would be clearly and robustly defined and would prevent urban sprawl, neighbouring towns from merging with one another and safeguard the countryside from encroachment, into the long term.
- 8.7 Furthermore, the range of potential mitigation measures, both within and outside the proposed allocation, and the potential compensatory improvements within retained Green Belt land should properly be considered as part of the overall evaluation process of the effects on releasing this land from the Green Belt. The ownership position of the Tudeley Village proposal provides a special, near unique opportunity to secure such measures, unlike most urban edge developments in the Green Belt, and these have the potential to substantially reduce the harm to the purposes of the Green Belt, especially the most significantly harmed purpose, Purpose 3 (safeguarding the countryside from encroachment), and to balance/compensate for the residual harm of Tudeley Village on its own, or in-combination with the Paddock Wood releases, with a range of benefits to nearby and wider retained Green Belt.

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